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March 6, 2020

Sibley County Auditor  
Sibley County Courthouse  
Gaylord, MN 55334

RE: Petition for Removal of Property from Joint Ditch Sibley/Nicollet County Ditch #5

To Whom It May Concern:

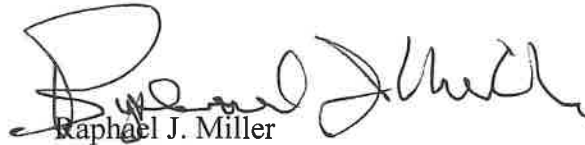
I enclose herewith for filing a Petition for Removal in connection with the above referenced matter.

I also enclose herewith a photocopy of Minnesota Statute 103F.615.

I am also providing a copy of this to Sibley County Attorney, David Schauer.

I request that the hearing on this matter be scheduled at your earliest convenience.

Best regards,

  
Raphael J. Miller

RJM:lrf  
Enclosure

CC: David Schauer – w/encl.

STATE OF MINNESOTA  
COUNTY OF SIBLEY

BEFORE THE JOINT DITCH  
AUTHORITY OF  
SIBLEY/NICOLLET COUNTIES

**PETITION FOR REMOVAL OF PROPERTY  
FROM JOINT DITCH SIBLEY/NICOLLET COUNTY DITCH #5**

The undersigned petitioners who are owners of lands hereinafter described are as follows:

Owners and Addresses

Description

Brent W. Ratliff and Kristin R. Ratliff  
husband and wife  
12818 361<sup>st</sup> Ave.  
LeSueur, MN 56058

E½ of the S½ of SE¼, Ex. building site  
(5 acres total), Sec. 30, Twp. 112, Rge. 26.

Brent W. Ratliff and Kristin R. Ratliff  
husband and wife  
12818 361<sup>st</sup> Ave.  
LeSueur, MN 56058

W½ of S½ of SE¼, Ex. building site  
(5 acres total) Sec. 30, Twp. 112, Rge. 26.

Brent W. Ratliff and Kristin R. Ratliff  
husband and wife  
12818 361<sup>st</sup> Ave.  
LeSueur, MN 56058

5.98 acres of N ½ of SE ¼ of Sec.  
30, Twp. 112, Rge. 26.

WHEREAS, the above named parties have made arrangements to place the above described lands in the Conservation Reserve Enhancement Program (CREP) administered through the United States Department of Agriculture and the State of Minnesota Board of Water and Soil Resources and agreed to a plan to restore the property to its natural state as a result of which will be that the water from the Petitioner's property as above described will be diverted from the drainage system and the property will not significantly or regularly use the drainage system.

WHEREAS, there are no underground drain tile draining said above described lands into above referred to Ditch #5, and Petitioners will receive no benefit from said above referred to Ditch #5.

THEREFORE, Petitioners desire to have said above referred to described lands removed from said above referred to Ditch #5 pursuant to law.


The removal of the above described lands from the watershed of above described Ditch #5 will not adversely affect said Ditch #5 and will not prejudice the property owners and property remaining in the system because the lands herein are not in anyway unnaturally connected to said Ditch #5 at present and there are many other lands remaining and benefiting from Ditch #5.

That your petitioners will pay all costs and expenses which may be incurred in case the proceedings are dismissed or for any reason no allowance of the herein petitioned for removal is ordered as provided by law.

That said removal as prayed for will be of public utility and promote the public health because the enrollment of these subject lands in the CREP program will be of public benefit.

WHEREFORE, your petitioners pray that the joint drainage authority, as provided by law, proceed to remove the above described premises to the extent that the same are presently included in the watershed of said Ditch #5.

DATED: \_\_\_\_\_

Sign:   
Print: Brent W. Ratliff

Sign:   
Print: Kristin R. Ratliff

Sign: \_\_\_\_\_  
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## Office of the Revisor of Statutes

## 2019 Minnesota Statutes

[Authenticate](#)  PDF**103F.615 LIMITATION ON CERTAIN PUBLIC PROJECTS.**

Subdivision 1. **Projects and assessments prohibited.** Notwithstanding any other law, construction projects for public sanitary sewer systems, public water systems, and new public drainage systems are prohibited in wetland preservation areas. New connections between land or buildings in a wetland preservation area and public projects are prohibited. Land in a wetland preservation area may not be assessed for public projects built in the vicinity of the wetland preservation area.

Subd. 2. **Exception; owner option.** Subdivision 1 does not apply to public projects if the owner of the wetland preservation area elects to use and benefit from a public project.

**History:** 1991 c 354 art 4 s 4

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