

1. Considered MAY 22 1980
 2. Name of Applicant FRANK & JOYCE NORDMAN
 3. Post Office Address RR 4, BOX 150, #10, YANKTON, SD
 4. Amount of Water Claimed .05
 5. Source of Water Supply DNE 60' WELL
 6. Water to be used for TRAILER COURT
 7. Acres to be irrigated — maximum — acre feet
 8. Water to be diverted and used in YANKTON County
about 2 3/4 miles SOUTH of MISSION HILL
 9. PROOF OF PUBLICATION Received (initials) 5-12-80
Not received —
- APPLICATION Approved 5-22-80
Subject to OK
Not Approved —
Action deferred —

Priority Date
3-27-80 Received 3-27-80 Application Complete yes X no — FEE 150.00

Remarks wrote for feasibility & map
Had to return 4/14/80 as map was not signed.
In operation since 1971
Date information and/or
fee or corrected Application received ~~4-18-80~~ 4-18-80
Period of Annual use —

~~WATER
QUALITY~~
N/A

Received yes — no — APPROVED/CONDITIONAL (Circle one)
WI-1 Description same as application yes — no — Remarks —

Disapproved —

Returned —

		*			

Diversion Point —

NW 4 NW 4 13-43-55

Lands to be irrigated —

WELL
LOG

Remarks Have from 24" well some water
available.

Driller — Licensed yes — no —

Depth 60 ft

MAP Map No. 3725-3 Map located in Water Right X Map file _____
 Type of Map Aerial Prepared by ASES

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 5-22-80.
[Signature]
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
 F.F. & C Final Decision, including F.F. & C of Law were adopted _____
 OF LAW, Date _____
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision
 DECISIONS was adopted _____
 ETC
 Remarks _____

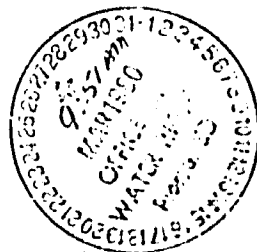
NOTED BY _____

2 1/2 S
10-11-87

Form 2 - Application for Permit to Appropriate Water - Original (Includes Approval and Permit)

No. 4501-3

Map No. 3725-3 Water Division No. 3 JAMES RIVER District
Above for Office Use 10160011



APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐

Change in Diversion ☐ Additional Diversion ☐

Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Frank & Joyce Nordman Phone No. 665-9228

Post Office Address RR 4, Box 150, Trailer 10, Yankton S.D. 57078 (Zip Code)
(Street, RR, or Box) (Town)

If a corporation show date and place of incorporation

2. Method of accomplishing work (contract, employment of others, or by direct labor)

3. Name of diversion work NORDMAN WELL

4. Amount of water claimed (cubic feet per second) 20 GPM 0.05 CFS

5. Source of water supply well

6. Location of point of diversion NW 1/4 - NW 1/4, Section 13-93-55, Lot D

County Yankton

7. Annual period or periods during which water is to be used all year

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) trailer court operation
Total number of acres to be irrigated (37 Hookups)

9. For irrigation use,

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.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Yankton Press and Dakotan

12. Principal Features of the Proposed Water Supply System.

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

B. Works proposed to transport water to place of use. 1 horsepower submersible pump.
Delivers 20 gallons per minute at 60 lbs. of pressure

C. Works proposed to apply water to beneficial use. 37 hook-ups

Estimated Total Cost \$

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

STATE OF SOUTH DAKOTA)

County of Yankton) ss

I, FRANK NORDMAN 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

Frank Nordman

Subscribed and sworn to before me this 21st day of

MARCH, 1980

Notary Public (or other qualified officer)

Commission expires 10-19-87

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 4501-3

FRANK & JOYCE NORDMAN RR 4 - Box 150, YANKTON
(Applicant) (Post Office Address)
SOUTH DAKOTA 57078 TRAILER #10
(State) With the following qualifications.

Date of first receipt of application MARCH 27, 1980
Date of return to applicant for correction, amendments or changes required APRIL 14, 1980
Date of receipt of corrected application APRIL 18, 1980
Approved MAY 22, 1980, Recorded in Book 21 Page 183

WATER RIGHT PERMIT NO. 4501-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4501-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MARCH 27, 1980
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~ 1980
3. The whole of said work is ~~to be~~ completed ~~on or before~~ 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED, 1980
5. The water appropriated shall be used for the purpose of A TRAILER COURT

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 .05 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 use served, and if for irrigation purposes said appropriation must be limited to not more than 2 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
USED FOR TRAILER COURT OPERATION
for irrigation on or before THIS DATE, 1980; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 30th day of MAY, 1980

THE BOARD OF WATER MANAGEMENT

By:

John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____



Yankton So. Dak.
April 1-1980

Dear Madam:-

The development of the
trailer court is 10 acres
which is the NW $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 13-93-55 in
Yankton County S.D.

It was started in
1971 with 37 hookups
and no expansion ever
planned.

I am sending the
aerial photo and marked
the well.

Thank you.

Frank Vardman.

RR 4, Box 150 to 10
Yankton S.D.

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to Form 2)

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

D. Well Information

- (1) Drill Hole, Diameter 30 inches, Depth 60 ft.
- (2) Casing, Type plastic, Diameter 6 ft., Thickness 3/16"
(wood, concrete, steel, etc.)
- (3) Screen, type plastic, Diameter 1/8", Length 10 ft.
- (4) Gravel Pack, Thickness 12", Length of gravel pack 15'

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout test well log not available

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

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

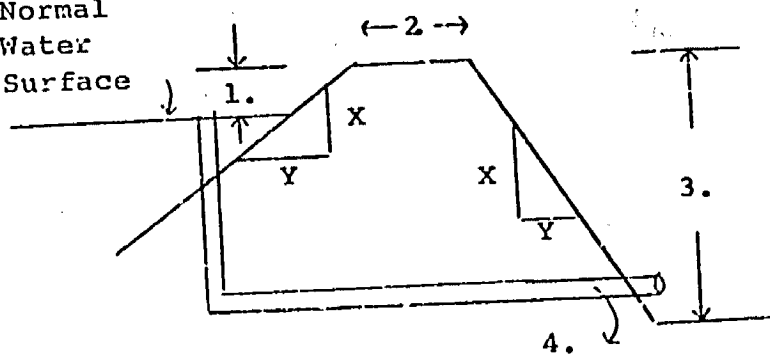
On same owner's property _____ rds.

On property owned by others 40 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.

Normal
Water
Surface



1. Freeboard _____
2. Crest width _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
Drainage area above dam _____

Archie Mardman
Signature Applicant

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7421

RECEIVED OF Frank E Joyce Nordman, RR 4, Box 150, Yankton SD PIERRE, March 27, 1900
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. <u>1501-1</u> (examination, processing, recording and filing) -----	150	00
Fee for Inspecting Construction, and issuing Cert. of Construction No. -----		
Fee for Inspecting Beneficial Use, and issuing Water License No. -----		
Fee for issuing Location Certificate-Dry Draw, No. -----		
Fee for filing -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for ----- (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH kw

No. 4501-3

Publish first publication, on or before May 4, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 21, 1980

Notice is hereby given that Frank & Joyce Nordman whose post office

address is Yankton, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .05 cubic feet of water per second of time from groundwater

(one well) through the Nordman well, the point ~~xxx~~ of diversion of which is ~~xxx~~ to be located in the NW 1/4 NW 1/4

of Section 13, Twp. 93N, Range 55W. Said water to be used for the purpose of providing ~~irrigation on the following described lands~~

water supplies for a trailer court operation

This Application No. 4501-3 will be considered by the Water Management Board at Civil Defense Meeting Room
State Capitol Building, Pierre, South Dakota upon the 22nd day of May, 1980

at 10 A. M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Colin D. Monfore
PRESS & DAKOTAN
Yankton SD 57078

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79
GROUNDWATER

No. 4501.3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Yankton)

I, Larry Benson hereby

certify that the annexed printed copy of Notice of Intent to Appropriation

Water was taken from the Yankton Daily Press & Dakotan

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

Press & Dakotan of Yankton

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

May 1, 1980

May 8, 1980

Larry A. Benson
(Signature)

Business Manager
(Title)

5-9-80

(Date Signed)

NOTICE OF HEARING ON APPLICATION
TO APPROPRIATE WATER

Pierre, South Dakota 57501
April 21, 1960

Notice is hereby given that Frank and Joyce Nordman whose post office address is Yankton, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-14; 46-2-1 thru 46-2-11; 46-3-1; 46-5-1 thru 46-5-3; 46-5-10 thru 46-5-12; 46-5-11; 46-5-3, 46-5-3.1, 46-5-5, 46-5-6.1, 46-5-10, 46-5-11 and Board Rules ARSD 32:01:01.01 thru 32:01:01.13, for a permit to appropriate for beneficial use .05 cubic feet of water per second of time from ground water (one well) through the Nordman well, the point of diversion of which is to be located in the NW¼ NW¼ of Section 13, Twp. 83N, Range 55W. Said water to be used for the purpose of providing water supplies for a trailer court operation.

This Application No. 4501-3 will be considered by the Water Management Board at Civil Defense Meeting Room State Capitol Bldg., Pierre, South Dakota upon the 22nd day of May 1980 at 10 a.m. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-25 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person, wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD
BETTY WESTLUND
Water Rights Specialist



Blackburn Law Offices

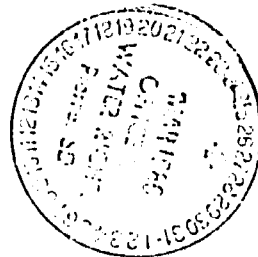
ATTORNEYS AT LAW

4TH & DOUGLAS

YANKTON, SOUTH DAKOTA 57078

March 24, 1980

JOHN P. BLACKBURN
ASSOCIATES
MICHAEL D. STEVENS
DONNA K. DIETRICH



TELEPHONE
365-5550

Water Management Board - Water Rights
Department of Water and Natural Resources
Joe Foss Building,
Pierre, South Dakota, 57501

Dear Sirs:

Enclosed is an Application for a Water Permit from Frank and Joyce Nordman, owners of Country Acres Trailer Court in Yankton, South Dakota. This well was dug quite some time ago, but during recent inspections by your department, the Nordmans were told that they should now obtain a water permit. Since a well is already dug, some of the information is not available. Number 4 on the Application for Permit, amount of water claimed, has been left blank because the Nordmans do not know how much water they use. Their pump can deliver 20 gallons per minute but they do not use that steadily.

If you have any questions on this Application, please contact either the Nordmans or myself.

Yours very truly,

BLACKBURN LAW OFFICES

Donna K. Dietrich

Donna K. Dietrich

DKD/am

Encl.

June 3, 1980

Frank & Joyce Nordman
RR 4, Box 150
Yankton SD 57078

Dear Mr. & Mrs. Nordman:

Enclosed herewith is your Water Right Permit No. 4501-3 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 4501-3.

The Board will schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Right.

You should be aware that the use of water proposed under this Permit may come under the requirements of the Safe Drinking Water Act. For information regarding this Act you should contact: Mark Steichen, Administrator, Office of Drinking Water, DWR, Foss Building, Pierre SD 57501. Phone No. 773-3754.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:kw

enclosure

4501-3

Yankton So Dak.
June 26, 1989

Dept of water & Natural Resources
Joe Foss Building
523 East Capitol

Dear Sir:-

I am writing to inform you
we have sold Country Acres Mobile
Court at Yankton South Dakota
as of July 1st 1989.

We sold to:

Mark Wuebben

P.O. Box 97

Yankton 57078

South Dakota

I have given him all my papers
of water surveys also chemical
analysis data and my water
rights for the well.

Thank You,

Frank Nordman

810 E 13th apt 31

Yankton 57078

South Dakota

 **Department of
Water & Natural Resources**

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

June 28, 1989

4501-3

Mark Wuebben
PO Box 97
Yankton, SD 57078

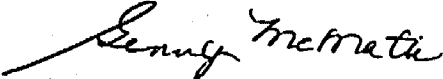
Dear Mr. Wuebben:

Mr. Frank Nordman has notified us that he has sold the Country Acres Mobile Court to you effective July 1, 1989. Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Permit No. 4501-3. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure





No. 4501-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 8/18/89

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

(diversion point) Lot 6 NW 1/4 NW 1/4 Section 13, T93N, R55W

formerly owned by Frank and Joyce Nordman

has been transferred to Marion B. Wulfsberg PO Box 97, Yankton, SD 57078

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water ~~Right~~ Permit No. 4501-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Yankton) ss.

I, Marion B. Wulfsberg 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.

Marion B. Wulfsberg
(Signed)

Subscribed and sworn to before me this 18th Day of AUGUST, 1989.

[Signature]
(Notary Public) 8-21-93

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411923

Pierre, September 28, 1950

RECEIVED OF Marcus B. Wubben, P.O. Box 97, Yankton, SD 57079

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. _____		
Fee for Filing Transfer Form <u>Water Permit No. 4501-3</u>	2	50
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	2	50

By John Hatchara
Chief Engineer John Hatchara

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

September 29, 1989

4501-3

Marcus B Wubben
PO Box 97
Yankton SD 57076

Dear Mr. Wubben:

Enclosed is receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 4501-3.

Our records now show you as the owner of this Water Permit.

Sincerely,

Karen Schlaak

KAREN SCHLAAK
Senior Secretary
605 773-3352

enclosures



Permit No. 4501-3
James River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, September 15, 1998, made a thorough examination of the water use system owned by Eddi Wohl, dba Wohl's Country Acres of 406 Mulberry, Yankton SD 57078 holder of Permit No. 4501-3, bearing the priority of March 27, 1980 authorizing the diversion of 0.05 cu. ft. per second of the waters of ground water for commercial purposes, in Yankton County.

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

A. Works used to divert the water:

Pump/Motor:

- 1) Make unknown submersible
- 2) Size 1 hp
- 3) Capacity 20 GPM

B. Works used to transport/apply water to place of use:

Water delivery to homes for lawn watering via court distribution system. The trailer court is currently hooked to B-Y Rural Water for the potable water supply.

The system is in the following condition good. The point of diversion is located Well: 800 feet S and 660 feet E from the NW corner of section 13-T93N-R55W (NW1/4NW1/4). The works are capable of diverting and conveying to the place of use 0.05 cu. ft. per second of water which is to be used for lawn watering in a trailer court. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.05 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none Date report completed: December 23, 1998.



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 4501-3

DATE OF INVESTIGATION	September 15, 1998
NAME & ADDRESS OF INVESTIGATOR CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Eddie Wohl
NAME & ADDRESS OF PERMIT HOLDER	Wohl's Country Acres 406 Mulberry Yankton SD 57078
DIVERSION POINT LEGAL LOCATION	Well: 800 feet S and 660 feet E from the NW corner of section 13-T93N-R55W (NW $\frac{1}{4}$ NW $\frac{1}{4}$)

Other permit(s) associated with the project: none

WELL INFORMATION:

- 1) Well Drilling Firm: unknown
- 2) No. of Wells 1
- 3) Depth(s) 60 feet
- 4) Well log is available N

Pump/Motor:

- 1) Make unknown submersible
- 2) Size 1 hp
- 3) Capacity 20 GPM

DISTRIBUTION LINES OR CANALS:

Water delivery to homes for lawn watering via court distribution system. The trailer court is currently hooked to B-Y Rural Water for the potable water supply.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 28, 1998

4501-3

Eddie Wohl
Wohl's Country Acres
406 Mulberry
Yankton, SD 57078

Dear Mr. Wohl:

On September 15, 1998, Ron Duvall, a staff engineer with our program, conducted an investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 4501-3. Your final water right document, the Water License, can now be issued.

Statutes require 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 begin processing your Water License.

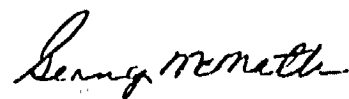
I noticed when reviewing the file that the water permit is still listed in the name of Marcus B Wubben. Prior to licensing, the permit will need to be transferred to your name. Enclosed is a partially completed "Notice of Transfer of Ownership" form. Please complete the portion titled "be transferred to: (name & address)....". Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50.

The total amount due for transfer and licensing is \$52.50. Please remit the fee to:

Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

If I can answer any questions for you, please give me a call.

Sincerely,


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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 6, 1999

Permit No. 4501-3

REMINDER NOTICE

TO: Eddie Wohl, Wohl's Country Acres, 406 Mulberry, Yankton, SD 57078

FROM: Delvin D Brosz, PE, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Water License/Investigation Fee Requirement

On December 28, 1998, we advised you that a \$50.00 fee is due for the completed investigation of Water Permit No. 4501-3. The fee also covers issuance of your water license which is the final document in obtaining and perfecting a water right.

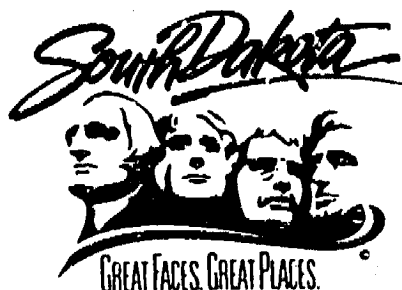
To date, we have not received the \$50.00 fee; therefore, we can not issue the water license. Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by any permit requirements.

In our December letter, we also forwarded a "Notice of Transfer of Ownership" form to be used for transferring the water permit from Marcus B Wubben to Wohl's Country Acres. In the event you no longer have the original form, enclosed is an additional one. In order for the water permit to be transferred to you name, you will need to complete the form and sign it in the presence of a notary. A \$2.50 filing fee is required.

Please return the completed transfer form and a total of \$52.50 as soon as possible. In addition, South Dakota water law does not allow water to be diverted until the license fee is paid. To avoid jeopardizing your ability to use water, please send the fee to the following address:

Department of Environment and Natural Resources
Water Rights Program
523 E Capitol
Pierre SD 57501-3181

Thank you for your prompt response. If you have any questions or believe our records are in error, please contact Genny McMath at (605) 773-3352.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 27, 2000

THIRD NOTICE
Permit No. 4501-3

NOTICE OF ORDER TO STOP DIVERTING WATER
UNDER PERMIT NO. 4501-3 FOR
FAILURE TO SUBMIT WATER LICENSE INSPECTION FEE

Eddie Wohl
Wohl's Country Acres
406 Mulberry
Yankton, SD 57078

Dear Mr. Wohl:

On December 28, 1998, and April 6, 1999, you were notified the final inspection fee of \$50.00 and Transfer of Ownership Fee of \$2.50 (\$52.50 total) is due before Water License No. 4501-3 can be issued. To date, the fee has not been received. We also had included a partially completed Transfer of Ownership form. I am enclosing another one to be completed by you so that this water permit can be transferred into your name.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Pursuant to SDCL 46-2-17 and 46-2-18, you are ordered to stop diverting any water authorized by Permit No. 4501-3 until the \$52.50 fee is paid. Please remit the License and Transfer of Ownership fee to the Department of Environment and Natural Resources, Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181.

Sincerely,

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

4501-3

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- 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 show to whom the article was delivered and the date delivered.

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Eddie Wohl
Wohl's Country Acres
406 Mulberry
Yankton, SD 57078

4501-3

4a. Article Number

P 422 707 507

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

5-6-80

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Eddie Wohl

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 4501-3



Date: 5-30-2000

I/We request that Water Permit No. 4501-3

formerly owned by: Marcus B Wubben

be transferred to: (name & address) Eddie Wohl

406 Mulberry YANKTON SD Telephone No. 1-605-665-5643

Title to the following described land(s)/property has been transferred as described above:

(diversion point) NW 1/4 NW 1/4 Section 13, T93N, R55W

I/We understand that the validity of Water Permit No. 4501-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 45-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of YANKTON)

I/We _____ 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 that I know of my own personal knowledge that the information herein stated is true.

Eddie Wohl
(Signed)

Subscribed and sworn to before me this 2nd day of June, 2000.

Bryce Mikony
(Notary Public) 5-25-06

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416542

Pierre, June 7, 2000

RECEIVED OF Eddie Wohl, 406 Mulberry, Yankton, SD 57078
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. 4501-3

Fee for Filing Transfer Form Water Permit No. 4501-3

Fee for Filing Extension Request _____

Fee for _____

50 00

2 50

(Any Other Work Provided by Law)

Total

52 50

By

Harland Eskeli
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 20 2000

4501-3

Eddie Wohl
406 Mulberry
Yankton, SD 57078

Dear Mr. Wohl:

Enclosed is Water License No. 4501-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416542 in the amount of \$52.50 which you paid for the investigation, issuance and transfer 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. 4501-3, 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,

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

gm
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4501-3

(1) Frank and Joyce Nordman made Application No. 4501-3, March 27, 1980 for a water permit to divert 0.05 cubic feet of water per second from ground water (one well), Yankton County, South Dakota for commercial purposes. Permit No. 4501-3, with a priority date of March 27, 1980 was approved May 22, 1980 and issued to the applicants for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

The following ownership changes have been filed with Water Permit No. 4501-3:

- September 28, 1989: transferred from Frank & Joyce Nordman to Marcus B Wubben;
- June 7, 2000: transferred from Marcus B Wubben to Eddie Wohl

(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 0.05 cubic feet of water per second for beneficial use. The location of the diversion point is 800'S and 660'E of the NW corner of Section 13, T93N, R55W (NW 1/4 NW 1/4).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use through the trailer court distribution system to water lawns. The trailer court is hooked to the B-Y Rural Water System for their potable water supply.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Eddie Wohl, 405 Mulberry, Yankton, SD 57078 the holder and/or owner of Water Right No. 4501-3 is issued a license to appropriate water, the right to use 0.05 cubic feet of water per second from ground water (one well) with a priority date of March 27, 1980 from the location specified in (2) of this license, for commercial purposes. This license is subject to any limitations or qualifications listed in Water Right No. 4501-3 and subject to South Dakota State Law.

Garland Erbele

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

JUN 20 2000

date



January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

EDDIE WOHL
406 MULBERRY
YANKTON SD 57078

Address correction requested:

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right N. 4501-3. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: MISSOURI
Management Unit: NOT APPLICABLE

County: YANKTON
Pumping Pt. Legal: SEC 13-T093N-R55W
Type of Water Use: COMMERCIAL

- 1) Please estimate your year 2000 water use from the above water source: _____ gallons
2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments: B-y water
well water used for lawns &
washing of cars - amount used
unknown

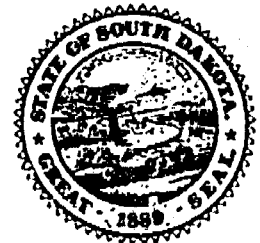
Contact Person: Eddie Wohl

Telephone No: 1-605-665-5643

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2000 water use questionnaire.

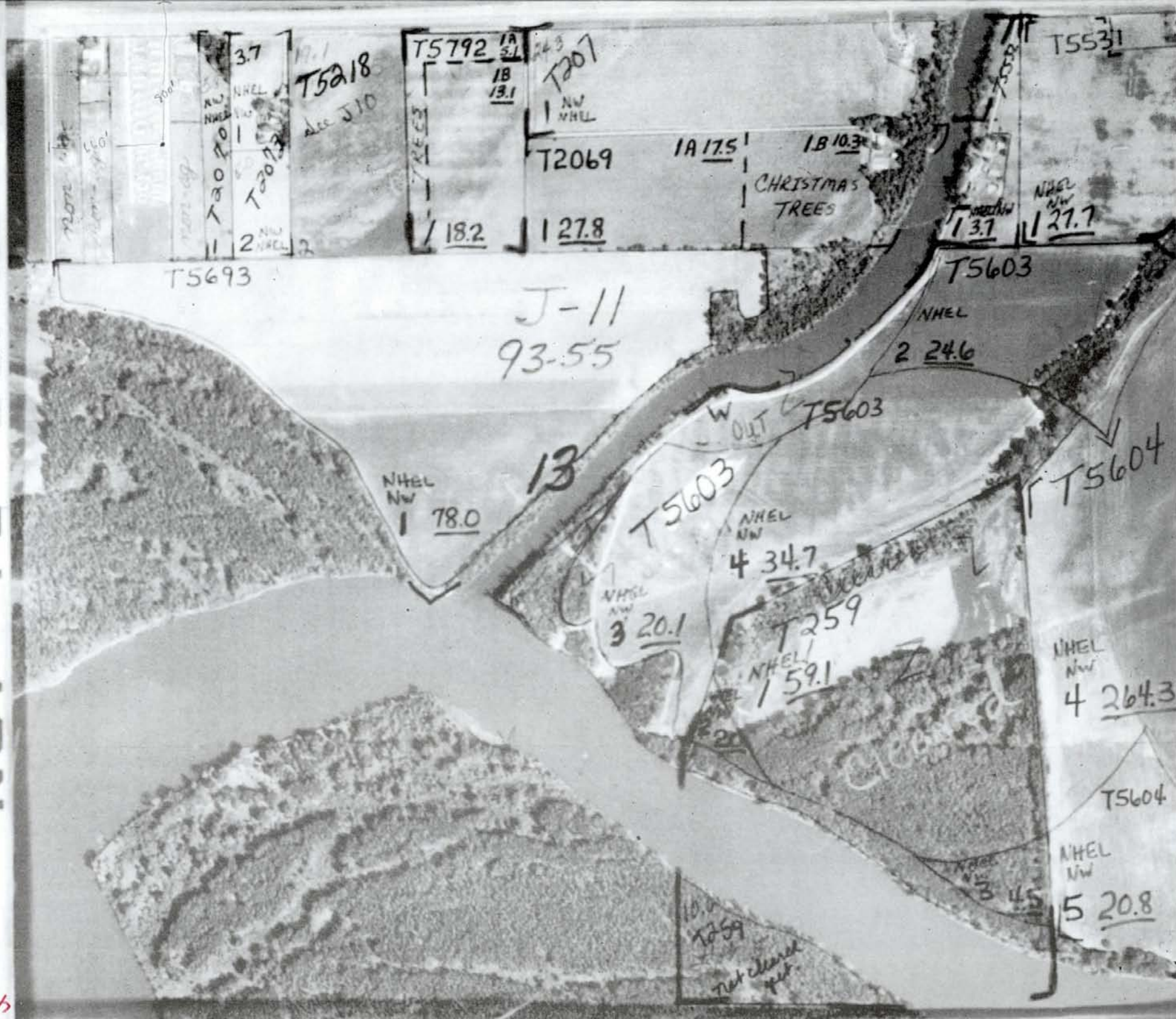
Water Rights on the Web: www.state.sd.us/denr/wr



1995

NOT TO SCALE

E-1051



NOT TO SCALE

Section Line

Highway # 50

Jane P. Miller
County Extension
Well Location

Well

173

6.0

Transferred
to City

24.3

26.4

R-37

80.6

18

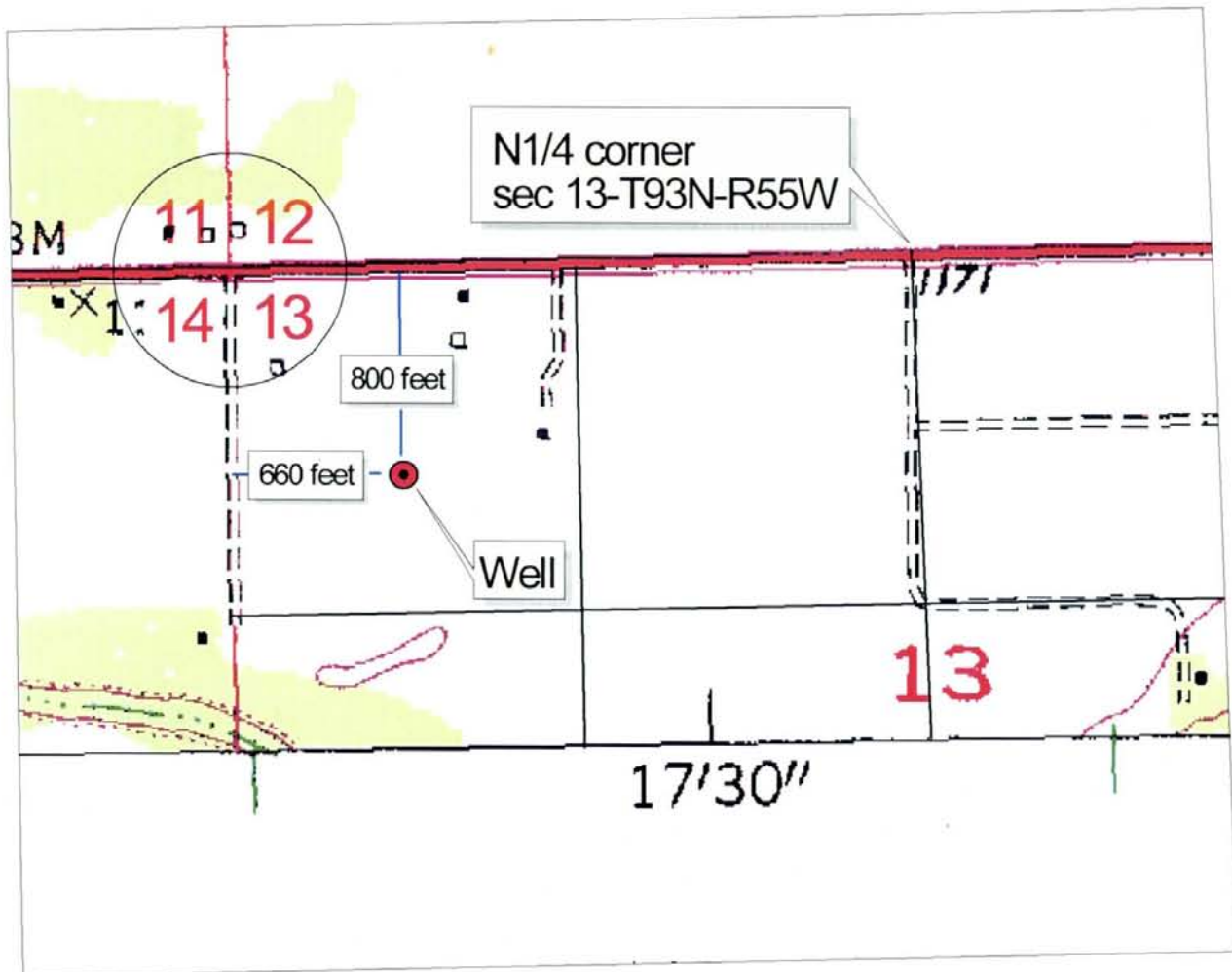
93-55

18.9

~~2125~~

Appl. 4501-3

700 0 700 Feet



Ron Duvall, Nat Res Engineer

12/24/98
Date

Water Right No. 4501-3