Marshall County Drainage - PO Box 9 - Britton, SD 57430 PERMIT NO. 11-26

MARSHALL COUNTY DRAINAGE PERMIT APPLICATION

APPLICANT

Name: Andrew Michael (Mark Zastrow)

Address(Mailing): Newark SD LLLP 10050 421st Ave. Britton

City: Britton State: SD Zip: 57430

Phone: 1-818-620-4126

LOCATION OF LAND TO BE DRAINED

Legal Owner: Newark SD LLLP

Legal Description: 128N-58W-31,

128N-58W-31, 128N-58W-32

Section: Township. Range:

LOCATION OF OUTLET END OF PROPOSED DRAIN

Legal Description: 128N-58W-31, 128N-58W-31

45.84953, -97.84392

GPS Coordinates: 45.85727, -97.84311

Section: 31 Town Newark

LOCATION OF MAJOR EARTH CHANGE WORK OR UNDERGROUND DRAIN INSTALLATION

Legal Description: ~~Into Pond on Property~~

128N-58W-31

Section: 31 Township: 128N Range: 58W

LOCATION OF COUNTY HWY R.O.W./DITCH INTO WHICH WATER WILL BE DRAINED

Legal Description/Rd: Into Pond on owned property Into Crow Creek

~~33~~ ~~NE~~ 2 outlets

Section: 31 Township: 128N Range: 58W

DRAINAGE REQUIREMENTS

Certified Wetland Determination attached?
[ ]YES [X]NO [ ]NA (see below)
Explain:

Engineer's plans attached?
[X]YES [ ]NO [ ]NA (see below)
Explain:

NOTE: A map showing the location of the proposed drain MUST accompany this application.

Description

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 see map

b. Drain Diameter: _____ inches

c. Approx. area contributing runoff to the drain where tile is located: _____ acres.

Engineer

Name: Kyle Laplante

Address: 500 Ellingson Rd Harwood ND

Phone: 701-893-3940

PLEASE FILL IN: I Andrew Michael, propose to start construction of the drain on or before Oct. 22, 2026, and will be completed on or before Dec 31, 2028.

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 9/18/2026

Applicant's Signature _____ Date 9/18/2026

Drainage Director Signature _____ Date 9-18-2026

Application Fee: **$70** **Paid:** [ ] Yes [ ] No

Prompt payment can be made in my office or via mail. Make all checks payable to MC Drainage.

A separate $30 check is to be made out to Marshall County ROD for the recording fee. Failure to provide payment upon submitting this application could result in the permit not being filed in the ROD office.

Payment is due within 10 days.

If you have any questions concerning this invoice, contact my office.

TO BE USED BY DRAINAGE ADMINISTRATOR AND DRAINAGE BOARD ONLY:

CONDITION'S TO THIS PERMITS APPROVAL:

[ ] Yes [ ] No [ ] Other

Motion: _____

After review and public hearing held on Oct. 20, 2026 **this application to drain is hereby approved.**

Date: _____

Chairman Marshall County Drainage Board

ATTEST:

Marshall County Auditor

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:
[X] Yes [ ] No [ ] Other **Date Published:** 9-30-26
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:
[X] Yes [ ] No [ ] Other **Date sent:** 9-28-26
If other was chosen, please explain:
3. The application was sent to the Drainage Board for review prior to the scheduled hearing:
[X] Yes [ ] No [ ] Other **Date sent:** 10-14-26
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:

NOTICE OF HEARING - APPLICATION FOR DRAINAGE PERMIT

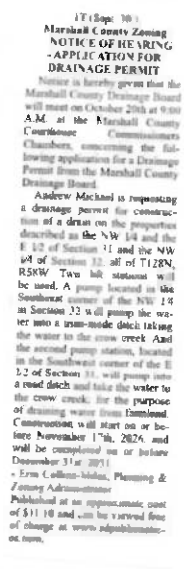
Notice is hereby given that the Marshall County Drainage Board will meet on October 20th at 9:00 A.M. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Drainage Permit from the Marshall County Drainage Board.

Andrew Michael is requesting a drainage permit for construction of a drain on the properties described as the NW ¼ and the E ½ of Section 31 and the NW ¼ of Section 32; all of T128N, R58W. Two lift stations will be used. A pump located in the Southeast corner of the NW ¼ in Section 32 will pump the water into a man-made ditch taking the water to the crow creek. And the second pump station, located in the Southwest corner of the E ½ of Section 31, will pump into a road ditch and take the water to the crow creek; for the purpose of draining water from farmland. Construction will start on or before November 17th, 2026, and will be completed on or before December 31st, 2031.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of:

For publication: September 30, 2026


Marshall County Zoning
NOTICE OF HEARING
- APPLICATION FOR
DRAINAGE PERMIT

MARSHALL COUNTY PLANNING & ZONING COMMISSION
911 VANDER HORCK
BRITTON, SD 57430
605.448.7540

September 28, 2026

Dear property owner,

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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 October 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

Erin Collins-Miles
Planning & Zoning Director

MARSHALL COUNTY PLANNING & ZONING COMMISSION
911 VANDER HORCK
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Sincerely,

Erin Collins-Miles

Erin Collins-Miles
Planning & Zoning Director

Sent to the following adjacent landowners on 9/28/26:

1. Sunset Hutterian Brethren – 41632 109th St. Britton, SD 57430

MARSHALL COUNTY PLANNING & ZONING COMMISSION
911 VANDER HORCK
BRITTON, SD 57430
605.448.7540

2. Jeannine Jarrett – 1200 Harwood Dr. S #210 Fargo, ND 58104
3. Michael Burger – 10641 417th Ave. Britton, SD 57430
4. Michael Niesen – 42426 SD Hwy 10 Britton, SD 57430
5. Dept. of Game, Fish & Parks – Foss Building, 523 East Capitol Ave. Pierre, SD 57501
6. James Bush – 41785 109th St. Britton, SD 57430
7. John Fisher – 10390 416th Ave. Britton, SD 57430
8. Betty Jean Fisher – PO Box 1076 Britton, SD 57430

ELLINGSON
56113 State Hwy 56
West Concord, MN 55985
507 527 2294
www.ellingsoncompanies.com
0 Ft. 4" Perf
0 Ft. 5" Perf
0 Ft. 6" Perf
0 Ft. 10" Perf
0 Ft. 15" Perf
0 Ft. 18" DW
0 Ft. 24" DW
0 Ft. 30" DW
0 Ft. 36" DW
0 Ft. 48" DW
0 Ft. 4" NP
0 Ft. 5" NP
0 Ft. 6" NP
0 Ft. 10" NP
0 Ft. 15" NP
0 Ft. 18" NP-DW
0 Ft. 24" NP-DW
0 Ft. 30" NP-DW
0 Ft. 36" NP-DW
0 Ft. 48" NP-DW
271756 Ft. 4" Sock
0 Ft. 5" Sock
8080 Ft. 6" Sock
1050 Ft. 10" Sock
0 Ft. 15" Sock
0 Ft. 30" Sock-DW
0 Ft. 36" Sock-DW
Average Line Length: 1380'
# of Junctions: 186
Owner: Newark SD LLLP
Renter:
State: SD County: Marshall Twp: Newark Sec: 31E-32NW
Acres: 487 Spacings: 80 D-C: 3/8
PROPRIETARY & CONFIDENTIAL DOCUMENT