

Water Right Number 2335-3

NOV. 12, 19 75

1. Considered _____
2. Name of Applicant WILLARD WOOD
3. Post Office Address GAYVILLE, S.D.
4. Amount of water claimed 2.28
5. Source of water supply GROUND WATER (100' DEEP WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in YANKTON County
about 1N, 4W! Miles _____ of GAYVILLE
8. Proof of Publication
Received 10-14-75
Not received _____
Approved _____
Subject to _____
Not approved _____
Action deferred _____
9. Application

**INVOLVES CANCELLATION
OF 447-3**

10. Remarks:

No. 2336-3
 Map No. 1715-3 Water Division No. 3 JAMES RIVER District
 (Blanks to be filled by the Engineer for the W. R. Co.)

APPLICATION FOR PERMIT

832

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant WILLARD AND MARTHA WOOD WOOD ACRES INC.
 Postoffice address GAYVILLE State S. D. Box 115
 If a corporation show date and place of incorporation NO
 2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT
 3. Name of diversion work WILLARD AND MARTHA WOOD IRRIGATION PROJECT NO. 1
 4. Amount of water claimed (cubic feet per second) 2.28
 5. Source of water supply WELL
 6. Location of point of diversion 750 feet north and 1200 feet west
of the southeast corner of section 5-792N-54W
of Yankton County, South Dakota County YANKTON
 7. Annual period or periods during which water is to be used MARCH TO NOV 30
 8. Use to be made of water. (Irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION
 9. For irrigation use. Total number of acres to be irrigated 160

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>NE 1/4 5 93-54</u>	<u>160</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication YANKTON PRESS AND OBITUARY
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

For irrigation use onlyEstimated Total Cost \$ 28000.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Yankton) ss.

I, Willard Wood the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Willard Wood
 Subscribed and sworn to before me this 7 day of August 1975
Virginia M. Voigt
 Notary Public (or other qualified officer)
Virginia M. Voigt

WATER RIGHT APPLICATION APPROVAL

WOOD ACRES INC.
The Water Resources Commission hereby approves Water Right Application No. 2335-3~~WILLARD & MARTHA NOCH~~
(Applicant)GAYVILLE
(Post Office Address)Box 115

TRANS. 7-6-76

SOUTH DAKOTA 57031
(State)

With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

THIS PERMIT IS APPROVED FOR A CHANGE OF DIVERSION POINT FROM THAT GRANTED UNDER PERMIT NO 447-3. THE PRIORITY FOR THIS PERMIT WAS ESTABLISHED UNDER PERMIT NO 447-3. THIS PRIORITY AND OTHER APPLICABLE DATA HAS BEEN TRANSFERRED TO THIS PERMIT, AND PERMIT NO 447-3 IS CANCELLED.

Date of first receipt of application AUGUST 26 19 75
 Date of return to applicant for correction, amendments or changes required SEPTEMBER 17 19 75
 Date of receipt of corrected application SEPTEMBER 22 19 75
 Approved NOVEMBER 13 19 75 Recorded in Book 14 Page 72

WATER RIGHT PERMIT NO. 2335-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2335-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 6 19 57
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13 19 78
3. The whole of said work is to be completed on or before NOVEMBER 13 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13 19 79
5. The water appropriated shall be used for the purpose of IRRIGATION

6. 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

7. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 NOVEMBER 13 19 79; said water to be used during the following described annual period: MARCH 16 NOVEMBER 30

Witness my hand this 17TH day of NOVEMBER 19 75

WATER RESOURCES COMMISSION

By:

John H. H. H.
Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

12. Principal Features of the Proposed Water Supply System (continued)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 4.3 inch, Depth 100'
 (2) Casing, Type CONCRETE, Diameter 18", Thickness 2 1/2" x 3"
(wood, concrete, steel, etc)
 (3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness 4" to 6", Length of gravel pack: 100'

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials FINE SAND GRADUATING
TO COARSE GRAVEL

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material 37'

Depth to water (ground surface to water level) 12'

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 70 rds. On property owned by others 2 miles rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Richard Ward
 Signature of Applicant

August 21, 1975

Willard and Martha Wood
Gayville, SD 57031

Dear folks:

Your water analysis has been completed and the original was sent to you about a week ago. We have now received the WI 1 form and all the information has been assembled for your application to irrigate. These materials are being sent on to the State Conservation Commission.

I am enclosing for your use, however, the extension circular #654 which gives some information about soil and water compatibility. On the outside back cover of this circular you will find a red cross with a circle around it. This is the approximate designation of this water for irrigation purposes. You will note that it is high in salinity and low in sodium. The significance of this is that the water will have considerable tendency to increase the total salt of the upper part of the soil, particularly that which is used by the root zone of plants. This being the case, this water should be used in relatively large quantities, that is 2 to 3 inches or so each application, but infrequently. I would recommend that you use it not oftener than 3 times a growing season at the most. The problem is a little bit exentuated by the fact that the soils which you have are not ideal for irrigation. They are a little bit too fine in texture and do not have excellent internal drainage. For these reasons, I recommend that you keep close observation of the soil that you are irrigating and if you begin to see evidence of salt accumulation which would be the presence of grayish or white crusts during dry periods, please get in contact with the extension service or someone in the Water Resources Institute on methods for reducing this salt and leaching it out of the soil.

A copy of this letter and the WI 1 form and a copy of the water analysis are being sent to the State Conservation Commission.

Sincerely yours,

L. O. Fine
Water Quality Lab
LOF:ckb
Enclosures
cc: State Conservation Commission
Vane Miller, County Extension Agent
D.Pahl



Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

NAME: WILLARD AND MARTHA WOOD

ADDRESS: GAYVILLE S.D. 57031

COUNTY: YANKTON

LEGAL DESCRIPTION

3750 FT N + 1200 FT W 26 TH SE CORNER

1. WELL LOCATION: Section 5 - T43 - R54W

2. AREA TO BE IRRIGATED: 134 AC.

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): SPRINKLER

4. CROPS TO BE IRRIGATED: CORN - SOY BEANS - ALFALFA

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Less than 1 percent

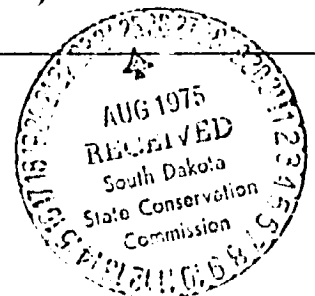
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Black Silty Clay loam,
moderate silty clay loam

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-706

8. SALINITY: EC = 1671 μ mhos/cm (high)

9. SODIUM: SAR = 0.88 (low)



I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

Yankton County Soil Conservation Service

and:

that the legal description for the location of the well and land to be irrigated is true and correct.

Willard Wood.

Subscribed and sworn before me this

1st day of August 19 75.
Virginia M. Voigt

Virginia M. Voigt, Notary Public

(Title) My Comm. Exp. 10-7-82

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Willard Ward Date Rec'd August 8, 1975
 Address: Fox 116 Sample No. 75-706
Gayville, SD 57031 Identification Well
SE 1/4, Sec. 5, T. 93N, R. 54W

WATER ANALYSIS

Calcium (Ca)	290	ppm*	14.50 me/l**
Magnesium (Mg)	85	ppm	6.97 me/l
Sodium (Na)	66	ppm	2.87 me/l
Potassium (K)	10	ppm	0.27 me/l
Sulfate (SO ₄)	620	ppm	12.90 me/l
Nitrate (as N)		ppm	me/l
Chloride (Cl)	64	ppm	1.78 me/l
Bicarbonate (HCO ₃)	307	ppm	5.04 me/l
Carbonate (CO ₃)		ppm	me/l
Iron (Fe)		ppm	me/l
Fluoride (F)		ppm	me/l
Hardness (EDTA as CaCO ₃)		ppm	g.p.g.***
Alkalinity (Methyl Orange)	252	ppm (as CaCO ₃)	
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)	
Electrical Conductivity	1671	micromhos per cm at 25° C.	
Sodium Adsorption Ratio	0.88		
Sodium	11.66	% of cations	
Residual sodium carbonate	0.00	me/l	
pH	6.99		
Others:			

*ppm==parts per million

**me/l==milliequivalents per liter

***g.p.g.==grains per gallon

COMMENTS: Total cations 24.61 me/l
 Total anions 19.72 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$6.00

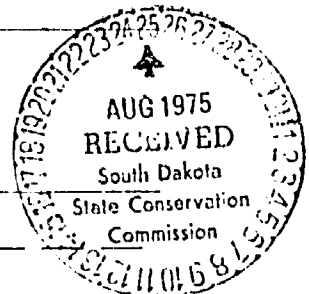
Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-706

Amount Enclosed \$

Signed



7-15-76

222

Change 56 9010

1946. - 1947.

Dec 10 1904

Expend - 100000 - 100000

Model H-1140-752.

Yellowish-brown

215750

27 Ac. Not accepted for License

Le Roy

Found this in Regular
file - is it to be removed
or new appl to be
filed - Never followed
up.

Butty

7-25-80

Rebels this at time of Larp
the 27 are did not have system on
it.

Memorandum

July 28, 1976

Wood Acres, Inc.
Box 115
Gayville, S.D. 57031

Attn: Mrs. Jack Warden

Dear Mrs. Warden:

On July 15, 1976, Mr. LeRoy J. Mernaugh of this office contacted you about your Water Permit No. 2235-2 authorizing the diversion of 2.28 cubic feet per second of water from a well to irrigate 160 acres.

The investigation indicated that 27 acres in the NE1/4 NW1/4, Section 5, T93N, R54W, that you intended to irrigate under Application No. 2335-3 was not included on this water right application.

It will be necessary to submit an application for permit to appropriate water to the Water Rights Commission in order to comply with the South Dakota Water Rights Statutes.

We are enclosing two completed application Form 2's which you should sign before a notary public and return to this office with an \$8.00 fee. Please check the Forms over and make the necessary corrections. A new map will not be necessary as we can use the map previously submitted.

Should you have further questions, feel free to contact this office.

Sincerely,

LE ROY MERNAUGH
Water Resources Engineer I

LM/bw
Encl: As stated

Map No. 1715-3 Water Division No. 3 James River District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Wood Acres, Inc.
Postoffice address Box 115 Gayville, State S. Dak. 57031
If a corporation show date and place of incorporation No
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract.
3. Name of diversion work Wood Acres, Inc.
4. Amount of water claimed (cubic feet per second) 0.39
5. Source of water supply Well.
6. Location of point of diversion 1075 ft West and 1060 ft South of the N.E. corner of Section 5, T93N R54W
County Yankton
7. Annual period or periods during which water is to be used March to November 30
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 27

List below each forty-acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

(A) Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>NE 1/4 NW 1/4 - 5 T93N R54W</u>	<u>27</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Yankton Press and Dakotan
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Existing Well

B. Works proposed to transport water to place of use.

Pipeline

C. Works proposed to apply water to beneficial use.

Sprinkler System

Estimated Total Cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of _____

I, _____ the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed _____

Subscribed and sworn to before me this _____ day of _____, 19____

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. _____

(Applicant)

(Post Office Address)

(State)

With the following modifications:

Date of first receipt of application _____, 19 _____

Date of return to applicant for correction, amendments or changes required _____, 19 _____

Date of receipt of corrected application _____, 19 _____

Approved _____, 19 _____, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. _____

The Water Rights Commission hereby grants and issues this Water Right Permit No. _____ authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is _____, 19 _____
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____, 19 _____
3. The whole of said work is to be completed on or before _____, 19 _____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____, 19 _____
5. The water appropriated shall be used for the purpose of _____

6. 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.

7. The amount of the appropriation herein granted shall not exceed _____ cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 _____, 19 _____; said water to be used during the following described annual period: _____

Witness my hand this _____ day of _____, 19 _____

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

2335-3Publish first publication, on or before October 30, 1975NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 24, 1975Notice is hereby given that Willard and Martha Woodwhose post office address is Gayville, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use ~~the~~ change the location of the point of2.28 cubic feet of water per second of time from the ~~xxx~~ ground water through the Diversion, and
Wood Irrigation Project #1, the point of diversion of which is to be located in the _____Center of the NE $\frac{1}{4}$ of Section 5, Twp. 93N, Range 54W. Said water to be used for the purposeof providing irrigation on the following described land: 5 $\frac{1}{2}$
NE $\frac{1}{4}$, Section 5, T93N, R54WThis application No. 2335-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 12th day of November, 1975, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Willard Wood, Gayville, South Dakota 57031

No. _____

10+3410
NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
September 24, 1975

Notice is hereby given that Willard and Martha Wood whose post office address is Gayville, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to change the location of the point of diversion, and appropriate for beneficial use 2.28 cubic feet of water per second of time from ground water through the Wood Irrigation Project #1, the point of diversion of which is to be located in the center of the NE¼ of Section 5, Twp. 93N, Range 54W. Said water to be used for the purpose of providing irrigation on the following described land: NE¼, Section 5, T93N, R54W.

This application No. 2335-3 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of November, 1975, at 2:30 p.m. All interested persons may appear and be heard.

**Water Resources
Commission**

By: **BURTON F. JONES**
Water Rights
Specialist

October 10, 1975

(Title)

(Date Signed)

RECEIVED
OCT 14 1975

STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE
DEPARTMENT OF NATURAL RESOURCE DEVELOPMENTDIVISION OF WATER RIGHTS
JOE FOSS BUILDING
PIERRE, SOUTH DAKOTA 57501Box 115
Post Office Gayville, So. Dak. 57031Date June 29, 1976TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2335-3.

Water Right Permit No. 2335-3 states that the diversion system is to be constructed by Nov. 13, 1978 and that the water is to be put to beneficial use by Nov. 13, 1979.

The diversion system was completed on June 25, 1976. Applying the water to beneficial use was completed on June 28, 1976.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

C. J. Willard Wood.
(Signature)

Form 10.

No. 2335-3



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Rte #1 - Box 115
Gayville, So. Dak. 57031
Date May 26, 1977

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

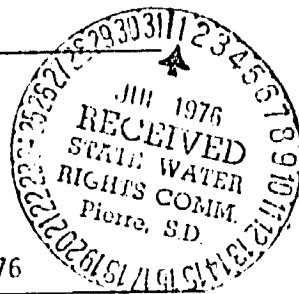
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2335-3.

Water Right Permit No. 2335-3 states that the diversion system is to be constructed by Nov. 13, 1978 and that the water is to be put to beneficial use by Nov. 13, 1979.

The diversion system was completed on May 18, 1977.
Applying the water to beneficial use was completed on May 18, 1977.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Rita Worden Secretary
Wood Acres Inc.
(Signature)



NOTICE OF TRANSFER OF WATER PERMIT

TO: **WATER RIGHTS COMMISSION**
 State Office Building No. 2
 Pierre, South Dakota 57501

Date June 29, 1976

This is to notify you that title to the lands described as follows:

160 acres in the NE $\frac{1}{4}$, Section 5, T93N, R54W

formerly owned by Martha Walraven Wood and C. Willard Wood

has been transferred to Wood Acres Inc. by H.S. Yaguchi 57031

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 2335-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of ~~Water Resources Commission~~ **WATER RIGHTS COMMISSION** as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
 County of Yankton) ss.

I, C. Willard Wood 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, and I know of my own personal knowledge that the information herein stated is true.

C. Willard Wood.
 (Signed)

Suscribed and sworn to before me this 29th day of June, 1976

Jane Fejfar
 (Notary Public)

*My Commission
 expires: Oct. 24, 1981*

September 19, 1975

S.D. Department of Natural
Resource Development
Water Rights Commission
Office Building Number 2
Pierre, SD 57501

Dear Sir:

Attached is a copy of your letter. In consideration of your last paragraph of the letter you sent, I wish to reapply for replacement well for the one previously used to irrigate this land. The replacement will be located on the map previously submitted to your department.

Sincerely,

WILLARD WOOD

attachment

Willard Wood



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Office Building Number 2, Pierre, South Dakota 57501

Phone 605/224-3151

September 17, 1975

Willard Wood
Gayville,
South Dakota 57031

Dear Mr. Wood:

Your application dated August 7, 1975, for a permit to appropriate water from ground water through the Wood Irrigation Project #1 was received August 26, 1975 and has been duly filed under the temporary number of 2335-3. The application will be examined in regular order as soon as practical, after which you will be notified as to further action on your part.

Statutes require that we charge \$8.00 for the application. Please remit this at your earliest convenience, so processing of your application can proceed.

From our records, it appears that this land is covered under Water Right No. 447-3, issued to Richard Thorson, from a well located outside of this quarter. If this is to be a replacement well for the one previously used to irrigate this land, you can apply for a change in point of diversion, and retain the priority on the original application. Please verify if this is the case.

Sincerely,

A handwritten signature in dark ink, appearing to read "Merton F. Jones".

MERTON F. JONES
Water Rights Specialist

BFS/b

September 17, 1975

Willard Wood
Gayville,
South Dakota 57031

Dear Mr. Wood:

Your application dated August 7, 1975, for a permit to appropriate water from ground water through the Wood Irrigation Project #1 was received August 26, 1975 and has been duly filed under the temporary number of 2335-3. The application will be examined in regular order as soon as practical, after which you will be notified as to further action on your part.

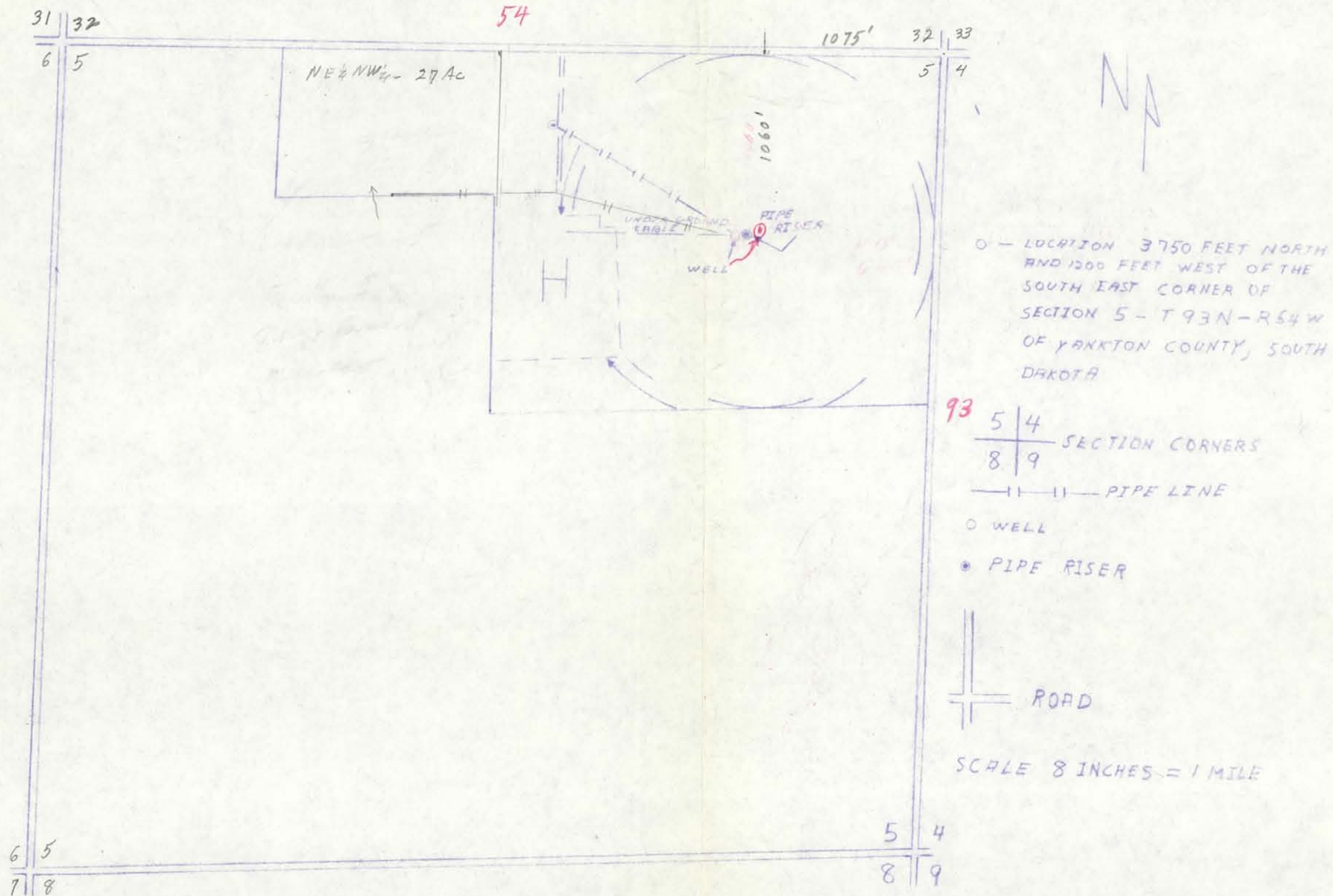
Statutes require that we charge \$8.00 for the application. Please remit this at your earliest convenience, so processing of your application can proceed.

From our records, it appears that this land is covered under Water Right No. 447-3, issued to Richard Thorson, from a well located outside of this quarter. If this is to be a replacement well for the one previously used to irrigate this land, you can apply for a change in point of diversion, and retain the priority on the original application. Please verify if this is the case.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/b



REFERENCE

PLANNING ASSISTANCE BY LLOYD GEHM
DISTRICT CONSERVATIONIST

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
ASSISTING
SOIL CONSERVATION DISTRICT

DRAWING NUMBER

SHEET 1 OF 1 SHEETS
DATE 8-4-75

MAP NO 1715-3 APPL NO 2335-3

Permit No. 2335-3
Missouri River - Water District

Contact Person & Address: **Bill Huether 44755 309th St, Gayville SD 57031**

Report Of Examination Of Works

On, **Sept 22, 2009**, I made a thorough examination of the water use system constructed by **Bill Huether** of **44755 309th St, Gayville SD 57031** holder of Permit No. **2335-3**, bearing the priority of **April 6, 1957** authorizing the diversion of **2.28** cu. ft. per second of the waters of **groundwater** for **irrigation** purposes, in **Yankton** County.

The system is in the following condition **good**. The point of diversion is located **from the NE corner of Sec 5 T93N-R54W; 1040 ft west and 1030 ft south** with a longitude of **-97.243808** and a latitude of **42.90624** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **1.11** cu. ft. per second of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

All land is located in **Sec 5 T93N-R54W;**

NW ¼ NE ¼ - 19 ac NE ¼ NE ¼ - 31 ac SE ¼ NE ¼ - 19 ac SW ¼ NE ¼ - 11 ac

comprising a total of **80** acres of land and the license should be issued for **1.11** cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **yes**.
- 4) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- | | |
|---|--|
| 1) Well Drilling Firm: <u>Empire</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>56</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|-------------------------------------|---------------------------------|
| 1) Diameter <u>22</u> inches | 2) Length <u>40</u> feet |
| 3) Type <u>concrete</u> | |

Screen:

- | | |
|--|---------------------------------|
| 1) Type <u>slotted concrete</u> | 2) Length <u>16</u> feet |
|--|---------------------------------|

- 3) Static water level ? feet

Pump:

- 1) Make Fairbanks - Morse 2) Model 1035Z
3) Size 10 4) Capacity 500 GPM

Motor:

- 1) Make General Electric 2) Model No. 5K364XA121A
3) Horsepower rating 25 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type Aluminum 2) Size 10 inches 3) Length 20 feet

SYSTEM TYPE:

Center pivot:

- 1) Make valley 2) Overall length 1000 feet
3) Number of towers 5 4) End gun yes
5) High or low pressure lo 6) Capacity 500 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

11) **Comments :** none



Mark D. Rath
Natural Resources Engineering Specialist
DENR, Water Rights Program

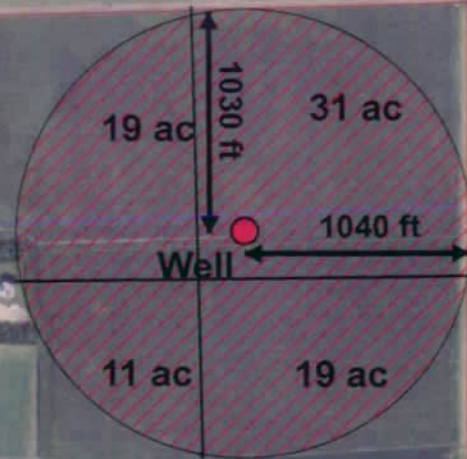
1-6-10

Date

No. 2335-3



Sec 5 T93N-R54W



0 440 880 1,760 2,640 3,520 Feet



Mark D Rath
01-06-2010

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/5, 20 10

RECEIVED OF Wood Acres Inc Bill Huether 44755 309th St Gayville SD 57031

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2335-3</u>		<u>50 00</u>
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	<u>50 00</u>

No.

04499

By

[Signature]
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 25, 2010

2335-3

Bill Huether
Wood Acres Inc
44755 309th St
Gayville SD 57031

Dear Mr. Huether:

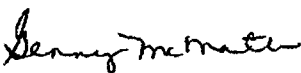
On September 22, 2009, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2335-3, was completed by Mark Rath, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact me.

Sincerely,


Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

APR 23 2010

2335-3

Bill Huether
Wood Acres Inc
44755 309th St
Gayville SD 57031

Dear Mr. Huether:

Enclosed is Water License No. 2335-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2335-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

A handwritten signature in black ink, reading "Garland Erbele".

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2335-3

(1) Wood Acres Inc, 44755 309th St, Gayville SD 57031 made Application No. 2335-3, August 26, 1975 for a water permit to divert 2.28 cubic feet of water per second from ground water (one well – Missouri Elk Point Aquifer), Yankton County, South Dakota for irrigation purposes. Permit No. 2335-3, with a priority date of April 6, 1957 (established under Water Permit No. 447-3) was approved November 13, 1975 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 13, 1978 and for the application to beneficial use of said water on or before November 13, 1979.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.11 cubic feet of water per second for beneficial use. The location of the diversion point is 1,040 feet west and 1,030 feet south of the NE corner of Section 5, T93N, R54W (NE ¼ NE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T93N, R54W Section 5	NW ¼ NE ¼	19 acres
	NE ¼ NE ¼	31 acres
	SE ¼ NE ¼	19 acres
	SW ¼ NE ¼	11 acres
	Total	80 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Wood Acres Inc, 44755 309th St, Gayville SD 57031 the holder and/or owner of Water Right No. 2335-3 is issued a license to appropriate water, the right to use 1.11 cubic feet of water per second (500 gallons per minute) from ground water (one well – Missouri Elk Point Aquifer) with a priority date of April 6, 1957 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2335-3 and subject to the following qualification:

- The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner under this Permit shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.
- This Permit was approved for a change of diversion point from Water Permit No. 447-3. The priority for this permit was established under Permit No. 447-3. The priority and other applicable data were transferred to this permit and Permit No. 447-3 was cancelled (*this was done at the time No. 2335-3 was originally approved.*).


Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 23 2010
date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

March 22, 2023

2335-3

Bill Huether
Wood Acres Inc
44755 309th St
Gayville SD 57031-6528

Dear Mr. Huether:

I am writing regarding your 2022 irrigation questionnaire and Water Right No. 2335-3.

Last year's questionnaire and actually several year's before that, the questionnaire reflected either 146.5 acres or 160 acres being irrigated. The water right actually only authorizes irrigation of 80 acres. The original permit described more acres but at the time of licensing in 2010, the inspection found only 80 acres were developed.

Enclosed is a copy of the water license and the map from Water Right No. 2335-3. Please review and let us know if a discrepancy exists. If you are irrigating more acres, we will work with you to obtain additional permitting to cover the expanded project if needed.

If you have you have any questions, please give me a call.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

Permit No. 2335-3
Missouri River - Water District

Contact Person & Address: **Bill Huether 44755 309th St, Gayville SD 57031**

Report Of Examination Of Works

On, **Sept 22, 2009**, I made a thorough examination of the water use system constructed by **Bill Huether** of **44755 309th St, Gayville SD 57031** holder of Permit No. **2335-3**, bearing the priority of **April 6, 1957** authorizing the diversion of **2.28** cu. ft. per second of the waters of **groundwater** for **irrigation** purposes, in **Yankton** County.

The system is in the following condition **good**. The point of diversion is located **from the NE corner of Sec 5 T93N-R54W; 1040 ft west and 1030 ft south** with a longitude of **-97.243808** and a latitude of **42.90624** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **1.11** cu. ft. per second of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

All land is located in **Sec 5 T93N-R54W;**

NE ¼ NW ¼ -27.0 NW ¼ NE ¼ - 25.5 ac NE ¼ NE ¼ - 31 ac SE ¼ NE ¼ - 38 ac SW ¼ NE ¼ - 25 ac

comprising a total of **146.5** acres of land and the license should be issued for **1.11** cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **yes**.
- 4) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- | | |
|---|--|
| 1) Well Drilling Firm: <u>Empire</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>56</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|-------------------------------------|---------------------------------|
| 1) Diameter <u>22</u> inches | 2) Length <u>40</u> feet |
| 3) Type <u>concrete</u> | |

Screen:

- | | |
|--|---------------------------------|
| 1) Type <u>slotted concrete</u> | 2) Length <u>16</u> feet |
| 3) Static water level <u>?</u> feet | |

Pump:

- 1) Make Fairbanks - Morse
- 2) Model 1035Z
- 3) Size 10
- 4) Capacity 500 GPM

Motor:

- 1) Make General Electric
- 2) Model No. 5K364XA121A
- 3) Horsepower rating 25 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type Aluminum
- 2) Size 10 inches
- 3) Length 2400 feet

SYSTEM TYPE:

Center pivot: West Pivot

- 1) Make Valley
- 2) Overall length 750 feet
- 3) Number of towers 4
- 4) End gun yes
- 5) High or low pressure lo
- 6) Capacity 500 GPM

Center pivot: East Pivot

- 1) Make Zimmatic
- 2) Overall length 1000 feet
- 3) Number of towers 5
- 4) End gun yes
- 5) High or low pressure lo
- 6) Capacity 500 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

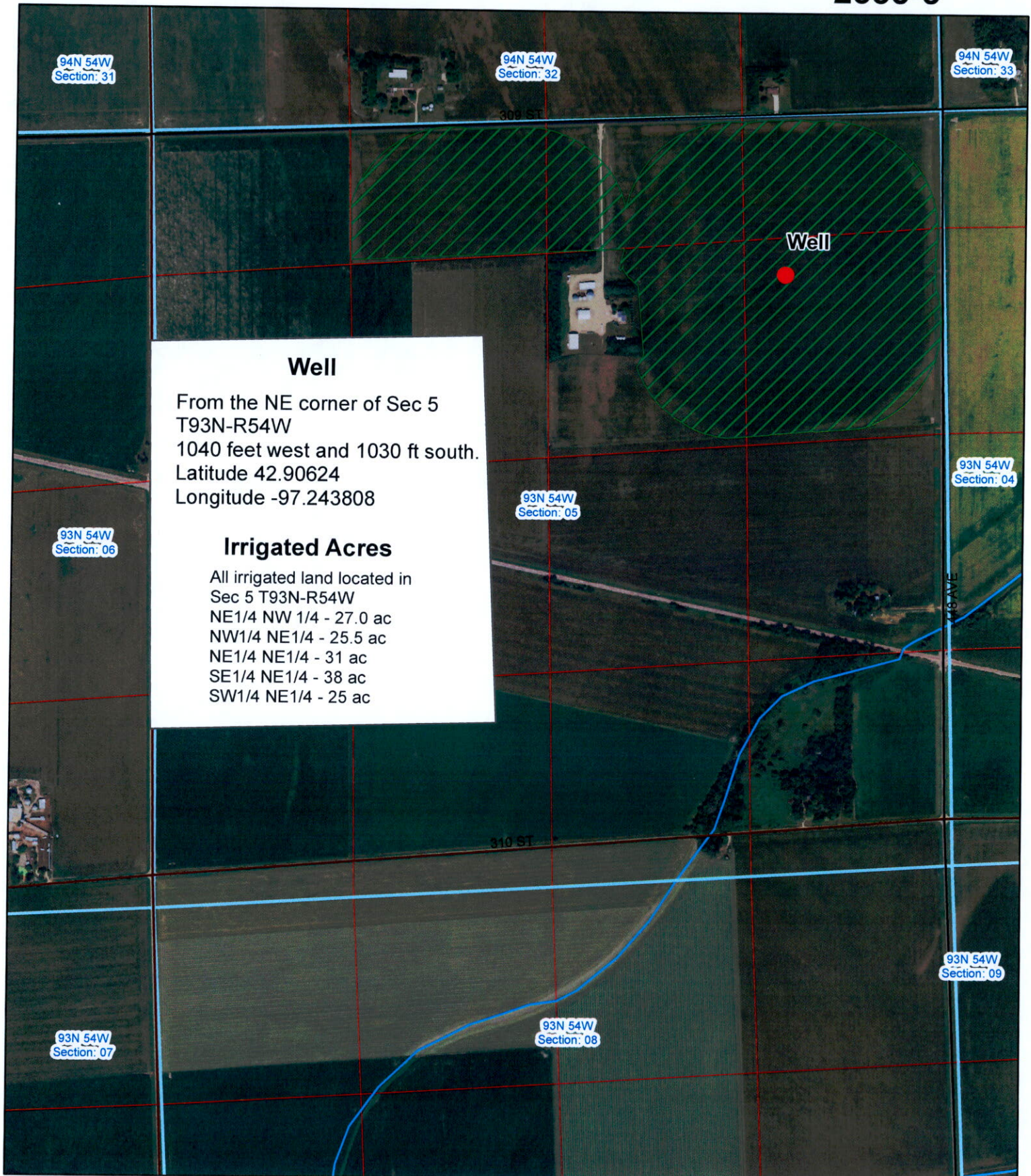
11) **Comments :** Not all the equipment was present during the first inspection which caused the original license to be licensed for 80 acres. The water right holder indicated he has always irrigated 146 acres. A review of aerial photos confirms the additional acres were irrigated prior to the 2009 inspection and have been irrigated since that time. The water license needs to be reissued to reflect the system as developed and operated.



April, 17, 2023

Mark D. Rath
Natural Resources Engineering Specialist
DANR, Water Rights Program

Date



0.4 0.2 0 0.4 Miles



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

APR 19 2023

2335-3

Bill Huether
Wood Acres Inc
44755 309th St
Gayville SD 57031

Dear Mr. Huether:

Enclosed is Reissued Water License No. 2335-3.

The water license was reissued to reflect the number of acres developed for irrigation not included on the original license. A map of the area is also included with the license.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 2335-3

(1) Wood Acres Inc., 44755 309th St., Gayville SD 57031 was issued Water License No. 2335-3, April 23, 2010, for a water right to divert 1.11 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer), Yankton County, South Dakota for irrigation purposes. Water License No. 2335-3, with a priority date of April 6, 1957 (established under No. 447-3) was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

Additional information obtained from aerial photos and from the water right holder found the original license did not accurately reflect the number of acres irrigated. The water license is being reissued to correct the number of acres irrigated and reflect the system as developed.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law and is entitled to divert 1.11 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,040' W and 1,030' S of the NE corner of Section 5, T93N, R54W (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
Latitude 42.90624, Longitude -97.243808

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T93N, R54W Section 5	NW $\frac{1}{4}$ NE $\frac{1}{4}$	25.5 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	27.0 acres
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	31.0 acres		
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	38.0 acres		
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	25.0 acres	Total	146.5 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Wood Acres Inc., 44755 309th St., Gayville SD 57031 the holder and/or owner of Water Right No. 2335-3 is reissued a license to appropriate water, the right to use 1.11 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer) with a priority date of April 6, 1957 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2335-3 and subject to the following qualifications:

- The irrigation well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right shall control his withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.
- This water permit was approved for a change in diversion point from Water Permit No. 447-3. The priority for No. 2335-3 was established under No. 447-3. The priority date and other applicable data were transferred to this water permit and Permit No. 447-3 was cancelled (*this action done at the time No. 2335-3 was originally approved.*)


Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

APR 19 2023
date

