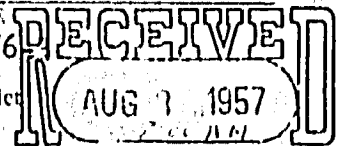


Enlargement and an addition to No 193-3

Not 193-3 SPP Map No 156

Water Division No. 191 James River District
(Blanks to be filled by the Engineer for the W. H. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

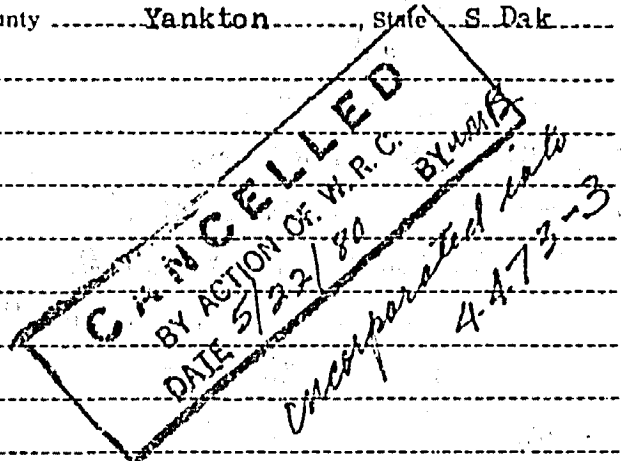
APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Frank R Yaggia
Box 647
 Postoffice address Yankton County Yankton State S. Dak

- I. If a corporation
- (a) Name of same
- (b) Date and place of incorporation
- (c) Amount of capital stock
- (d) Amount paid in
- (e) Names and addresses of directors



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

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

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

Self Employment

(b) Cash on hand, \$adequate to accomplish work

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Frank R Yaggia James River Irrigation Project

3. Amount of water claimed 0.49 cubic feet per second 155 gpm

4. Source of water supply James River
between a point 2309 feet north of the 1/4 corner, and a point 2196

5. Location of point of diversion feet north of the 1/4 corner, all in section 2,
Township 93N, Range 55 W. on south bank Yankton County.

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

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? combination(a) Number of acres to be irrigated 34.5 acres.(b) Legal subdivisions to be irrigated North 34.5 acres, St. NE 1/4, Sec 2 T93N, R 55W

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

(c) Statement as to domestic use (giving location, etc.)

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

(a) Nature of use
 Name any of the above uses claimed(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map No. 156-3

8. Estimated cost of work:

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

(c) Fluming, \$..... (d) Canal-earth, \$.....

(e) Other structures \$.....

Sprinkler system, gated
pipe and

(b) Pumping plant, \$3,507.00

Rock, \$.....

Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction.....

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

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	FEET	ACRE-FEET CAPACITY

(c)* Head gate: Width.....feet; height.....feet;
Material.....

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

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....one Two years.

11. Time required for complete application of water to the proposed beneficial use.....one years.

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

Yankton Public Opinion, Yankton, S Dak

STATE OF SOUTH DAKOTA

County of Yankton ss.

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

Signed

Frank R. Yaggie

Subscribed and sworn to before me this 3

day of August

1957

Edmond H. H. H.
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

This permit is an enlargement of 193-3

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, March 18, 1960

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
A.m. upon the 3rd day of August, 1957.

State Water Resources Commission

By:

J. O. Quinn
Chief Engineer, Executive Officer

Number of permit 493-3

Date of first receipt of application August 13, 1957

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right August 3, 1957

Approved October 16, 1957, Recorded in Book 5 Page 322

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

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before October 16, 1958

2nd. The whole of said work is to be completed on or before October 16, 1959

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

October 16, 1960

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

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

6th. The amount of the appropriation herein granted shall not exceed .49 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot per second of time for each acre of land to which water is actually and beneficially applied for it before October 16, 1960; said water to be used during the following described period:

April to October, inclusive

Witness my hand this 18th day of March, 1960.

State Water Resources Commission

By:

J. O. Quinn
Chief Engineer, Executive Officer

Certificate of Construction Issued August 11, 1967

Water License Issued August 11, 1967

Permit No. 493-3Water Division No. 3 JAMES RIVER Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Frank R. Yaggie

of Yankton, County of Yankton, and State of South Dakota, the holder of Permit No. 493-3, issued upon Application No. 493-3 bearing date of priority of August 3, 1957, authorizing the diversion of .49 cu. ft. per second of the waters of the James River County of Yankton, State of South Dakota, at between a point 2309' N. of the C₄ corner, and a point 2196' N of the F₄ corner, Section 2, T93N, R55W, for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 3.0* cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S₄ NE₄, Section 2, T93N, R55W, 34.5 Acres.

* Equipment used interchangeably with Water Rights 193-3, 196-3 & 382-3

Witness my hand this 11th day of August A. D. 1967

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 493-3

WHEREAS, On the 3rd day of August A. D. 1957
Frank R. Yaggie

of Yankton County of Yankton and State of
South Dakota duly made application (No. 493-3) to us for a permit to use .49
cubic feet per second of the waters of the James River
County of Yankton, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 18th day of March A. D. 1960
Permit No. 493-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 16th day of
October A. D. 1959 and for the application to beneficial use of said
water on or before the 16th day of October A. D. 1960
and,

WHEREAS, On the 4th day of August A. D. 1967
the holder of said permit duly made proof of the completion of adequate works for the diversion of
3.0 cubic feet per second of said waters, as evidenced by our Certificate No. 493-3
dated August 11, 1967 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 3.0 cubic feet per second of water, with date of
priority of August 3, 1957 and,

WHEREAS, On the 4th day of August A. D. 1967
proof was duly made of the application to beneficial use of .49 cubic feet per second of said water;
for irrigating 34.5 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2, T93N, R53W

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Frank R. Yaggie
of Yankton the holder and owner of said permit No. 493-3
a water right, dating from August 3, 1957 to the use of .49
cubic feet per second of the waters of the James River
In the County of Yankton State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be used at between a point 2309' N of the
Ch corner and a point 2196 N of the Ch corner, Section 2, T93N, R55W
and conducted to and upon S 1/2 NE 1/4, Section 2, T93N, R55W

for the purpose of irrigation, subject to any limitations listed in the
permit to appropriate water.

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

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 11th day of August A. D. Nineteen
Hundred and Sixty-seven

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 493-3
JAMES
 Water Division No. 3 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____

on _____, I have this day made a thorough examination of the diversion works constructed by _____

FRANK R. YAGGIE of YANKTON

YANKTON County, South Dakota, holder of Permit No. 493-3, issued

upon Application No. 493-3, bearing date of priority of AUGUST 3, 1957 authorizing the

diversion of 4.9 cu. ft. per second of the waters of THE JAMES RIVER for IRRIGATION purposes. I have to report on the condition of the same as follows:

The diversion works comprise: GORMAN-RUPP PUMP - MODEL 55A - TYPE B.

POWERED BY A CONTINENTAL RED SEAL ENGINE. 1/2 MILE

8' GATED PIPE 2500' OF 6" LINE - 2 VERMEER

POWER P. ROOMS. THIS EQUIPMENT IS USED INTER-

CHANGEABLY WITH 196-3, 382-3 & 193-3

and the system is in the following condition: EXCELLENT

The point of diversion is located BETWEEN A POINT 2309' N OF THE C. COR.
AND A POINT 2146' N OF THE E. CORNER, SECTION 2, T93N, R55W

The works are capable of diverting and conveying to the place of use 3.0 cu. ft. per second of water,
 which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: 1/4 NE⁴, SECTION 2, T93N, R55W

comprising a total of 34.5 acres of land.

The domestic use intended comprises _____

The utilization for power, mining, or other beneficial uses comprises: _____

Witness my hand, this 4TH day of AUGUST

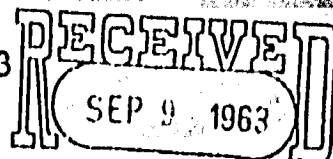
A. D. 1967

--SEAL--

Burton J. Jones
 Examining Engineer

WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

Enlargement and an addition to 15 3
SPF MAP No 156-3



Permit No. 493-3

Water Division No. 3 James River
Water District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Yankton, South Dakota

(Date) September 6, 1963

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____
19____, at _____ County of _____ State of South Dakota,
before _____ (Examining Engineer or Officer) proof will be submitted of the application to beneficial use
of 0.49 cubic feet per second of the waters of James River
_____ in accordance with the terms and conditions of Permit No. 493-3
heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are _____
Frank R. Yaggie, Box 647, Yankton, S. D.
- The use to which said water has been applied is _____ Irrigation _____
- The amount applied to beneficial use is 155 gpm
- The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) _____
North 34.5 acres, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 2 T9N. R. 55W
- The name of the canal or ditch or other works by which said water is conducted to such place of use is _____
James River Diversion
- The right to take the water from such works is based upon permit No. 493-3
- The source of supply from which such water is diverted is James River
- The date of priority which said user is prepared to establish is August 3, 1957

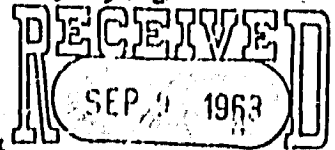
(Sign)

Frank R. Yaggie

Enlargement and an addition to No 193-3
SPP Map No. 156-3

Permit No. 493-3

Water Division No. 3 James River Water District



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Yankton, South Dakota

(Date) September 6, 1963

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of
0.49 cu. ft. per second of the waters of the state from Apr. 1,
through the 1st of October
for Irrigation purposes purposes

In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Frank R. Yaggie

2. The postoffice address of such person or the place of business of such corporation is Box 647
County of Yankton State of South Dakota

3. The number of such permit is 493-3 and the date set for the completion of such work is
August 3, 1960

4. Said water to be used for Irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 0.49 cubic feet per second.

6. The amount of land for which said water is available is 34.5 acres,
particularly described as follows: ~~beginning at point 2309 feet north of the~~
North 34.5 acres, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 2 T93 N. R. 55 W.

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

Frank R. Yaggie