**STATE OF MINNESOTA**

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

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| **In the Matter of:****the Petition to Impound, Reroute, and Divert <Name of Drainage System>** | **PETITION TO IMPOUND, REROUTE, AND DIVERT <NAME OF DRAINAGE SYSTEM> DRAINAGE SYSTEM WATERS** |

Pursuant to Minn. Stat. § 103E.227, Petitioners seek approval to impound, reroute, and divert drainage system waters on the <name of drainage system> for beneficial use. For their Petition, the undersigned Petitioners state and allege the following:

1. Petitioners seek approval to impound, reroute, and divert drainage system waters on <name of drainage system> located in <Township(s)/County(ies)> for beneficial use.
2. <Statement as to the beneficial use and brief description of the project that requires drainage system waters to be impounded, rerouted, and diverted>.
3. To facilitate implementation of the <name of the proposed project>, Petitioners must impound, reroute, and divert portions of <name of drainage system> located on or across the following properties:

|  |  |  |
| --- | --- | --- |
| **Property Description** | **Property Owners** | **Address** |
| 1. |  |  |
| 2. |  |  |
| 3. |  |  |

1. <Name of engineer>, a licensed engineer, has investigated the potential and feasibility of impounding, rerouting, and diverting portions of <name of drainage system> and has found that a feasible impound, reroute, and diverted drainage system alternative will <statement as to the objective being accomplished, for example, restoration or reestablishment of wetlands> without reducing drainage efficiency to properties benefited by the drainage system. The impoundment, reroute, and diversion will also serve to impound more surface water on the drainage system, thereby reducing the amount of surface water currently draining through the system.
2. Attached to this Petition and labeled as **EXHIBIT A** are plans and specifications for the proposed impoundment, reroute, and diversion developed by <name of engineer>.
3. Attached to this Petition and labeled as **EXHIBIT B** is a map of the areas likely to be affected by the impoundment, reroute, and diversion of drainage system waters.
4. The rerouting of <name of drainage system> in the <location of reroute> will include the following:

<Describe the starting point, general course, and terminus of the reroute>.

1. Petitioners agree to be responsible for the cost of installation and construction of the structures as well as the engineering and legal costs associated with this Petition.
2. [Note: If Petitioners intend to request funds from the drainage system be allocated as separable repair costs or, if benefits to the drainage system generated by the impound, reroute, and diversion of drainage system waters, Petitioners should include the request in the Petition.]

<Petitioners request that the engineer appointed to investigate the effect of the proposed impound, reroute, and diversion determine whether the portion of the drainage system to be rerouted is in needs of repairs and estimate the cost at the time of this Petition of these separable repairs. If the engineer finds that the portion of the drainage system to be rerouted is in need of repair, Petitioners request the drainage authority contribute drainage system funds in an amount equal to the cost of separable repairs presently needed on that portion of the existing drainage system to the project>.

1. Petitioners have consulted with the Division of Waters, Department of Natural Resources, and determined that a public waters permit <is/is not> required for this impoundment, reroute, and diversion. <(1) A public waters work permit has been obtained for this impoundment, reroute, and diversion; or (2) An application for a public waters work permit has been/will be submitted for this impoundment, reroute, and diversion. Approval of this impoundment, reroute, and diversion is conditioned on approval of the application for a public waters work permit and fulfillment of permit conditions>.
2. [Note: a bond is not required if the petition is filed by the state, a state agency or department, the commissioner of natural resources, the United States or any of its agencies, a soil and water conservation district, a watershed district, or a municipality.]

A bond in the amount of <at least $10,000> is attached hereto, payable to <county(ies) or watershed district> conditioned to pay the costs incurred if these proceedings are dismissed or a contact is not awarded to construct the improvement proposed in the petition. Petitioners acknowledge and agree that additional bonds may be required as additional costs are incurred in the proceedings.

1. Petitioner shall acquire, in writing, all property rights, rights-of-way, or flowage easements necessary before construction.
2. This Petition may be signed in counterparts.

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_, \_\_\_\_\_ by:

<Name of person, public or municipal corporation, governmental subdivision, the state or a department or agency of the state, the commissioner of natural resources, or the United States or any of its agencies acting as petitioner(s)>.