

2991A-3

Considered: _____ WATER PERMIT NO. 2991A-3

Phone: 674-2204

Name of Applicant: Charles Atyeo

Post Office Address: RR 2, Box 5, Clear Lake SL 57226

Amount of Water Claimed: no add'l (3.90) Total Acres: no add'l (270)

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Deuel

About 3 miles east of Clear Lake

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C/L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received: 8-21-90 Fee: \$50 Remarks Change

diversion point on Water Permit No. 2991-3

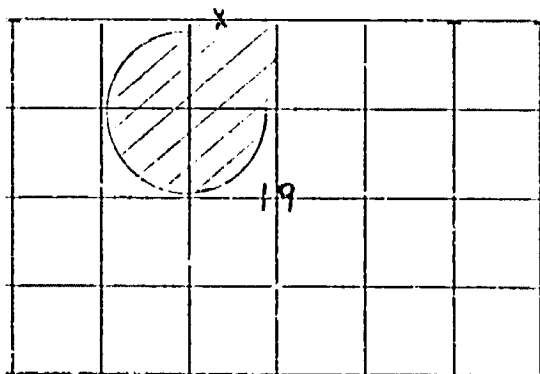
Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED 8-31-76 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES ☒ NO ☐ REMARKS _____

Diversion Point: NE 1/4 NW 1/4 19-115-48

Land to be Irrigated: NW 1/4 19-115-48



Well Log: Driller: Empire Well Drilling Licensed YES ☒ NO ☐

Depth of Well: 104' REMARKS _____

Type of Map: aerial PREPARED BY: Mark Rath Reviewed and the Number

Assigned on 9-19-90 By Karen Schlaak

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2991A-3 FOR IRRIGATION

(1) Charles Atyeo of Rt 2, Box 5, Clear Lake SD 57226 made Application No. 2991A-3, August 21, 1990 for a water permit to correct the location of an existing well, Deuel County, South Dakota for irrigation purposes. Permit No. 2991A-3, with a priority date of August 26, 1976 was approved December 5, 1990 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 2991A-3 authorized the correct location of an existing well developed under Water Permit No. 2991-3. The applicable portions of Water Permit No. 2991-3 have been incorporated into this Water License No. 2991A-3.

(2) It is certified that the applicant 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 1.86 cubic feet of water per second for beneficial use. The location of the diversion point is 1840 feet east and 50 feet south from the northwest corner of Section 19-T115N-R48W (NE 1/4 NW 1/4).

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

Section 19-T115N-R48W	NW 1/4 NW 1/4	31 acres
	SE 1/4 NW 1/4	31 acres
	NE 1/4 NW 1/4	37 acres
	SW 1/4 NW 1/4	31 acres
	Total	130 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Charles Atyeo of Rt 2, Box 5, Clear Lake SD 57226 the holder and/or owner of Incorporated Water Permit No. 2991A-3 is issued a license to appropriate water, the right to use 1.86 cubic feet of water per second from groundwater (one well) with a priority date of August 26, 1976 from the location specified in (2) of this license. The water to be conducted to and upon land specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 2991A-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 14 1994

date

(Wed)

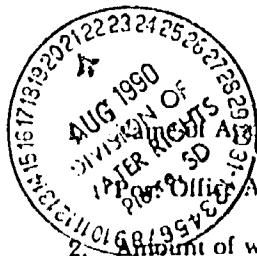
Mail to: Water Rights Div. **MR**
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

(See instructions)

No. 2991A-3 Hydrologic Unit 10170202
Basin Big Sioux River
Newspaper Clear Lake Courier, Box 277 57226

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☒ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____



Applicant CHARLES ATYEO Phone No. 874-2204
Address R2 Box 5 CLEAR LAKE State SD 57226
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) No ADD'L Total acres irrigated No ADD'L (SEE PERMIT 2991-3)

3. Source of Water supply GROUNDWATER

4. Location of point of diversion NW 1/4 NE 1/4 NW 1/4 of SEC 19-T115N-R48W

County DEUEL

5. Counties where water will be used DEUEL

6. Annual period during which water is to be used APRIL 1 - OCTOBER 31

7. 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.
<u>NW 1/4 NW 1/4 Sec 19-T115N-R48</u>	<u>31</u>
<u>NE 1/4 NW 1/4 "</u>	<u>37</u>
<u>SE 1/4 NW 1/4 "</u>	<u>31</u>
<u>SW 1/4 NW 1/4 "</u>	<u>31</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: Y Center Pivot: X Gun: _____ Other: _____ (Specify) _____

9. Crops to be Irrigated: CORN, SOYBEANS, SMALL GRAINS, ALFALFA

10. Give a description of proposed project. (Attach sheet if more space is needed) TO CHANGE DIVERSION POINT FOR WATER APPROPRIATED UNDER PERMIT 2991-3

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Deuel) ss

I, Charles Atyeo, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the material stated in this application are true and correct.

Signed Charles Atyeo

HAROLD WEIDEMAN
Notary Public, Deuel County, SD
Subscribed and sworn to before me this 20th day of August 19 90
My Commission expires Feb. 18, 1992

Harold Weideman
Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 2991A-3 FOR IRRIGATION**

Date of first receipt of application August 21, 1990.

Date Soil/Water Compatibility Permit received August 31, 1976.

The Water Management Board approved Water Permit Application No. 2991A-3 on December 5, 1990 for Charles Atyeo, R2, Box 5, Clear Lake, SD 57225 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2991A-3 specifies the correct location of an existing irrigation well. Permit No. 2991-3 was to appropriate 3.90 cubic feet of water per second from two wells located in the centers of the SW1/4 Section 18 and the NW1/4 Section 19 to irrigate 270 acres located in the SW1/4 Section 18 and the NW1/4 Section 19; all in T115N, R48W. The correct location of the one developed well is in the NW1/4 NE1/4 NW1/4 Section 19 T115N, R48W. This Permit does not authorize any increase in the diversion rate from the existing well.
2. The amount of the appropriation may not exceed 3 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is August 26, 1976. (established by Water Permit No. 2991-3)
4. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

MAR 28 1991

(date)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 30" Depth 128'
- b) Casing Type FIBERGLASS Diameter 16" Thickness _____
- c) Screen Type STAINLESS STEEL Diameter 16" Thickness _____
- d) Gravel Pack Thickness 5" Length of Gravel Pack 20'
- e) Depth to Top of Water Bearing Material 31'
- f) Depth to Water (ground surface to water level) 41'
- g) Distance to nearest existing domestic well:
 On applicants property 700' On property owned by others 1900'

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

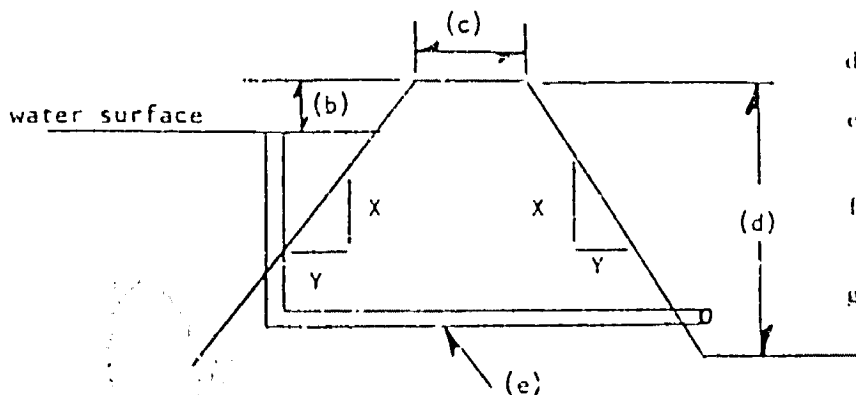
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Charles H. H. H.
 Sup. of Applicant

Report on Water Permit Application No. 2991A-3
Charles Atyeo
October 12, 1990

Application No. 2991A-3, Charles Atyeo, proposes to correct the location of the point of diversion covered under Water Right No. 2991-3. An inspection of Water Permit No. 2991-3 on April 18, 1990 found the diversion point to be in a different location than what was covered under the water permit. Water Permit No. 2991-3 listed two diversion points, well #1 was to be located at the center of the SW1/4 of Section 18-T115N-R48W and well #2 was to be located in the center of the E1/2 NW1/4 of Section 19-T115N-R48W. The actual location of the single diversion point is 1840' east and 50' south of the NW corner of Section 19. This diversion point is at a distance greater than 660' from either of the original points of diversion. The application proposes no additional diversion beyond the 3.9 cubic feet of water per second (cfs) already appropriated under Water Permit 2991-3. The inspection of Water Permit 2991-3 found that the total acreage irrigated is, 130 acres located in the NW1/4 of Section 19-T115N-R48W. Irrigation of 130 acres limits the diversion rate to 1.86 cfs. The inspection found that the pump capacity is 2.22 cfs. If Water Permit 2991A-3 is approved, a license allowing a maximum diversion of 1.86 cfs (835 gallons per minute) will be issued. The pump capacity will need to be reduced to this amount.

Water Source

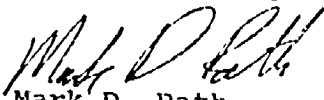
The proposed diversion point would be from a completed well which has been drilled to a depth of 128 feet into the Pleistocene Unknown Aquifer. The well is located within 1 1/2 miles of Observation well DU-78F. Water level records for the observation well reflect fluctuating readings when irrigation wells located in that aquifer are pumped.

Review of Existing Water Rights

There are several water rights located in the immediate vicinity of the diversion point. Only Water Right No. 4504-3, which is located approximately 2 miles away, has a diversion point which is located into this same aquifer. There would be no adverse interference expected.

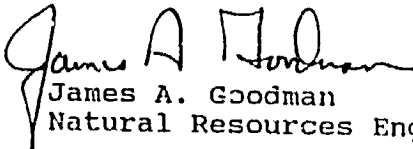
Conclusions

1. Water is available for the proposed diversion point from the Pleistocene Unknown Aquifer.
2. There is to be no additional diversion of water. The inspection of Water Permit No. 2991-3 found that based on acreage, the allowed diversion rate is 1.86 cfs and the Water Right will be licensed for 1.86 cfs.
3. The capacity of the pump should be reduced to 1.86 cfs.
3. There should be no adverse interference with existing Water Rights.
4. Observation well records reflect fluctuating readings when irrigation wells are pumped.



Mark D. Rath
Natural Resources Engineer II

Approved by:



James A. Goodman
Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2991A-3, Charles Atyeo

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2991A-3, Charles Atyeo, RR #2 Box 5, Clear Lake SD.

The Chief Engineer is recommending APPROVAL of Application No. 2991A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
October 22, 1990

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 26, 1990

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

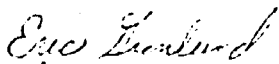
Charles Atyeo
RR #2 Box 5
Clear Lake SD 57226

Dear Mr. Atyeo:

Water Permit Application No. 2991A-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Courier printed at Clear Lake SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,



Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 26, 1990

Clear Lake Courier
Box 277
Clear Lake SD 57226

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 2991A-3 to be published twice. Please publish the first notice on or before November 8, 1990 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Charles Atyeo, RR #2 Box 5, Clear Lake SD 57226.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on or before November 8, 1990 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2991A-3
to Amend Water Permit No. 2991-3

Notice is given that Charles Atyeo, RR #2 Box 5, Clear Lake SD 57226 has filed an application for a water permit to specify the correct location of an existing irrigation well. Permit No. 2991-3 was to appropriate 3.90 cubic feet of water per second from two wells located in the centers of the SW1/4 Section 18 and NW1/4 Section 19 to irrigate 270 acres located in the SW1/4 Section 18 and NW1/4 Section 19; all in T115N-R48W. The correct location of the one developed well is in NW1/4 NE1/4 NW1/4 Section 19-T115N-R48W. This application does not authorize any increase in the diversion rate from the existing well.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2991A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposing the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 26, 1990. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Chief Engineer will act on this application in accordance with the above recommendation and no hearing will be held if the applicant does not contest the Chief Engineer's recommendation and no petition is filed opposing the application. If the applicant contests the recommendation or an interested person opposes the application, then the application will be considered by the Water Management Board. Petitions filed in support of the application will not require the Board to hear the application. The Board may conduct a hearing no sooner than 10:00 am, on December 5, 1990 at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City SD and the hearing may be rescheduled for a later date. If the hearing is rescheduled, notice will be given of the time and place. The above hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 26, 1990.

The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. This hearing is an adversary proceeding. Any person filing a petition opposing the application and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Deuel) ss.

I, Gary DeJong

certify that the attached printed Notice was taken
from the Clear Lake Courier

A newspaper which during the whole time of publication of
said notice herein after stated, has been and is printed and
published in the

city of _____ of Clear Lake

County of Deuel and State of South Dakota;
that the said notice was published in said newspaper on the
following two dates:

Nov. 7 1990

Nov. 14 1990

Gary DeJong
(Signature)

Publisher
(Title)

Nov 15, 1990
(Date Signed)

Cost of Printing: 49.68

My Commission Expires
January 29, 1998

5-88

NOTICE OF HEARING ON APPLICATION NO. 2991A-3 to Amend Water Permit No. 2991-3

Notice is given that Charles Atycor, RR #2 Box 6, Clear Lake, SD 57226 has filed an application for a water permit to specify the correct location of an existing irrigation well. Permit No. 2991-3 was to appropriate 3.90 cubic feet of water per second from two wells located in the centers of the SW 1/4 Section 18 and NW 1/4 Section 19 to irrigate 270 acres located in the SW 1/4 Section 18 and NW 1/4 Section 19; all in T116N-R48W. The correct location of the one developed well is in NW 1/4 NE 1/4 NW 1/4 Section 19-T116N-R48W. This application does not authorize any increase in the diversion rate from the existing well.

Pursuant to CL 46-2A-2, the Chief Engineer recommends the APPROVAL of Application No. 2991A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposing the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 623 E Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 26, 1990. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Chief Engineer will act on this application in accordance with the above recommendation and no hearing will be held if the applicant does not contest the Chief Engineer's recommendation and no petition is filed opposing the application. If the applicant contests the recommendation or an interested person opposes the application, then the application will be considered by the Water Management Board. Petitions filed in support of the application will not require the Board to hear the application. The Board may conduct a hearing no sooner than 10:00 am, on December 6, 1990 at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City, SD and the hearing may be rescheduled for a later date. If the hearing is rescheduled, notice will be given of the time and place. The above hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for the automatic delay must be filed by November 26, 1990.

The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. This hearing is an adversary proceeding. Any person filing a petition opposing the application and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 43-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2; 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Nov. 7 & 14

NOTICE OF WELL CONSTRUCTION

Serial

(1) WELL CONSTRUCTION

Location of well: 1/4 NW 1/4 Section 19 Township 115 Range 48

Well owner: Atyea Bros. Clear Lake
(Name) (Address)

Date well drilling completed 6-9-77 Purpose of well irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	
<u>0-1</u>	<u>Topsoil</u>	<u>41</u>	ft.
<u>1-4</u>	<u>Sandy Yellow Clay</u>	<u>25</u>	ft.
<u>4-10</u>	<u>Gravel (Dry)</u>		
<u>10-35</u>	<u>Yellow Clay</u>	<u>128</u>	ft.
<u>35-41</u>	<u>Yellow Clay 1/2 gravel</u>		
<u>41-44</u>	<u>Gravel</u>		
<u>44-45</u>	<u>Yellow clay</u>		
<u>45-63</u>	<u>Blue clay</u>		
<u>63-67</u>	<u>Rocks</u>		
<u>67-97</u>	<u>Blue clay</u>		
<u>97-103</u>	<u>Gravel & B. clay layers</u>		
<u>103-111</u>	<u>Blue clay</u>		
<u>111-128</u>	<u>Gravel</u>		

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

16" fiberglass

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

10' .180 stainless steel 16"
20' .060 " " "

If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Empire Irrigation Drilling Co.
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump _____ HP

Type of pump _____ Capacity of installed pump _____ G.P.M.

Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____



Name of Pump Installation Contractor

Permit No. 2991A-3
Minnesota River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DENR, Foss Bldg., Pierre, SD 57501

On April 18, 1990 I made a thorough examination of the water use system constructed by Charles Atyeo of Rt 2 Box 5, Clear Lake SD holder of Permit No. 2991A-3 and 2991-3, bearing the priority of 8/26/1976 authorizing the diversion of 3.9 cu. ft. per second of the waters of ground water for irrigation purposes, in Deuel County.

I have to report on the conditions of the same as follows:

- A. Works used to divert the water:
A Wester Land Roller pump with a 1000 gpm capacity.
- B. Works used to transport water to place of use:
1400 feet of 8 inch PVC.
- C. Works used to apply water to beneficial use:
A 1240 foot center pivot with end gun and a 300 foot tow line.

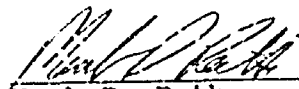
The system is in the following condition good. The point of diversion is located from the NW corner of Section 19 T115N-R48W; 1840' E and 50'S. The works are capable of diverting and conveying to the place of use 3.23 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All land located in Section 19 T115N-R48W:
NW1/4 NW1/4 - 31 ac NE1/4 NW1/4 - 37 ac
SE1/4 NW1/4 - 31 ac SW1/4 NW1/4 - 31 ac

comprising a total of 130 acres of land and the license should be issued for 1.86 cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: none Date: 3/9/1994



Mark D. Rath
Natural Resources Engineer
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 2991A-3

DATE OF INSPECTION: 4/13/1990

Other permit(s) associated with the project: 2991-3

DIVERSION POINT LEGAL LOCATION: From the NW corner of Section 19 T115N-R48W:
1340 feet East and 50 feet South.

WELL INFORMATION:

1) Well Drilling Firm: Empire Irrigation Drilling
Co. Inc.

2) No. of Wells 1

3) Depth(s) 128 feet

4) Well log is available Y

5) Comment:

Casing:

1) Diameter 16 inches

2) Length 98 feet

3) Type fiberglass

Screen:

1) Type stainless steel

2) Length 30 feet

3) Static water level 35 feet

Pump:

1) Make Western Land Roller

2) Model ?

3) Size ?

4) Capacity 1000 GPM

Motor:

1) Make US Electrical

2) Model No. 365TP

3) Horsepower rating 75 hp

DISTRIBUTION LINES OR CANALS:

1) Type PVC 2) Size 8 inches 3) Length 1400 feet

SYSTEM TYPE:

Center pivot:

1) Make Electorogator

2) Overall length 1240 feet

3) Number of towers 8

4) End gun Y

5) High or low pressure High

6) Capacity 1000 GPM

Towline:

1) Length 300 feet

2) Diameter 6 inches

3) Spacing of sprinklers 30 feet

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

Water Rights Division - DWR
Conversation or File Documentation

File No. 2991-3

NAME OF PERSON OR FILE: CHARLES ATYED

ADDRESS: R2 Box 5 COUNTY DEUEL

DATE: 6/6/90 TELEPHONE 874-2704

RE: CHANGE OF DIVERSION POINT FOR PERMIT 2991-3

COMMENTS:

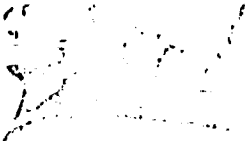
Called CHARLES ATYED ABOUT THE CHANGE IN
THE DIVERSION POINT FOR WATER PERMIT 2991-3. I
EXPLAINED TO HIM THAT THE WELL LOCATION WAS GREATER
THAN 660' FROM ORIGINAL LOCATION SO HE WOULD NEED
TO FILE A NEW APPLICATION

HE WANTED TO KNOW IF HE WOULD KEEP THE ORIGINAL
PRIORITY DATE WITH THE NEW
PERMIT I TOLD HIM HE WOULD.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Mark V. [Signature]

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

MAR 28 1991

Charles Atyeo
Rt 2 Box 5
Clear Lake, SD 57226

Dear Mr. Atyeo:

Enclosed is Water Permit No. 2991A-3 For Irrigation as approved by the Water Management Board authorizing your water diversion system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 11, 1994

Permit No. 2991A-3

Charles Atyeo
Rt 2, Box 5
Clear Lake, SD 57226

Dear Mr. Atyeo:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 2991-3 and 2991A-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 2991-3 will be incorporated into 2991A-3.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads 'Cheryl F. Frost'.

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

June 9, 1994

SECOND NOTICE
Permit No: 2991A-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Charles Atyeo
Rt 2, Box 5
Clear Lake, SD 57226

Dear Atyeo:

On March 11, 1994, you were notified the final inspection fee of \$50.00 is due before Water License No. 2991A-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501-3181

According to South Dakota Water Law 46-5-30.1, you may not divert water until the License fee is paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

RECEIPT

414223

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ July 18, 19 24

RECEIVED OF Charles Atyeo, RR 2 Box 5, Clear Lake, SD 57226
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>2291A-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John H. Haldeman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOV 14 1994

2991A-3

Charles Atyeo
Rt 2, Box 5
Clear Lake, SD 57226

Dear Mr. Atyeo:

Enclosed is Water License No. 2991A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414223 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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. 2991A-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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

gm
enclosures

NOTE: The applicable portions of Water Permit No. 2991-3 have been incorporated into this Water License No. 2991A-3.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, August 24, 1930

RECEIVED OF Charles Atyco, RR #1 Box 5, Clear Lake SD 57226

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

Fee for Application for Permit No. 2991A-3 to Appropriate Water, to construct works and to put water to beneficial use	50	00
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. _____		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for (Any Other Work Provided by Law)		
Total	50	00

By *W. H. A. McLeod*
Chief Engineer

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will be sent to whom the article was delivered and the date delivered.

3. Article Addressed to:

Charles Atyeo
Rt 2, Box 5
Clear Lake, SD 57226

4a. Article Number
2991A-3

4b. Service Type
☐ Registered
☒ Certified
☐ Express Mail
☐ Insured
☐ COD
☐ Return Receipt for Merchandise

5. Signature (Addressee)
Charles Atyeo

6. Signature (Agent)
SHF

7. Date of Delivery
6-18-94

8. Addressee's Address (Only if requested and fee is paid)

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

DOMESTIC RETURN RECEIPT

PS Form 3811, December 1991 U.S. GPO: 1992-323-402

Thank you for using Return Receipt Service.



2991A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 22, 1999

NOTICE

TO: CHARLES ATYEO, RR 2 BOX 5, CLEAR LAKE, SD 57226 9703

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2245-3A & 2991A-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2245-3A & 2991A-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:45 am, March 3, 1999 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2245-3A & 2991A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



2991A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
623 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/deir

February 9, 1999

2245-3A
2991A-3

Charles Atyeo
RR 2 Box 5
Clear Lake, SD 57226-9703

Dear Mr. Atyeo:

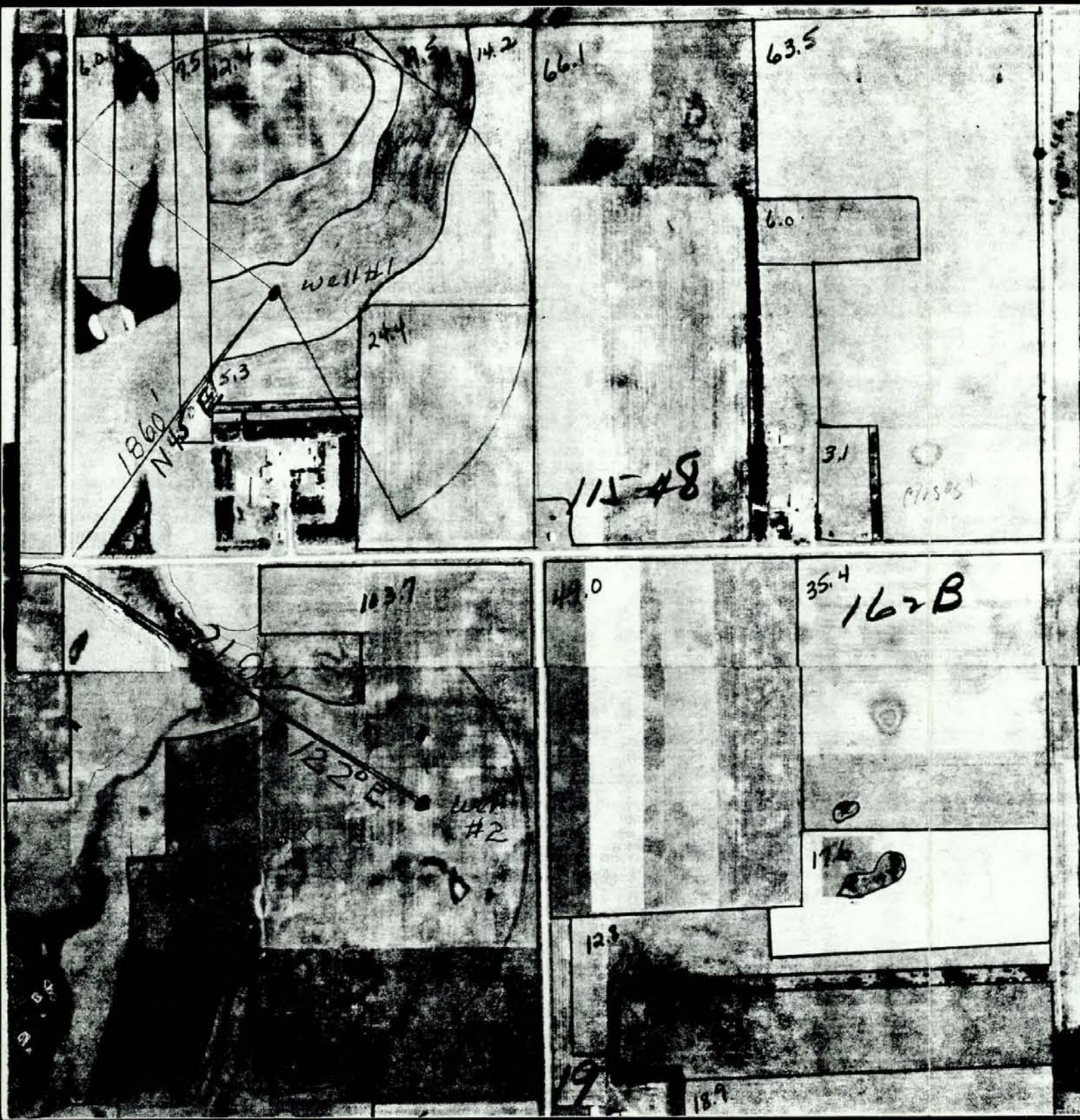
I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right Nos. 2245-3A and 2991A-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



ATYEO BROS.

Irrigation Project #2

Clear Lake

S. Dakota

Brookings County

Water Claimed - 39 cfs

Acres Irrigated - 270

Point of Diversion - well #1 - 1860' N 45° E

& SW Corner Sec 18 well #2 - 2100'

N 122° E & NW Corner Sec 19

both T 115 R 48

Scale - 1" = 660'

SURVEYOR'S CERTIFICATE

I, John L. Williams do hereby certify
that this map identifies a reasonably
accurate record of the land of

Atyeo Bros.

Clear Lake

Brookings County

Drawn by PW

John Williams

South Dakota

8-19-76

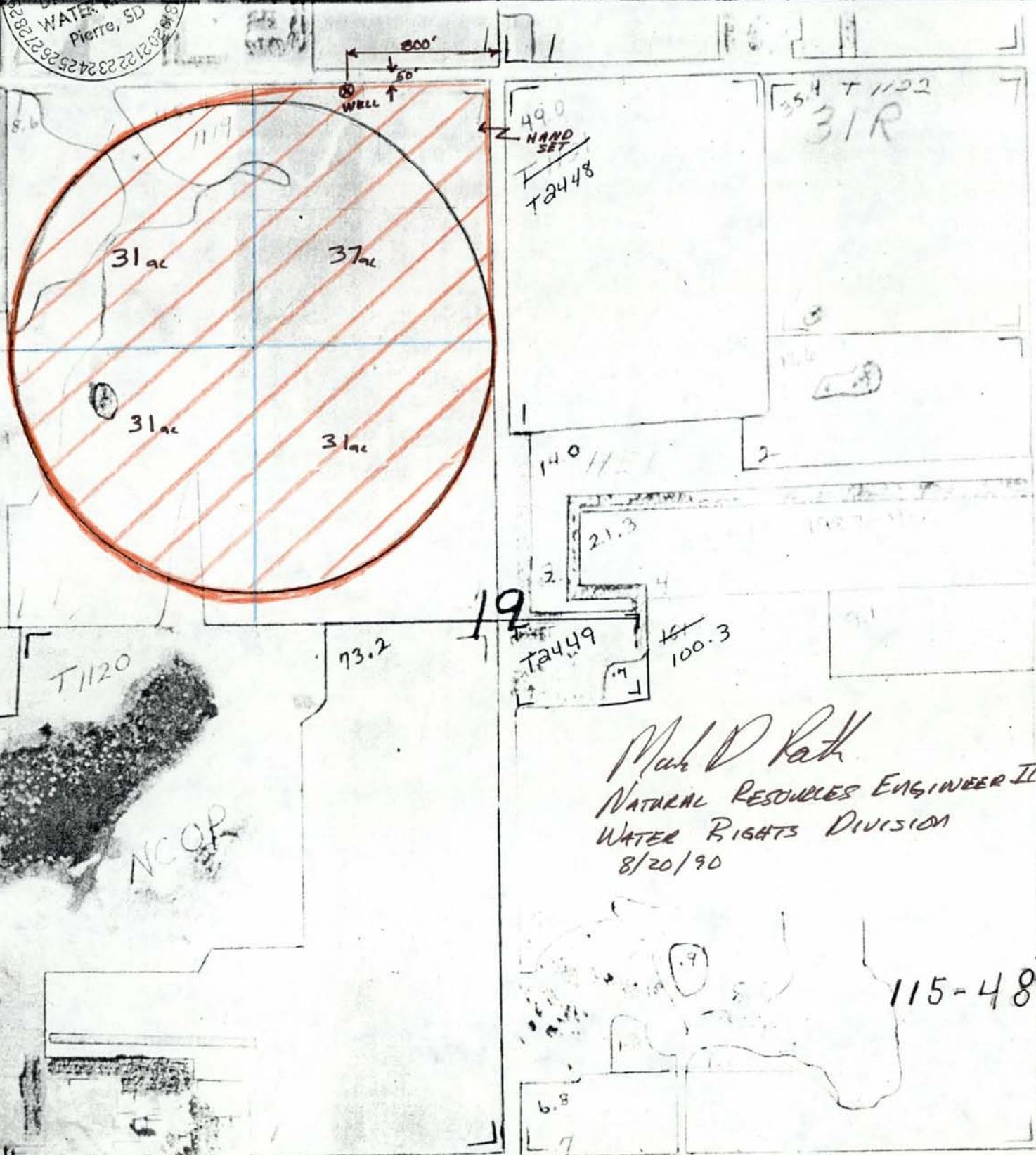
P.E. #1916

Brookings

APPLN 2491-3



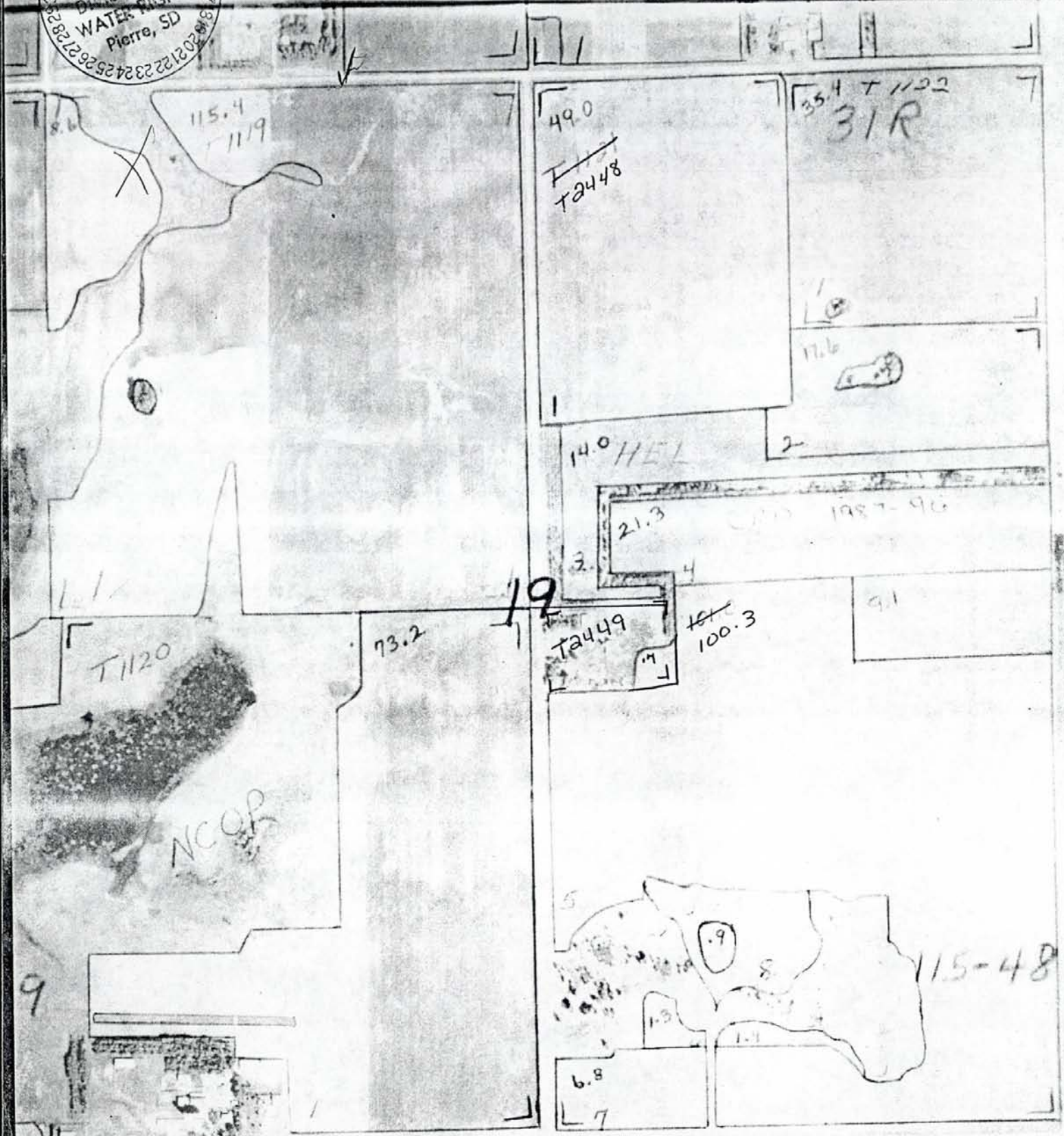
NOT TO SCALE



2991-3



NOT TO SCALE





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: CHARLES ATYEO, 47822 181 ST, CLEAR LAKE, SD 57226 5404
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2991A-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2991A-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:30 am, March 2, 2006 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2991A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4657

Your item was delivered at 8:36 am on January 25, 2006 in CLEAR LAKE, SD 57226. The item was signed for by C ATYEO.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)



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Signature Confirmation

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 4657

CHARLES ATYEO
47822 181 ST
CLEAR LAKE SD 57226 5404

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 25, 2006

2991A-3

Charles Atyeo
47822 181st St
Clear Lake SD 57226-5404

Dear Mr. Atyeo:

I am writing to acknowledge receipt of the information for your 2005 irrigation questionnaire. I completed a form for you based on our telephone conversation. Enclosed is a copy for your records.

You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 2991A-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



299/A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2013

NOTICE

TO: CHARLES ATYEO, 47822 181ST ST, CLEAR LAKE, SD 57226 5404
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2991A-3 & 7308-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2991A-3 & 7308-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2991A-3 & 7308-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 2013

2991A-3
7308-3

Charles Atyeo
47822 181st St
Clear Lake SD 57226 5404

Dear Mr. Atyeo:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 2991A-3 and Water Permit No. 7308-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

2991A-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

SEP 30 2021

2991A-3
7308-3

Chuck Atyeo
47822 181st St
Clear Lake SD 57226

Dear Mr. Atyeo:

Enclosed is Water License No. 7308-3. 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 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, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The applicable portions of Water Right No. 2991A-3 were incorporated into Water License No. 7308-3.