NOTICE OF HEARING - APPLICATIONS FOR DRAINAGE PERMITS

Notice is hereby given that the Marshall County Drainage Board will meet on April 21, 2020 at 9:10 A.M. at the Marshall County Courthouse Commissioners Chambers, concerning the following applications for Drainage Permits from the Marshall County Drainage Board.

Charles K Rabenberg & Son Inc. has requested a drainage permit to start construction of a drain on the property described as the SW1/4 of Section 28, T127N, R57W. The water will flow through the property and move West; flowing under 426th Ave. The water will then flow through the E½ of Section 29, T127N, R57W and drain into the Crow Creek which runs through the same property; for the purpose of draining water away from crop land. Construction will start on or before April, 2020 and will be completed on or before December 1, 2025.

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Charles K Rabenberg & Son Inc. has requested a Drainage permit to start construction of a drain on the properties described as the NW1/4 and SW1/4NE1/4 of Section 16, T126N, R57W. The water will drain north through the properties and into an existing creek which runs through the property; for the purpose of draining water away from crop land. Construction will start on or before April 1, 2020 and will be completed on or before December 1, 2025.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of:

For publication: April 15, 2020

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Erin Collins-Miles, Planning & Zoning Administrator Published once at the approximate

cost of \$20.91.

MARSHALL COUNTY DRAINAGE BOARD P.O.BOX 9 BRITTON, SOUTH DAKOTA 57430 605.448.7540

April 9, 2020

To whom it may concern,

Notice is hereby given that the Marshall County Drainage Board will meet on April 21, 2020 at 9:10 a.m. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Drainage permit.

Charles K Rabenberg & Son Inc. has requested a drainage permit to start construction of a drain on the property described as the SW1/4 of Section 28, T127N, R57W. The water will flow through the property and move West; flowing under 426th Ave. The water will then flow through the E½ of Section 29, T127N, R57W and drain into the Crow Creek which runs through the same property; for the purpose of draining water away from crop land. Construction will start on or before April, 2020 and will be completed on or before December 1, 2025.

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Being as you are an adjacent landowner to one or all of the proposed drainage projects; you are being notified of the hearing. If you have any questions, please contact my office. Any comments or concerns should be stated in writing and forwarded to my office or expressed at the scheduled hearing.

Sincerely,

Erin Collins-Miles
Planning and Zoning Administrator

Sent to the following adjacent landowners on 4/9/2020:

- 1. Arlie and Lorene Bender: 11170 426th Ave Britton, SD 57430
- 2. William Spiry: 2101 8th Ave. N Fargo, ND 58102
- 3. Charles Behnke: 42647 SD HWY 10 Britton, SD 57430
- 4. Roger Zuehlke: 1108 11th Street Britton, SD 57430
- 5. Frances Behnke: 42671 10 9th Street Britton, SD 57430
- 6. Renald and Allison Tank: 11285 426th Ave. Britton, SD 57430
- 7. Penny Likness: PO Box 7 Britton, SD 57430
- 8. Penrhos Farms, INC.: 103 9th Ave. Britton, SD 57430
- 9. Wayne Freeman: 42875 112th St. Britton, SD 57430

Section:

[] YES

Township:

[X] No

If yes, describe such plan:

Range:

The proposed drainage is a result of a township, county or other water management plan:

[] I don't know

PLEASE FILL IN: 1 Charles K. Roberbeyt San Propose to start construction of the drain on or before

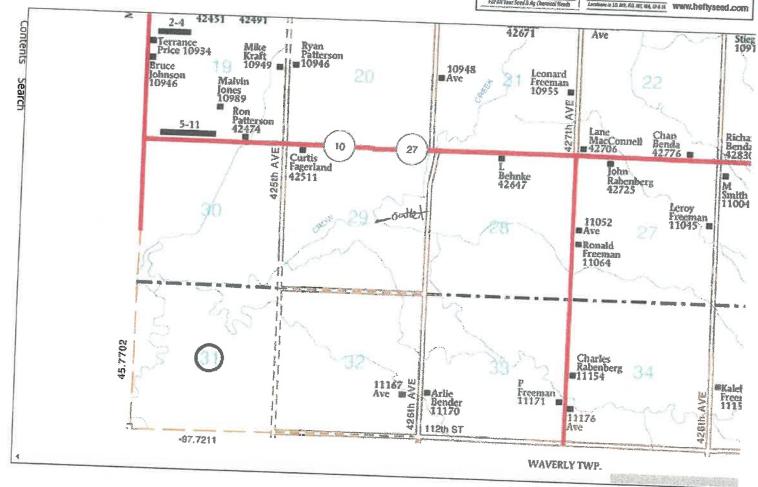
, 20,20, and will be completed on or before Dec 1, 20,15.

Marshall County Drainage - PO Box 9 - Britton, SD 57430 MARSHALL COUNTY DRAINAGE PERMIT APPLICATION PERMIT NO. APPLICANT DRAINAGE REQUIREMENTS Certified Wetland Determination attached? Address(Mailing): 1154 YES []NO []NA (see below) Explain: State: S Zip:5/43/ Phone: Engineer's plans attached? []YES []NO []NA (see below) **LOCATION OF LAND TO BE DRAINED** Explain: Legal Owner: NOTE: A map showing the location of the proposed drain Legal Description: SW $|\mathcal{E}_{1}|$ MUST accompany this application. Description Section: 28 Township: 12-7 Range: 57 1. Proposed drainage ditch: LOCATION OF OUTLET END OF PROPOSED DRAIN a. Length of drain: ______ feet Legal Description: easant lalle b. Drain Design: 1) Bottom width: _____ feet 2) Side Slope: _____ percent Section: 29 Township: 127 Range: 57 3) Maximum cut: _____ feet LOCATION OF MAJOR EARTH CHANGE WORK c. Proposed drainage flow: _____cu. Ft./sec. OR UNDERGROUND DRAIN INSTALLATION 2. Proposed drainage tile (underground drain pipe): Legal Description: Pleasavit Valley a. Length of drain: ______feet b. Drain Diameter: ______ inches Section: 28 Township: 127 Range: 5+ c. Approx. area contributing runoff to the drain where tile LOCATION OF COUNTY HWY R.O.W./DITCH is located: acres. INTO WHICH WATER WILL BE DRAINED Engineer Legal Description/Rd: Address: 11154 427th

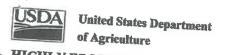
Phone: 605

SIGNATURES	
The owner of this proposed drain & the undersigned agree to conform to all applicable laws.	
Owner's Signature Date	
Applicant's Signature Date	
Drainage Administrator Signature Date 4-7-2020	









Natural Resources **Conservation Service**

NRCS-CPA-26E

9/2012

HIGHLY	ERODIBLE Charles K Ra	LAND AND WETL.	AND CONSERV	ATION DE	Conservation CERMINATION	on Service	NR
Britton, SD 57430 Agency or Person		Request Date:	12/8/16	County:	Marshall		
Requesting D	etermination.	Farm Service Agency	Tract No:	1404		- And Diffill	
		Section I - Highly		1421	FSA Farm No.	3880	

Section I - Highly Erodible Land Is a soil survey now available for making a highly erodible land determination? (Y/N) Are there highly erodible soil map units on this farm?

Fields in this section have undergone a determination of whether they are highly erodible land (HEL) or not; fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved

Field(s)	HEL(Y/N)	C 11		
		Sodbust(Y/N)	Acres	Determination Date

Land determination was completed in the

Section II - Wetlands

Fields in this section have had wetland determinations completed. See the Definition of Wetland Label Codes for additional information regarding allowable activities under the wetland conservation provisions of the Food Security Act and/or when wetland determinations are necessary to determine USDA program eligibility.

Field(s)	Label*	Occurrence Year (CW	Acres	Determination Date	
3.5,6,7,12	NW			and and Date	Certification Da
			157.6	1/6/17	1/9/17
wetland del	termination w	vas completed in the	Office	Maria Cara Cara Cara Cara Cara Cara Cara	
		Like Make The		It was mailed to the person on	1/9/2017

I certify that the above determinations are correct and were conducted in accordance with policies and procedures contained in the Nationa

nature Designated Conservationist	ted in accordance with policies and procedures contained in the
12	Date
and	D 1-9-13

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, the U.S. Department of Agriculture (USDA) promotes uncommunities in an as programs und convince out use casts of race, color, material origin, genuer, rengion, ege, disability, political beliefs, sexual crientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call coll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal

Certified Wetland Determination

Field Office: **Britton FO** Certified By: Jesse Brooks Legal Desc: S28, T 127N, R 57W

Agency: USDA-NRCS Certified Date: 1/9/17



Certified Wetland Determination Boundary

Wetlands

Wetlands Ditch NI NNDitch Tile

1,150

1,725

2,300

2,875

3,450

Feet

Wetland

FW Farmed Wetland Drained or modified & cropped prior to 12-23-1985, but still meets wetland criteria

Prior Converted **NW Non Wetland**

NI Not Inventoried Potential Waters of the US See NRCS CPA-026E for definitions and additional info.



Waiver for Performing Drainage Work in Marshall County, South Dakota

Patricia M Spiry 2000 Revocable Trust [downstream property owner] A.William Spiry 2000 Revocable Trust am aware of the proposed drainage work
being proposed by Charles K. Raben berg & Sh / NC in the
SW 28 Pleasant Valley (legal description)
and do not object to the drainage as proposed.
Additional notes: The drain tile main will go across the Etz of section 29 Placeant Valley and outlet into the Crow Creek drain.
into the Crow Creek drain.
Dated this 6th day of for 2020 The state Trustee Trustee 2101 8Th thuc N. Fargun D 58102 (Address) Fargun D 58102 (City, State, Zip Code) (701) 238-1829 (Telephone Number)



04 Inch Pipe
05 Inch Pipe
08 Inch Pipe
10 Inch Pipe

12 Inch Pipe 15 Inch Pipe

Popham Agronomics

MARSHALL COUNTY DRAINAGE PERMIT APPLICATION

APPLICANT	DRAINAGE REQUIREMENTS
Name: Cha-k5 K. Rabenbery & Son In C Address(Mailing): 11154 427 And City: BRITTON State: SD Zip: 57430	Certified Wetland Determination attached? [V]YES []NO []NA (see below) Explain:
Phone: 665 377 0073 LOCATION OF LAND TO BE DRAINED	Engineer's plans attached? [XYES []NO []NA (see below) Explain:
Legal Owner: A. Willian Spiry 2010 Revocable T Legal Description: E/2 29 Pleasant Valley	NOTE: A map showing the location of the proposed drain MUST accompany this application.
U	Description
Section: 29 Township: 127 Range: 57	1. Proposed drainage ditch:
LOCATION OF OUTLET END OF PROPOSED DRAIN	a. Length of drain: feet
Legal Description: E 2 29 Pleasant Vally	b. Drain Design: 1) Bottom width: feet
0	2) Side Slope: percent
Section: 29 Township: 127 Range: 57	3) Maximum cut: feet
LOCATION OF MAJOR EARTH CHANGE WORK	c. Proposed drainage flow:cu. Ft./sec.
OR UNDERGROUND DRAIN INSTALLATION	2. Proposed drainage tile (underground drain pipe):
Legal Description: E'a. 29 Pleasaht Vally	
	b. Drain Diameter: <u>4– 8</u> inches
Section: 29 Township: 127 Range: 57	c. Approx. area contributing runoff to the drain where tile
LOCATION OF COUNTY HWY R.O.W./DITCH	is located: 140acres.
INTO WHICH WATER WILL BE DRAINED	Engineer
Legal Description/Rd: NA	Name: Kirk Rabenberg
	Address: 11154 427th Apr
Section: Township: Range:	Phone: 605 377 0073
PLEASE FILL IN: 1 Charles Raberbant Su Inc propose to s	tart construction of the drain on or before
Apr 30 , 20 20, and will be completed on or be	
The proposed drainage is a result of a township, county o	
[]YES [)(No []Idon't know	
If yes, describe such plan:	

	SIGNATURES
The owner of this proposed drain & the undersigned a	agree to conform to all applicable laws.
Owner's Signature 2000 Remote Pate Tout Dolling M. Sylva 2000 Revocalle	4/6/2020
Applicant's Signature Date	3/30/2020
Drainage Administrator Signature	Date 4-7-2020



United States Department of Agriculture

Natural Resources Conservation Service

NRCS-CPA-26E 9/2012

HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name Address:	CHARLES K 11176 427th A Britton, SD 57		Request Date:	1/6/17	County:	Marshall
Agency or Pe Requesting D	erson Determination:	Farm Service Agency	Tract No:	1414	FSA Farm No.	754

Section I - Highly Erodible Land

(Y/N)

Is a	soil	survey	now	available	for	making	a hi	ghly	erodible	land	determination	a?
Are	the	re high	v ero	dible soil	ma	n imite	on thi	is far	m?			

Fields in this section have undergone a determination of whether they are highly erodible land (HEL) or not; fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved conservation system on all HEL.

Field(s) HE	EL(Y/N)	Sodbust(Y/N)	Acres	Determination Date
		0 = Pk= 1 /1		

The Highly Erodible Land determination was completed in the

Section II - Wetlands

Fields in this section have had wetland determinations completed. See the Definition of Wetland Label Codes for additional information regarding allowable activities under the wetland conservation provisions of the Food Security Act and/or when wetland determinations are necessary to determine USDA program eligibility.

Field(s)	Wetland Label*	Occurrence Year (CW)	Acres	Determination Date	Certification Date
4.	W		2.9	1/12/17	1/26/17
ALL	NW	NAME OF TAXABLE PARTY.	304.2	1/12/17	1/26/17
5.	W		0.6	1/12/17	1/26/17
6.	W		1.4	1/12/17	1/26/17
6.8.9.	W		4.1	1/12/17	1/26/17
8,	W		0.3	1/12/17	1/26/17
ne wetland	determination	was completed in the	Office	It was mailed to the person on	1/26/2017
marks:					

I certify that the above determinations are correct and were conducted in accordance with policies and procedures contained in the National Food Security Act Manual.

Signature Designated Conservationist	Date
	1-76-17
Ja- 1 THON	100

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

Certified Wetland Determination

Field Office: Certified By:

Britton FO Jesse Brooks

egal Desc: S29, T 127N, R 57W

Agency: USDA-NRCS Certified Date: 1/26/17

Tract: 1414



Legend

Certified Wetland **Determination Boundary**

Wetlands

Wetlands

Ditch NI

NI\Ditch

Tile

0 287.5 575

1,150

1,725

2,300

2,875

3,450

Feet

Wetland

FW Farmed Wetland Drained or modified & cropped prior to 12-23-1985, but still meets wetland criteria

Prior Converted PC

NW Non Wetland

NI Not Inventoried Potential Waters of the US

See NRCS CPA-O26E for definitions and additional info.



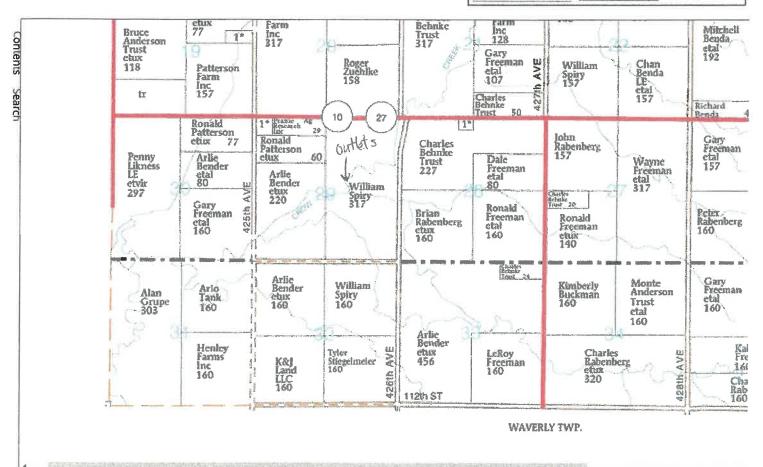




ABERDEEN OFFICE GROTON OFFICE 605.226.2492

605.397.4100

Learning in SQ, AST, ASQ, AST, ASC, ASS, A. WWW. hefty-seed.com



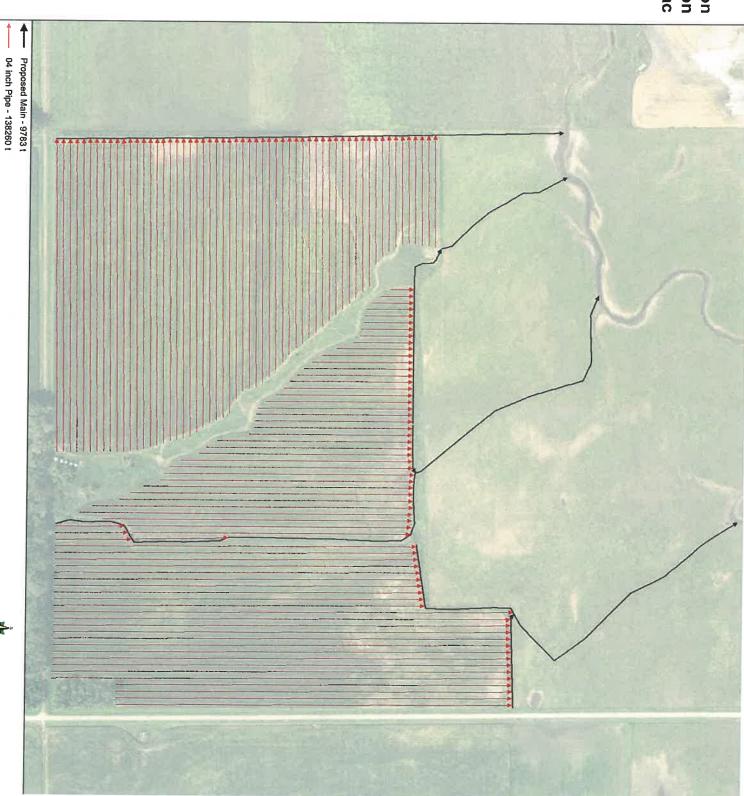






04 inch Pipe West - 21369 t **Grade Points**







MAKSHALL COUNTY DRA	INAGE PERMIT APPLICATION
APPLICANT	DRAINAGE REQUIREMENTS
Name: Charles K Robenberg & Son Inc. Address (Mailing): 11154 427th Are City: Britton State: SD zip. 5743	Certified Wetland Determination attached? [VIYES []NO []NA (see below)
LOCATION OF LAND TO BE DRAINED Legal Owner: Charles Rabenberg Legal Description: NW 16 Wardy	Engineer's plans attached?]YES []NO []NA (see below) Explain: NOTE: A map showing the location of the proposed drain MUST accompany this application.
Section: 16 Township: 126 Range: 57	Description
LOCATION OF OUTLET END OF PROPOSED DRAIN Legal Description: NW 16 Waver w Section: Township: 120 Range: 57 LOCATION OF MAJOR EARTH CHANGE WORK OR UNDERGROUND DRAIN INSTALLATION Legal Description: NW 16 Waver w Section: 16 Township: 126 Range: 57 LOCATION OF COUNTY HWY R.O.W./DITCH	1. Proposed drainage ditch: a. Length of drain: feet b. Drain Design: 1) Bottom width: feet 2) Side Slope: percent 3) Maximum cut: feet c. Proposed drainage flow: cu. Ft./sec. 2. Proposed drainage tile (underground drain pipe): a. Length of drain: feet b. Drain Diameter: inches c. Approx. area contributing runoff to the drain where tile is located: acres.
egal Description/Rd:	Engineer C
egal bescription/ka: [V] (Name: KIRK RAPENBERG
ection: Township: Range:	Address: 1154 427th Ave Phone: 605 377 0073
Apr 2020, and will be completed on or before proposed drainage is a result of a township, county or TYES [] No [] I don't know	fore
yes, describe such plan:	

	SIGNATURES	
The owner of this proposed drain & the undersign		
Owner's Signature Date		
Chilansly	3/9/2020	
Applicant's Signature Date		
Drainage Administrator Signature	Date 4-8-2020	

Certified Wetland Determination

Field Office:

Britton FO

Certified By:

Brandon DeFoe

Legal Desc:

S 16, T 126N, R 57W

Agency: USDA-NRCS

Date:

5/15/2015





Certified Wetland **Determination Boundary**

Wetlands

Wetlands Ditch

Tile

0 287.5 575

1,150

1,725

2,300

2,875

3,450

Feet

Wetland

Farmed Wetland Drained or modified & cropped FW prior to 12-23-1985, but still meets wetland criteria

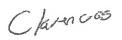
Prior Converted

NW Non Wetland

See NRCS CPA-026E for definitions and additional info.









United States Department of Agriculture

Natural Resources Conservation Service

NRCS-CPA-026E 9//2012

HIGHLY	ERODIBLE LAND AND	WETLAND CONSERVATION DETERMINATION
Name	Charles Rabenhero	WEIDAND CONSERVATION DETERMINATION

Name	Charles Raber		TID CONSERV	ATION DET	ERMINATION	
Address: 1154 427th Ave Britton, SD 57430 Agency or Person Requesting Determination: Farm Service Agency		430	Request Date:	3/26/13	County:	Marshall
		Tract No:	1536	FSA Farm No.:	2802	
		Section I. Highly	Paradel a v		710	3882

Section I - Highly Erodible Land

(Y/N)

Is a soil survey now available for making a highly erodible land determination? Are there highly erodible soil map units on this farm?

Fields in this section have undergone a determination of whether they are highly erodible land (HEL) or not; fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved

ield(s)	Southern (V/V)		Appea		
		THE REPORT OF SHORE	Acres	Determination Date	
			VALUE OF THE PARTY		
2000 Supplies	Property of	Illiowope and a control			
	200	Author State of the State of th		Maria de la Companya	
	EAG RELL				
The	Wiekla P. 181 -	and determination was con	1 m 1 m 10 m 2 m 2 m 2 m 2 m 2 m 2 m 2 m 2 m 2 m		

The Highly Erodible Land determination was completed in the

Section II - Wetlands

Fields in this section have had wetland determinations completed. See the Definition of Wetland Label Codes for additional information regarding allowable activities under the wetland conservation provisions of the Food Security Act and/or when wetland determinations are necessary to determine USDA program eligibility.

Field(s)	Label*	Occurrence Year (CV		Determination Date	Certification Dat
1	W		195.2 0.5	5/7/15	5/15/15
1	WX		0.4	5/7/15	5/15/15
	85	100 St. 100 T. 100 T		5/7/15	5/15/15
		The same of the total			Title (
				9	
	(20 m) m			S. Company	Party and the second
	20 F F F			T. Comments	
	052	COLD CONTRACTOR CONTRA		8	
1					
The wetland	determination	was completed in the	is needed to be a second		
arks:	Coloradion	was completed in the	Field	It was mailed to the person on	
AL PLD.	A 15	Harris Artister	V2. 176 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	The maned to the person on	5/15/2015

I certify that the above determinations are correct and were conducted in accordance with policies and procedures contained in the National

Signature Designated Conservationist		and procedures contained in the Nationa		
Songhated Conservationist	Date			
The off		5/15/2015		
The IIS Department of A				

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