



March 12, 2026

Direct Dial: 320-656-3522
Kvanbruggen@RinkeNoonan.com

High Island Creek Watershed District
Board of Managers
c/o Verne Schlueter, Secretary
2700 S Broadway
New Ulm, MN 56073

SENT VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Re: Petition for Improvement to Renville County Ditch 103
Our File No. 33530-0001

Dear Mr. Schlueter:

Rinke Noonan Law Firm represents Triple T Farms, LLC; E & K Farms, Inc.; Jill Bruns and Steve Bruns; and Lois J. Peterson and Keith Peterson, as Petitioners for the proposed Improvement to Renville County Ditch 103. Enclosed, please find the following:

1. Petition for Improvement to Renville County Ditch 103;
2. A map attached to the Petition as “Exhibit A” depicting the starting point, general course, and terminus of the proposed improvement;
3. Signature Page of Triple T Farms, LLC;
4. Signature Page of E & K Farms, Inc.;
5. Signature Page of Lois J. Peterson c/o Keith Peterson;
6. Signature Page of Jill Bruns and Steve Bruns; and
7. Cash Bond by Triple T Farms, LLC, to the High Island Creek Watershed District for \$10,000.

Technical information to support the petition was provided by Professional Engineer Bill Helget of Bolton & Menk, Inc. For the sake of convenience and expense, the Petitioners request that Mr. Helget and Bolton & Menk, Inc. be appointed as engineers for the proposed improvement project.

Suite 300 US Bank Plaza
1015 W. St. Germain St.
P.O. Box 1497
St. Cloud, MN 56302
320.251.6700

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The Petition for Improvement is being filed with the High Island Creek Watershed District Board of Managers pursuant to Minn. Stat. § 103D.625, subd. 4, which requires the proceedings for the construction or improvement of drainage systems in the watershed district to conform to Minn. Stat. ch. 103E. Pursuant to Minn. Stat. § 103E.202, subd. 5, a cash bond payable to the High Island Creek Watershed District from Petitioner Triple T Farms LLC in the amount of \$10,000 is also enclosed. If the cost of the improvement proceeding will exceed \$10,000, please contact me with the estimated expenses to complete the proceeding and I will notify the petitioners that an additional cash bond is required.

A copy of this letter and the Petition is being sent to your counsel, Mr. Dean Zimmerli. Pursuant to Minn. Stat. § 103E.238, please refer the Petition and bond to your counsel for a determination of whether the Petition and bond meet the requirements for improvement of a drainage system.

A copy of this letter and the Petition is also being sent to Renville County Auditor/Treasurer Heather Weis and Renville County Drainage Systems Manager Seth Sparks.

Please provide me with notice of all meetings and hearings at which the High Island Creek Watershed District will discuss or act on decisions related to the proposed improvement to Renville County Ditch 103.

If you need any additional information from me or the Petitioners, do not hesitate to contact me.

Sincerely,

/s/ *Kale R. Van Bruggen*

Kale R. Van Bruggen
KRV/ksb

Enclosures

cc: Triple T Farms, LLC (w/encls.)
E & K Farms, Inc. (w/encls.)
Lois J. Peterson c/o Keith Peterson (w/encls.)
Jill and Steve Bruns (w/encls.)
Dean Zimmerli, Esq. (via email, w/encls.)
Ms. Heather Weis (via email, w/encls.)
Mr. Seth Sparks (via email, w/encls.)

STATE OF MINNESOTA
HIGH ISLAND CREEK WATERSHED DISTRICT
ACTING AS THE DRAINAGE AUTHORITY FOR THE PROPOSED IMPROVEMENT TO
RENVILLE COUNTY DITCH 103

In the Matter of the Petition for
Improvement to Renville County Ditch 103
(Triple T Farms, LLC, et al.)

**PETITION FOR IMPROVEMENT TO
RENVILLE COUNTY DITCH 103**

TO: THE HIGH ISLAND CREEK WATERSHED DISTRICT BOARD OF MANAGERS, ACTING AS THE
DRAINAGE AUTHORITY FOR THE PROPOSED IMPROVEMENT TO RENVILLE COUNTY DITCH
103

Pursuant to Minnesota Statutes, section 103E.215, the undersigned Petitioners seek an improvement to a separable portion of the Renville County Ditch 103 drainage system. For their Petition, the undersigned Petitioners state and allege, and respectfully request, the following:

1. **Designation of Drainage System.** Petitioners seek improvements to an established and constructed drainage system designated as Renville County Ditch 103 ("CD 103") in Renville County, Minnesota.
2. **Necessity for Drainage Project.** The existing drainage system has insufficient capacity or needs enlarging or extending to furnish sufficient capacity or a better outlet.

The proposed improvements are necessary to prevent flooding, erosion, and adverse effects on agricultural land. Even in a repaired state, CD 103 is inadequate to support beneficial drainage for current farming and drainage practices.

Further, the drainage system needs repair and has remained in service since its original construction. The improvement project petitioned for herein is for a separable portion of the drainage system. Therefore, a portion of the cost may be assessed as a repair. See Minn. Stat. § 103E.215, subd. 6. Because CD 103 needs repair, Petitioners request, to the fullest extent practicable, that the Drainage Authority consider, under Minnesota Statutes, section 103E.215, subdivision 6, the separable maintenance portion of the work when assessing costs of the improvement.

3. **Description of Proposed Improvement.** The proposed drainage project consists of improving and enlarging a portion of the CD 103 subsurface drainage tile main branch starting just west of 475th Street in the Southeast Quarter of the Southwest Quarter (SE¼SW¼) of Section 29, Township 114 North, Range 32 West, Renville County, Minnesota, then continuing generally easterly across the Southwest Quarter of the Southeast Quarter (SW¼SE¼) of said Section 29, where it crosses State Highway 4, then

continuing generally northeasterly across the North Half of the Southeast Quarter (N½SE¼) of said Section 29 and the North Half of the Southwest Quarter (N½SW¼) of Section 28, Township 114 North, Range 32 West, where the proposed improvement project terminates at that point where the subsurface drainage tile outlets into the open ditch portion of the County Ditch 103 drainage system located in the Northeast Quarter of the Southwest Quarter (NE¼SW¼) of said Section 28. The location of the proposed improvements, subject to any alterations deemed prudent or necessary by the appointed project engineers, are depicted on the maps attached hereto as **EXHIBIT A** and are in Martinsburg Township of Renville County, Minnesota. The proposed improvement portion of County Ditch 103 consists of buried tile and is proposed to be enlarged and its capacity increased to meet the High Island Creek Watershed District standard of 3/8" per day drainage coefficient.

4. **State Highway No. 4 Crossing.** Petitioners note that the Minnesota Department of Transportation ("MnDOT") has scheduled reconstruction of State Highway No. 4 at the location of the proposed County Ditch 103 crossing during the 2026 construction season. Because constructing the improved tile crossing concurrently with the MnDOT's highway work would avoid the substantially more expensive jack-and-bore method otherwise required and would produce significant cost savings, Petitioners have notified and coordinated with the Renville County Drainage Systems Manager and MnDOT, and it is believed MnDOT has agreed that the improved crossing may be constructed and then capped as part of the 2026 highway reconstruction. Because the Department's work is expected to be completed before the Drainage Authority acts to establish the proposed improvement, Petitioners propose to advance and pay any preliminary costs necessary to construct the improved crossing during the 2026 highway project. Petitioners further propose that, if the improvement is thereafter ordered and established, and a contract awarded for its construction, that Petitioners shall be entitled to receive a damages payment or reimbursement equal to the reasonable value of those documented expenses in exchange for transferring and assigning to the drainage system any rights, title, and interest in the crossing and related appurtenances required by the Drainage Authority.

5. **Jurisdiction.** The undersigned Petitioners constitute at least 26% of the owners of property that the proposed improvement passes over and the owners of at least 26% of the property area that the proposed improvement passes over. Minn. Stat. § 103E.215, subd. 4(a).

Pursuant to Minnesota Statutes, section 103E.215, subd. 4(c)(4) (2025), set forth below is a list of the 40-acre tracts or government lots that the proposed improvements would pass over, together with the names and addresses of the owners of those tracts, all of which are in Renville County, Minnesota:

	Owner	Address	PID	Descr.	Sec.	Twsp.	Rge.
1	E&K FARMS, INC.	3552 107 AVE NE SPICER MN 56288	17-01852-00	NESW	28	114N	32W

2	PETERSON/LOIS J C/O KEITH PETERSON ¹	74450 ST HWY 4 HECTOR MN 55342	17-01850-00	NWSW	28	114N	32W
3	TRIPLE T FARMS LLC	110 PARKVIEW LANE HECTOR MN 55342	17-01870-00	NESE	29	114N	32W
4	TRIPLE T FARMS LLC	110 PARKVIEW LANE HECTOR MN 55342	17-01870-00	NWSE	29	114N	32W
5	TRIPLE T FARMS LLC	110 PARKVIEW LANE HECTOR MN 55342	17-01870-00	SWSE	29	114N	32W
6	EBERTZ/JOHN	2820 JORDAN DR WOODBURY MN 55125	17-01910-00	SESW	29	114N	32W

6. **Public Utility and Health.** The proposed improvement will be of public utility because it will protect property and roads from overflow and flooding and render property suitable for cultivation. Further, the proposed improvements will promote the public health because they will improve the general sanitary condition of property by drainage and prevent overflow that produces or tends to produce unhealthy conditions on agricultural land.

7. **Agreement by Petitioners.** The undersigned Petitioners have been informed and understand that they may not withdraw as petitioner at any time after this Petition is accepted by the Drainage Authority, except with the written consent of all other Petitioners on the filed Petition.

Also, the undersigned Petitioners acknowledge and agree that they will pay all costs and expenses that may be incurred if the proceedings for this improvement are dismissed or the contract for construction of the proposed improvement is not awarded. See Minn. Stat. § 103E.215, subd. 4(c)(6).

8. **Bond.** One or more Petitioners shall cause a bond to be filed or a check to be delivered in the amount of at least \$10,000 payable to the Drainage Authority to pay the costs incurred if these proceedings are dismissed or a contract is not awarded to construct the improvement proposed in the Petition. See Minn. Stat. § 103E.202, subd. 5. Petitioners acknowledge and agree that additional bonds may be required as additional costs are incurred in the proceedings.

¹ According to the Renville County GIS records, the Taxpayer Owner for this property is PETERSON/LOIS J C/O KEITH PETERSON. However, this last deed of record for this property shows there is a Distribution Agreement dated October 1, 2025, in place authorizing the conveyance of this property from the Estate of Lois J. Peterson to Jill Bruns (married to Steve Bruns) and Keith Peterson (married to Sandy Peterson), as tenants in common. At the time this Petition was prepared for filing, the conveyance deed had not yet been recorded.

9. **Request.** The Petitioners respectfully request the following of the Drainage Authority:

- a. That the Drainage Authority accept the filing of this Petition and the bond and refer the Petition and bond to its legal counsel to determine if the Petition and bond meet the requirements of Minnesota Statutes, chapter 103E for an improvement proceeding;
- b. That the Drainage Authority appoint an engineer for purposes of evaluating the proposed improvement project and direct the engineer to prepare an engineer's preliminary report for the proposed improvement project, including allowing the engineer to analyze other potential routes for the proposed improvements;
- c. That the Drainage Authority authorize the proposed arrangement for the State Highway No. 4 improvement crossing, direct the appointed engineer to coordinate final design, cost estimates, and necessary agreements with MnDOT and Renville County, and provide that the engineer's preliminary report address the proposed advanced construction, the anticipated cost savings, and the method by which Petitioners will be reimbursed or credited if the improvement is established;
- d. That the Drainage Authority direct the appointed engineer to investigate and report on the need for repair of the separable portion of the drainage system petitioned for improvement and include in the detailed survey report a statement showing the proportionate estimated cost of the proposed improvement required to repair the separable part of the existing system and the estimated proportionate cost of the added work required for the improvement;
- e. That the notice of hearing on the detailed survey report be given by publication and mailing to all persons owning property affected by the existing County Ditch 103 drainage system and that a hearing on Petitioners' request for the application of separable maintenance be held at the same time and location as the establishment hearing on the proposed improvement (see Minn. Stat. 103E.215, subd. 6(a));
- f. That at the establishment hearing, the Drainage Authority determine that only a separable portion of the existing drainage system will be improved and that the portion needs repair, and determine and assess, by order, the proportionate cost of the improvement that would be required to repair the separable portion of the drainage system to be improved be allocated as repairs and assessed against all property benefited by the entire County Ditch 103 drainage system, as provided by Minnesota Statutes, section 103E.731, and the balance of the cost of the improvement assessed in addition to the repair assessment against the property benefited by the improvement;

- g. That Professional Engineer Bill Helget and Bolton & Menk, Inc. be appointed as the project engineers; and
- h. That the proposed improvements be established and constructed as part of the Renville County Ditch 103 drainage system.

[Petitioner Signature Pages to Follow]

This Petition was drafted by:

Dated: 3/12/2026



Kale R. Van Bruggen (#0393460)
kvanbruggen@rinkenoonan.com
RINKE NOONAN, LTD.
Attorneys for Petitioners
Suite 300, US Bank Plaza
1015 W. St. Germain St.
P.O. Box 1497
St. Cloud, MN 56302
Our File No. 33530-0001

SIGNATURE PAGE FOR
PETITION FOR PROPOSED IMPROVEMENT
TO RENVILLE COUNTY DITCH 103

PETITIONER:

TRIPLE T FARMS, LLC



Thomas Franzeen, President & CEO

Date: 20 Feb 2026

Triple T Farms, LLC owns the following tracts, which the proposed improvement will pass over:
the NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, Township 114 North, Range 32 West, Renville County,
Minnesota (Parcel ID 17-01870-00).

SIGNATURE PAGE FOR
PETITION FOR PROPOSED IMPROVEMENT
TO RENVILLE COUNTY DITCH 103

PETITIONER:

E&K FARMS, INC.

A handwritten signature in black ink, appearing to read 'Keith Peterson', written over a horizontal line.

Keith Peterson, President & CEO

Date: 2/27/2026

E&K FARMS, INC. owns the following tracts, which the proposed improvement will pass over: the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, Township 114 North, Range 32 West, Renville County, Minnesota (Parcel ID 17-01852-00).

SIGNATURE PAGE FOR
PETITION FOR PROPOSED IMPROVEMENT
TO RENVILLE COUNTY DITCH 103

PETITIONER:

Jill L. Bruns
Jill Bruns

Date: 2/23/26

Steve A. Bruns
Steve Bruns

Date: 2/23/26

Jill Bruns, married to Steve Bruns, has an interest in the following tracts, which the proposed improvement will pass over: NW¼SW¼ Sec. 28, Township 114 North, Range 32 West, Renville County, Minnesota (Parcel ID 17-01850-00). Jill Brun's interest is documented in that Distribution Agreement dated October 1, 2025, recorded at the Office of County Recorder for Renville County, Minnesota and identified as Document #: A412548 certified, filed and or recorded on December 3, 2025 at 3:10 p.m.

SIGNATURE PAGE FOR
PETITION FOR PROPOSED IMPROVEMENT
TO RENVILLE COUNTY DITCH 103

PETITIONER:


Keith Peterson, Personal Representative
Of the Estate of Lois J. Peterson

Date: 2/27/2026

Keith Peterson is the Personal Representative for the Estate of Lois J. Peterson, owner of the following tracts, which the proposed improvement will pass over: NW¼SW¼ Sec. 28, Township 114 North, Range 32 West, Renville County, Minnesota (Parcel ID 17-01850-00).


Keith Peterson

Date: 2/27/2026


Sandy Peterson

Date: 2/27/26

Keith Peterson, married to Sandy Peterson, has an interest in the following tracts, which the proposed improvement will pass over: NW¼SW¼ Sec. 28, Township 114 North, Range 32 West, Renville County, Minnesota (Parcel ID 17-01850-00). Keith Peterson's interest is documented in that Distribution Agreement dated October 1, 2025, recorded at the Office of County Recorder for Renville County, Minnesota and identified as Document #: A412548 certified, filed and or recorded on December 3, 2025 at 3:10 p.m.

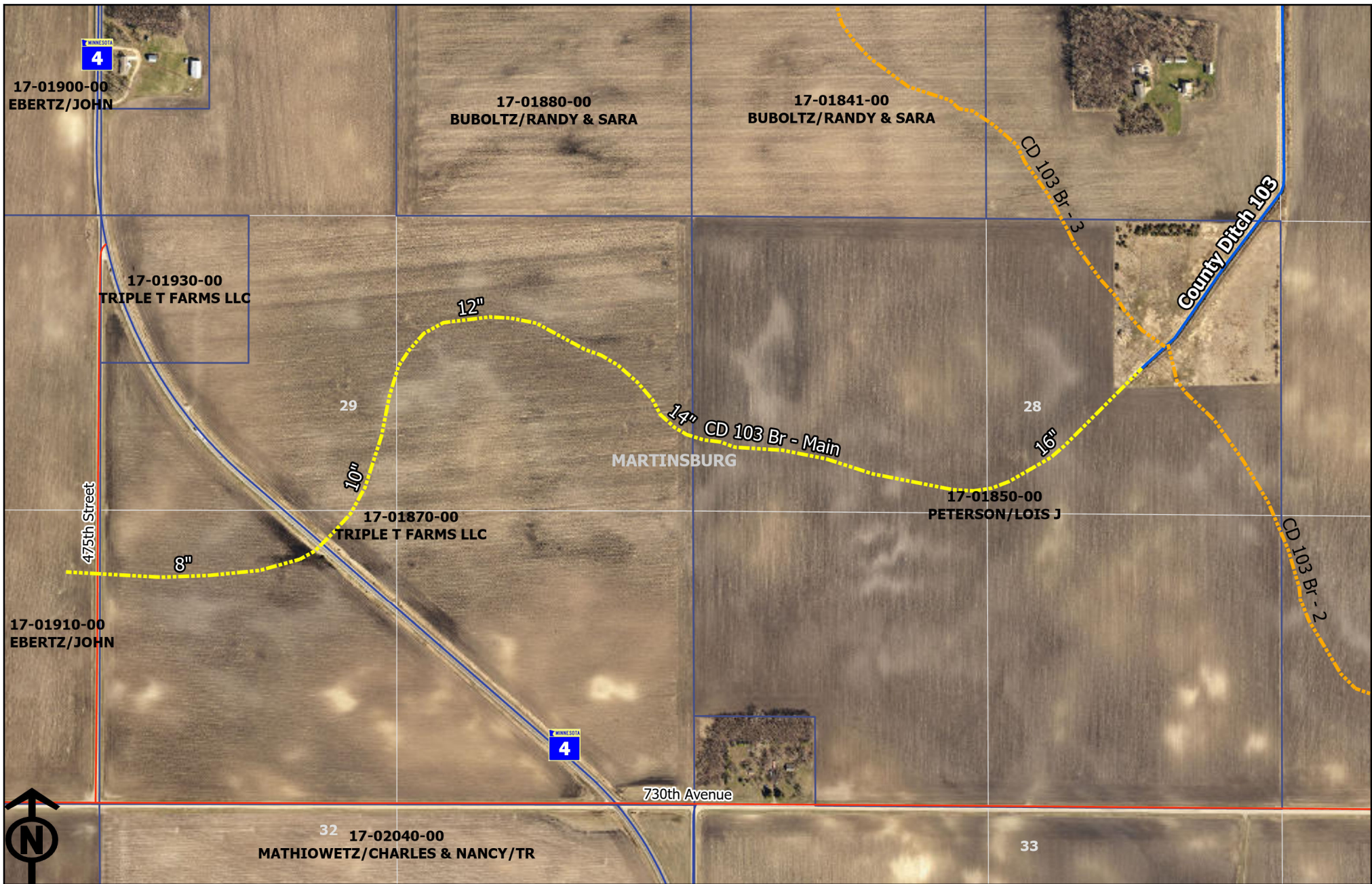
SIGNATURE PAGE FOR
PETITION FOR PROPOSED IMPROVEMENT
TO RENVILLE COUNTY DITCH 103

PETITIONER:

John Ebertz

Date: _____

John Ebertz owns the following tracts, which the proposed improvement will pass over: SE¼SW¼ Sec. 29, Township 114 North, Range 32 West, Renville County, Minnesota (Parcel ID 17-01910-00).



Legend

- Tile Line to be Improved
- Tile Lines
- Open Ditches
- Tax Parcels
- Quarter Quarter