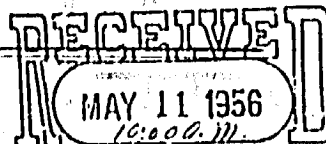


No. 19452Water Division No. 3 James River District  
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

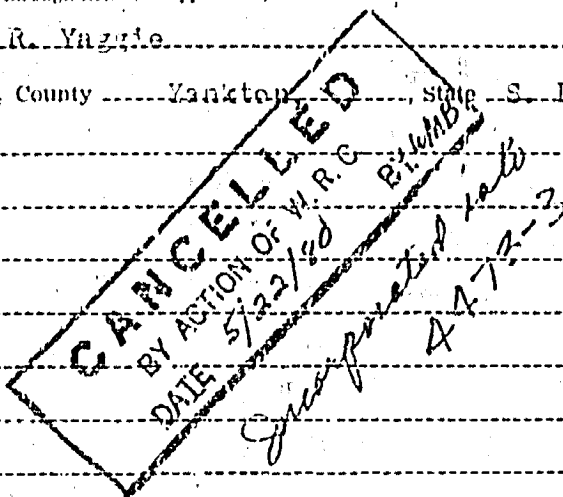
# APPLICATION FOR PERMIT To Appropriato Water within the State of South Dakota

(NOTE--Draw a line through items not applicable.)

1. Name of applicant Frank R. Yeagie  
Postoffice address Box 647 County Yankton State S. D.

## I. If a corporation

(a) Name of same \_\_\_\_\_  
(b) Date and place of incorporation \_\_\_\_\_  
(c) Amount of capital stock \_\_\_\_\_  
(d) Amount paid in \_\_\_\_\_  
(e) Names and addresses of directors \_\_\_\_\_



(NOTE--A certified copy of articles of incorporation must accompany the application.)

## II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)  
Employment of others.

(b) Cash on hand, \$ \_\_\_\_\_ (c) Treasury stock, \$ \_\_\_\_\_  
(d) Bonds to be issued, \$ \_\_\_\_\_ (e) Other resources, \$ adequate

2. Name of diversion work Frank R. Yeagie Irrigation Project3. Amount of water claimed 1.42 cubic feet per second4. Source of water supply Well

5. Location of point of diversion From SW corner of NW 1/4 of Sec. 2 Twp. 93 R. 55  
thence 1310.3 feet East and 562 feet South.

6. Annual period or periods during which water is to be used April 1, through October

## 7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Combination.(a) Number of acres to be irrigated 104.1 acres.(b) Legal subdivisions to be irrigated All of NW SE 1/4 (60 acres) Sec. 2 Twp 93 R 55

(NOTE--A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, if it may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) Stock watering at well. (24.1) acres.

## II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use \_\_\_\_\_  
Name any of the above uses claimed

(b) Amount of power to be generated \_\_\_\_\_ horse power.

Amount claimed for engine cooling \_\_\_\_\_

(c) Location of plant \_\_\_\_\_

(d) Method of developing power \_\_\_\_\_

(e) Point where water will be returned to stream \_\_\_\_\_

## 8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$850.00

(c) Fluming, \$-----

(d) Canal-earth, \$-----

Rock, \$-----

(e) Other structures ~~Sprinkler & Gated~~ \$2,500.00  
Pipe

Total, \$-----

## 9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

## II. Dimensions of works:

(a) Dam: Height-----feet; length at bottom-----feet; length at top-----feet; thickness at bottom-----feet; thickness at top-----feet; slope at front water face-----; slope at back face-----

material used in construction-----

(b) Reservoir: Capacity when filled-----acre feet. Surface area at highwater mark-----acres.

| DEPTH AT<br>OUTLET-FEET | SURFACE AREA AT EACH<br>DEPTH AT OUTLET--ACRES | FEET | ACRE-FEET<br>CAPACITY |
|-------------------------|------------------------------------------------|------|-----------------------|
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |

(c)\* Head gate: Width-----feet; height-----feet;

Material-----

(d) Canal: Total length-----miles.

| LOCATION BELOW<br>HEADGATE | DEPTH     | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>PER MILE |
|----------------------------|-----------|-----------------|------------------------|-------------------|
| At-----Mile                | -----feet | -----feet       | -----feet              | -----feet         |
| At-----Mile                | -----feet | -----feet       | -----feet              | -----feet         |
| At-----Mile                | -----feet | -----feet       | -----feet              | -----feet         |
| At-----Mile                | -----feet | -----feet       | -----feet              | -----feet         |
| At-----Mile                | -----feet | -----feet       | -----feet              | -----feet         |
| At-----Mile                | -----feet | -----feet       | -----feet              | -----feet         |

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ~~Work~~ ~~Completed~~ years.11. Time required for complete application of water to the proposed beneficial use ~~Completed~~ years.

12. Choice of newspaper for publication of notice of intention to appropriate-----

Yankton Public Opinion-----

STATE OF SOUTH DAKOTA

County of Yankton-----

I, Frank R. Yaggie, being first duly sworn, on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Frank R. Yaggie

Subscribed and sworn to before me this 3rd

day of May

1956

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

"Vested Right" claimed

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

May 14

19

This is to certify that the foregoing application was received by the Commission at 10:00 o'clock

a.m. upon the 11 day of May, 1956

State Water Resources Commission

By:

George H. Rimes

Chief Engineer, Executive Officer

Number of permit

194-3

Date of first receipt of application

May 11

19

Date of return to applicant for correction, amendments or changes required as follows:

May 14

19

Date of receipt of corrected application

July 16

19

Date from which applicant may claim right

June 10

19

Approved

July 18

19

Recorded in Book

3

Page

169

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified ~~is to be~~ completed on or before

June 10, 1949

2nd. The whole of said work ~~is to be~~ completed on or before

June 10

19

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

June 10

19

4th. The water appropriated shall be used for the purpose of

Irrigation and Stock water

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 1.48 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before June 10, 1949; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this

14

day of

August

19

State Water Resources Commission

By:

George H. Rimes

Chief Engineer, Executive Officer

Certificate of Construction Issued

August 14

19

Water License Issued

August 14

19

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation Thirty inches, Depth Sixty-three feet

Type of casing Steel  
(wood, concrete, steel, etc.)

Size of casing 18 inches, Thickness of casing 1 1/4 gauge

Length of casing 63 feet If collection gallery, length, size and depth of  
gallery none

(b) Screens

Type of perforated screen Metal

Size of perforated screen 1 1/4 inch, 2 1/2 inch  
(diameter) (length)

Thickness of gravel pack 6 inch, length of gravel pack 63 feet

(c) Water Bearing Materials

Distance to water 17 feet Character of water bearing materials coarse gravel

Thickness of water bearing material 20 feet

(d) Pump and Motor

Type of pump Turbine  
(centrifugal, propeller, mixed flow, etc.)

Name of pump Western Land Roller, size 8 inch

Kind of motor Liquid Petroleum Gas  
(gasoline, electric, diesel, etc.)

Horsepower 69, Name of Motor Continental Red Seal Irrigation Engine

(e) Complete well

Capacity 100 gal. at drawdown of 10 feet Estimated cost \$1,500.00

(f) Owner of land upon which well is located Frank R. Yagole  
Name

Yankton, South Dakota  
Address

(g) Distance to nearest existing wells

On same owner's property \_\_\_\_\_ rods. On property owned by others \_\_\_\_\_ rods

## STATE OF SOUTH DAKOTA

## WATER LICENSE No... 194-3...

WHEREAS, On the 11th day of May A. D. 1956Frank R.

of Box 547, Yankton County of Yankton and State of  
South Dakota duly made application (No. 194-3) to us for a Vested Right  
 permit to use 1.48  
 cubic feet per second of the waters of ground water  
 County of Yankton, State of South Dakota, for irrigation and stockwatering  
 purposes; and

WHEREAS, On the 14th day of August A. D. 1956  
Vested Right Permit No. 194-3 was issued to said applicant... for the diversion of said water, and recognizing  
 completion of the works of diversion therein described ~~XXXXXX~~ the 10th day of  
June A. D. 1949 and ~~XXXX~~ application to beneficial use of said  
 water ~~XXXXXX~~ the 10th day of June A. D. 1949  
 and,

WHEREAS, On the 16th day of July A. D. 1956  
Vested Right  
 the holder... of said permit duly made proof of the completion of adequate works for the diversion of 1.48  
 cubic feet per second of said waters, as evidenced by our Certificate No. 194-3  
 dated August 14, 1956 confirming the completion of works of sufficient capacity for  
 diverting and conveying to the place of intended use 1.48 cubic feet per second of water, with date of  
 priority of June 10, 1949 and,

WHEREAS, On the 16th day of July A. D. 1956  
 proof was duly made of the application to beneficial use of 1.48 cubic feet per second of said water;  
on 104.1 acres in the N1 SE1 and the S1 S1 NE1, Sec. 2, T 93N, R 55W

NOW, THEREFORE By the virtue of the authority vested in us by the laws of the State of South Dakota,  
We hereby grant and confirm to Frank R. Yaggie  
of Box 547, Yankton, South Dakota the holder Vested Right and owner 194-3  
a water right, dating from June 10, 1942, to the use of 1.43  
cubic feet per second of the waters of ground water  
in the County of Yankton and State of South Dakota, or so much thereof as may be  
necessary for the purposes hereinbelow mentioned, to be diverted at 1310.3 feet east and 562 feet  
south of the SW Cor. of the NE 1/4, Sec. 2, T 93N, R 55W  
and conducted to and upon the N 1/4 SE 1/4 and the S 1/4 SE 1/4, Sec. 2, T 93N, R 55W

for the purpose of irrigation and stockwatering

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,  
this 14th day of August A. D. Nineteen  
Hundred and Fifty-six

State Water Resources Commission

By:

J. W. Grimes  
J. W. Grimes, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. -----

To -----

Source of Supply -----

County -----

Am't ----- c. f. s.

Point of Diversion -----

Place of Use -----

Purpose -----

Date of Priority -----

Recorded -----

In Book ----- of ----- Page -----

Permit No. 194-2

Water Division No. 3-James River Water District

## -Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

I, Frank R. Yaggle, Certify, That

of Box 647, Yankton, County of Yankton, and State of South Dakota, the holder of Vested Right Permit No. 194-3, issued upon Application No. 194-3, bearing date of priority of June 10, 1949, authorizing the diversion of 1.43 cu. ft. per second of the waters of ground water

County of Yankton, State of South Dakota, at 1310.3 feet east and 562 feet south of the SW Cor. of the NE 1/4, Sec. 2, T 93N, R 55W

for irrigation and stockwatering purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Vested Right Permit: that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.48 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: N 1/2 SE 1/4 and a portion of the S 1/2 S 1/4 NE 1/4, Sec. 2, T 93N, R 55W

104.1 acres

Witness my hand this 14th day of August A. D. 1956

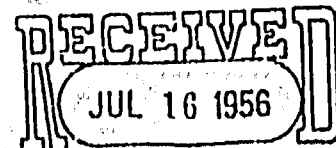
State Water Resources Commission

By:

J. L. Grimes, Chief Engineer, Executive Officer

Location No. \_\_\_\_\_

Water Division No. \_\_\_\_\_ Water District \_\_\_\_\_

STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

## Proof of Application of Water to Beneficial Use

### PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Frank R. Yaggia, 1905 Douglas Ave. Yankton, South Dakota  
Grain & Feed Dealer

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. \_\_\_\_\_

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. May 2, 1955 for vested right dating back to June 10, 1949

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Well. From SW corner of NE 1/4 of Sec. 2 Township 93 Range 55

1310.3 feet East and 562 feet south in Yankton County, S. D.

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. \_\_\_\_\_

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Irrigation covering all of N 1/4 SE 1/4 (80 acres) and S 1/2 of S 1/2 of S 1/2 of NE 1/4 (24.1 acres) all in Sec. # 2, Township 93 Range 55. Making a total acreage of 104.1 acres.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. \_\_\_\_\_

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 1.45 cu. ft. per second

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. \_\_\_\_\_

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Each year since June 10, 1949 on a variety of crops as a supplement to natural rainfall.

(Sign) Frank R. Yaggie

I hereby certify that the foregoing testimony was subscribed by the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Yankton County of Yankton

State of South Dakota, on this 6th day of July, A. D. 1956

Witnesses. Edmund Bohm

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

W. B. Sample

Location No. -----

PROOF OF APPLICATION OF  
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water ----- c. f. s.

Source -----

County -----

Purpose -----

Place of Use -----

Date of recording -----

Received and filed -----