



PROTECTED WATERS PERMIT

P.A. Number

86-3230

Pursuant to Minnesota Statutes, Chapter 105, and on the basis of statements and information contained in the permit application, letters, maps and plans submitted by the applicant and others supporting data, all of which are made a part hereof by reference, PERMISSION IS HEREBY GRANTED to the applicant named below to change the course, current, or cross section of the following:

Protected Water	County
Sandy Lake (71-40)	Sherburne
Name of Applicant	Telephone Number (include Area Code)
Baldwin Township	(612) 636-6166
Address (No. & Street, RFD, Box No., City, State, Zip Code)	
Tedd Matke, P.E., 663 Old Highway 8, New Brighton, MN 55112	
Authorized to:	
Construct an outlet for Sandy Lake (a landlocked lake) in accordance with the plans submitted with the permit application dated May 7, 1986; said outlet to consist of a 24-inch culvert with an upstream invert elevation of 974.9 feet (MSL) or one and one-half (1½) feet below the natural ordinary high water level; all in accordance with the General and Special Provisions listed herein.	
Purpose of Permit:	Expiration Date of Permit
Lake level control	November 30, 1986
Property Described as:	County
NE¼, Section 36, T. 35N, R. 26W	Sherburne
As Indicated: (8)	As Indicated: (11)
Does Not Apply	The Ordinary High Water Level

This permit is granted subject to the following GENERAL and SPECIAL PROVISIONS:

GENERAL PROVISIONS

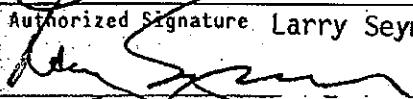
1. This permit is permissive only and shall not release the permittee from any liability or obligation imposed by Minnesota Statutes, Federal Law or local ordinances relating thereto and shall remain in force subject to all conditions and limitations now or hereafter imposed by law.
2. This permit is not assignable except with the written consent of the Commissioner of Natural Resources.
3. The Regional Hydrologist shall be notified at least five days in advance of the commencement of the work authorized hereunder and shall be notified of its completion within five days thereafter. The notice of permit issued by the Commissioner shall be kept securely posted in a conspicuous place at the site of operations.
4. No change shall be made, without written permission previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.
5. The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.
6. This Permit may be terminated by the Commissioner of Natural Resources at any time he deems it necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the provisions of this permit, unless otherwise provided in the Special Provisions.
7. Construction work authorized under this permit shall be completed on or before date specified above. Upon written request to the Commissioner by the Permittee, stating the reason therefore, an extension of time may be obtained.
8. The excavation of soil authorized herein shall not be construed to include the removal of organic matter (as indicated above) unless the area from which such organic matter is removed, is impervious, or is sealed by the application of bentonite after excavation.
9. In all cases where the doing by the permittee of anything authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding therewith, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights and interests necessary therefore.

10. This permit is permissive only. No liability shall be imposed upon or incurred by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors relating to any matter hereunder. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable provisions of law.
11. No material excavated by authority of this permit nor material from any other source, except as specified herein, shall be placed on any portion of the bed of said waters which lies below (as indicated above).
12. Any extension of the surface of said waters resulting from work authorized by this permit shall become protected waters and left open and unobstructed for use by the public.
13. This permit does not obviate any requirement for federal assent from the U.S. Corps of Engineers, 1135 U.S. Post Office and Custom House, St. Paul, Minnesota 55101.

SPECIAL PROVISIONS

1. By undertaking the work authorized by this permit, Baldwin Township expressly agrees to indemnify and save and hold the State of Minnesota, its agents, and employees harmless from any and all claims or courses of action arising from this permit, including but not limited to any acts undertaken pursuant to this permit, any failure to comply with permit terms, or any failure to perform authorized work in accordance with professional standards.
2. The permittee shall comply with all rules, regulations, requirements, or standards of the Minnesota Pollution Control Agency and other applicable federal, state, or local agencies.
3. The permittee shall cover or protect all exposed soil resulting from the construction authorized by placing riprap, sod, and/or seed on banks and slopes of said construction for the prevention of soil erosion, sedimentation and lake/stream discoloration.
4. The permittee is authorized to maintain the approved work to the dimensions herein described. Prior to commencing any maintenance work, permittee shall advise the Department of Natural Resources of the extent and method of maintenance. Maintenance work shall not be commenced until permittee's receipt of the Department's approval.

cc: Baldwin Township, Jess A. Hall, Chairman, Route 2, Box 328, Zimmerman, MN 55398
 Sherburne County SWCD
 Sherburne County Zoning
 U.S. Corps of Engineers
 C.O. Scott Fildes
 Montrose Fisheries
 St. Cloud Wildlife
 Regional Hydrologist *DH*
 Area Hydrologist

Authorized Signature <i>Larry Seymour</i> 	Title Director	Date <i>6/17/80</i>
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