

Division of Parks and Trails
500 Lafayette Road
Saint Paul, MN 55155

December 3, 2025

Tim Prinsen
3213 E. Bde Maka Ska Pkwy.
Minneapolis, MN 55408

Sent Via E-Mail: timprinsen@mac.com

Mr. Tim Prinsen:

RE: Easement # EPRI101297

Legal Description: Part of the SE1/4-SE1/4 in Section 8 Township 46 North Range 29 West

The Minnesota Department of Natural Resources (“DNR”) has reviewed Carrie Tretter’s application for an easement over the above-described state land that is located within the Cuyuna Country State Recreation Area (“SRA”). Acting on behalf of Carrie Tretter, Applicant, you filed an application for an easement across part of the Southeast Quarter of the Southeast Quarter (SE1/4-SE1/4) in Section 8, Township 46 North, Range 29 West. The statutorily required \$2,000.00 application fee was paid in full. The Applicant owns an undivided 1/24 interest in the Southwest Quarter of the Southwest Quarter (SW1/4-SW1/4) of Section 9 (hereinafter described as “undivided interest parcel”), which is adjacent to the parcel where an easement was requested, along with 100% surface ownership of Lot Three (3) and the Northwest Quarter of the Southwest Quarter (NW1/4-SW1/4) in Section 9, Township 46 North, Range 29 West (100% surface ownership parcels are hereinafter described as “subject property”). The subject property is located on June Lake and is within the boundaries of the SRA.

Though this is the first easement application submitted by Carrie Tretter, requests for access to benefit the subject property have been presented to the DNR multiple times and in various forms since the Applicant’s late husband acquired the subject property and undivided interest parcel in 1994, after the SRA was established. In alignment with DNR’s commitment to “conserve and manage the state’s natural resources” and in the broader public interest of the State of Minnesota, DNR has consistently declined to grant an easement to benefit the subject property; however, the current application is reviewed on its own merits. Based on DNR’s review of the information in the current request and for reasons provided below, the easement application EPRI101297 is **denied**.

DNR’s Statutory Authority to Grant an Easement to a Private Individual (Minn. Stat. § 84.631)

The commissioner of natural resources, on behalf of the state, may convey a road easement across state land under the commissioner's jurisdiction to a private person requesting an easement for access to property owned

by the person only if the following requirements are met: (1) there are no reasonable alternatives to obtain access to the property; and (2) the exercise of the easement will not cause significant adverse environmental or natural resource management impacts. Minn. Stat. § 84.631. The grant of an easement under Minn. Stat. § 84.631 by the DNR is discretionary. DNR finds that granting of the Applicant's easement request would cause significant adverse natural resource management impacts.

DNR's Resource Review of Easement Application # EPRI101297

As part of its standard procedures, DNR submitted the easement application for resource review by DNR divisions. The results of that review are discussed in specific topic areas below.

Management of Cuyuna Country State Recreation Area (SRA).

The SRA was established in 1993 by the Minnesota State Legislature as a unit of the Minnesota Outdoor Recreation System under Minnesota Statutes section 86A.05. Per subdivision 3(c) of section 86A.05, state recreation areas are to be administered by the commissioner of natural resources in a manner consistent with maintaining a pleasing natural environment. Physical development shall enhance and promote the use and enjoyment of the natural recreational resources.

State recreation area boundaries are described in the enabling legislation, in this case, the Laws of Minnesota 1993, Chapter 172, § 34. These statutory boundaries establish the area to be protected and developed for the purposes outlined in the Outdoor Recreation Act (Minn. Stat. § 86A.02) and the purposes in subdivisions 2, 3, and 5 of the enabling legislation (i.e., multiple recreation uses including allowance of hunting, limited timber harvesting and forest management, future mining, protection of natural resources, snowmobiling, horse trails, and interpretation of cultural and historic resources). The law establishing the SRA also required the development of a management plan for the recreation area and included creation of a citizen's advisory committee. Minn. Stat. § 86A.09; Minn. Stat. §§ 85.013, .0146. The management plan provides direction on outdoor recreation management and protection of natural qualities of the SRA. It also identifies land acquisition opportunities needed to complete the vision for the recreation area. The management plan and investment of state dollars have allowed DNR to develop a premier mountain bike riding destination at the SRA.

The subject property on June Lake was included in the statutory boundary of the SRA with the support of the landowners when the SRA was established. The Applicant's late husband purchased the subject property in 1994 after the recreation area was established and presumably would have had knowledge of not only the property's inclusion in the SRA but also of its lack of legal access.

The current easement request is inconsistent with the management plan for the SRA. Granting the request would have negative impacts on the high-quality outdoor recreation experience DNR has cultivated in its development of the mountain bike system in the SRA in compliance with the management plan.

The DNR's Parks and Trails Division (PAT) made the following conclusions regarding the easement application:

The proposed action conflicts with the Cuyuna Country State Recreation Area Management Plan, specifically:

- **Recreation 100-Year Vision:** "The recreation area provides a *non-commercial atmosphere*." (Plan at 5, emphasis added.)

- **Management Objectives:** “Preserve the scenic beauty and *non-commercial atmosphere.*” (Plan at 49, emphasis added.)

The August 5, 2025 cover letter to the easement application includes an assertion that the proposed use of the subject property for a commercial lodging enterprise is consistent with the management plan because DNR expressed an intention to attract visitors to the SRA from outside the local area and provide overnight camping to visitors. However, the management plan clearly states a vision and objective of preserving a non-commercial atmosphere. A DNR-managed campground, managed in a manner that meets the SRA purposes, is consistent with this vision and objective; a commercial lodging enterprise is not.

Mining in Cuyuna Country State Recreation Area.

The SRA is near the geographic center of the Cuyuna iron ore district. In creating the SRA the Minnesota legislature directed the DNR to recognize “the possibility that mining may be conducted in the future within the Cuyuna country state recreation area, and that the use of portions of the surface estate and control of the flowage of water may be necessary for future mining operations.” Laws of Minnesota 1993, Chapter 172, § 34, Subd. 3. The Cuyuna Country State Recreation Area Management Plan also recognizes that mining may occur in the future. The plan provides that to allow for future mining, major development should be avoided in areas with high mineral potential. (Plan at 48.)

Past mining operations significantly altered the natural environment in the area. The resulting terrain and the vegetative regeneration that has occurred since the cessation of mining operations has created a setting and opportunity for public outdoor recreational uses like mountain biking to exist and thrive for public benefit and use by large numbers of people all while maintaining a limited footprint.

The low-impact, public recreation development that has occurred within the SRA has a limited footprint, and was done in full recognition that mining may return. For example, the unpaved trails in the SRA could be relatively easily re-routed at the commencement of any future mining operations and later be redeveloped and restored as was previously done. Changes in economic conditions or technical advancements or a major world event could cause mining to return within the SRA and the legislature made clear to the DNR that it must be prepared for that possibility in its management choices for the SRA.

Ownership patterns in the SRA are complex due to the history of mining. Many parcels within the SRA have three separate "layers" of ownership - surface ownership, mineral right ownership, and stockpile ownership; fractional ownership interests are also common in this area. The State of Minnesota has known mineral ownership in SE1/4-SE1/4, Section 8, Township 46 North, Range 29 West, which is the parcel under review for the requested easement. The State of Minnesota also has known mineral ownership in nearby parcels including Government Lots 8 and 9 in 8-46-29; SW1/4-SW1/4, 9-46-29; and Government Lot 2 in 16-46-29. There are iron-bearing stockpiles in the vicinity of the proposed easement, including an iron-bearing rock stockpile in the undivided interest parcel (SW1/4-SW1/4, 9-46-29) immediately north of Overburden Road.

The grant of an easement in the SE1/4-SE1/4, 8-46-29 is not in the best interest of long-term minerals management for the State of Minnesota. The grant of such an easement would have long-term implications not only for future in-ground mineral exploration and mining but also for access to iron-bearing stockpiles in the SRA. A road easement across state-owned minerals or adjacent to mineral stockpiles would create a permanent

encumbrance that would deter mining companies from leasing, exploring, and developing in-ground or stockpiled minerals in this area due to factors such as costs and logistical challenges. This would be true even though Overburden Road does not cross over any stockpiles; locating an easement near a stockpile would be sufficient to deter future mineral development. In this way, facilitating a commercial lodging development by granting an easement in the historic mining area could impact the ability of the state to develop state mineral rights in the future and is inconsistent with the legislative intent to preserve the opportunity for mining.

The DNR's Lands and Minerals (LAM) Division provided the following regarding the easement application:

- The proposed easement crosses an area of mineral potential and has long-term implications not only for future mineral exploration and mining but also access to iron-bearing stockpiles.
- LAM objects to the easement as it is not in the best interest of long-term minerals management.
- As an alternative, LAM would consider a lease which would need to include a term to preserve access to minerals in case of future exploration and/or development.

DNR finds that granting the requested easement would cause significant adverse natural resource management impacts, including impacts to state-owned minerals.

Proof of Ownership and Reasonable Alternatives.

Because DNR is denying the easement application EPRI101297 based on significant adverse natural resource management impact concerns, DNR is not taking a position as to whether the Applicant has properly demonstrated that granting the requested easement would provide direct connection to a public road. The Applicant proposes to reach the subject property by crossing from the County Road 128 Right-of-Way onto the requested easement, then crossing the undivided interest parcel (the Southwest Quarter of the Southwest Quarter of Section 9), and finally reaching the subject property. The Applicant is proposing to utilize either Haulpak Road or Overburden Road to cross the undivided interest parcel. Overburden Road is located within a former railroad right-of-way. Mr. Streitz of Solomon Strategies Group asserted in his April 10, 2025 letter that DNR has no rights in any railroad right-of-way on the undivided interest parcel; however, the Examiner of Titles has recently re-memorialized DNR's railroad deeds on its exchange certificate for the undivided interest parcel. DNR takes no position as to whether the Applicant would need a DNR easement to cross either Haulpak Road or Overburden Road and reserves its rights on this issue.

If the easement would in fact provide access to the Applicant's property, DNR acknowledges that there are no other reasonable alternatives for access. Minn. Stat. § 84.631(a).

Other Considerations

Local support is not a factor under Minn. Stat. § 84.631.

In multiple letters attached to the application, the Applicant notes there is significant local support for the development project and the easement application. Section 84.631 states, however, the factors that DNR must consider in determining whether to grant an easement. Local support is not among these factors. DNR is required to consider comments and advice from the Cuyuna Country SRA Citizens Advisory Council when making major decisions. Minn. Stat. § 85.0146, subd. 2. Though DNR values and appreciates input from the Council on

easement applications, DNR has not typically interpreted easement applications to be major decisions that trigger this statutory provision and does not consider this application to be a major decision.

A quid pro quo offer of a 1/24 undivided interest for an easement is not a factor under Minn. Stat. § 84.631.

The August 5, 2025 cover letter included with the application references an April 10, 2025 letter from Thomas Streitz of Solomon Strategies Group to Ann Pierce, Director of PAT. This letter offered to gift or exchange Carrie Tretter’s 1/24 ownership interest in the undivided interest parcel (SW1/4-SW1/4, 9-46-29) to the DNR in return for a permanent access and utility easement. An August 8, 2025 letter to Commissioner Strommen from Jim Erickson of Solomon Strategies Group was also enclosed in the easement application and made the same offer to donate the 1/24 interest in the “critical trail access parcel” in return for the easement.

Such an offer is not a factor that DNR may consider in making its decision on an easement application. Minn. Stat. § 84.631(a). Further, DNR in acquiring lands or interests in lands must follow its acquisition process outlined in statute. *See, e.g.*, Minn. Stat. § 84.0272.

Possible shutdown of state trails is not a factor under Minn. Stat. § 84.631.

The April 10, 2025 letter from Solomon Strategies Group explains that it is critical for the decision makers at the DNR to understand that the “loss” of Overburden Road means that the Galloping Goose Trail will no longer exist as a continuous single-track trail (the Galloping Goose Trail also crosses the undivided interest parcel). Similarly, the August 8, 2025 letter from Solomon Strategies Group explains that if the easement application continues to be delayed or is denied, the Prinsens may be compelled to consider legal options, including restricting access to private parcels that currently host portions of Overburden Road and the Galloping Goose trail. DNR may not consider any suggestion that the Applicant may attempt to shut down DNR’s trails in making its decision as to whether to grant or deny an easement application. Minn. Stat. § 84.631(a).

Thus, DNR’s decision is not based on any of these factors.

Conclusion

In conclusion, DNR is denying the easement application because the easement would cause significant adverse natural resource management impacts. More specifically, the easement would interfere with management of the SRA to meet the goals set forth in statute and in the management plan, including providing the opportunity for mountain biking and other recreational uses in a non-commercial atmosphere, and would interfere with possible future mineral development.

Sincerely,



Ann Pierce
Director, Division of Parks & Trails

cc: Carrie Tretter, Applicant, via email to: jeff@kinneyre.com & cltjso@icloud.com

Equal Opportunity Employer

August 5, 2025

Regional Operations Supervisor
DNR Lands & Minerals
1201 E. Highway 2
Grand Rapids, MN 55744

RE: Application for Easement Across State Lands
SE1/4 SE1/4 Section 8 Township 46 Range 29 Crow Wing County

Dear Regional Operations Supervisor,

By way of introduction, my wife, Dawn Prinsen, and I hold an exclusive leasehold interest and the option to purchase the property benefiting from the requested easement.

On behalf of Carrie Tretter, enclosed please find an Application for Easement across State Lands for the above-mentioned DNR Parcel.

As required in Step 2 of the application, on July 2, 2025, we held a site visit at the property with Shannon Lotthammer, Ann Pierce, and Joseph Henderson. At this site visit we were provided a one-page handout which included a section entitled, "DNR considerations when reviewing easement applications". This letter will address these considerations:

- 1. Whether there are reasonable alternatives to obtain access to the property:** The property we seek to access via easement is surrounded by property either 100% owned by the DNR or in which the DNR has an Undivided Interest ownership (see attached Exhibit A – Surrounding Property Ownership).
- 2. Whether the exercise of the proposed easement will cause significant adverse environmental or natural resource management impacts:** The proposed easement (see attached Exhibit B – Easement Sketch and Description -reference Easement A) is approximately 865 square feet. In addition to the modest size of the requested easement, the physical area consists of a gravel drive and grass (See attached Exhibit C – Easement Aerial). We believe the proposed easement will cause no significant adverse environmental or natural resource management impacts.

3. Purpose of the easement: The purpose of the easement is to access “land locked” parcels with Crow Wing County PID #'s 2509P010, 25090551, and 25090568 (see Exhibit A). Parcels 25090551 and 25090568 consist of approximately 50 acres.

The long-term goal is to develop overnight use cabins to support mountain biking and other silent sports occurring in the CCSRA. We believe our plan enhances the recreational Master Plan and is consistent with current activities occurring in the CCSRA, including Red Rider Resort, 33 campsites (18 electric), 1 group campsite and 3 yurts all located within the boundaries of the CCSRA.

Additionally, the proposed project has garnered overwhelming local support, including:

a. City of Ironton: The entire Tretter Parcel and the Undivided Interest Parcel are in the City of Ironton. In fact, of the approximately 5,000 acres that encompasses the City of Ironton, more than 4,100 acres are owned by the State of Minnesota and make up a large part of the Rec Area.

On July 3, 2024, the Ironton City Council unanimously passed a motion to support our project vision and encourage the DNR to engage with us on the establishment of a permanent easement.

b. Crow Wing County: The entire CCSRA is located within Crow Wing County, specifically District 5 of Crow Wing County.

On October 11, 2024, three Crow Wing County Commissioners (including the District 5 Commissioner) sent letters of support of an easement to the DNR Commissioner.

c. CCSRA Citizens Advisory Council (CAC): The CAC was established by State Statute 85.0146 (attached). Before a major decision is implemented, the area manager must consult with the council and take into consideration any council comments or advice that may impact the major decision. The CAC has 13 standing members that are designated by state statute.

On October 23, 2024, the CAC passed the following supportive resolution:

“The CCSRA Citizen Advisory Council encourages the Commissioner of the DNR to engage with the Prinsens on the establishment of a permanent easement to the Tretter Parcel that fulfills the projects goals to establish overnight cabin options to CCSRA visitors while continuing and expanding the silent sports legacy of the CCSRA.”

The votes in favor of the resolution included the local state senator, local state representative and the designee of the commissioner of the Iron Range resources and rehabilitation.

4. Requested duration of the easement: Given the substantial investment that will be required, a permanent easement is being requested.

5. **Alternatives to the requested easement:** The alternative DNR parcel to the southeast is a School Trust parcel and would limit the duration of the easement and could potentially have other mineral considerations. We have included an additional easement option on Exhibit B (Easement B). Should the DNR prefer the use of Haulpak Road to that of Overburden Road, Easement B could be utilized.
6. **Statutory purpose of and management plan for the state-owned land over which an easement is sought:** The statutory definition of a State Recreation Area includes the following:
- (a) "A state recreation area shall be established to provide a broad selection of outdoor recreation opportunities in a natural setting which may be used by **large numbers of people**."
 - (b) "...contains natural or artificial resources which provide outstanding outdoor recreational opportunities that **will attract visitors from beyond the local area**"
 - (c) "...contains resources which permit **intensive recreational use by large numbers of people**"

The CCSRA's mission is to: Provide appropriate recreational and educational opportunities in a pleasing natural environment, while preserving and managing the area's natural, scenic, and cultural resources for present and future generations.

We believe the addition of overnight cabins promotes the key requirements of a State Recreation Area by supporting the "large numbers of people" that are attracted "from beyond the local area". It also emphasizes non-motorized, silent sports (Mountain Biking, Hiking, Kayaking, Stand Up Paddle Boarding, Canoeing, Portage Routes, and Cross-Country Skiing (pg 49 & pg 65 of the 1995 Management Plan) and low-impact recreation while avoiding commercial sprawl and maintains a non-commercial atmosphere.

Our plan is further supported in the Proposed Development section (pg 58) of 1995 CCSRA Management Plan, where in "Topic 3. Camping" the first "action" item states, "**develop campgrounds south of June Lake**", this is also depicted on the accompanying proposed development map (pg 63).

Additionally, the "Overnight Use Areas" of the 2008 Recreation Implementation Plan (pg 31), refers to the desire to develop a "**semi modern overnight use area**" **just south of June Lake**.

It is clear from CCSRA planning documents that the June Lake area has long been intended to support overnight accommodations and expanded visitor use.

7. **Compatibility of the requested easement with the purpose of the state-owned land:** The easement request is compatible with the state-owned land for the reasons stated in #6 above.
8. **Presence of natural or cultural resources/features that could be impacted by the easement, and the nature of the potential impacts:** In 2015, The Lands and Minerals Division, in coordination with the Parks and Trails Division, conducted sampling of state-owned lean ore or tailings stockpiles, see attached Exhibit D-1 and D-2 ("Selected Minelands and Mineral Resources of the June Lake Area: Cuyuna Iron Range" and "Cuyuna Country State Recreation Area: School Trust Fund Iron-Bearing Stockpiles Currently Encumbered by Bike Trails). These exhibits depict the location of a stockpile located on the Undivided Interest parcel. This stockpile is not from School Trust lands nor does either Overburden Road or Haulpak Road travel over or through the stockpile.
9. **Potential for short-term or long-term impacts to other users of the state-owned land over which the easement is sought:** As stated in #6 above the short-term and long-term impacts of the easement directly support the CCSRA Management Plan. The users of the CCSRA directly benefit from the creation of an overnight use area.
10. **Potential for short-term or long-term impacts of the requested easement on the management of the state-owned land over which the easement is sought:** As both Overbuden Road and Haul Pak Road already exist we believe no adverse management impacts will occur as a result of granting the easement. In fact, as stated in #6 above, granting the easement is in complete alignment with the statutory definition of a State Recreation Area.
11. **Potential impacts to adjacent landowners if an easement is granted:** The DNR has ownership in all land surrounding our project.
12. **The potential for mining to resume within the CCSRA:** Should mining return to the CCSRA and the primary uses of the Rec Area (Silent Sports) no longer be viable, we believe that the Tretter Parcels could also be incorporated into the mining activities.
13. **Whether the requested easement would provide direct connection to a public road (ie, not a Segmented Easement):** The proposed easement has direct access to County Road 128, see attached Exhibit E (Letter from Land Use Attorney). Additionally, our title company has confirmed that they would provide an access endorsement to the Tretter Parcels should an easement as depicted in Exhibit B be granted.

As this is not our first communication regarding the requested easement, we believe it is important to include the attached April 10, 2025, letter to Ann Pierce (Exhibit F). This letter provides detailed information about the ownership structure of the Undivided Interest parcel jointly held by the DNR and Carrie Tretter. It also outlines our offer to gift or exchange Ms. Tretter's 1/24 interest in the parcel to the DNR in return for a permanent access and utility easement.

Completing this exchange would give the DNR full ownership (100%) of the Undivided Interest parcel—an action specifically supported by the 1995 CCSRA Management Plan (pg. 67), which recommends the DNR “*work to acquire critical undivided interest lands.*” Given its location, relevance to public access, and strategic importance, it is difficult to argue that the Tretter parcel is not the most critical acquisition opportunity within the CCSRA at this time.

Thank you for your consideration and please do not hesitate to reach out with any questions.

Respectfully,


Tim Prinsen


Dawn Prinsen

CC:

Sarah Strommen, Commissioner, DNR

Shannon Lotthammer, Assistant Commissioner, Parks and Trails, Forestry and Operation Services

Ann Pierce, Director, Parks and Trails

Jess Richards, Assistant Commissioner, DNR Lands and Minerals

Joseph Henderson, Director, Lands and Minerals

84.631 ROAD EASEMENTS ACROSS STATE LANDS

(a) Except as provided in section 85.015, subdivision 1b, the commissioner of natural resources, on behalf of the state, may convey a road easement across state land under the commissioner's jurisdiction to a private person requesting an easement for access to property owned by the person only if the following requirements are met: (1) there are no reasonable alternatives to obtain access to the property; and (2) the exercise of the easement will not cause significant adverse environmental or natural resource management impacts.



EXHIBIT A

11 x 17

Date: 6/13/2025 Time: 9:00 AM

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

SKETCH AND DESCRIPTION

PROPOSED DESCRIPTION - (EASEMENT A)

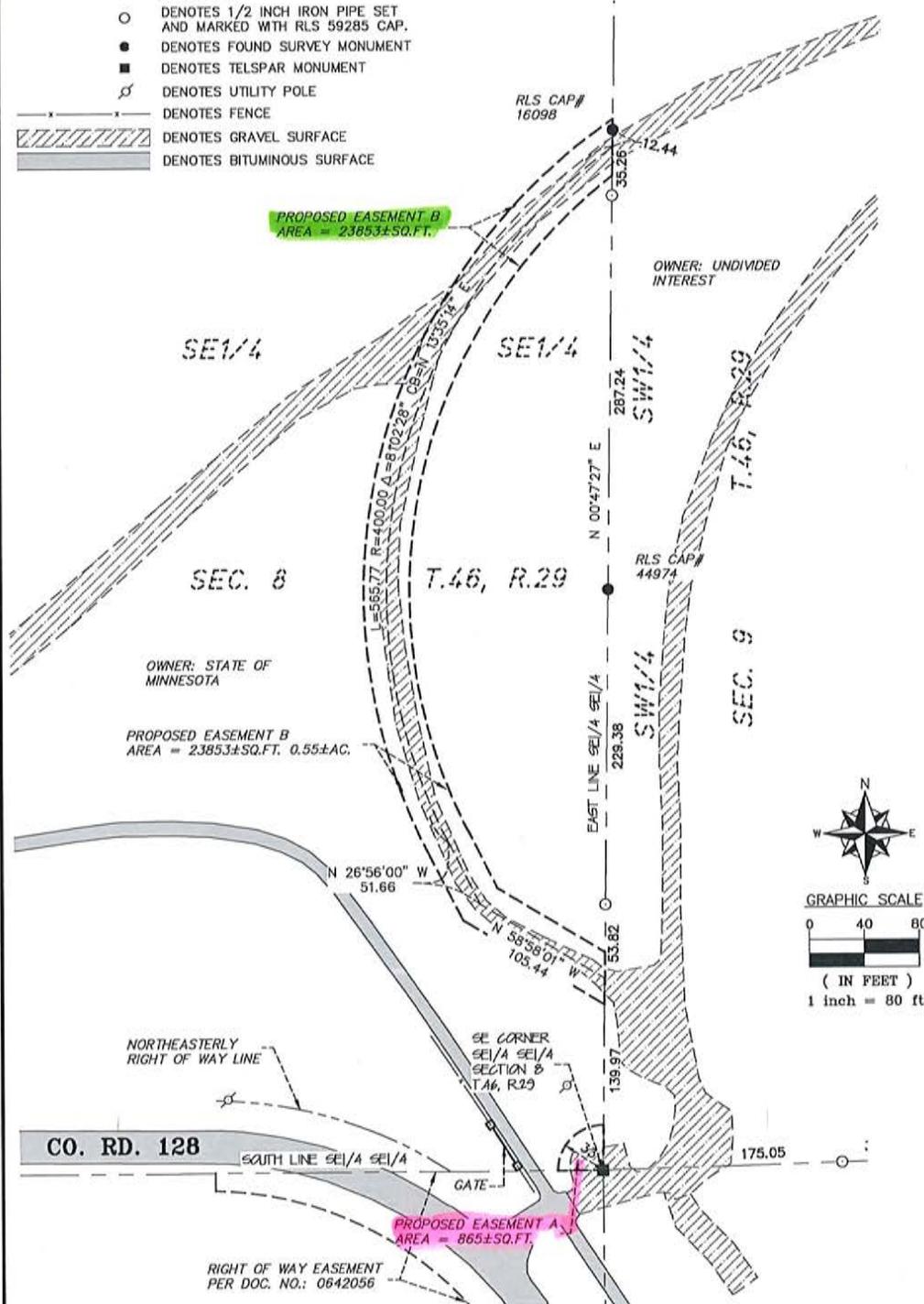
A perpetual ingress, egress and utility easement over, under and across that part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Forty-six (46), Range Twenty-nine (29), Crow Wing County, Minnesota, which lies within the circumference of a circle having a radius of 33 feet. The center of said circle is the southeast corner of said SE1/4 SE1/4.

PROPOSED DESCRIPTION - (EASEMENT B)

A 33.00 foot wide perpetual ingress, egress and utility easement over, under and across that part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Forty-six (46), Range Twenty-nine (29), Crow Wing County, Minnesota. The centerline of said easement is described as follows: Commencing at the southeast corner of said SE1/4 SE1/4; thence North 00 degrees 47 minutes 27 seconds East, bearings based on the Crow Wing County coordinate system (NAD83), along the east line of said SE1/4 SE1/4 a distance of 193.79 feet to the point of beginning; thence North 58 degrees 58 minutes 01 seconds West 105.44 feet; thence North 26 degrees 56 minutes 00 seconds West 51.66 feet; thence northeasterly 565.77 feet along a tangential curve concave to the east, having a radius of 400.00 feet and a central angle of 81 degrees 02 minutes 28 seconds to the east line of said SE1/4 SE1/4 and there terminating said centerline. The sidelines of said easement are to be prolonged or shortened to begin and end at the east line of said SE1/4 SE1/4.

LEGEND

- DENOTES 1/2 INCH IRON PIPE SET AND MARKED WITH RLS 59285 CAP.
- DENOTES FOUND SURVEY MONUMENT
- DENOTES TELSPAR MONUMENT
- ⊕ DENOTES UTILITY POLE
- DENOTES FENCE
- ▨ DENOTES GRAVEL SURFACE
- ▩ DENOTES BITUMINOUS SURFACE



EASEMENT EXHIBIT
 Part of SE1/4 SE1/4
 Sec. 8, T.46, R.29
 Crow Wing County, MN

CLIENT:
 Tim Prinsen

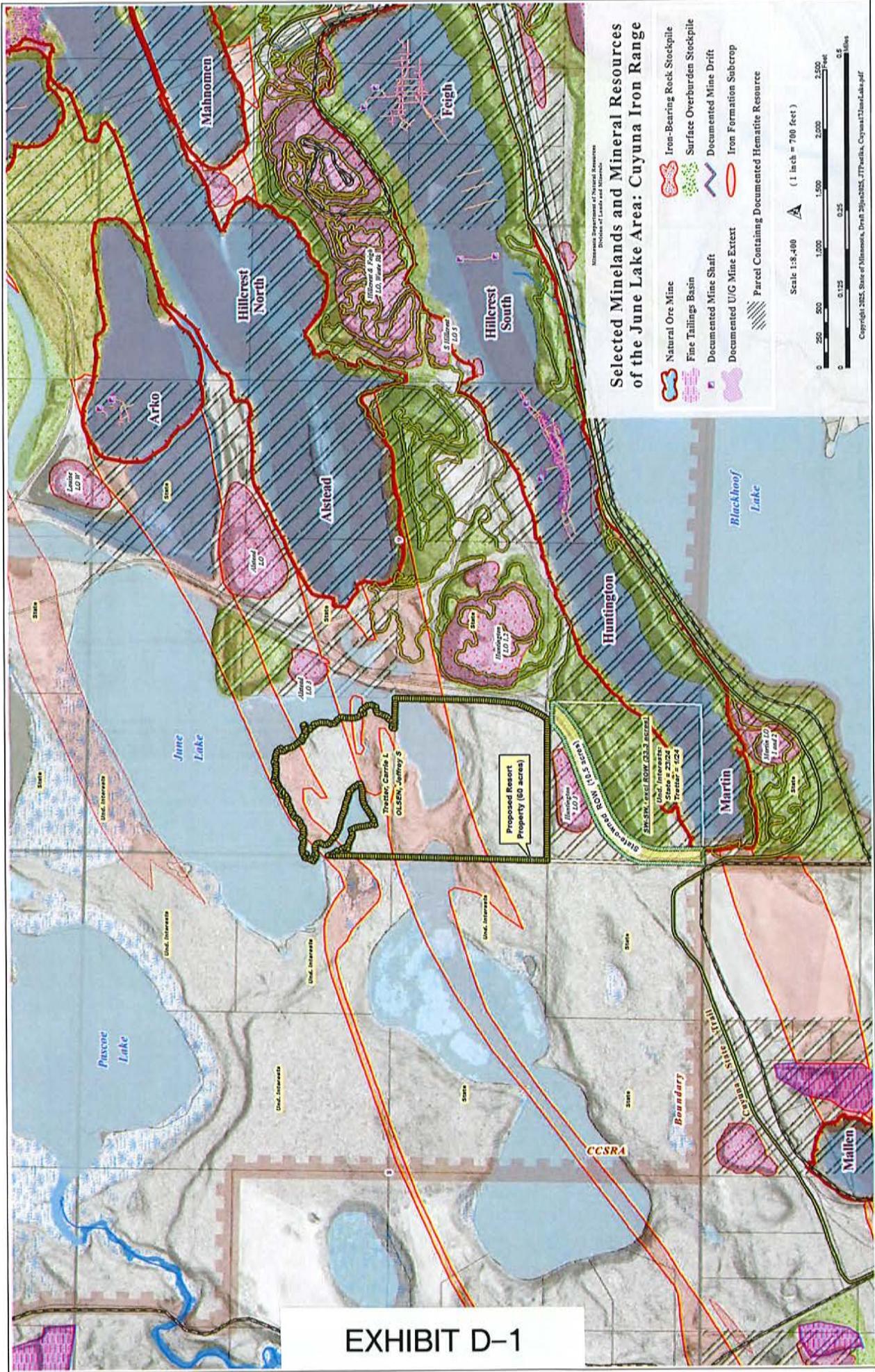
DRAWN BY: JAS.	CHECKED BY: JAS.
APPROVED BY: JAS.	JOB NUMBER: 20-418
DATE: 7/29/25	REVISION DESCRIPTION:
01	AREA OF EASEMENTS

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the state of Minnesota.
 Dated this 10th day of July, 2025.
 By: Jared A. Spaul, Minnesota License No. 59285

EXHIBIT B



EXHIBIT C



Proposed Resort Property (60 acres)

Traverse: Carrie L
OLSEN, Jeffrey S

Steinward Rock Mine (LOJ)

U/G Extent: 230,500, 230,500, 230,500, 230,500
State # 23224
Traverse # 1224

Huntington (LOJ)

U/G Extent: 230,500, 230,500, 230,500, 230,500
State # 23224
Traverse # 1224

Martin (LOJ)

U/G Extent: 230,500, 230,500, 230,500, 230,500
State # 23224
Traverse # 1224

EXHIBIT D-1

**Cuyuna County State Recreation Area:
School Trust Fund Iron-Bearing Stockpiles
Currently Encumbered by Bike Trails**

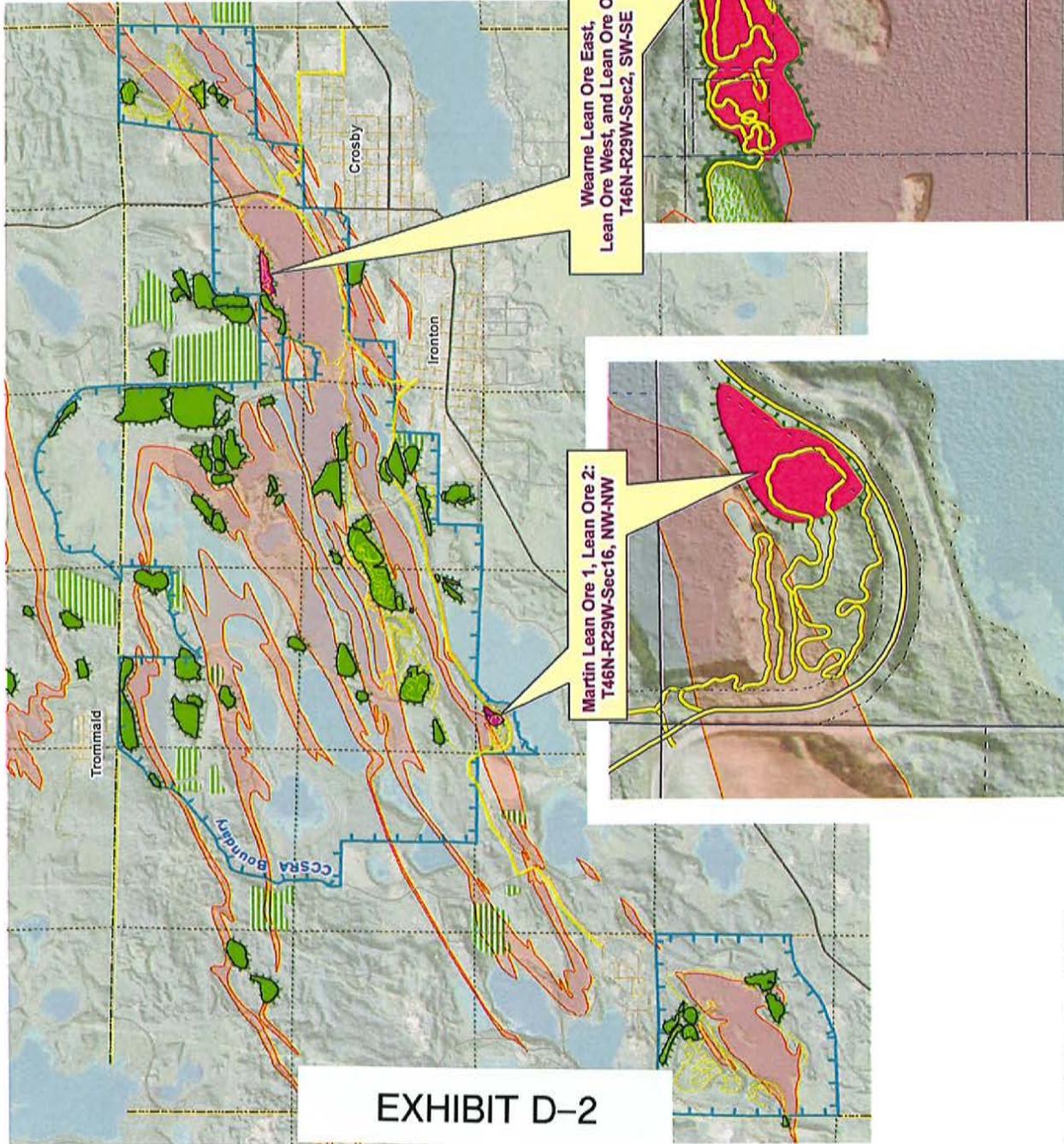


EXHIBIT D-2



LEVANDER
GILLEN &
MILLER P.A.
ATTORNEYS AT LAW

Minnesota Department of Natural Resources
500 Lafayette Rd
St Paul, MN 55155

August 4, 2025

RE: Tim and Dawn Prinsen
Our File No.: 22276.00000

Dear Madam or Sir:

This law firm represents Tim and Dawn Prinsen regarding the right of access to certain parcels of land located in Crow Wing County with PID Nos. 25090568, 25090551 and 2509H010 (collectively, the "Property"). It is our understanding that the Minnesota Department of Natural Resources' ("DNR") Application for Easement across State Land has a requirement to confirm that the requested DNR easement will not be a "Segmented Easement" and that it will connect to a public road, in this case County Road 128. We have been asked to confirm that the Crow Wing County PID No. 71080504 (the "DNR Parcel") has legal access to County Road 128 and therefore the requested DNR Easement is not a Segmented Easement. For the reasons stated below, the DNR does, in fact, have a legal right of access to County Road 128 and thus our client's requested easement is not a Segmented Easement.

It has long been recognized in Minnesota that the right of access to a public highway is an independent property right. *See, e.g., Beer v. Minnesota Power & Light Co.*, 400 N.W.2d 732, 734 (Minn. 1987); *State by Mattson v. Prow's Motel, Inc.*, 171 N.W.2d 83, 85 (Minn. 1969); *Hendrickson v. State*, 127 N.W.2d 165, 169 (Minn. 1964); *Underwood v Town of Empire*, 14 N.W.2d 459 at 461 (Minn. 1944). *See also Grossman Inv. v. State*, 571 N.W.2d 47 (Minn. Ct. App. 1997); *Johnson v. City of Plymouth*, 263 N.W.2d 603, 605 (Minn. 1978); *Johnson Bros. Grocery v. State Dept. of Highways*, 229 N.W. 2d 504 (Minn. 1975); *Thomsen v. State by Head*, 170 N.W.2d 575, 578 (Minn. 1969); *State by Mondale v. Gannons, Inc.*, 145 N.W.2d 321, 326 (Minn. 1966); *State v. Miller Home Dev.*, 65 N.W.2d 900 (Minn. 1954).

Minnesota Statute section 168.002, subd. 14 defines a "highway" as any way or place that is available for public use. The property right of access for a lot abutting a public highway has been recognized in Minnesota since at least 1888. *Adams v. Chicago, B. & N. R. Co.*, 39 N.W. 629, 631 (Minn. 1888). An abutting owner's right of access (ingress and egress) is regarded as property, or a property right, within the meaning of the Minnesota Constitution. *See Underwood*, 14 N.W.2d at 461 (holding that a landowner has a right of access to the owner's property); 25 Minn. Prac., Real Estate Law sec. 10:18.

Specifically, abutting owners have a right of "reasonably convenient and suitable access" to a public street or highway that abuts their property. *County of Anoka v. Blaine Bldg. Corp.*, 566

August 4, 2025

N.W.2d 331, 334 (Minn. 1997); *Johnson v. City of Plymouth*, 263 N.W.2d 603, 605 (Minn. 1978). An abutting owner is one whose property touches the affected street or highway. *Finke v. State*, 521 N.W.2d 371, 375 (Minn. Ct. App. 1994). An abutting owner's right to reasonably convenient access to a public street or highway is a property right. *Hendrickson v. State*, 127 N.W.2d 165, 169 (Minn. 1964); *Burnquist v. Cook*, 19 N.W.2d 394, 399 (1945). The abutting property owner's right to access is separate and distinct from the right of travel shared with the general public. *Underwood*, 221 Minn. At 388-389, 14 N.W.2d at 461.

The DNR Parcel, abuts the County Road 128 Right of Way Easement recorded at the Crow Wing County Recorder's Office on July 17, 2003 as Document Number 0642056 (the "ROW Easement"). The requested easement is depicted in the attached exhibit as easement A, highlighted in yellow, and approximately 865 square feet (the proposed "DNR Easement"). The proposed DNR Easement includes land along the south boundary of the DNR Parcel, which abuts the ROW Easement. Thus, the DNR Parcel has a property right of access to County Road 128. Any future access off County Road 128 will inevitably travel from the paved surface of County Road 128 through the ROW Easement, through the DNR Easement, and onto PID 2509P010, the undivided interest property.

The proposed DNR Easement is not a Segmented Easement because it will directly abut the ROW Easement.

Please contact us if you have any questions or would like to discuss this matter. Thank you very much.

Sincerely,

A handwritten signature in black ink, appearing to read "David L. Sienko". The signature is fluid and cursive, with a prominent loop at the end.

David L. Sienko

DLS/SML/bs

SKETCH AND DESCRIPTION

PROPOSED DESCRIPTION - (EASEMENT A)

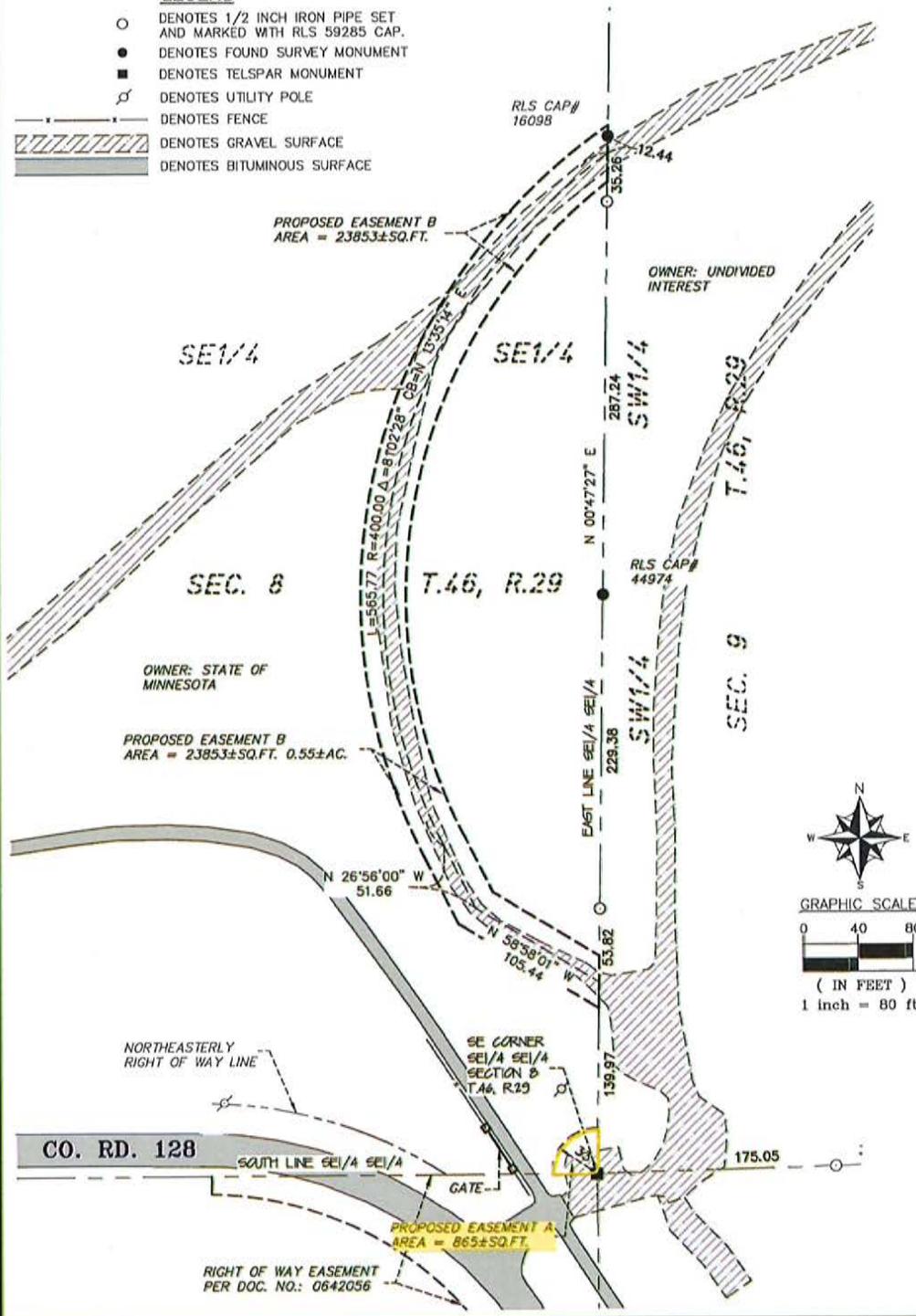
A perpetual ingress, egress and utility easement over, under and across that part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Forty-six (46), Range Twenty-nine (29), Crow Wing County, Minnesota, which lies within the circumference of a circle having a radius of 33 feet. The center of said circle is the southeast corner of said SE1/4 SE1/4.

PROPOSED DESCRIPTION - (EASEMENT B)

A 33.00 foot wide perpetual ingress, egress and utility easement over, under and across that part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Forty-six (46), Range Twenty-nine (29), Crow Wing County, Minnesota. The centerline of said easement is described as follows: Commencing at the southeast corner of said SE1/4 SE1/4; thence North 00 degrees 47 minutes 27 seconds East, bearings based on the Crow Wing County coordinate system (NAD83), along the east line of said SE1/4 SE1/4 a distance of 193.79 feet to the point of beginning; thence North 58 degrees 58 minutes 01 seconds West 105.44 feet; thence North 26 degrees 56 minutes 00 seconds West 51.66 feet; thence northeasterly 565.77 feet along a tangential curve concave to the east, having a radius of 400.00 feet and a central angle of 81 degrees 02 minutes 28 seconds to the east line of said SE1/4 SE1/4 and there terminating said centerline. The sidelines of said easement are to be prolonged or shortened to begin and end at the east line of said SE1/4 SE1/4.

LEGEND

- DENOTES 1/2 INCH IRON PIPE SET AND MARKED WITH RLS 59285 CAP.
- DENOTES FOUND SURVEY MONUMENT
- DENOTES TELSPAR MONUMENT
- ♂ DENOTES UTILITY POLE
- DENOTES FENCE
- ▨ DENOTES GRAVEL SURFACE
- ▩ DENOTES BITUMINOUS SURFACE



I hereby certify that this survey plan or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the state of Minnesota.

Dated this 10th day of July, 2025

By: *[Signature]*
 Jared A. Spaul, Minnesota License No. 97285



EASEMENT EXHIBIT

Part of SE1/4 SE1/4
 Sec. 8, T.46, R.29
 Crow Wing County, MN

CLIENT:

Tim Prinsen

DRAWN BY: JAS	CHECKED BY: JAS
APPROVED BY: JAS	JOB NUMBER: 25-143
NO. DATE	BY REVISION DESCRIPTION
01 7/29/25	JAS AREA OF EASEMENTS

April 10, 2025

Ann Pierce, Ph.D.,
Director | Parks and Trails Division
Minnesota Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155

Dear Ms. Pierce,

My name is Thomas Streitz and I am writing in response to your letter dated March 26, 2025, to my client Tim Prinsen. In your response, you state that "DNR still takes the position that we either own fee title or hold an exclusive easement over the former railroad right-of-way (referenced as PID#25090651)." You note that based on an Examiner's Directive filed as Torrens Document No. 280184, that the Registrar of Titles "eliminated the memorial of the State's 2004 Quit Claim Deed from BNSF on each of the State's Certificates of Title for the Southwest Quarter of the Southwest Quarter." We note that you do concede that that the DNR's current Certificate of Title "lacks a memorial for the Railroad Right-of- Way." Finally, you conclude that the "DNR believes that the Examiner's Directive was in error."

The assertion that the DNR owns fee title or holds an exclusive easement is not correct. The Crow Wing County Examiner's Directive is the determining authority in these matters. Please note:

1) The DNR's reliance on the 2004 BNSF Quit Claim Deed or the 1998 Cuyuna Mineland Joint Powers Board (#0539752) to assert fee title is without merit in that a Quit Claim Deed does not grant any rights. It merely transfers any rights the Grantor may have, if any. The following is an excerpt from the 2004 BNSF Quit Claim Deed:

THIS INDENTURE, made this 5th day of February, 2004, by and between **THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY**, a Delaware corporation, Grantor, and **STATE OF MINNESOTA**, a sovereign body of the State of Minnesota, ("Grantee") with its principal office at 500 Lafayette Road, St. Paul, Minnesota 55155-4039.

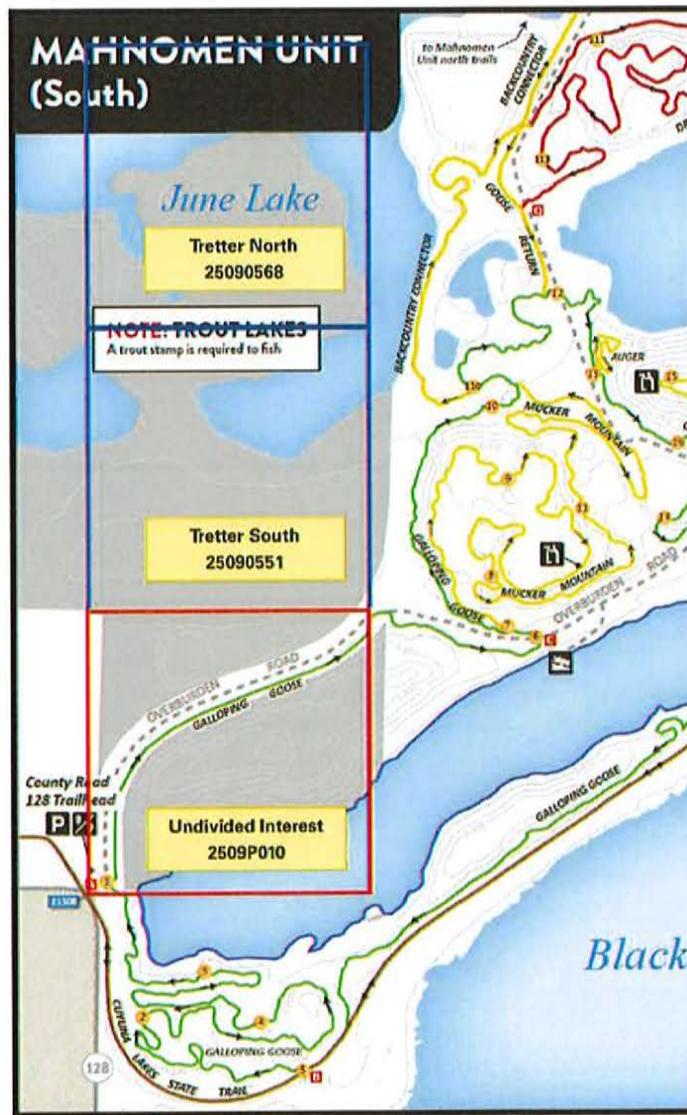
WITNESSETH: That the said Grantor, does hereby **DONATE, REMISE, RELEASE** and **FOREVER QUITCLAIM**, without any covenants of warranty whatsoever and without recourse to the Grantor, its successors and assigns, unto the said Grantee, its successors and assigns, all of its right, title and interest, if any, in on and to the property described below, subject however to all existing interests, including but not limited to all reservations, rights-of-way and easements, of record or otherwise, located in the County of Crow Wing, State of Minnesota, more particularly described as follows:

EXHIBIT F

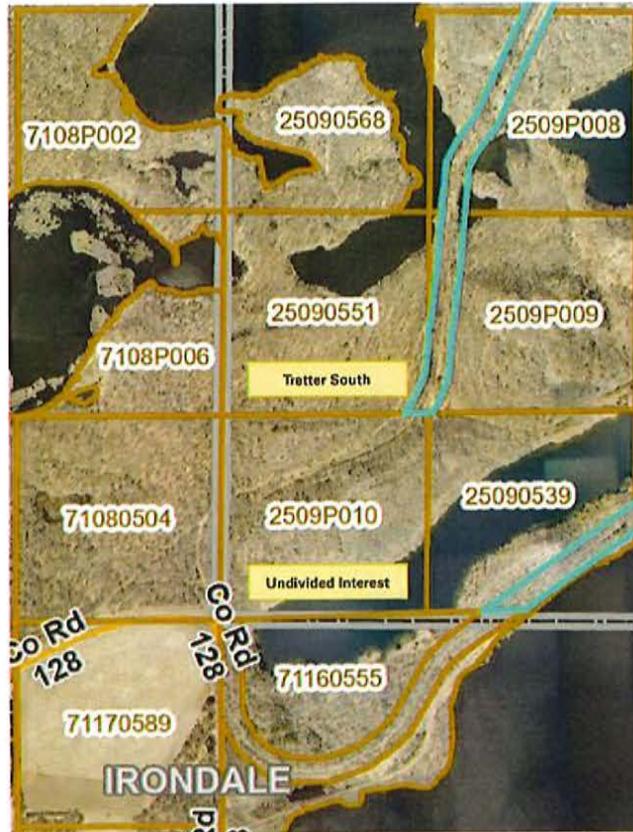
In this instance, there were no rights to transfer in that none of the Certificates of Title had any Memorials that evidenced any rights. Despite repeated requests, the DNR has failed to produce any evidence of "proof of ownership". You simply point to the Quit Claim Deeds that have no evidence of any such rights. The Examiner of Title agrees with these facts.

2) The DNR's position asserting in the alternative that they have an exclusive or prescriptive easement, or some form of adverse possession is wholly without merit in that these claims are not allowed on Torrens property such as is the case here. Please note that the Land Registration Decree was filed on December 26, 1911, a copy of which has been previously provided to the DNR.

We believe it is critical for the decision makers at the DNR to understand that the "loss" of Overburden Road means that the Galloping Goose Trail will no longer exist as a continuous single-track trail:



Please note that the Crow Wing County GIS has already removed any depiction of Overburden Road from their system:



As to the Prinsen's easement request, you state that the DNR "does not intend to take any further action" on the Prinsen's request until "these real estate title issues have been resolved." In all due respect, the Prinsens have spent over a year engaging with the DNR to better understand your position and to help you clarify the underlying property rights. Yet, here we are today one year later with the DNR stating they want to further research the issues.

This long process and bureaucratic delays have cost my client tens of thousands of dollars and time working diligently with the DNR to grant them a simple easement for which the Commissioner of the DNR has clear authority to grant.

Any further delay in granting an easement consigns my client to a bureaucratic purgatory without any clearly defined end point and results in an administrative freezing of the Prinsen's proposed use despite the fact that they have met all legal requirements and have garnered overwhelming local support (**See attached Exhibit "A"**).

You state a concern that granting an easement would be inconsistent with the CCSRA master plan. These concerns were vetted multiple times by the CCSRA Citizens Advisor Council (CAC), a 13-member council created by state statute 85.0146. The CAC is undoubtedly the most knowledgeable body related to the management of the CCSRA and they voted overwhelming in support of a negotiated easement.

The Prinsen's plan to create overnight cabins enhances the recreational Master Plan and is not inconsistent with current activities occurring in the CCSRA, including Red Rider Resort, 33 campsites (18 electric), 1 group camp and 3 yurts, private homes and cabins and over 393 acres of private property...all located within the boundaries of the CCSRA.

Additionally, the DNR has stated concerns regarding traffic on Overburden Road. Overburden is not a sleepy overgrown trail. It is a well-traveled road with new directional signage used to provide boat trailer access to Huntington Mine, Alstead Mine and June Lake:



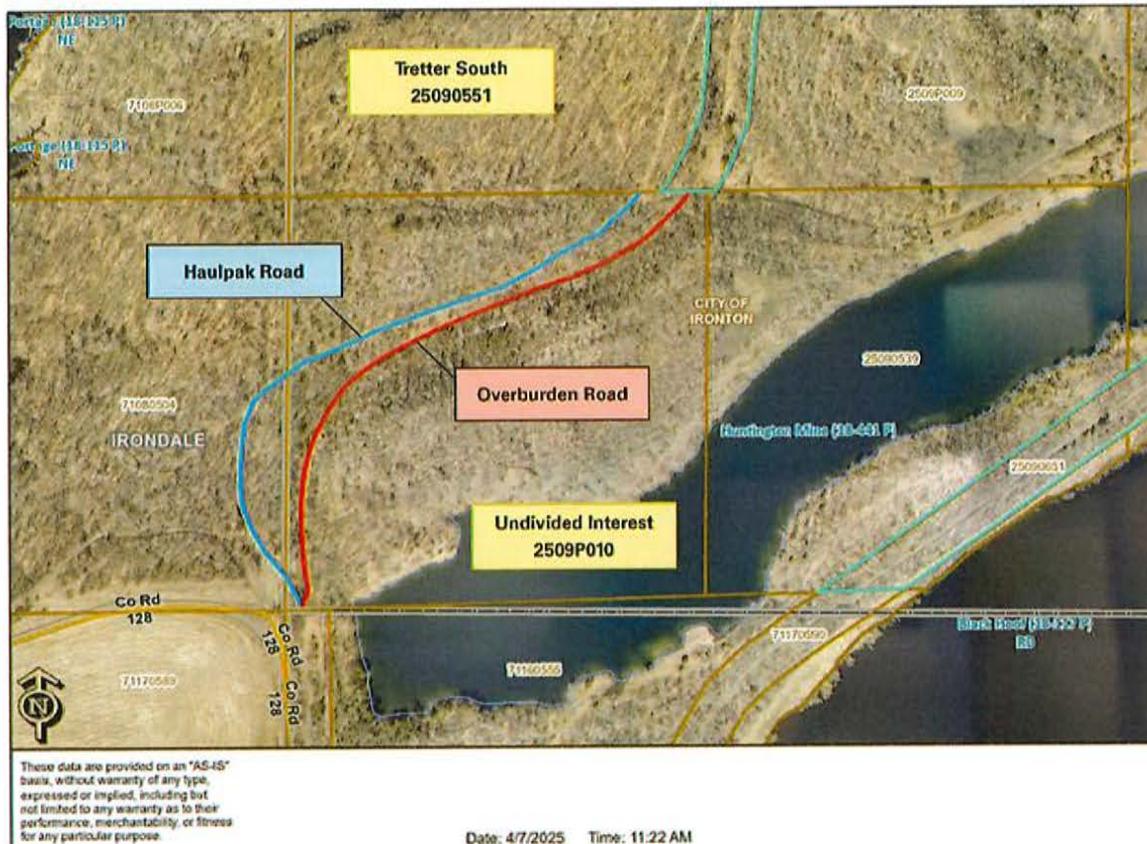
Overburden Road has a parking lot, pay station and trailhead with its own fire number:



Overburden Road is also the main western access for the maintenance teams and the storage of their equipment.

In short, Overburden Road is the main access point for the west side of the Rec Area!

As an alternative to Overburden Road, the Prinsens have demonstrated that the parallel "Haulpak Road" would be an acceptable means for vehicular and utility access:



The Prinsens have demonstrated:

- (1) there are no reasonable alternatives to obtain access to the property; and
- (2) the exercise of the easement will not cause significant adverse environmental or natural resource management impacts

Despite this delay and obfuscation to date the Prinsens still stand ready to “partner” with the DNR on a win-win solution that clarifies and settles the DNR title issues moving forward and allows the Prinsens to move forward with their proposed use:

The Prinsens are offering to “gift” the DNR the 1/24 interest in the Undivided Interest Parcel in exchange for perpetual access and an utility easement. This win-win solution provides the DNR with clear fee ownership of the parcel, Overburden Road, and importantly, the Galloping Goose Trail (which otherwise has no existing legal connection to the west side of the CCSRA).

In conclusion, the DNR has no clear fee title or other prescriptive easement or possession rights over Overburden Road, the proposed use has overwhelming local support and is consistent both with the CCSRA and the DNR’s statutory mandates, and finally, ***my client is willing to partner with and gift the DNR the obvious best-possible solution that serves the CCSRA, the City of Ironton, and the entire local business and residential community.***

We look forward to your response and promptly meeting to fully discuss our proposed path forward. In the absence of a timely response to our offer we are prepared to seek legislative intervention or an alternative solution. Please schedule a meeting with the appropriate DNR officials which have full authority over this matter.

Sincerely,

Thomas Streitz JD,LLM
Principal - Solomon Strategies Group

CC:

Tim Prinsen
Dawn Prinsen
Jim Erickson
Carrie Ruud

Exhibit A

Local Support for Prinsen Easement
in CCSRA

The following outlines the level of support from local government, local leaders, and the Cuyuna Country State Recreation Area (CCSRA) Citizens Advisory Council:

1. City of Ironton: The entire Tretter Parcel and the Undivided Interest Parcel are in the City of Ironton. In fact, of the approximately 5,000 acres that encompasses the City of Ironton, more than 4,100 acres are owned by the State of Minnesota and make of a large part of the Rec Area.

On July 3, 2024, the Ironton City Council unanimously passed a motion to support our project vision and encourage the DNR to engage with us on the establishment of a permanent easement.

2. Crow Wing County: The entire CCSRA is located within Crow Wing County, specifically District 5 of Crow Wing County.

On October 11, 2024, three Crow Wing County Commissioners (including the District 5 Commissioner) sent letters of support of an easement to the DNR Commissioner.

3. CCSRA Citizens Advisory Council (CAC): The CAC was established by State Statute 85.0146 (attached). Before a major decision is implemented, the area manager must consult with the council and take into consideration any council comments or advice that may impact the major decision. The CAC has 13 standing members that are designated by state statute.

On October 23, 2024, the CAC passed the following supportive resolution):

“The CCSRA Citizen Advisory Council encourages the Commissioner of the DNR to engage with the Prinsens on the establishment of a permanent easement to the Tretter Parcel that fulfills the projects goals to establish overnight cabin options to CCSRA visitors while continuing and expanding the silent sports legacy of the CCSRA.”

The votes in favor of the resolution included the local state senator, local state representative and the designee of the commissioner of the Iron Range resources and rehabilitation.