

April 28, 2026

# AGENDA

YANKTON COUNTY DRAINAGE COMMISSION

- Dan Grant
- Frank Kralicek, Jr.
- Dan Klimisch

**7:00 P.M.**

**OPENING BUSINESS**

1. Call Meeting to Order
2. Roll Call
3. Items to be added to Agenda
4. Approval of Agenda
5. Approve previous meeting minutes
6. Declare Conflict of Interest

**7:05 PM**

**Open Meeting Laws Review**

**7:10 PM**

**Gunderson** - Requesting a Drainage Permit to install drain tile which outlets into a natural drainage. Said properties are legally described as the East half of the Northeast Quarter of the Southeast Quarter (E1/2NE1/4SE1/4), The West half of the Northeast Quarter of the Southeast Quarter (W1/2NE1/4SE1/4) and the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4), the South Half of the Northeast Quarter (S1/2NE1/4) and the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4), all in Section Nine (9) Township Ninety-five (95) North, Range Fifty-five (55) West of the 5<sup>th</sup> P.M., **AND** The Southwest Quarter (SW1/4) Excluding the West Thirty-three (33) Feet in Section Ten (10), Township Ninety-five (95) North, and Range Fifty-five (55) West of the 5<sup>th</sup> P.M., Yankton County, South Dakota.

**7:15 PM**

**Public Comment**

Meeting (Entity): Drainage Regular or Special Meeting: Regular  
Date: 1/22/2026 Time: 7:00PM Location: Chambers  
DC ATTENDANCE:  GRANT  KRALICEK  KLIMISCH

STAFF ATTENDANCE: Conkling  
APPROVAL OF MINUTES: MOTION BY: Klimisch SECOND BY: Grant  
DRAINAGE:  GRANT  KRALICEK  KLIMISCH

APPROVAL OF AGENDA: MOTION BY: Klimisch SECOND BY: Grant  
DRAINAGE:  GRANT  KRALICEK  KLIMISCH

AGENDA ITEM: **Open Meeting Laws Review**  
ADDRESS/LEGAL: \_\_\_\_\_  
COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

MOTION: **Acknowledge we have reviewed the open meeting laws**  
**Passed 2-0**

APPROVAL: MOTION BY: Klimisch SECOND BY: Grant  
DRAINAGE:  GRANT  KRALICEK  KLIMISCH

AGENDA ITEM: **Tacke – Drainage permit continued from November**  
ADDRESS/LEGAL: Request for Drainage Permit to install drain tile which outlets into the ditch at the property legally described as The Northeast Quarter (NE1/4) in Section Fourteen (14) Township Ninety-four (94) North, Range Fifty-seven (57) West of the 5<sup>th</sup> P.M., Yankton County, South Dakota.  
COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

MOTION: **Table application**  
**Passed 2-0**

APPROVAL: MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_  
DRAINAGE:  GRANT  KRALICEK  KLIMISCH

AGENDA ITEM: **Public Comment**

ADDRESS/LEGAL: \_\_\_\_\_  
COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

MOTION: **Adjourn**  
**Passed 2-0**

APPROVAL: MOTION BY: Klimisch SECOND BY: Grant  
DRAINAGE:  GRANT  KRALICEK  KLIMISCH

AGENDA ITEM: \_\_\_\_\_  
ADDRESS/LEGAL: \_\_\_\_\_  
COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

MOTION: \_\_\_\_\_  
\_\_\_\_\_

APPROVAL: MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_  
DRAINAGE:  GRANT  KRALICEK  KLIMISCH

AGENDA ITEM: \_\_\_\_\_  
ADDRESS/LEGAL: \_\_\_\_\_  
COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

MOTION: \_\_\_\_\_  
\_\_\_\_\_

APPROVAL: MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_  
DRAINAGE:  GRANT  KRALICEK  KLIMISCH

AGENDA ITEM: \_\_\_\_\_  
ADDRESS/LEGAL: \_\_\_\_\_  
COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

MOTION:

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APPROVAL:  
DRAINAGE:

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_  
 GRANT  KRALICEK  KLIMISCH

AGENDA ITEM:  
ADDRESS/LEGAL:  
COMMENTS:

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MOTION:

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APPROVAL:  
DRAINAGE:

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_  
 GRANT  KRALICEK  KLIMISCH

AGENDA ITEM:  
ADDRESS/LEGAL:  
COMMENTS:

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MOTION:

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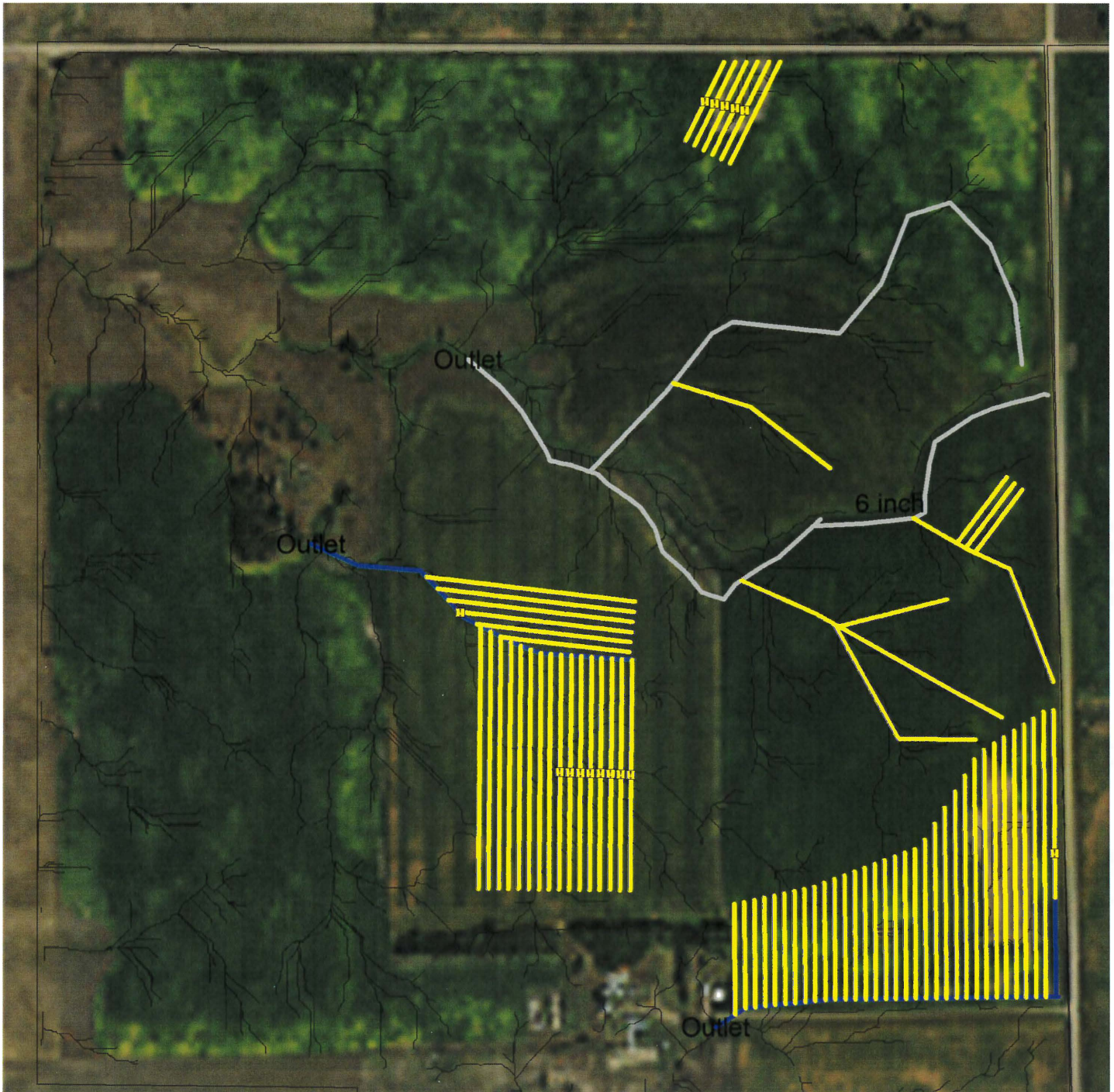
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APPROVAL:  
DRAINAGE:

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_  
 GRANT  KRALICEK  KLIMISCH



# 9-95N-55W



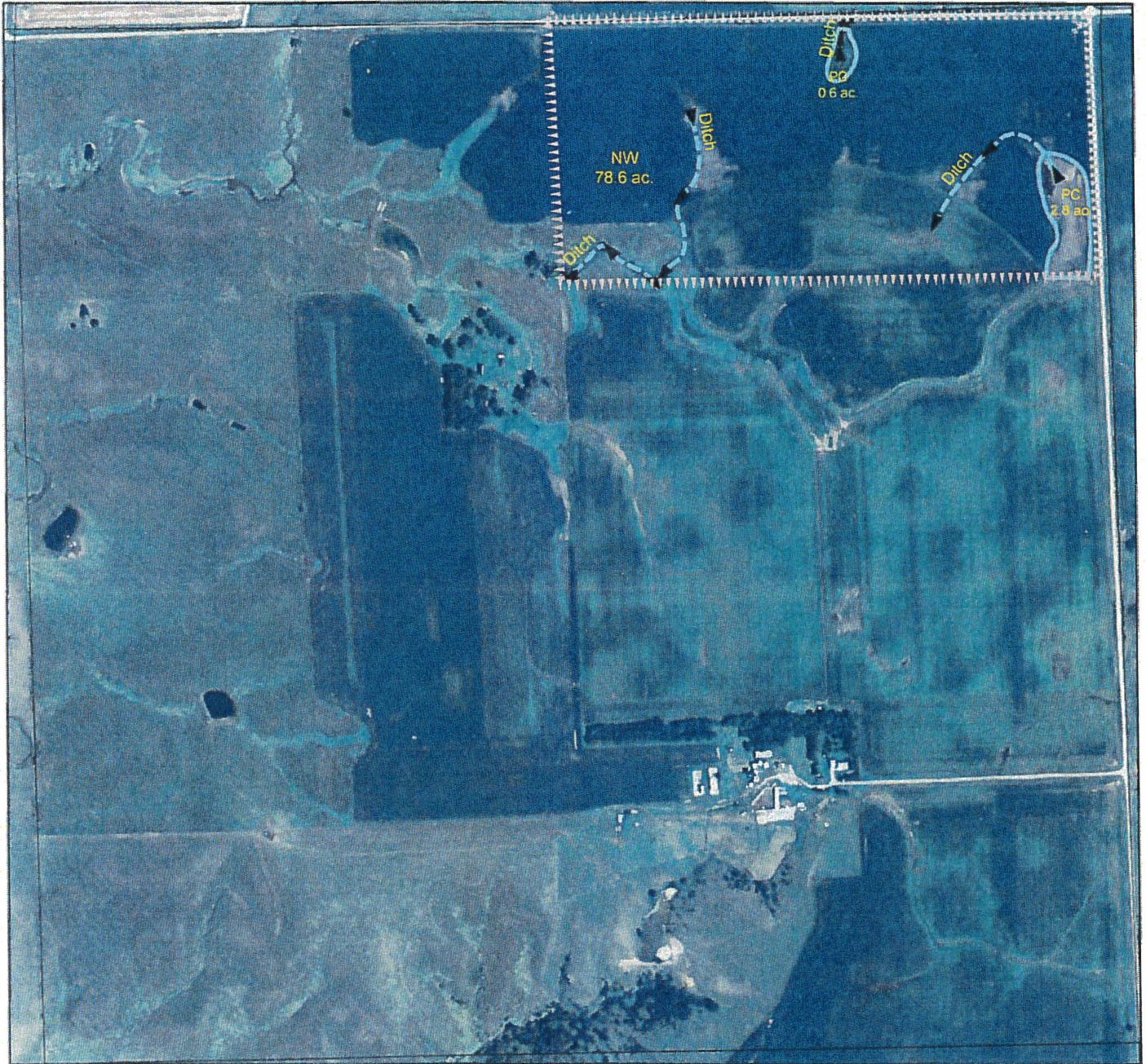
<b>Client:</b> JHGAS Farms LLC	 4 PF	48379.30 ft
<b>Farm:</b> JHGAS Farms LLC	 8 PF	3180.82 ft
<b>Field:</b> 9-95N-55W	 < Unassigned >	5858.83 ft
<b>Name:</b> Drainage - Planned		



# Certified Wetland Determination

Field Office: Canton Field Office  
 Certified By: Andrew Champa  
 Legal Desc: N2NE4 9-95-55

Agency: USDA-NRCS  
 Certified Date: 2/10/2015  
 Tract: 6516



## 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
- See NRCS CPA-O26E for definitions and additional info.



# YANKTON COUNTY DRAINAGE PERMIT APPLICATION

Each drainage site must have a separate site plan

*Applicant to complete numbered spaces only.*

1. Job Address	29875 443 AVE, IRCH, SD 57037		
2. Legal Description of Drainage Site	SW 1/4 of SEC 10 95-55		
3. Owner	Mail Address	Zip	605 Phone
JHGAS farms LLC	29875 443 AVE	57037	661 6752
4. Contractor	Mail Address	Zip	Phone
JEASEN CONSTRUCTION			
5. Feet of drainage pipe and outlet size			
Plan A 15,000 ft      Plan B 25,000 ft			
6. Class of Work (Check One) <input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Repair <input type="checkbox"/> Move <input type="checkbox"/> Remove			
7. Describe Work: Plan A is an addition to existing system			
Plan B is predicated on working with adjoining land owner			
8. Valuation of Work: \$ 30,000			

Owner

Job Address

**For Official Use Only-**

**SPECIAL CONDITIONS:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Application Accepted By: \_\_\_\_\_ Site Plans Checked By: \_\_\_\_\_ Approved for Issuance By: \_\_\_\_\_

PERMIT FEE	Check #
Type of Construction	<input type="checkbox"/> Blue Line Outlet
Total Feet of Pipe	<input type="checkbox"/> Drainage Ditch Outlet
Outlet Size	<input type="checkbox"/> Lake / Pond / Wetland Outlet
<input type="checkbox"/> Administrative Permit	<input type="checkbox"/> Drainage Board Permit

**NOTICE**

THIS PERMIT WILL EXPIRE IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN ONE HUNDRED EIGHTY (180) DAYS OR CONSTRUCTION IS NOT SUBSTANTIALLY COMPLETED WITHIN TWO (2) YEARS OF ISSUANCE. I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF THE YANKTON COUNTY DRAINAGE ORDINANCE OR ANY OTHER FEDERAL, STATE, OR LOCAL LAW REGULATING DRAINAGE ACTIVITIES OR THE USE OF ANY PROPERTY.

JH Gunderson      25 Feb 26  
 Signature of Contractor or Authorized Agent      Date

**For County Officials Use Only**

When properly validated (in this space), this is your permit.

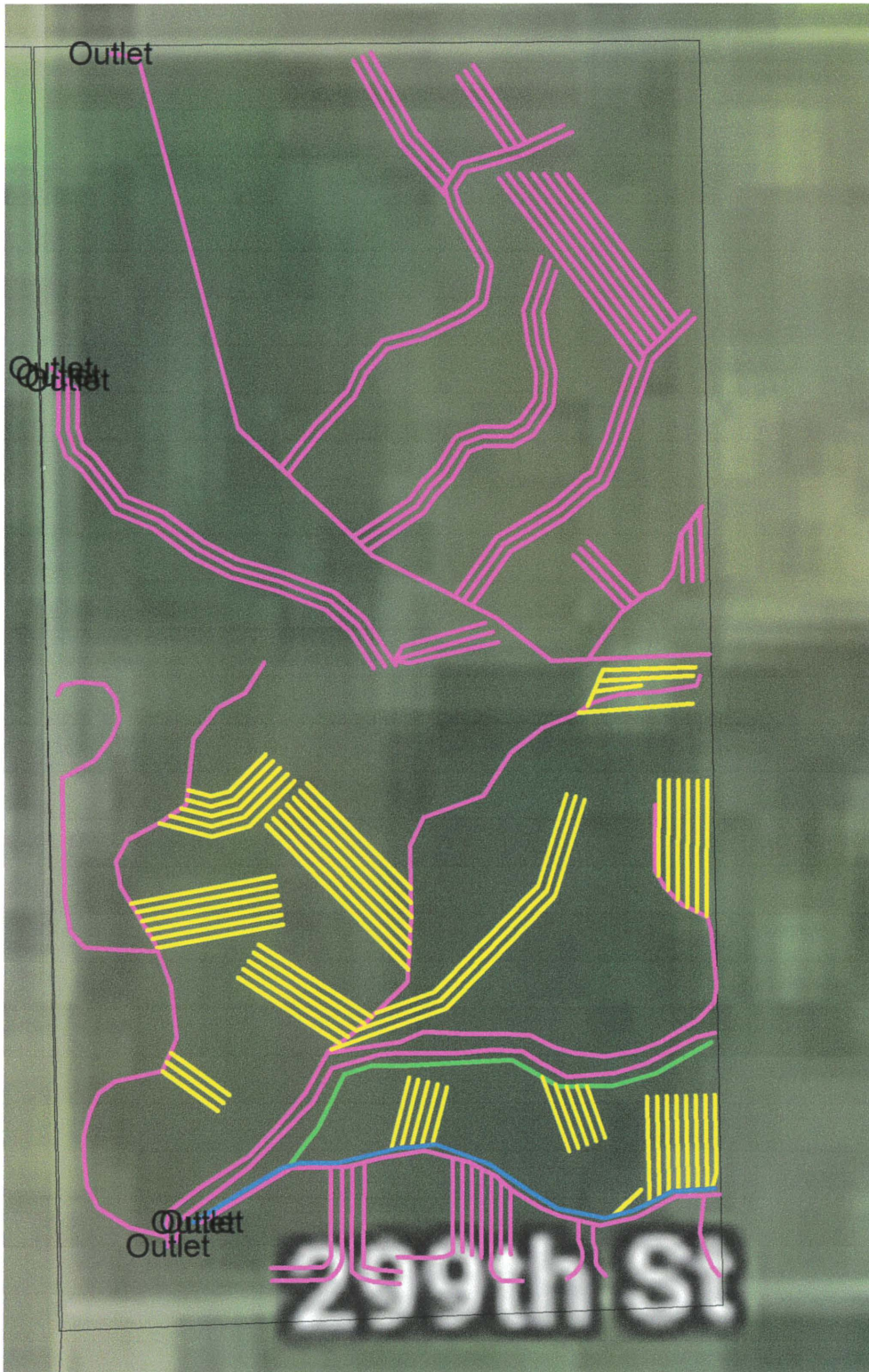
The above application is hereby approved.

Drainage Permit Number: \_\_\_\_\_

Post Construction?    Y      N

\_\_\_\_\_  
 Drainage Administrator or Authorized Representative      Date

\_\_\_\_\_  
 Signature of Owner (if owner builder)      Date  
 BY THIS SIGNATURE, THE DRAINAGE ADMINISTRATOR IS AUTHORIZED TO ENTER UPON THE PROPERTY DESCRIBED FOR THE PURPOSE OF INSPECTION



<b>Client:</b> JHGAS Farms LLC	 4 PF	29233.38 ft
<b>Farm:</b> JHGAS Farms LLC	 6 PF	2025.20 ft
<b>Field:</b> W2 10-95N-55W	 8 PF	2317.44 ft
<b>Name:</b> Drainage - Planned	 Existing Tile	58256.42 ft



# Yankton County, South Dakota



**Common Land Unit**

- Non-Cropland
- Cropland

**Wetland Determination Identifiers**

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation
- Compliance Provisions

**Tract Boundary**

- PLSS

2019 Program Year  
Map Created April 05, 2019

**Farm 6924**

**10 -95N -55W**

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

This document prepared by:  
Frieberg, Nelson & Ask, L.L.P.  
115 N. 3rd Street, P.O. Box 511  
Beresford, SD 57004-0511  
(605) 763-2107

Return: Larry Lyngstad  
29928 444th Ave  
Volin, S.D. 57072



Num  Alpha   
Margin  Tran   
Paid  Seal

STATE OF SOUTH DAKOTA  
County of Yankton  
Filed for record at 3:35 <sup>P</sup> <sub>M</sub>  
In Book 514 Page 195

AUG 16 2013

Brian J. Funchhoff  
Register of Deeds

\$ 30.00 pd

# 135854

### EASEMENT FOR DRAINAGE

Comes now LAWRENCE D. LYGSTAD and KRISTIE L. LYGSTAD, Grantors, of 29928 444<sup>th</sup> Avenue, Volin, South Dakota, 57072-5608, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, and as the owners of the following described real estate, to-wit:

The Northwest Quarter (NW1/4) of Section Fifteen (15), Township Ninety-five (95) North of Range Fifty-five (55), West of the 5<sup>th</sup> P.M., Yankton County, South Dakota, less highways and roads;

do hereby grant and convey unto JOHN H. GUNDERSON and GRACE ANN SCHIEFEN, Managers of JHGAS FARMS, LLC, Grantees, of 29875 443<sup>rd</sup> Avenue, Irene, South Dakota, 57037, their successors and assigns, the owners of the following described real property, to-wit:

The Southwest Quarter (SW1/4) of Section Ten (10), Township Ninety-five (95), Range Fifty-five (55) West of the 5<sup>th</sup> P.M., Yankton County, South Dakota, except the West 33 feet thereof;

a perpetual easement with the right to install, maintain and repair drain tile and outlets in and upon Grantors' real property described hereinabove, along with the right of ingress and egress over, unto and across Grantors' real property for the purposes of utilizing drain tile to drain surface water from Grantees' real property onto Grantors' real property hereinabove described.

This easement is conditioned upon the drainage outlet being constructed so as to ensure that the



Return:  
prepared by:

John H Gundersen  
29875 - 443<sup>RD</sup> Ave

Irene SD  
57037

605 263 3850 Home



STATE OF SOUTH DAKOTA  
County of Yankton

Filed for record at 4:30 P M  
in Book 514 Page 225

AUG 20 2013

Brian J. Hunhoff  
Register of Deeds

\$ 30.00 pd

# 135912

Num  Alpha   
Margin  Tran   
Paid  Sent

### EASEMENT FOR DRAINAGE

Comes now JOHN H. GUNDERSON and GRACE ANN SCHIEFEN, as Managers of JHGAS FARMS, LLC, Grantors, of 29875 443<sup>rd</sup> Avenue, Irene, South Dakota, 57037, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, and that JHGAS FARMS, LLC, is the Grantor and owner of the following described real estate, to-wit:

The Southwest Quarter (SW1/4) of Section Ten (10), Township Ninety-five (95), Range Fifty-five (55) West of the 5<sup>th</sup> P.M., County of Yankton, South Dakota, except the West 33 feet thereof;

do hereby grant and convey unto LAWRENCE D. LYGSTAD, also known as LARRY D. LYGSTAD, and KRISTIE L. LYGSTAD, Grantees, of 29928 444<sup>th</sup> Avenue, Volin, South Dakota, 57072-5608, their successors and assigns, the owners of the following described real property, to-wit:

The Southeast Quarter (SE1/4) of Section Ten (10), Township Ninety-five (95), Range Fifty-five (55) West of the 5<sup>th</sup> P.M., County of Yankton, South Dakota, less highways and roads;

a perpetual easement with the right to install, maintain and repair drain tile and outlets in and upon Grantors' real property described hereinabove, along with the right of ingress and egress over, unto and across Grantors' real property for the purposes of utilizing drain tile to drain surface water from Grantees' real property onto Grantors' real property hereinabove described.



## NOTIFICATION OF DRAINAGE ACTION

March 19, 2026

Applicant:

JHGAS Farms

29875 443<sup>rd</sup> Ave

Irene, SD 57037

Dear Yankton County Resident:

The Yankton County Drainage Ordinance requires written notification be provided to the owners of real property lying one half (1/2) mile upstream and one (1) mile downstream of a proposed drainage project's outlet. Your property was identified via land ownership records provided by the Yankton County Director of Equalization Office. The Ordinance also requires notification of said owners to be made by depositing such notice with the United States Post Office for first class delivery. Please take a moment to review the notice of drainage action described below:

*Request for Drainage Permit to install drain tile which outlets in a natural drainage. Said properties are legally described as the East half of the Northeast Quarter of the Southeast Quarter (E1/2NE1/4SE1/4), The West half of the Northeast Quarter of the Southeast Quarter (W1/2NE1/4SE1/4) and the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4), the South Half of the Northeast Quarter (S1/2NE1/4) and the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4), all in Section Nine (9) Township Ninety-five (95) North, Range Fifty-five (55) West of the 5<sup>th</sup> P.M., **AND** The Southwest Quarter (SW1/4) Excluding the West Thirty-three (33) Feet in Section Ten (10), Township Ninety-five (95) North, and Range Fifty-five (55) West of the 5<sup>th</sup> P.M., Yankton County, South Dakota.*

The complete application may be reviewed during normal business hours, Monday-Friday 9:00 AM to 5:00 PM, Yankton County Government Center, 321 West Third St., Yankton, S.D.

*Written objections may include traditional (letter) and electronic (email), provided, both the objecting party and reason for objection are clearly identified.*

All objections must be filed within 10 days and will become part of the public record and public review.

Sincerely,  
John Gunderson  
Petitioner

SEES, JOHN C  
29948 NE JIM RIVER RD  
MISSION HILL SD 57046

KEELEY, GERALD A  
44238 302 ST  
MISSION HILL SD 57046

LYNGSTAD, L & K 2021 REV TRUST  
29928 444 AVE  
VOLIN SD 57072

SEES, LARRY J  
29948 NE JIM RIVER RD  
MISSION HILL SD 57046

HARTS, LEO  
44265 300 ST  
MISSION HILL SD 57046

SEES, JAMES A  
44056 298 ST  
IRENE SD 57037

HEALY, DAVID J  
30848 444 AVE  
MISSION HILL SD 57046

Larry and Kristi Lyngstad

29928 444Ave

Volin, SD 57072

Larry and Kristi,

We started to drain Sec 10 in 2013. As you see from the map below there are several areas in the SW 1/4 that need to be fixed. I also realize that there are some issues in the SE 1/4 that you may wish to fix or amend. There are two things about farm drainage that cover this situation:

One is people, and the other is water flowing across the ground.

One of those things is easy to fix.

I have applied for a permit to fix my problems, but once I've installed the pipe and laterals underground that route will be closed off. **I am not going to change my plans after my permits have been approved.** We did that last time and it was a very expensive, stressful and time consuming process for us.

So, time is important. This is a serious deadline. If you want to work together, I'm willing. If you don't, that is your choice.

Respectfully,

  
John H Gunderson

L + K Lyngstad 2021 Revocable Trust  
Lawrence D. Lyngstad + Kristie L Lyngstad, Trustees  
29928 444<sup>th</sup> Ave  
Volin SD 57072

March 27, 2026

Yankton Co. Planning + Zoning Administrator  
321 W. 3<sup>rd</sup> St., Ste 209  
Yankton SD 57078

Dear Sirs:

We, individually and as trustees of the L + K Lyngstad 2021 Revocable Trust, object to the proposed drainage project that affects our land located in the NW 1/4 of 15-95N-55W. The dam is outdated and we cannot afford future repairs to the dam that may be caused by other landowners' water via drain tile.

Sincerely

Lawrence D. Lyngstad  
Lawrence D. Lyngstad

Kristie L. Lyngstad  
Kristie L. Lyngstad



March 26, 2026

Larry D. Lyngstad  
29928 444th Avenue,  
Volin, SD 57072

Larry,

After reviewing our historical records, your dam was constructed sometime prior to 1966 as our records show that our agency assisted with a repair in 1966. I assume that the original construction would have been in the 1950's. We also have records of our agency assisting with a second repair in 2000 when a full redesign was completed and a 24" corrugated polyethylene (CPE) smooth lined pipe was installed as the principal swillway. The secondary earthen spillway was widened at that time. The 24" pipe that was installed in 2000 was designed to meet a 2-year rainfall event of 2.6 inches with a peak flow of 199 cf/s. Any flow higher than that is designed to flow over the earthen spillway. Please note that any additional water added to the watershed will place unforeseen stress on both the earthen spillway and the principal swillway pipe and may require a larger pipe to be installed.

Thanks

Dan

Sincerely,

A handwritten signature in cursive script that reads "Daniel C. Mehlhaf".

DANIEL C. MEHLHAF  
District Conservationist,  
Yankton USDA Service Center  
(605) 665-2662

## NOTIFICATION

April 13, 2026

Applicant:  
JHGAS Farms  
29875 443<sup>rd</sup> Ave  
Irene, SD 57037

Dear Yankton County Resident:

The Yankton County Drainage Ordinance requires written notification be provided to the owners of real property lying one half (1/2) mile upstream and one (1) mile downstream of a proposed drainage project's outlet. Your property was identified via land ownership records provided by the Yankton County Director of Equalization Office. The Ordinance also requires notification of said owners to be made by depositing such notice with the United States Post Office for first class delivery. Please take a moment to review the notice of drainage action described below:

### NOTICE OF DRAINAGE ACTION

Notice is hereby given that a public hearing will be held before the Yankton County Drainage Commission, Yankton County South Dakota, at 7:05 P.M. on the 28<sup>th</sup> day of April, 2026, in the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

*Request for Drainage Permit to install drain tile which outlets in a natural drainage. Said properties are legally described as the East half of the Northeast Quarter of the Southeast Quarter (E1/2NE1/4SE1/4), The West half of the Northeast Quarter of the Southeast Quarter (W1/2NE1/4SE1/4) and the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4), the South Half of the Northeast Quarter (S1/2NE1/4) and the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4), all in Section Nine (9) Township Ninety-five (95) North, Range Fifty-five (55) West of the 5<sup>th</sup> P.M., AND The Southwest Quarter (SW1/4) Excluding the West Thirty-three (33) Feet in Section Ten (10), Township Ninety-five (95) North, and Range Fifty-five (55) West of the 5<sup>th</sup> P.M., Yankton County, South Dakota.*

The complete application may be reviewed during normal business hours, Monday-Friday 9:00 AM to 5:00 PM, Yankton County Government Center, 321 West Third St., Yankton, S.D.

Sincerely,  
John Gunderson  
Petitioner

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