

## E4NOTICE OF HEARING - APPLICATION FOR DRAINAGE PERMIT

Notice is hereby given that the Marshall County Drainage Board will meet on August 9, 2022 at 9:00 A.M. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Drainage Permit from the Marshall County Drainage Board.

Arthur & Thomas Steiner are requesting a Drainage permit for construction of a drain on the properties described as the N1/2NW1/4 and LOT 1 (NE1/4NE1/4) & NW1/4NE1/4, both of Section 26, T125N, R55W. The water will flow into natural drains located in numerous parts of both properties described above, which will ultimately end up flowing into the slough located on the N1/2NW1/4 (see file). Water in the NE corner of Lot 1 (described above) will flow into the right-of-way on the South side of 122<sup>nd</sup> St.; for the purpose of draining water away from crop land. Construction will start on or before September 1, 2022 and will be completed on or before November 1, 2025.

Arthur & Thomas Steiner are requesting a Drainage permit for construction of a drain on the properties described as the N1/2SW1/4 and the S1/2NW1/4, both of Section 36, T126N, R54W. On the N1/2SW1/4, the water will flow into the ditch on the East side of 442<sup>nd</sup> Ave., then into a natural drain located on the property described as LOT 3 (SW1/4SE1/4) & E1/2SE1/4 EXC STEINER OUTLOT 1 of Section 35, T126N, R54W, which is owned by the applicant. Water from the S1/2NW1/4 will flow Southwest into a natural drain located on the N1/2SW1/4; for the purpose of draining water away from crop land. Construction will start on or before September 1, 2022 and will be completed on or before November 1, 2025.

Arthur & Thomas Steiner are requesting a Drainage permit for construction of a drain on the property described as LOT 3 (SW1/4SE1/4) & E1/2SE1/4 EXC STEINER OUTLOT 1, Section 35, T126N, R54W. Water will flow South through a natural drain located on the same property and continue through the property described as LOT 1 (NE1/4NE1/4), LOT 2 (NW1/4NE1/4) & S1/2NE1/4 of Section 2, T125N, R54W, and then flow back North into Lot 3 (described above); for the purpose of draining water away from crop land. Construction will start on or before September 1, 2022 and will be completed on or before November 1, 2025.

Erin Collins-Miles



1T (July 27)  
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- APPLICATION FOR  
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Erin Collins-Miles, Planning & Zoning Administrator  
Published once at an approximate cost of \$23.20 and can be viewed free of charge at [www.sdpublic-notices.com](http://www.sdpublic-notices.com).

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

July 27, 2022

To whom it may concern,

Notice is hereby given that the Marshall County Drainage Board will meet on August 9, 2022 at 9:00 A.M. at the Marshall County Courthouse Commissioners Chambers, concerning the following applications for Drainage Permits from the Marshall County Drainage Board.

Arthur & Thomas Steiner are requesting a Drainage permit for construction of a drain on the properties described as the N1/2NW1/4 and LOT 1 (NE1/4NE1/4) & NW1/4NE1/4, both of Section 26, T125N, R55W. The water will flow into natural drains located in numerous parts of both properties described above, which will ultimately end up flowing into the slough located on the N1/2NW1/4 (see file). Water in the NE corner of Lot 1 (described above) will flow into the right-of-way on the South side of 122nd St.; for the purpose of draining water away from crop land. Construction will start on or before September 1, 2022 and will be completed on or before November 1, 2025.

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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.

#1

# MARSHALL COUNTY DRAINAGE PERMIT APPLICATION

APPLICANT	DRAINAGE REQUIREMENTS
Name: <u>Art &amp; Tom Steiner</u>	Certified Wetland Determination attached? <input checked="" type="checkbox"/> YES [ ] NO [ ] NA (see below) Explain: _____
Address(Mailing): <u>PO Box 51</u>	
City: <u>Eden</u> State: <u>SD</u> Zip: <u>57222</u>	
Phone: <u>605-216-6781</u>	Engineer's plans attached? <input checked="" type="checkbox"/> YES [ ] NO [ ] NA (see below) Explain: _____
<b>LOCATION OF LAND TO BE DRAINED</b>	
Legal Owner: <u>Art &amp; Tom Steiner</u>	
Legal Description: <u>N<math>\frac{1}{2}</math>-N<math>\frac{1}{2}</math> of Sec 26-125-55</u>	<b>NOTE: A map showing the location of the proposed drain MUST accompany this application.</b>
<u>N<math>\frac{1}{2}</math> NW<math>\frac{1}{4}</math> Lot 1 NE<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math></u>	<b>Description</b>
Section: <u>26</u> Township: <u>Eden</u> Range: <u>55</u>	1. Proposed drainage ditch:
<b>LOCATION OF OUTLET END OF PROPOSED DRAIN</b>	a. Length of drain: _____ feet
Legal Description: <u>SAME</u>	b. Drain Design: 1) Bottom width: _____ feet 2) Side Slope: _____ percent 3) Maximum cut: _____ feet
Section: _____ Township: _____ Range: _____	c. Proposed drainage flow: _____ cu. Ft./sec.
<b>LOCATION OF MAJOR EARTH CHANGE WORK OR UNDERGROUND DRAIN INSTALLATION</b>	2. Proposed drainage tile (underground drain pipe):
Legal Description: _____	a. Length of drain: <u>3877</u> feet - <u>9624 ft</u> <u>4"</u>
Section: _____ Township: _____ Range: _____	b. Drain Diameter: <u>8"</u> inches
<b>LOCATION OF COUNTY HWY R.O.W./DITCH INTO WHICH WATER WILL BE DRAINED</b>	c. Approx. area contributing runoff to the drain where tile is located: <u>25</u> acres.
Legal Description/Rd: <u>N<math>\frac{1}{2}</math> of N<math>\frac{1}{2}</math> Hwy 16 ?</u>	<b>Engineer</b>
Section: <u>26</u> Township: <u>Eden</u> Range: <u>55</u>	Name: <u>Haller Crop Consulting</u>
	Address: <u>13182 423 Ave Peirpont SD</u>
	Phone: <u>605-380-2177</u>
PLEASE FILL IN: I <u>Art &amp; Tom Steiner</u> , propose to start construction of the drain on or before <u>Sept</u> , 20 <u>22</u> , and will be completed on or before <u>Nov 1</u> , 20 <u>25</u> .	
The proposed drainage is a result of a township, county or other water management plan: [ ] YES [X] 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

*Arthur Steine Tom Steine*

Applicant's Signature Date

*Arthur Steine Tom Steine*

Drainage Administrator Signature

Date

*Erin Wehler*

*7/25/22*

Waiver for Performing Drainage Work in  
Marshall County, South Dakota

I Mike Jaspers am aware of the proposed drainage work  
(downstream property owner)

being proposed by Art + Tom Steiner in the  
(upstream property owner)

N $\frac{1}{2}$  of N $\frac{1}{2}$  - 26-125-55  
(legal description)

and do not object to the drainage as proposed.

Additional notes:

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Dated this 11<sup>th</sup> day of July, 2022

Mike Jaspers  
(Signature)

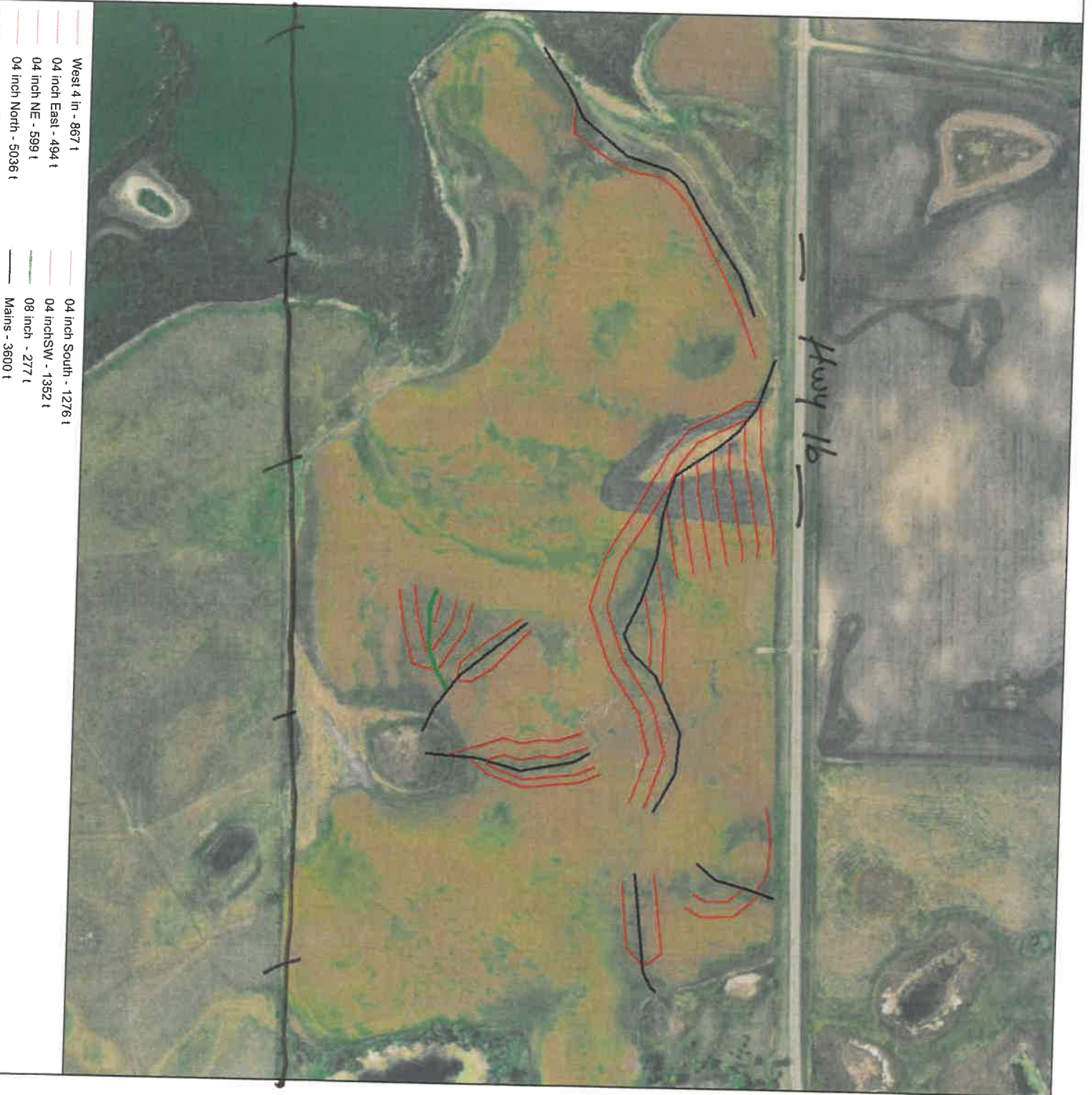
46831 262<sup>nd</sup> St  
(Address)

Sioux Falls, SD 57107  
(City, State, Zip Code)

605-310-2500  
(Telephone Number)

Holler Crop Consulting  
Steiner  
Section 26-125-55

Hwy 16





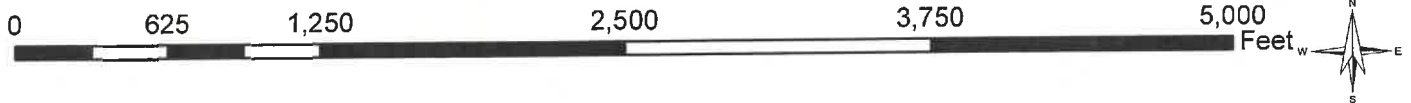
# Certified Wetland Determination

Field Office: Britton FO  
Created By: Jesse Brooks  
Legal Desc: 26-125-55

Agency: USDA-NRCS  
Certified Date: 3/22/2022  
Tract: 2509



1:9,484 1 inch = 790 feet





United States Department  
of Agriculture

Natural Resources  
Conservation Service

NRCS-CPA-26E  
9/2012

**HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION**

Name	Art Stiener	Request Date:	3/10/22	County:	Marshall
Address:	PO Box 51 Eden, SD 57232				
Agency or Person Requesting Determination:	Farm Service Agency	Tract No:	2509	FSA Farm No.	142

**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)	Sodbust(Y/N)	Acres	Determination Date

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 Number	Wetland Label*	Occurrence Year (CW)	Acres	Determination Date	Certification Date
ALL	NW		120.4	3/22/22	3/22/22
ALL	W		16.7	3/22/22	3/22/22

The wetland determination was completed in the office It was mailed to the person on 3/22/2022

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
<b>JESSE BROOKS</b> Digitally signed by JESSE BROOKS Date: 2022.03.22 10:53:21 -05'00'		

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.



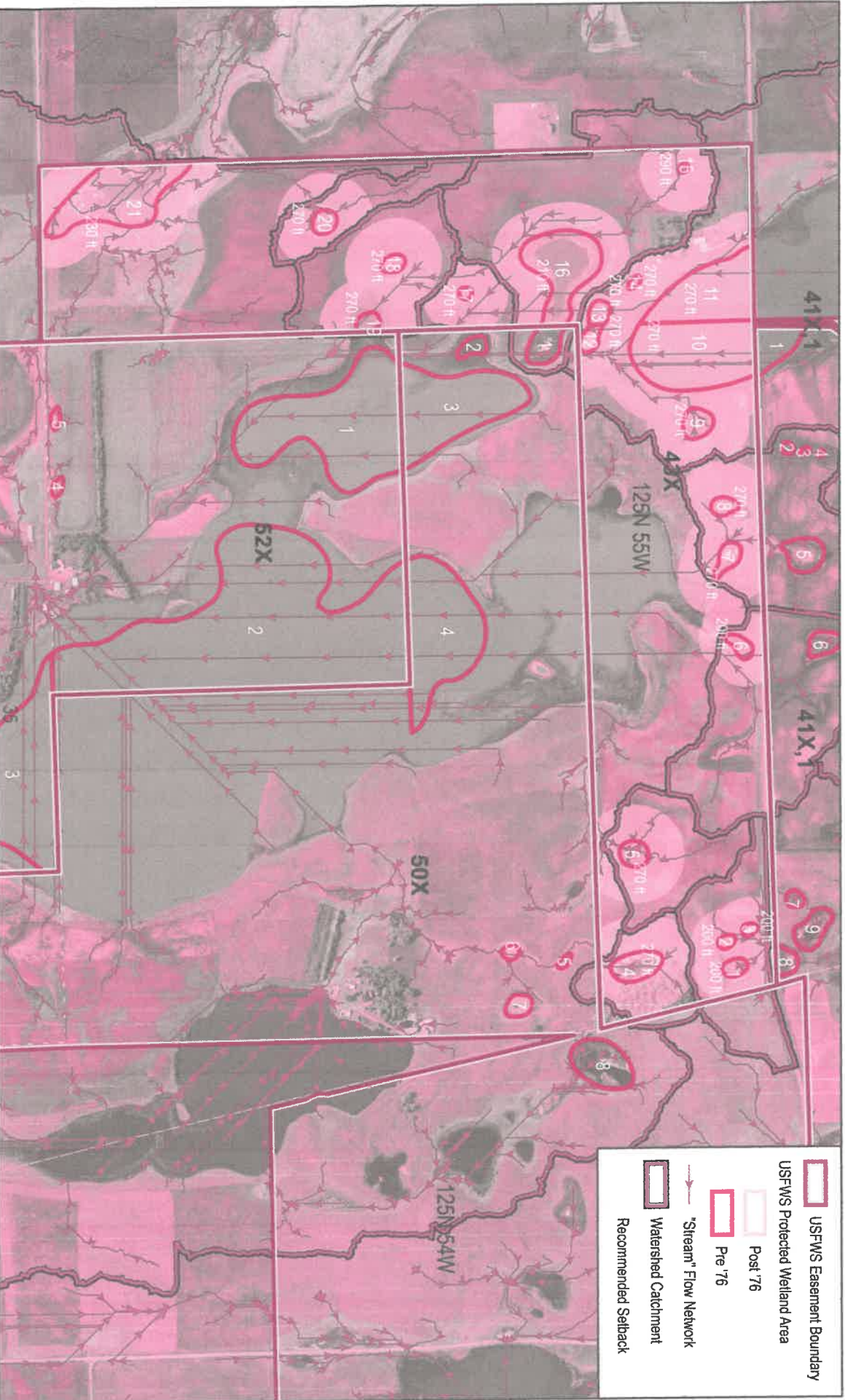


U.S. Fish & Wildlife Service

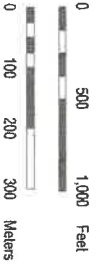
# Recommended Setback Map

Figure 1 - Easement Recommended Drain Tile Setbacks

MA43X  
N 1/2 N 1/2 Section 26 & E 1/2 E 1/2 Section 27, T125N, R55W  
Marshall County, South Dakota



Produced in the North and South Dakota WMD Complexes  
 Madison, South Dakota  
 Basemap: Farm Service Agency: NADP Imagery 2020  
 File: Recommended Setback\_Map\_Landscape.page  
 Name: 2022\_Projects  
 Date Exported: 7/21/2022 10:38 AM



Setbacks are calculated using a 5-inch tile diameter at a depth of 48-inch. Please be advised that deviation from the plan or installed depth will require recalculation by WMD staff.  
 LIDAR Technology is used to create stream flow network and watershed delineations. Maps are intended as guidance and may not reflect specific site conditions.

#2

# MARSHALL COUNTY DRAINAGE PERMIT APPLICATION

APPLICANT	DRAINAGE REQUIREMENTS
Name: <u>Art &amp; Tom Steiner</u>	Certified Wetland Determination attached?
Address(Mailing): <u>PO Box 51</u>	<input checked="" type="checkbox"/> YES [ ] NO [ ] NA (see below)
City: <u>Eden</u> State: <u>SD</u> Zip: <u>57232</u>	Explain: _____
Phone: <u>605-216-6781</u>	Engineer's plans attached?
<b>LOCATION OF LAND TO BE DRAINED</b>	<input checked="" type="checkbox"/> YES [ ] NO [ ] NA (see below)
Legal Owner: <u>Art &amp; Tom Steiner</u>	Explain: _____
Legal Description:	<b>NOTE: A map showing the location of the proposed drain MUST accompany this application.</b>
Section: <u>36</u> Township: <u>126<sup>Lake</sup></u> Range: <u>54</u>	<b>Description</b>
<b>LOCATION OF OUTLET END OF PROPOSED DRAIN</b>	1. Proposed drainage ditch:
Legal Description: <u>Same.</u>	a. Length of drain: _____ feet
Section: _____ Township: _____ Range: _____	b. Drain Design: 1) Bottom width: _____ feet
<b>LOCATION OF MAJOR EARTH CHANGE WORK OR UNDERGROUND DRAIN INSTALLATION</b>	2) Side Slope: _____ percent
Legal Description:	3) Maximum cut: _____ feet
Section: _____ Township: _____ Range: _____	c. Proposed drainage flow: _____ cu. Ft./sec.
Section: _____ Township: _____ Range: _____	2. Proposed drainage tile (underground drain pipe):
<b>LOCATION OF COUNTY HWY R.O.W./DITCH INTO WHICH WATER WILL BE DRAINED</b>	a. Length of drain: <u>2849</u> feet ( <u>20,515</u> )
Legal Description/Rd:	b. Drain Diameter: <u>8</u> inches ( <u>4"</u> )
Section: _____ Township: _____ Range: _____	c. Approx. area contributing runoff to the drain where tile is located: <u>17</u> acres.
Section: _____ Township: _____ Range: _____	<b>Engineer</b>
Legal Description/Rd:	Name: <u>Holler Crop Consulting.</u>
Section: _____ Township: _____ Range: _____	Address: <u>13182 423 Ave Pierpont SD</u>
Section: _____ Township: _____ Range: _____	Phone: <u>605-380-2177</u>
PLEASE FILL IN: I <u>Art &amp; Tom Steiner</u> , propose to start construction of the drain on or before <u>Sept 1, 2022</u> , and will be completed on or before <u>Nov 31, 2025</u> .	
The proposed drainage is a result of a township, county or other water management plan:	
[ ] YES [X] 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 \_\_\_\_\_

*Tom Stearns* *Arthur Stearns*

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

*Tom Stearns* *Arthur Stearns*

Drainage Administrator Signature \_\_\_\_\_

Date \_\_\_\_\_

*Eric Colwell*

*7/25/22*

Holler Crop Consulting  
 Steiner  
 Sec 36-126-54



*delete*

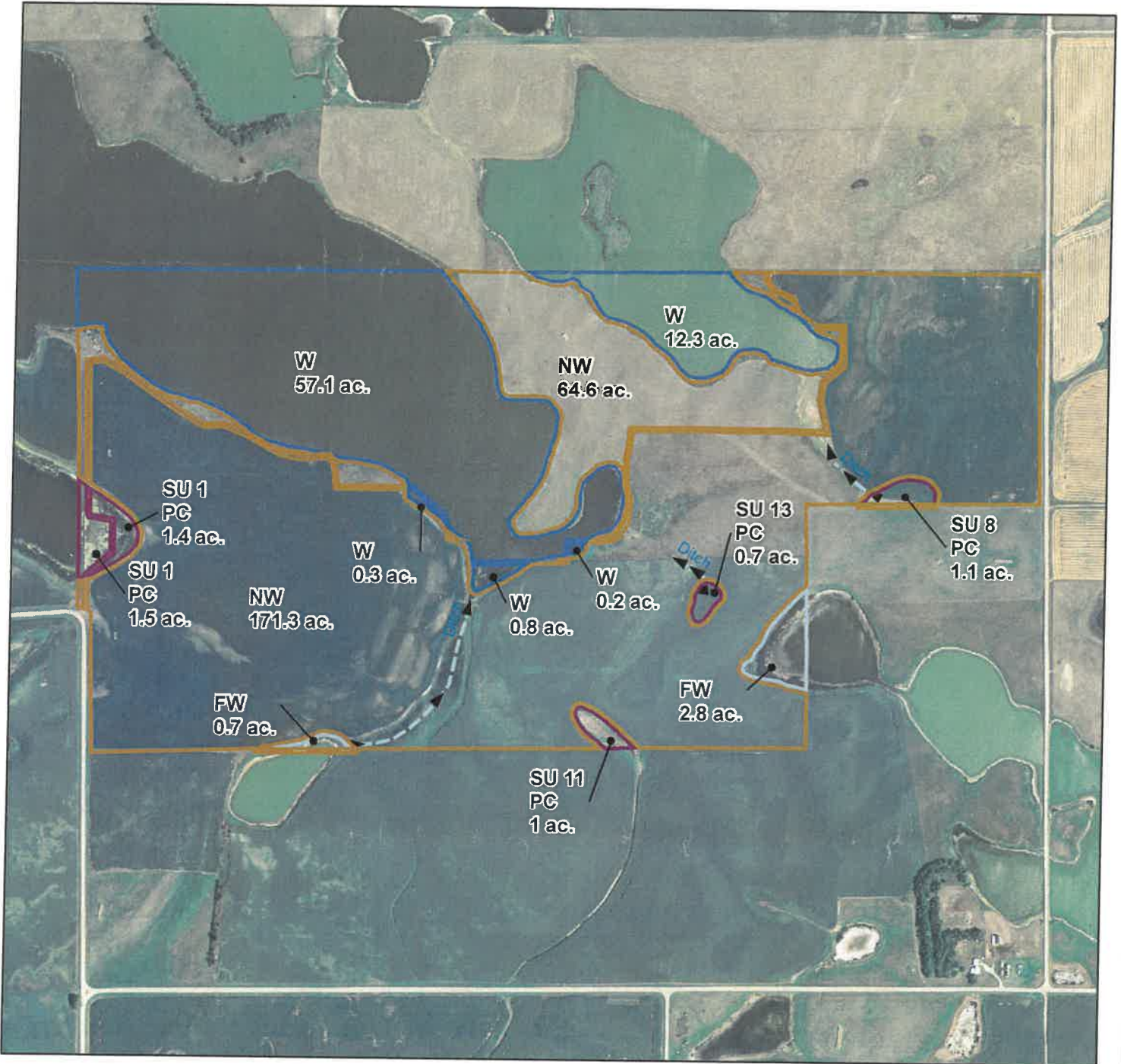
- ↔ 04 inch Pipe - 639 I
- ↔ 04 inch Pipe-2 - 3817 I
- ↔ 04 inch Pipe-3 - 5147 I
- ↔ 04 inch Pipe-4 - 1100 I
- ↔ 04 inch Pipe-5 - 723 I
- ↔ 04 inch Pipe-8 - 3014 I
- ↔ 04 inch Pipe-9 - 3941 I
- ↔ Main Middle new - 925 I
- ↔ Main North - 373 I
- ↔ Main South - 756 I
- ↔ 04 inch Pipe-7 - 2214 I
- ↔ 08 inch Pipe - 795 I



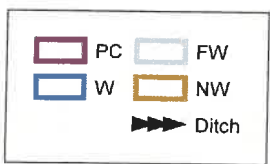
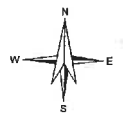
# Certified Wetland Determination

Field Office: Britton FO  
Created By: Jesse Brooks  
Legal Desc: 36-126-54

Agency: USDA-NRCS  
Certified Date: 3/22/2022  
Tract: 5015 & 5016



1:9,626 1 inch = 802 feet





**HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION**

Name Address:	Art Stiener PO Box 51 Eden, SD 57232	Request Date:	3/14/22	County:	Marshall
Agency or Person Requesting Determination:	Farm Service Agency	Tract No:	5015	FSA Farm No.	4802

**Section I - Highly Erodible Land (Y/N)**

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

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 Number	Wetland Label*	Occurrence Year (CW)	Acres	Determination Date	Certification Date
8	NW		64.6	3/21/22	3/22/22
8	W		69.4	11/23/15	11/23/15
8	PC		1.5	3/21/22	3/21/22

The wetland determination was completed in the office It was mailed to the person on 3/22/2022

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
<b>JESSE BROOKS</b> Digitally signed by JESSE BROOKS Date: 2022.03.22 11:58:34 -05'00'		

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#3

# MARSHALL COUNTY DRAINAGE PERMIT APPLICATION

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Name: <i>Art &amp; Tom Steiner</i>	Certified Wetland Determination attached?
Address(Mailing): <i>PO Box 51</i>	<input checked="" type="checkbox"/> YES [ ] NO [ ] NA (see below)
City: <i>Eden</i> State: <i>SD</i> Zip: <i>57232</i>	Explain: _____
Phone: _____	Engineer's plans attached?
<b>LOCATION OF LAND TO BE DRAINED</b>	<input checked="" type="checkbox"/> YES [ ] NO [ ] NA (see below)
Legal Owner: <i>Art &amp; Tom Steiner</i>	Explain: _____
Legal Description: _____	<b>NOTE: A map showing the location of the proposed drain MUST accompany this application.</b>
<i>E 1/2 NE 1/4 + Lot 3 SW 1/4 SE 1/4 + E 1/2 SE 1/4</i> <i>ex. State</i>	Description: _____
Section: <i>35</i> Township: <i>124</i> Range: <i>54</i>	1. Proposed drainage ditch: <i>outlet one</i>
<b>LOCATION OF OUTLET END OF PROPOSED DRAIN</b>	a. Length of drain: _____ feet
Legal Description: <i>Same</i>	b. Drain Design: 1) Bottom width: _____ feet
Section: _____ Township: _____ Range: _____	2) Side Slope: _____ percent
<b>LOCATION OF MAJOR EARTH CHANGE WORK OR UNDERGROUND DRAIN INSTALLATION</b>	3) Maximum cut: _____ feet
Legal Description: _____	c. Proposed drainage flow: _____ cu. Ft./sec.
Section: _____ Township: _____ Range: _____	2. Proposed drainage tile (underground drain pipe):
Legal Description: _____	a. Length of drain: <i>2209</i> feet <i>13,826</i>
Section: _____ Township: _____ Range: _____	b. Drain Diameter: <i>8</i> inches <i>4"</i>
<b>LOCATION OF COUNTY HWY R.O.W./DITCH INTO WHICH WATER WILL BE DRAINED</b>	c. Approx. area contributing runoff to the drain where tile is located: <i>8</i> acres.
Legal Description/Rd: _____	<b>Engineer</b>
Section: _____ Township: _____ Range: _____	Name: <i>Holler Crop Consulting</i>
Legal Description/Rd: _____	Address: <i>13182 423 Ave Peirson</i>
Section: _____ Township: _____ Range: _____	Phone: <i>605-380-2177</i>
<b>PLEASE FILL IN:</b> <i>Art &amp; Tom Steiner</i> , propose to start construction of the drain on or before <i>Sept 1</i> , 20 <i>22</i> , and will be completed on or before <i>Nov</i> , 20 <i>25</i> .	
The proposed drainage is a result of a township, county or other water management plan:	
[ ] YES [ <input checked="" type="checkbox"/> ] No [ ] I don't know	
If yes, describe such plan: _____	





Waiver for Performing Drainage Work in  
Marshall County, South Dakota

I George Krista  
Hilary Krista am aware of the proposed drainage work  
(downstream property owner)

being proposed by Tom & Ann Steiner in the  
(upstream property owner)

S $\frac{1}{2}$  of S $\frac{1}{2}$  of 35-126-54 - Lot 3 SW $\frac{1}{4}$  SE $\frac{1}{4}$  + E $\frac{1}{2}$  SE $\frac{1}{4}$   
(legal description) exc. Steiner outlot 1

and do not object to the drainage as proposed.

Additional notes:

water will drain onto property of George + Hilary Krista.  
Lot 1 NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Lot 2 NW $\frac{1}{4}$  NE $\frac{1}{4}$  And S $\frac{1}{2}$  NE $\frac{1}{4}$   
And BACK into Steiner Lot 3

Dated this 18 day of July, 2022

Hilary Krista Hilary Krista  
(Signature)

44257 120<sup>th</sup> St  
(Address)

Eden SD 57232  
(City, State, Zip Code)

605-698-3654  
(Telephone Number)

Holler Crop Consulting  
Steiner  
Sec 35-126-54



— 04 inch Pipe - 13826 f  
— Proposed Main - 2209 f



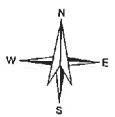
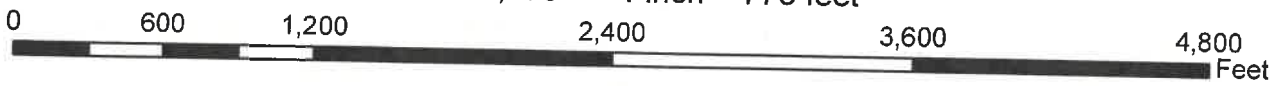
# Certified Wetland Determination

Field Office: Britton FO  
Created By: Jesse Brooks  
Legal Desc: 35-126-54

Agency: USDA-NRCS  
Certified Date: 1/25/2022  
Tract: 2728



1:9,275 1 inch = 773 feet





**HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION**

Name	Art Steiner & STP Acres Inc	Request Date:	1/21/22	County:	Marshall
Address:	PO Box 51 Eden, SD 57232				
Agency or Person Requesting Determination:	Farm Service Agency	Tract No:	2728	FSA Farm No.	4803

**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)	Sodbust(Y/N)	Acres	Determination Date

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 Number	Wetland Label*	Occurrence Year (CW)	Acres	Determination Date	Certification Date
ALL	NW		149.7	1/25/22	1/25/22
5.7, 14	W		33.5	1/25/22	1/25/22
4.9	PC		20.5	1/25/22	1/25/22

The wetland determination was completed in the office It was mailed to the person on 1/25/2022

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
<b>JESSE BROOKS</b> Digitally signed by JESSE BROOKS Date: 2022.01.25 15:02:25 -06'00'		

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