

Petition for Repair of a Drainage System

(Pursuant to Minnesota Statute 103E.715)

Drainage System Name: _____
(e.g., county ditch no. 1 or judicial ditch no. 1)

Location of Drainage System – Township(s): _____
County(s): _____

Petitioner(s) understand the statutory definition of “repair” is as follows:

MINNESOTA STATUTE 103E.701 REPAIRS

Subdivision 1. **Definition.** The term “repair,” as used in this section, means to restore all or a part of a drainage system as nearly as practicable to the same condition as originally constructed and subsequently improved, including resloping of ditches and leveling of waste banks if necessary to prevent further deterioration, realignment to original construction if necessary to restore the effectiveness of the drainage system, and routine operations that may be required to remove obstructions and maintain the efficiency of the drainage system. “Repair” also includes:

- (1) incidental straightening of a tile system resulting from the tile-laying technology used to replace tiles; and
- (2) replacement of tiles with the next larger size that is readily available, if the original size is not readily available.

Petitioners believe this drainage system needs repairs because: _____

Photo(s) of area(s) needing repair is/are attached? Yes No

Petitioners request the Drainage Authority:

- a. Determine the drainage system needs repair and appoint an engineer to examine the drainage system and make repair report. M.S. 103E.715, Subd. 2
- b. After filing of the repair report, set a public hearing and provide at least ten days’ written notice of the public hearing to petitioners, owners of property, and political subdivisions likely to be affected by the repair in the repair report. M.S. 103E.715, Subd. 3
- c. At the public hearing, make findings and order the repair be made if:
 - (1) the drainage authority determines from the repair report and the evidence presented that the repairs recommended are necessary for the best interests of the affected property owners (M.S. 103E.715, Subd. 4(a)(1)); or
 - (2) the repair petition is signed by the owners of at least 26 percent of the property area affected by and assessed for the original construction of the drainage system, and the drainage authority determines that the drainage system is in need of repair so that it no longer serves its original purpose and the cost of the repair will not exceed the total benefits determined in the original drainage system proceedings. (M.S. 103E.715, Subd. 4(a)(2).)

Petitioner: _____ Date: _____
Signature _____

Name (Print) Phone: _____
Address: _____

My interest in this drainage system is: _____

Petitioner: _____ Date: _____
Signature _____

Name (Print) Phone: _____
Address: _____

My interest in this drainage system is: _____

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Signature _____

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