103D.721 MANAGERS; DETERMINING BENEFITS AND DAMAGES.

Subdivision 1. **Authority.** The managers may, in their discretion, use the procedure in this section to determine benefits and damages.

Subd. 2. **Determination.** After the engineer's report is filed, the managers, with the assistance of the engineer, shall determine the benefits or damages to the property affected by the proposed project, including property owned by the state or a state agency, highways, and other property likely to be affected by the proposed improvement or that may be used or taken for construction, implementation, or maintenance.

Subd. 3. **State property.** For all watershed district projects, benefits and damages to property owned by the state or a state agency that is held and used for the purposes described in sections 103E.025 and 103E.315, subdivision 1, shall be determined using the procedure provided in sections 103E.025 and 103E.315, subdivision 1. If a state permit is required from the commissioner to construct the project, state land may not be taken, damaged, or benefited until the permit is issued.

Subd. 4. **Water management assessment portion.** The managers must determine the amount to be paid and generally assessed by the watershed district for the basic water management portion of the improvement projects.

History: *1990 c 391 art 4 s 57; 1995 c 199 s 46,47*