

# Minnesota Drainage Law for Township Supervisors

Kurt Deter

Rinke Noonan, LTD

P.O. Box 1497

St. Cloud, Minnesota 56302-1497

(320) 251-6700

kdeter@rinkenoonan.com [www.rinkenoonan.com](http://www.rinkenoonan.com)

## History of Drainage in Minnesota

1. 1903 to 1918
2. 1918 to 1955
3. 1955 to 1975
4. 1975 to Present

# Understanding the Basics of Drainage

## 1. Reasonable Use Test and Criteria

A person or entity shall not drain their property or block drainage, if it unreasonably harms their neighbor.

- Reasonable need for drainage.
- Reasonable care taken to avoid unnecessary damage to land downstream or upstream.
- Use improvement of natural drainage where possible and reasonable artificial drainage system.

## Public vs. Private Drainage Systems

- Ownership issues
- Responsibility issues
- Maintenance issues

# Public Drainage Systems Under Minnesota Statutes 103E

1. County Board, Joint Board or Watershed District is the Drainage Authority.
2. Types of Public Drainage Projects:
  - a. Establishment
  - b. Improvement
  - c. Repairs

## **Responsibility of Township as Road Authority**

1. Never change a culvert unless there is a road or right-of-way reason to change culvert.
2. Responsibility of Road Authority to maintain culverts that are part of public drainage systems under Minnesota Statutes 103E.
3. Repair means to install culvert of same size and elevation as originally constructed.
4. Township should always check whether a culvert is part of a public drainage system and investigate the original size and elevation.

5. Maintaining culverts and bridge on joint township roads.
6. Minnesota Statutes § 103E.525, Subd. 5, must be paid equally by both Townships.
7. When natural drainage runs to a township road, the owner has the right to connect to drain or ditch within township road right-of-way, but only after receiving a written permit from the Township. Minnesota Statutes § 160.20.
8. The Township has the power to prescribe and enforce reasonable rules and conditions to allow the connection and petitioner has responsibility to leave township road in as good a condition as it was before the connection.



## Questions and Discussion

**Thank you!**

Please feel free to contact  
Rinke Noonan if you need any additional  
information.

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*Firmly Committed.*