

MARSHALL COUNTY DRAINAGE PERMIT APPLICATION

APPLICANT	DRAINAGE REQUIREMENTS
Name: <u>KIRK RABENBERG</u>	Certified Wetland Determination attached?
Address(Mailing): <u>11154 427th Ave</u>	[<input checked="" type="checkbox"/>] YES [<input type="checkbox"/>] NO [<input type="checkbox"/>] 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?
LOCATION OF LAND TO BE DRAINED	[<input checked="" type="checkbox"/>] YES [<input type="checkbox"/>] NO [<input type="checkbox"/>] NA (see below)
Legal Owner: <u>KIRK RABENBERG</u>	Explain:
Legal Description: <u>1/2 29 WAVERLY</u>	NOTE: A map showing the location of the proposed drain MUST accompany this application.
Section: <u>29</u> Township: <u>126 N</u> Range: <u>57W</u>	Description
LOCATION OF OUTLET END OF PROPOSED DRAIN	1. Proposed drainage ditch:
Legal Description: <u>1. SE 30 Waverly</u>	a. Length of drain: _____ feet
<u>2. SW 29 Waverly</u>	b. Drain Design: 1) Bottom width: _____ feet
GPS Coordinates:	2) Side Slope: _____ percent
Section: <u>29+30</u> Town: <u>Waverly</u>	3) Maximum cut: _____ feet
LOCATION OF MAJOR EARTH CHANGE WORK OR UNDERGROUND DRAIN INSTALLATION	c. Proposed drainage flow: _____ cu. Ft./sec.
Legal Description: <u>1/2 29 Waverly</u>	2. Proposed drainage tile (underground drain pipe):
Section: <u>29</u> Township: <u>126 N</u> Range: <u>57W</u>	a. Length of drain: <u>120,000</u> feet
LOCATION OF COUNTY HWY R.O.W./DITCH INTO WHICH WATER WILL BE DRAINED	b. Drain Diameter: <u>4-8"</u> inches
Legal Description/Rd: <u>NA</u>	c. Approx. area contributing runoff to the drain where tile is located: <u>150</u> acres.
Section: _____ Township: _____ Range: _____	Engineer
PLEASE FILL IN: I <u>KIRK RABENBERG</u> , propose to start construction of the drain on or before	Name: <u>KIRK RABENBERG</u>
<u>5/15/2026</u> , and will be completed on or before <u>12/1/2028</u> .	Address: <u>11154 427th Ave</u>
The proposed drainage is a result of a township, county or other water management plan:	Phone: <u>605 377 0073</u>
[<input type="checkbox"/>] YES [<input checked="" type="checkbox"/>] No [<input type="checkbox"/>] I don't know If yes, describe such plan: _____	

TO BE USED BY DRAINAGE ADMINISTRATOR AND DRAINAGE BOARD ONLY:

PERSUANT TO THE MARSHALL COUNTY, SD DRAINAGE PERMIT ORDINANCE PURPOSE AND SCOPE:

1. Notice of hearing for the proposed drainage has been published in the newspaper 5-15 days before hearing:

Yes No Other

Date Published: 4/29/26

If other was chosen, please explain:

2. Notice of hearing for the proposed drainage has been sent to all those directly affected by the project not less than 10 days before hearing:

Yes No Other

Date sent: 4/24/26

If other was chosen, please explain:

3. The application was sent to the Drainage Board for review prior to the scheduled hearing:

Yes No Other

Date sent: 5/14/26

If other was chosen, please explain:

4. All criteria to determine whether drainage will adversely affect public R.O.W's or utilities has been considered:

Uncontrolled drainage within the limits of any county R.O.W. which do not have sufficient capacity to handle the additional flow and quantity of water.

Explain:

Whether the uncontrolled drainage will expose, weaken communication transmission line, pipelines, distribution lines or road structures or surfacing

Explain:

Whether drainage is accomplished by reasonable improving and aiding the normal and natural system of drainage according to its reasonable carrying capacity or in the artificial drain system is adopted

Explain:

The amount or flow of water proposed to be drained, the design and other physical aspects of the drain and the impact of sustained flows

Explain:

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

May 22, 2026

To whom it may concern,


NOTICE: This application was heard on May 19, 2026 but was presented as an incomplete file due to a missed adjacent landowner letter. This application is set to be presented once again to the Board on June 4, 2026 at 9:00AM and will include the full and complete file. Please contact my office with any questions you may have.

Notice is hereby given that the Marshall County Drainage Board will meet on May 19, 2026 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.

Kirk Rabenberg is requesting a Drainage permit for construction of a drain on the properties described as the SW1/4 & SE1/4 Except Tracts 1 & 2 in the Plat of Tracts 1 & 2 of D & M Addition of Section 29, T126N, R57W. The water will be drained West through the SE1/4 Exc. Roehr Addition in Section 30, T126N, R57W and into a creek system which runs through the same property; for the purpose of draining water away from crop land. An additional main line will drain water North into a creek system on the properties described in Section 29. Construction will start on or after June 16, 2026 and will be completed on or before December 1, 2028.

Being as you are an adjacent landowner to the proposed drainage project(s); you are being notified of the hearing. If you have any questions, please contact my office or visit our website to look at the file pertaining to the aforementioned project. The file will be uploaded to <https://marshall.sdcounties.org/planningzoning/zoning-meeting-minutes-agendas/> in its entirety on May 14, 2026. Comments or concerns should be stated in writing and forwarded to my office or expressed at the scheduled hearing.

Sincerely,



Erin Collins-Miles
Drainage Director

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Sincerely,



Erin Collins-Miles
Drainage Director

Sent to the following adjacent landowners on 5/22/26:

1. Marilyn Roehr Family c/o Randall Roehr – 803 3rd Ave. Britton, SD 57430
2. Walter & Patricia Roehr – 11657 425th Ave. Britton, SD 57430
3. Alan Roehr – 1329 2nd St. Brookings, SD 57006
4. Kevin & Lynn Oland – PO Box 404 Britton, SD 57430
5. Kann Land Trust c/o Jim Kann – 510 12th St. Britton, SD 57430
6. Gerald Person – 11288 SD Hwy 27 Britton, SD 57430
7. Travis or Troy Olson – 41650 125th St. Langford, SD 57454
8. James & Sandra Peters – 42160 116th St. Britton, SD 57430
9. Peter & Lorraine Waletich – 717 West 11th Ave. Webster, SD 57274
10. Curtis & Janice Foster – 42430 116th St. Britton, SD 57430

To whom it may concern,

In regards to the drainage permit request by Kirk Rabenberg we strongly feel this would increase our flooding and cause more damage to our property than already naturally occurs. The culvert on the township road does not currently support the amount of water that travels through. This will not only cause our property to be damaged more but will potentially cause road wash outs and larger issues. Please see attached photos of last summer.

Thank You

Kevin Oland





Drainage concerns

From Lynn Oland <kld@venturecomm.net>

Date Mon 5/4/2026 5:12 PM

To mc zoning@venturecomm.net <mc zoning@venturecomm.net>

 1 attachment (678 KB)

IMG_0599.jpeg;

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

May 19, 2026

Kirk Rabenberg
11154 427th Ave.
Britton, SD 57430

To whom this may concern,

This letter is to inform you of the decision made by the Marshall County Drainage Board in regard to your drainage application.

After review and county commissioner hearing held in the Marshall County Courthouse Commissioners Chambers on May 19, 2026, your application to drain; is hereby:

APPROVED.

Please see below for detail:

Medhaug motioned; Kilker seconded to approve an application to drain on the property described as the SW1/4 & SE1/4 Except Tracts 1 & 2 in the Plat of Tracts 1 & 2 of D & M Addition of Section 29, T126N, R57W. **Conditions to this permit are as follows; to make the construction completion date as seen on permit application; December 1, 2028. Applicant must reapply after said date. Applicant must follow all applicable laws. A roll call vote was taken; Bender – Abstained, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller – Aye. Motion carried.**

The drainage permit, which will be recorded in the Register of Deeds office will be recorded 20 days after the official publication of the meeting minutes. **Construction may begin on or after June 16th, 2026 and will be recorded on this date.** If you have any questions, please contact my office at the above-mentioned phone number.

Sincerely,

Erin Collins-Miles
Planning and Zoning/E911/Drainage Director

NOTICE OF HEARING - APPLICATION FOR DRAINAGE PERMIT

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Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of:

For publication: April 29, 2026

1T (April 29)
MARSHALL COUNTY
PLANNING & ZONING
BOARD
BRITTON, SOUTH DAKOTA
NOTICE OF HEARING
- APPLICATION FOR
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- Erin Collins-Miles, Planning & Zoning Administrator
Published at an approximate cost of \$11.31 and can be viewed free of charge at www.sdpublicnotices.com.

MARSHALL COUNTY DRAINAGE BOARD
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April 24, 2026

To whom it may concern,

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Erin Collins-Miles
Drainage Director

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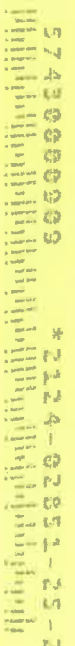
Marshall County Zoning/
Drainage/E911 Director
P.O. Box 9
Britton, SD 57430-0009

Kann Land Trust
c/o Jim Kann
510 12th St.
Britton, SD 57430

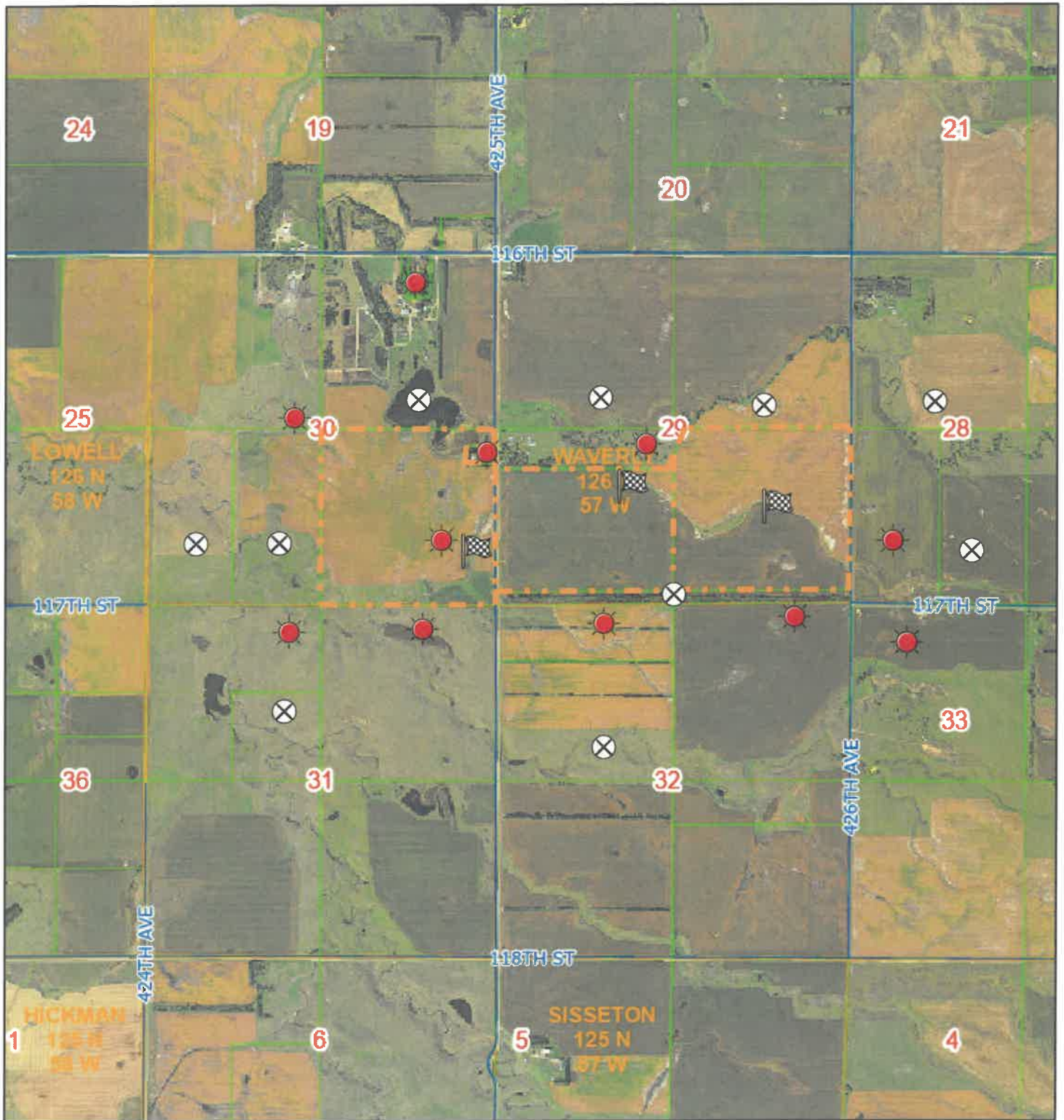
57430-0009
UTF

DAKOTA CENTRAL 573
25 APR 2026 PM 2:11
FIRST-CLASS


US POSTAGE  PITNEY BOWES
ZIP 57430
02 7H
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\$ 000.740
APR 24 2026

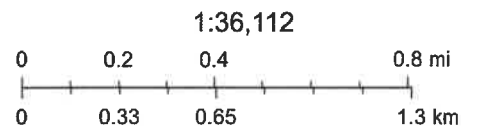
NIXIE 553 DE 1 0504/29/26
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
BC: 57430000009 *2124-02851-25-29


MARSHALL COUNTY WEB VIEWER



4/24/2026, 1:49:16 PM

-  TOWNSHIPS
-  SECTIONS
-  PARCELS
- 



Waiver for Performing Drainage Work in
Marshall County, South Dakota

I Gerry Person am aware of the proposed drainage work
(downstream property owner)

being proposed by KIRK RABENBERG in the
(upstream property owner)

S 1/2 29 Waverly
(legal description)

and do not object to the drainage as proposed.

Additional notes:

Dated this 20 day of April, 2026

PERSON Family TRUST by Gerry Person TRUSTEE
(Signature)

11288 SD Hwy 27
(Address)

Britta SD 57130
(City, State, Zip Code)

605 886 7438
(Telephone Number)

Waiver for Performing Drainage Work in
Marshall County, South Dakota

I RANDY ROEHR am aware of the proposed drainage work
(downstream property owner)

being proposed by KIRK RABENBERG in the
(upstream property owner)

1/2 29 Waverly
(legal description)

and do not object to the drainage as proposed.

Additional notes:

Dated this 20 day of April, 2026

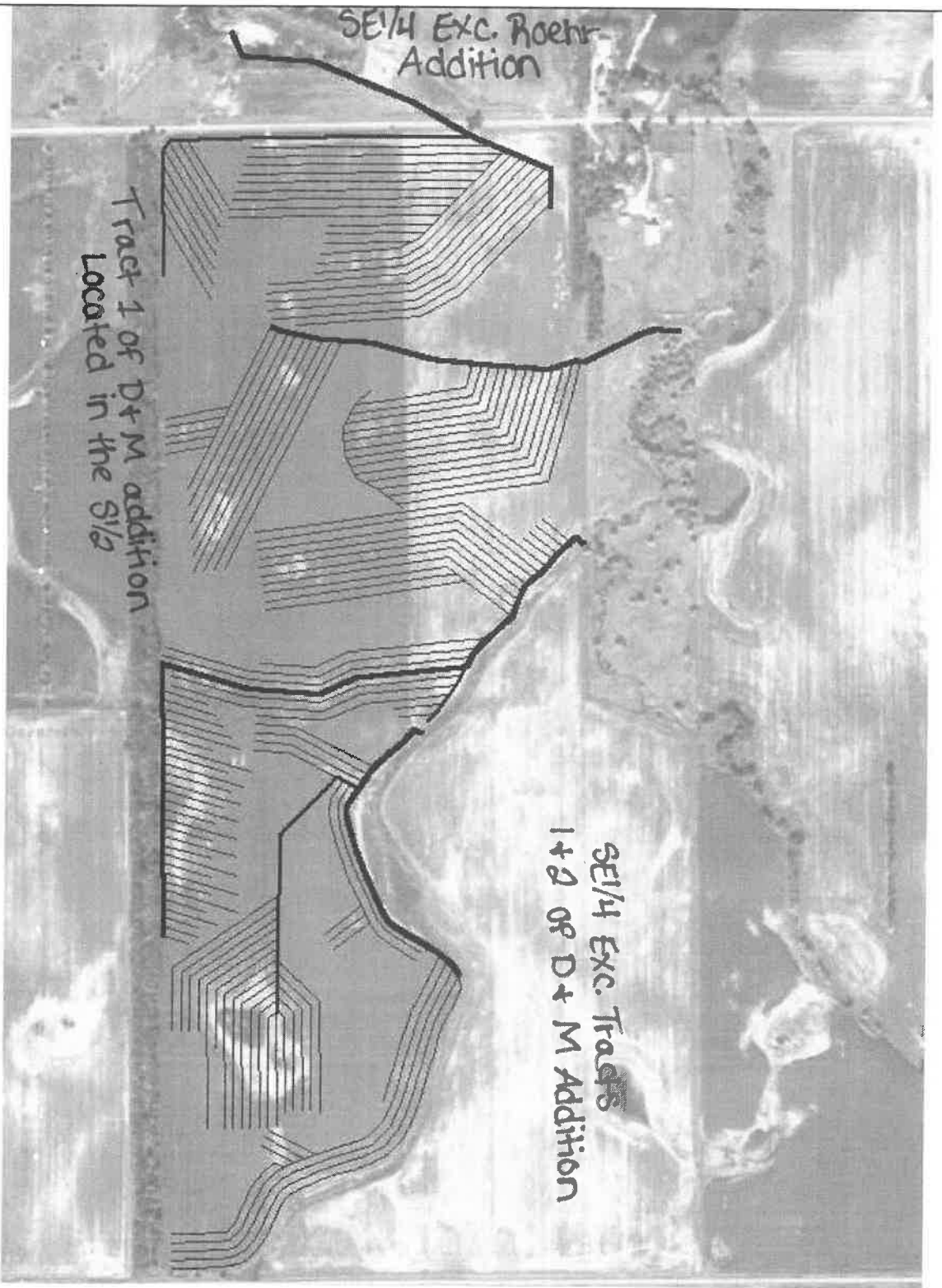
Randy Roehr
(Signature)

803 3rd Ave
(Address)

Britton SD 57430
(City, State, Zip Code)

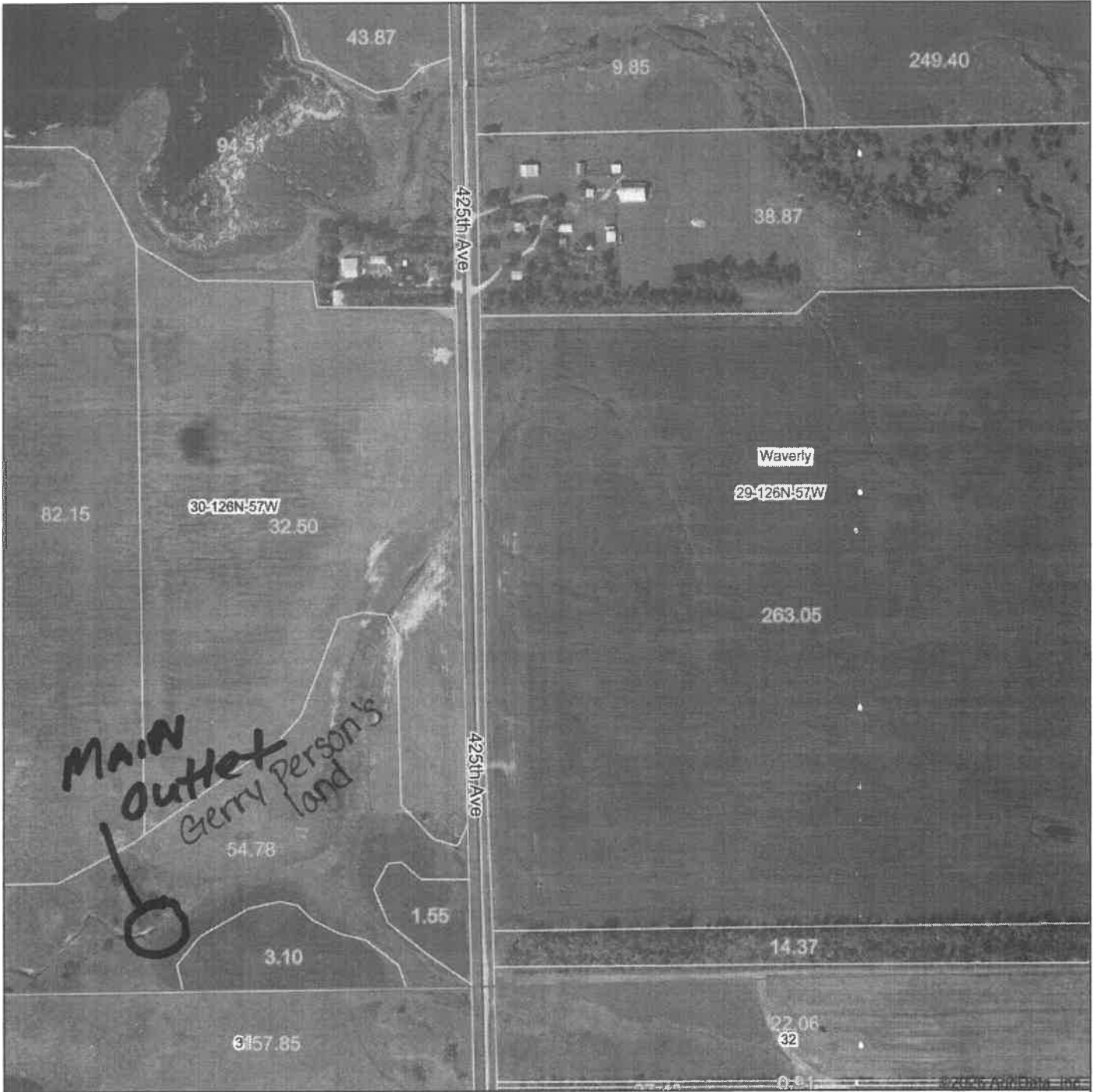
605-470-0115
(Telephone Number)

Charles Rabenberg and Son
Charles Rabenberg and Son
Waverly 29SH - Tile



- 04 inch Pipe-40-80Ft. - 108774 1
- Proposed Main-2 - 8864 1
- Proposed SubMain-1 - 1632 1
- Proposed SubMain-2 - 2034 1

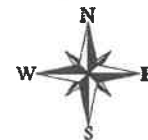
Aerial Map



Map Center: 45° 41' 35.61, -97° 42' 34.06



29-126N-57W
Marshall County
South Dakota



4/20/2026

Maps Provided By:



© AgriData, Inc. 2025 www.AgriDataInc.com

Field borders provided by Farm Service Agency as of 5/21/2008.

Certified Wetland Determination

Field Office: Britton FO
 Certified By: Jesse Brooks
 Legal Desc: S29, T 126N, R 57W

Agency: USDA-NRCS
 Certified Date: 1/26/17
 Tract: 1516



Legend

— Certified Wetland Determination Boundary

Wetlands

Wetlands

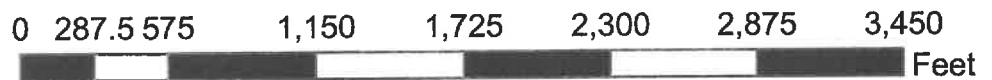


Ditch

NI

NI/Ditch

Tile



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.



PLAT

TRACTS 1 & 2 of D & M ADDITION
 LOCATED IN THE S1/2 OF SECTION 29, T128N, R57W OF
 THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA

TRACT 1 CONTAINS 38.0 ACRES

LOCATED IN THE SW1/4 CONTAINS 37.13 ACRES
 LOCATED IN THE SE1/4 CONTAINS 0.87 ACRES

TRACT 2 CONTAINS 24.0 ACRES

LOCATED IN THE SW1/4 CONTAINS 12.03 ACRES
 LOCATED IN THE SE1/4 CONTAINS 11.97 ACRES

LUNDEE M STADTLER
 REGISTERED LAND SURVEYOR 13482



128 E HICKORY ST, SISSETON SD PH 605-888-3850
 DRAWN: 12/10/25 FIELD: 12/22/25 2912857-270

GPS-NORTH
 SCALE: 1" = 600'
 O = OPENED FROM P.M. BEI
 ■ = RECOVERED MONUMENT
 BOUNDARY INFORMATION WITHIN THE
 BOUNDARY OF THIS PLAT IS UNRECORDED

