

NOTICE OF HEARING - APPLICATIONS FOR DRAINAGE PERMITS

Notice is hereby given that the Marshall County Drainage Board will meet on March 16, 2021 at 9:10 A.M. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Drainage Permit from the Marshall County Drainage Board.

Charles K Rabenberg & Son Inc. have requested a Drainage permit to start construction of a drain on the properties described as the NE1/4NW1/4 EXC HWY and the NW1/4NW1/4, S1/2NW1/4 EXC HWY; both of Section 27, T127N, R57W. The water will be drained north through the described properties and into an existing creek which runs through the property described as the NE1/4NW1/4 EXC HWY; for the purpose of draining water away from crop land. Construction will start on or before April 1, 2021 and will be completed on or before September 1, 2026.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of:

For publication: March 10, 2021

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Planning & Zoning Administrator
Published once at the approximate cost of \$10.95.

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

March 3, 2021

To whom it may concern,

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Being as you are an adjacent landowner to the proposed drainage project; 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 3/3/2021:

1. Charles Behnke: 42647 SD HWY 10 Britton, SD 57430
2. A. William Spiry: 2101 8th Ave. N Fargo, ND 58102
3. Chan & Carol Benda: 42776 SD HWY 10 Britton, SD 57430
4. Wayne Freeman: 42875 112th St. Britton, SD 57430
5. Ronald & Rebecca Freeman: 417 S Janklow Ave. New Underwood, SD 57761
6. Neil Behnke: 4340 Teller Street Wheat Ridge, CO 80033

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Duplicate letter sent to Benda's on 3/9/2021

4. Wayne Freeman: 42875 112th St. Britton, SD 57430
5. Ronald & Rebecca Freeman: 417 S Janklow Ave. New Underwood, SD 57761
6. Neil Behnke: 4340 Teller Street Wheat Ridge, CO 80033

MARSHALL COUNTY DRAINAGE PERMIT APPLICATION

APPLICANT		DRAINAGE REQUIREMENTS	
Name: <u>Charles K Rabenberg & Son Inc</u>		Certified Wetland Determination attached?	
Address(Mailing): <u>11154 427th Ave</u>		<input checked="" type="checkbox"/> YES [] NO [] NA (see below)	
City: <u>Britton</u> State: <u>SD</u> Zip: <u>57430</u>		Explain:	
Phone: <u>605 377 0073</u>		Engineer's plans attached?	
<u>35.57.27.2250, 35.57.27.2000</u>		<input checked="" type="checkbox"/> YES [] NO [] NA (see below)	
LOCATION OF LAND TO BE DRAINED		Explain:	
Legal Owner: <u>John Rabenberg</u>		NOTE: A map showing the location of the proposed drain MUST accompany this application.	
Legal Description: <u>NW 27 Pleasant</u>			
<u>Valley</u>			
Section: <u>27</u> Township: <u>127</u> Range: <u>57</u>		Description	
LOCATION OF OUTLET END OF PROPOSED DRAIN		1. Proposed drainage ditch:	
Legal Description: <u>NW 27 PV</u>		a. Length of drain: _____ feet	
Section: <u>27</u> Township: <u>127</u> Range: <u>57</u>		b. Drain Design: 1) Bottom width: _____ feet	
LOCATION OF MAJOR EARTH CHANGE WORK OR UNDERGROUND DRAIN INSTALLATION		2) Side Slope: _____ percent	
Legal Description: <u>NW 27 PV</u>		3) Maximum cut: _____ feet	
Section: <u>27</u> Township: <u>127</u> Range: <u>57</u>		c. Proposed drainage flow: _____ cu. Ft./sec.	
LOCATION OF COUNTY HWY R.O.W./DITCH INTO WHICH WATER WILL BE DRAINED		2. Proposed drainage tile (underground drain pipe):	
Legal Description/Rd: <u>N/A</u>		a. Length of drain: <u>22,000</u> feet	
Section: <u>27</u> Township: <u>127</u> Range: <u>57</u>		b. Drain Diameter: <u>4-8</u> inches	
LOCATION OF COUNTY HWY R.O.W./DITCH INTO WHICH WATER WILL BE DRAINED		c. Approx. area contributing runoff to the drain where tile is located: <u>15</u> acres.	
Legal Description/Rd: <u>N/A</u>		Engineer	
Section: _____ Township: _____ Range: _____		Name: <u>Kirk Rabenberg</u>	
Section: _____ Township: _____ Range: _____		Address: <u>11154 427th Ave</u>	
Section: _____ Township: _____ Range: _____		Phone: <u>605 377 0073</u>	
PLEASE FILL IN: <u>Charles K Rabenberg & Son</u> , propose to start construction of the drain on or before <u>Apr 1</u> , 20 <u>21</u> , and will be completed on or before <u>Sept 1</u> , 20 <u>26</u> .			
The proposed drainage is a result of a township, county or other water management plan:			
[] YES [] No [] I don't know			
If yes, describe such plan:			

SIGNATURES

The owner of this proposed drain & the undersigned agree to conform to all applicable laws.

Owner's Signature

Date

John K. Rabinley

Applicant's Signature

Date

ALCY

3/2/21

Drainage Administrator Signature

Date

Erin Collier

3/2/2021

Charles Rabenberg and Son
Charles Rabenberg and Son
Pleasant Valley 27 NW- ac-J



- 04 inch Pipe - 17817 t
- 04 inch Pipe-Submain - 1946 t
- 06 inch Pipe - 310 t
- 08 inch Pipe - 1282 t

Certified Wetland Determination

Field Office: Britton FO
Certified By: Jesse Brooks
Legal Desc: NW 1/4 S27, T 127N, R 57W

Agency: USDA-NRCS
Certified Date: 8/18/16
Tract: 1428



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

W Wetland
FW Farmed Wetland Drained or modified & cropped
prior to 12-23-1985, but still meets wetland criteria
PC Prior Converted
NW Non Wetland
NI Not Inventoried Potential Waters of the US
See NRCS CPA-O26E for definitions and additional info.



HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name	John Rabenberg	Request Date:	12/4/14	County:	Marshall
Address:	42725 SD Highway 10 Britton, SD 57430				
Agency or Person Requesting Determination:	Farm Service Agency	Tract No:	1428	FSA Farm No.	3653

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 conservation system on all HEL.			
Field(s)	HEL (Y/N)	Soil Conservation System	

<u>Field(s)</u>	<u>HEL(Y/N)</u>	<u>Sodbust(Y/N)</u>	<u>Acres</u>	<u>Determination Date</u>

The Highly Erodible Land determination was made by _____.


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.

<u>Field(s)</u>	<u>Wetland Label*</u>	<u>Occurrence Year (CW)</u>	<u>Acres</u>	<u>Determination Date</u>	<u>Certification Date</u>
1,2,4,5,6,7,8,	NW		152.7	8/17/16	8/18/16
4,11,12,13	PC		1.0	8/17/16	8/18/16
The wetland determination was completed in the		Office	It was mailed to the person on		8/18/2016
Remarks:					

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
		8-18-16