

NOTICE OF HEARING - APPLICATION FOR DRAINAGE PERMIT

Notice is hereby given that the Marshall County Drainage Board will meet on October 4, 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.

Michael Atkinson is requesting a Drainage permit for construction of a drain on the properties described as LOT 3 (NE1/4NW1/4), LOT 4 (NW1/4NW1/4) & S1/2NW1/4 and LOT 1 (NE1/4NE1/4), LOT 2 (NW1/4NE1/4) & S1/2NE1/4, both of Section 2, and the West 80 acres of the NW1/4 of Section 12; all of T128N, R59W. From Lots 3 and 1, described above, the water will flow directly East and underneath 417th Ave. and will continue South along the East side of the road. Water will flow underneath of 101st street and into the West 80 acres described above; which will eventually flow into the Crow Creek Drainage Ditch located on the same property; for the purpose of draining water away from crop land. Construction will start on or before October 5, 2022 and will be completed on or before December 31st, 2025.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of:

For publication: September 21, 2022

1T (Sept 21)
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Erin Collins-Miles, Planning & Zoning Administrator
Published once at an approximate cost of \$11.60 and can be viewed free of charge at www.sdpublicnotices.com.

MARSHALL COUNTY DRAINAGE PERMIT APPLICATION

APPLICANT	DRAINAGE REQUIREMENTS
Name: <u>Michael Atkinson</u>	Certified Wetland Determination attached?
Address(Mailing): <u>10163 417th ave</u>	[] YES [X] NO [] NA (see below)
City: <u>Britton</u> State: <u>SD</u> Zip: <u>57430</u>	Explain: <u>Have but not attached</u>
Phone: <u>605-228-8788</u>	Engineer's plans attached?
LOCATION OF LAND TO BE DRAINED	[] YES [X] NO [] NA (see below)
Legal Owner: <u>Michael Atkinson</u>	Explain: <u>Have but not attached</u>
Legal Description: <u>2-128-59 north half</u>	NOTE: A map showing the location of the proposed drain MUST accompany this application.
<u>12-128-59 NW Quarter</u>	Description
Section: _____ Township: _____ Range: _____	1. Proposed drainage ditch:
LOCATION OF OUTLET END OF PROPOSED DRAIN	a. Length of drain: <u>7000</u> feet <u>far corner to drain</u>
Legal Description: <u>@ Both locations</u>	b. Drain Design: 1) Bottom width: _____ feet
<u>Drain to one spot 12-128-59 Crow Creek</u>	2) Side Slope: _____ percent
Section: _____ Township: _____ Range: _____	3) Maximum cut: _____ feet
LOCATION OF MAJOR EARTH CHANGE WORK OR UNDERGROUND DRAIN INSTALLATION	c. Proposed drainage flow: _____ cu. Ft./sec.
Legal Description: <u>12-128-59</u>	2. Proposed drainage tile (underground drain pipe):
<u>2-128-59</u>	a. Length of drain: <u>7000</u> feet
Section: _____ Township: _____ Range: _____	b. Drain Diameter: <u>4</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>400</u> acres.
Legal Description/Rd:	Engineer
<u>water will be drained in Crow Creek</u>	Name: <u>Tyler north american Drainage</u>
Section: <u>12</u> Township: <u>128</u> Range: <u>59</u>	Address: <u>PO Box 1300 Aberdeen SD 57402</u>
Phone: <u>605 290 3270</u>	PLEASE FILL IN: I <u>Michael Atkinson</u> , propose to start construction of the drain on or before
<u>Oct 5, 2022</u> , and will be completed on or before <u>December 31st 2025</u>	The proposed drainage is a result of a township, county or other water management plan:
[X] YES [] No [] I don't know	If yes, describe such plan: <u>This drain is for personal agriculture purposes. Payton</u>
<u>Township is on board with drainage plan. So is the Crow Creek</u>	

SIGNATURES

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

Owner's Signature



Date

9-19-22

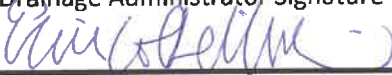
Applicant's Signature



Date

9-19-22

Drainage Administrator Signature



Date

9/19/22

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

September 20, 2022

To whom it may concern,

Notice is hereby given that the Marshall County Drainage Board will meet on October 4, 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.

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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

Erin Collins-Miles
Planning and Zoning Administrator

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Erin Collins-Miles

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Planning and Zoning Administrator

Sent to the following adjacent landowners on 9/20/22:

- 1. Newark SD, LLP c/o Mark Zastrow – 180 Fern Dr. Pasadena, CA 91105**
- 2. Calvin Carlson – PO Box 110 Britton, SD 57430**
- 3. Dayton Township c/o Lucas Landreth – 41366 104th St. Britton, SD 57430**
- 4. Marshall County Highway Shop c/o Dustin Hofland – 10844 423rd Ave. Britton, SD 57430**



P.O. Box 1300 Aberdeen, SD 57402
 Tyler - (605) 290-3270

Date **8/21/2022**
 Estimate **MA.2NH.2**
 Client Information
 Mike Atkinson
 SD Marshall Dayton
 2 NH 128 59
 NorthAmericanDrainageInc@gmail.com
 Time Sensitive Estimate: 10 days

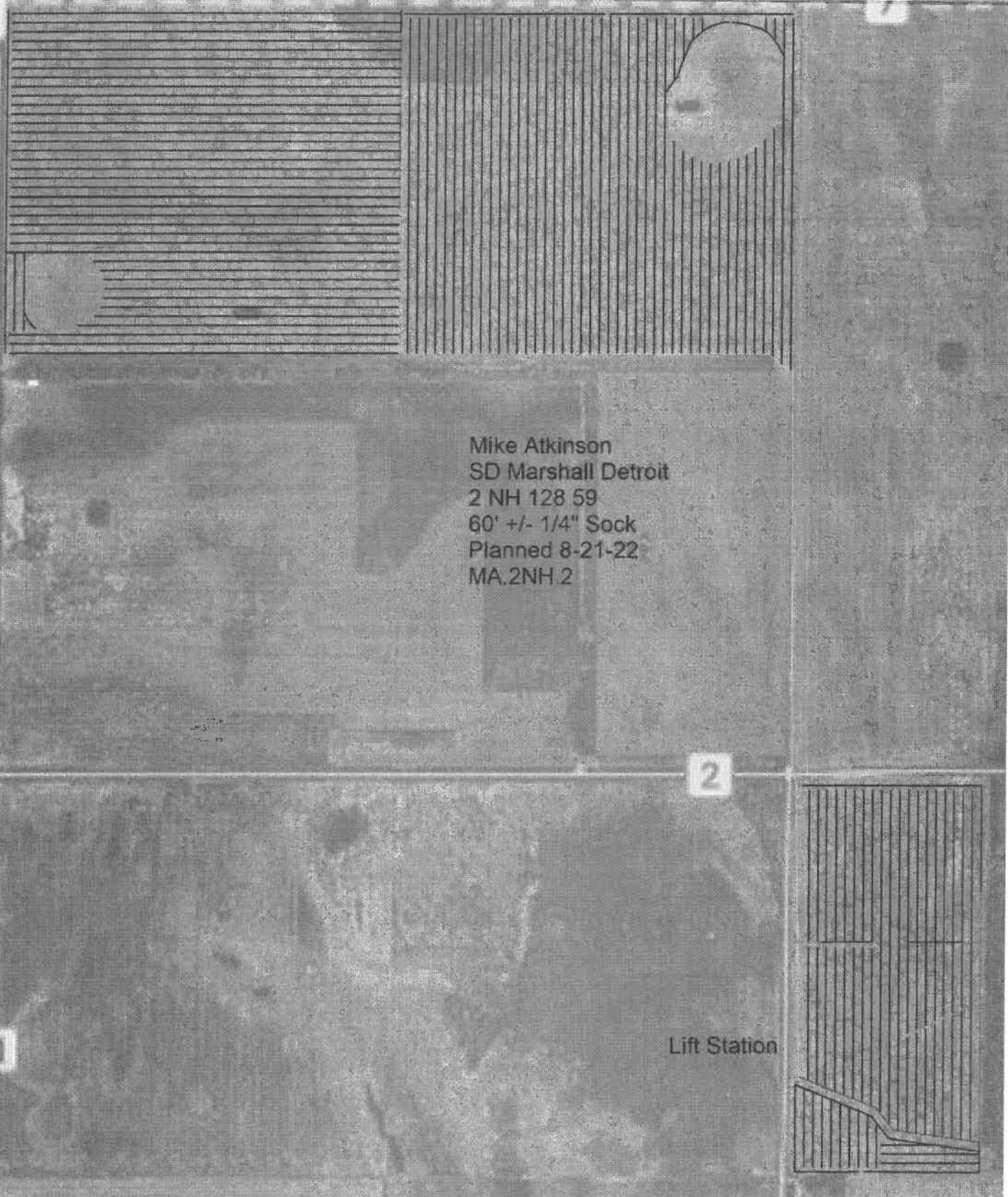
Spacing	60
D/C +/-	1/4

Estimated Qty	Unit	Item Description				
234,000	LF	4" Sock				
1,450	LF	6" Sock				
1,850	LF	8" Sock				
1,575	LF	10" Sock				
640	LF	12" Sock				
320	LF	12" DW Flex Sock				
1,710	LF	15" DW Flex Sock				
6,500	LF	18" DW Sticks Sock				
1	PKG	Lift Station				
1	PKG	Fittings				
113	EA	Connection Charge				
	EA	Crossing Utility Lines		\$	600.00	
	EA	Crossing Gas Pipe Lines		\$	1,100.00	
1	EA	Crossing Roads				
1	EA	Overcut Charge				
1	EA	Mobility Trip Charge				
342	EA	Roving/Design Cost				
1	EA	Discount				\$ (53,090.00)
Estimate Total						\$596,000.00
1		Down Payment		50%	\$ 298,000.00	\$ 298,000.00
Balance Upon Completion						\$ 298,000.00
<i>Estimate Acceptance</i>						
<i>Landowner(s) Signature & Date</i>						
Balance Due Within 10 Days Upon Completion or Project is Subject to Loss of ALL Discounts						

see reverse side for estimate details

Survey & Design	The design is to be collaborated with the landowners designee and resources. It is not the contractors responsibility to process wetland determinations, mark setbacks, or accept any liability for drainage of NRCS, USFW, or FSA covered areas including but not limited to CRP. It is the landowners responsibility to make the appropriate designations in the planning and install process to ensure compliance with all applicable agencies. There are variables that may be encountered while installing and the contractor may make changes to the design.
Scheduling & Logistics	The project is to be completed on the initial trip to eliminate return mobility charges. Full access to the worksite will be given to the contractor and subcontractors during the installation process without unreasonable delay by the landowner or landowners agents. The contractor reserves the right to cease progress on any portion of the project at any time due to unusual conditions including but not limited to: (disputes / product supply / frost / high rock content / high water table). Furthermore the contractor may finish the rest of the project in the future.
Materials	Materials (including pipe and fittings) are to be acquired by contractor unless otherwise noted. Gravel or rock are to be supplied by owner. Materials site rehabilitation post project is not the contractors responsibility.
Payments	A down payment will be required before the work begins and payouts will be due on the 1st and 15th of each month as work commences. A 1.5% finance charge per month will be applied after the first 15 days and every consecutive 30 days. Contractor reserves the right to cease progress on the project for non-payment.
Estimate Details	This is a price per foot bid only. Invoice is computed on actual tile footage installed, equipment, labor hours, etc. Estimate is based on this estimate's listed totals of materials & installation. Pricing reflects amounts above and adjustments to the total may affect unit pricing amounts. NAD reserves the right to correct clerical errors. All overcuts are to be paid by the landowner / renter for plow installation depth of tile. Excavation by the contractor will be charged at either an hourly rate or cubic yard rate above per foot pricing. NAD is not responsible for locating private utilities or repairing them if hit when unmarked. Should any unique situations arise the landowner will be contacted and additional charges may apply including, but not limited to: Dewatering, use of pumps, generators, jetters, trench boxes, pound boxes, extra time involved with lift stations, utility crossings, intakes & road crossings.
Warranty	There is a 2 year warranty on system installation that guarantees the pipe is on grade unless installed in standing water. There is no guarantee that sand will not enter the pipe. When used for artesian drainage grass roots may enter the pipe and plug the line if perforated pipe is used. Repairs will be made by the contractor and no substitute labor will be allowed for reimbursement. The warranty does not cover damage caused by others (the farming operation i.e. deep ripping, other contractors, utility companies, natural disasters, acts of God, or similar events). The warranty does not cover crop or property damage caused by a defective system or the repairs to the system. Materials suppliers or manufacturers may carry their own warranty on the pipe and other materials. Labor to repair, replace, or inspect these materials will not be carried by the contractor. Also if there is no warranty issue to be found the customer will be charged current rate for time and materials.
Confidentiality	This estimate and any files, forms, measurement, emails, documents, drawings, designs, concepts, plans, sketches, layouts, or calculations with it may contain information proprietary to North American Drainage Inc., or one of its subsidiaries or affiliates, and are intended solely for the use of the individual or entity to whom they are addressed, shall be maintained in confidence and not disclosed to third parties without the written consent of North American Drainage Incorporated.

<p style="text-align: center;"><i>Estimate Acceptance</i> <i>Landowner(s) Signature & Date</i></p>
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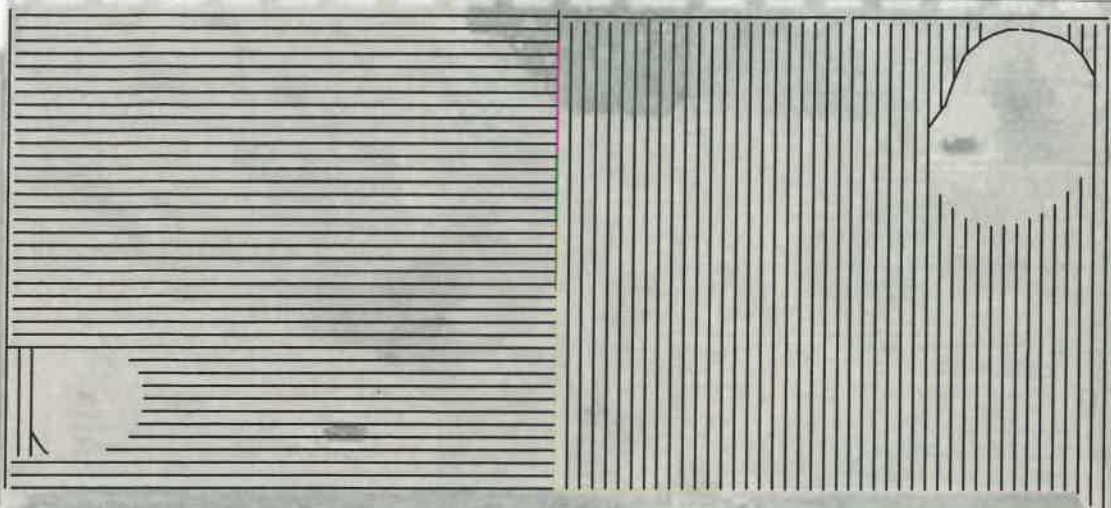


Mike Atkinson
 SD Marshall Detroit
 2 NH 128 59
 60' +/- 1/4" Sock
 Planned 8-21-22
 MA.2NH.2

Lift Station



04"	234035.20 ft
06"	1449.84 ft
08"	1850.00 ft
10"	1575.00 ft
12"	640.00 ft
12" DW	320.00 ft
15" DW	1710.00 ft
18" DW	6500.00 ft

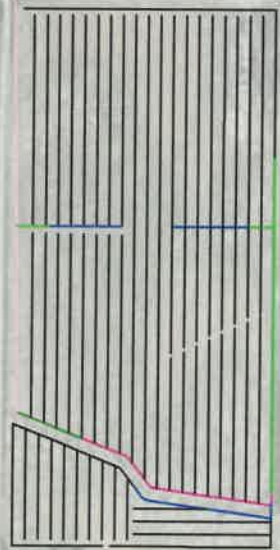


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Planned 8-21-22
MA.2NH.2

2

11

Lift Station



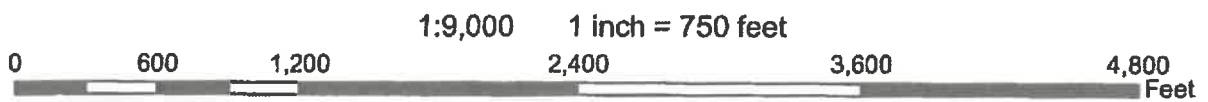
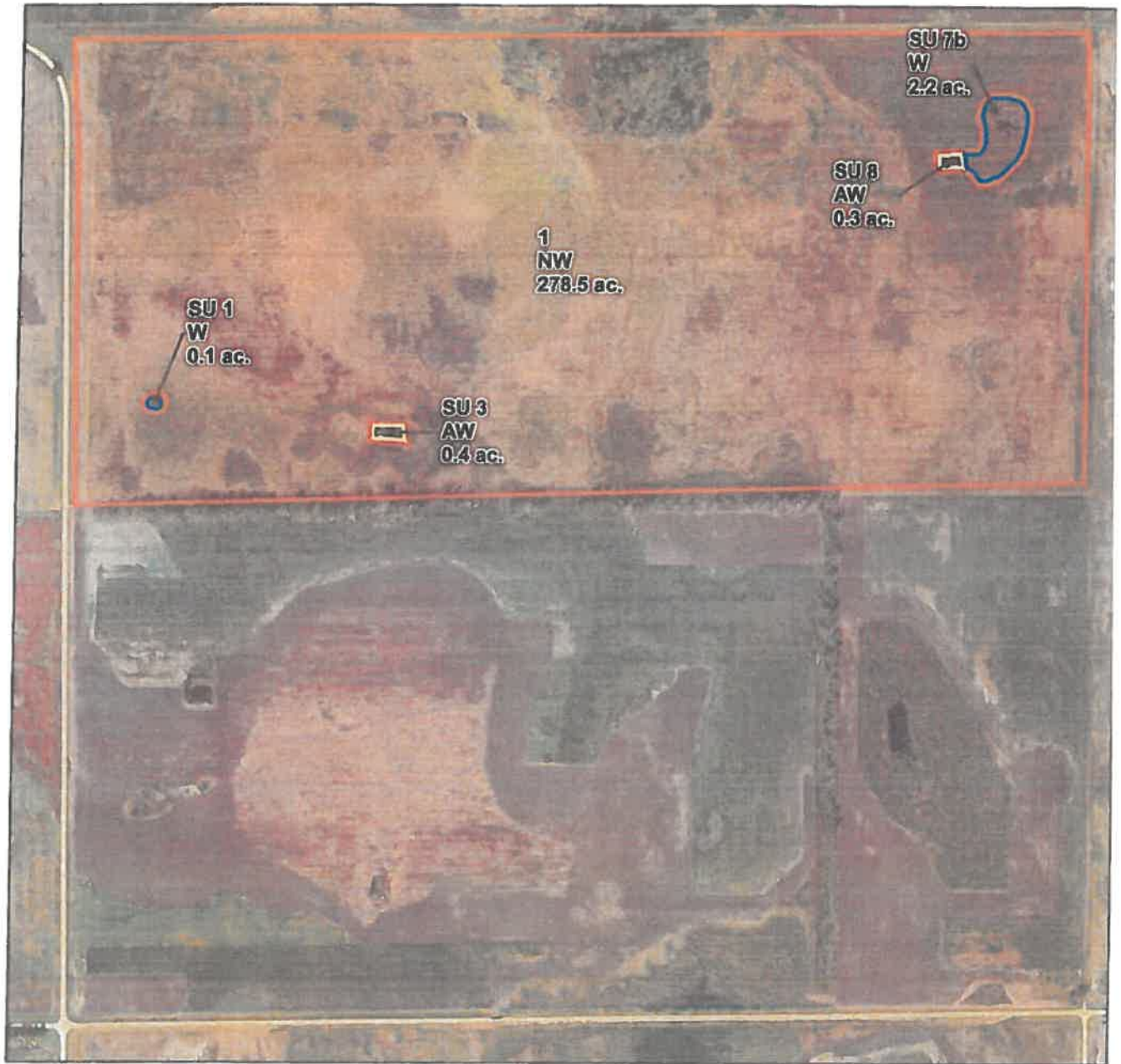
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Certified Wetland Determination

Field Office: Britton FO
Created By: Jesse Brooks
Legal Desc: 2-128N-59W

Agency: USDA-NRCS
Certified Date: 6/11/18
Tract: 11031

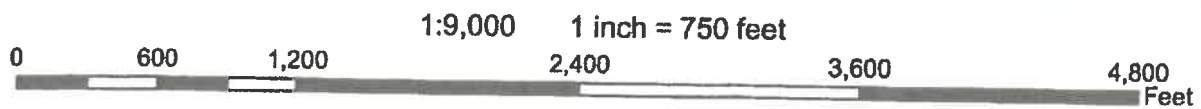
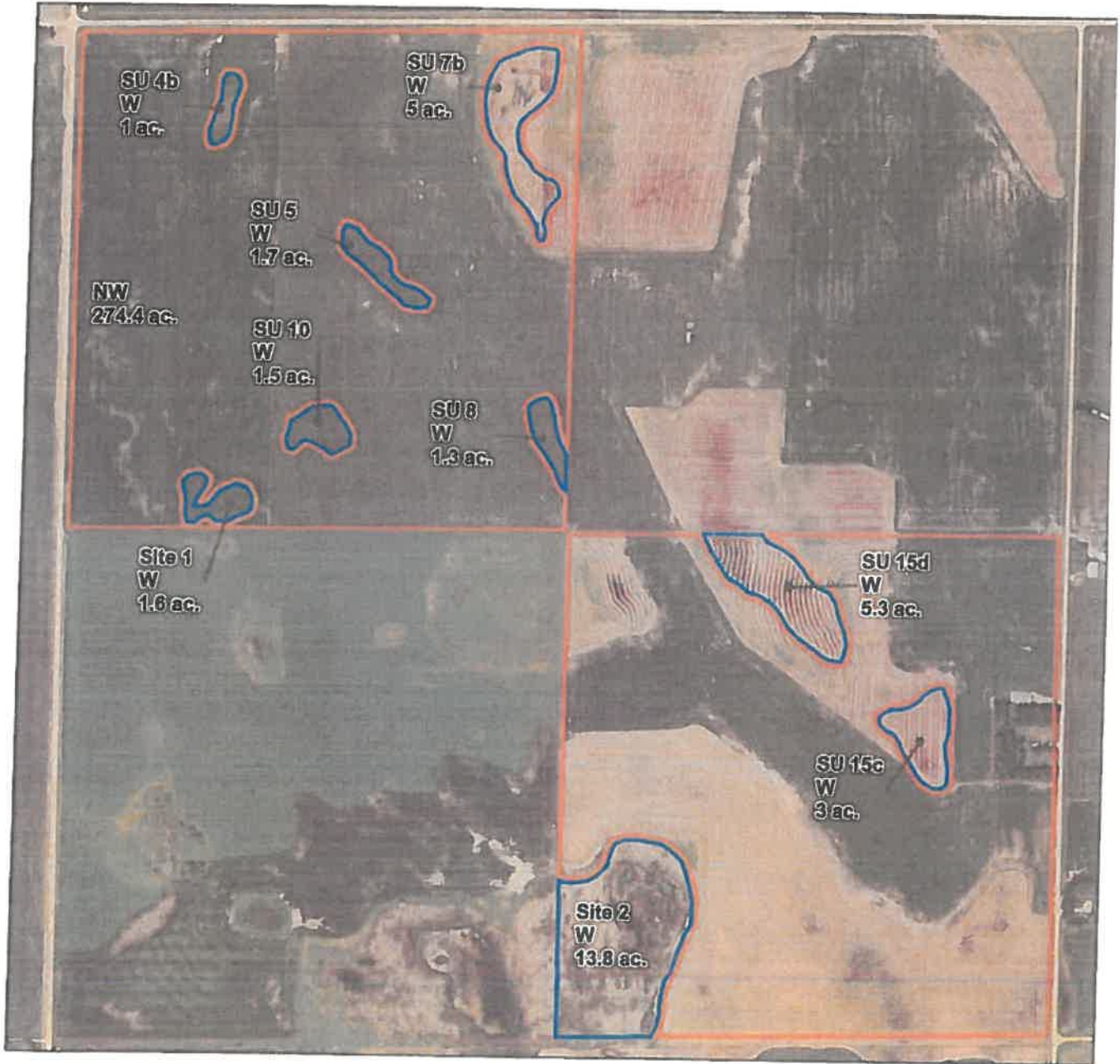




Certified Wetland Determination

Field Office: Britton FO
Created By: Jesse Brooks
Legal Desc: 11-128N-59W

Agency: USDA-NRCS
Certified Date: 6/11/18
Tract: 11032





Certified Wetland Determination

Field Office: Britton FO
Created By: Jesse Brooks
Legal Desc: 12-128N-59W

Agency: USDA-NRCS
Certified Date: 6/11/18
Tract: 11028

