

Considered: _____

WATER PERMIT NO. 5325-3 43

HAP No. Same 665-3262
Ext 1076

Name of Applicant Federal Prison Camp - Yankton (Steve Sheid)

Post Office Address P.O. Box 680 Yankton, SD 57078

Amount of Water Claimed 0.44 cfs Total Acres 31

Source of Water Supply groundwater - 1 well

Water to be used for irrigation County Yankton
City of Yankton

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received March 23, 1989 Fee \$150.00 Remarks _____

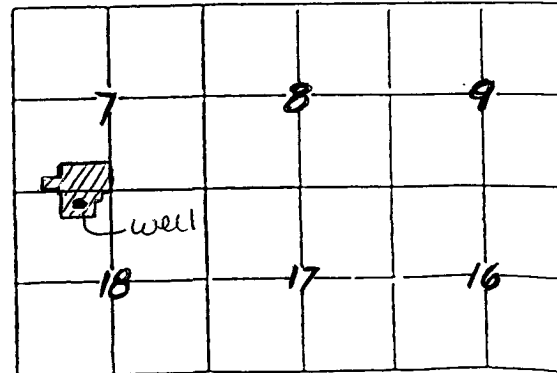
Corrected Application Received April 17, 1989 Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED May 9, 1989 APPROVED CONDITIONAL (Circle one)

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

Diversion Point NE 1/4 NW 1/4 Sec 18 - T93N - R55W

Land to be Irrigated NE 1/4 NW 1/4 Sec 18 - T93N - R55W
S 1/2 SW 1/4 Sec 7 - " "



Well Log: Driller Snow Well Drilling Licensed YES ☒ NO _____

Depth of Well 86' REMARKS _____

Type of Map Survey PREPARED BY Daniel Eisenbraun Reviewed and the Number
assigned on May 16, 1989 By Steve Shred
Susan Bourke

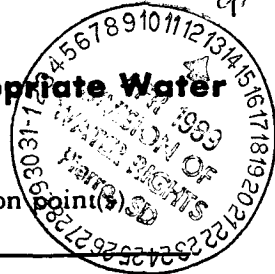
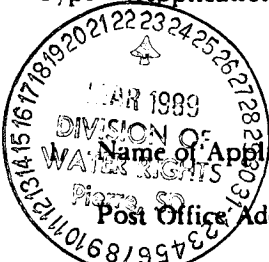
Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

(See instructions)

No. 5325-3 Hydrologic Unit 10170101
Basin Missouri
Newspaper Yankton Press, Box 56 57078

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 _____



Name of Applicant FEDERAL PRISON CAMP - YANKTON Phone No. (605) 665-3262
EXT. 1076
Post Office Address P.O. BOX 680 YANKTON State SOUTH DAKOTA Zip Code 57078
(Street, RR or Box) (City)

- Amount of water claimed (c.f.s.) .48 c.f.s. Total acres irrigated 31 21 ACRES
- Source of Water supply JAMES AQUIFER Groundwater - 1 well
- Location of point of diversion REFER TO ATTACHED BOUNDARY SURVEY
NE 1/4 NW 1/4 Section 18-T93N-R55W
- County YANKTON
- Counties where water will be used MAY TO SEPTEMBER Yankton
- Annual period during which water is to be used May 1 - September 30
- 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 S 18</u>	<u>21</u>
<u>TW 93, R 55</u>	

Land Description	No. Acres Irr.
<u>NE 1/4 NW 1/4 Sec 18-T93N-R55W</u>	<u>13</u>
<u>SE 1/4 SW 1/4 Sec 7 -T93N-R55W</u>	<u>15</u>
<u>SW 1/4 SW 1/4 " "</u>	<u>3</u>

Attach sheet if more space is needed

UNDERGROUND

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ (Specify) SPRINKLER SYSTEM
- Crops to be Irrigated: LAWN, TREES, ORNAMENTALS & FLOWERS
- Give a description of proposed project. (Attach sheet if more space is needed)
UNDERGROUND AUTOMATICALLY CONTROLLED SPRINKLER SYSTEM

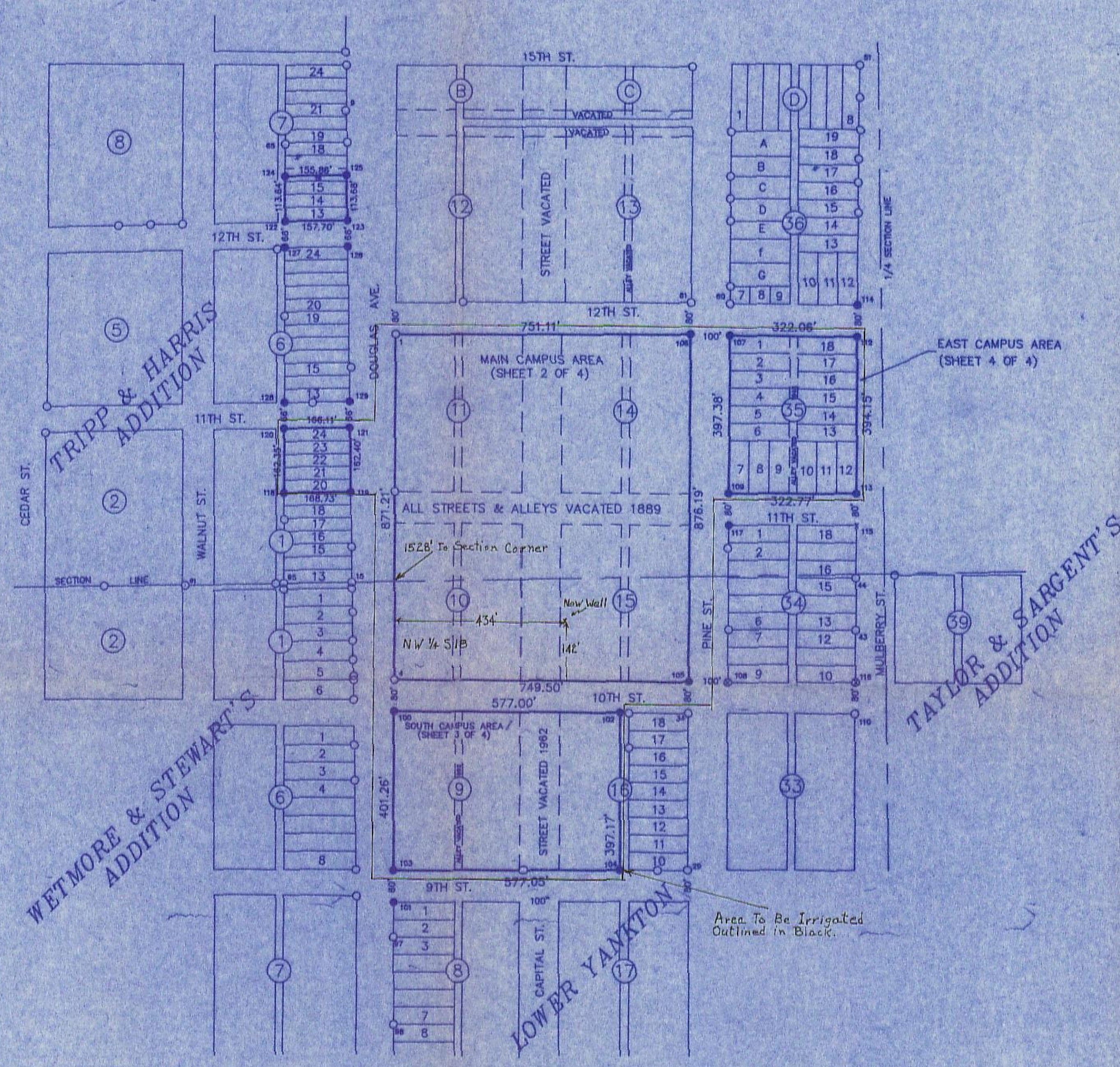
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Yankton)^{ss}

I, Steve Sherd, 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 matters stated in this application are true and correct.

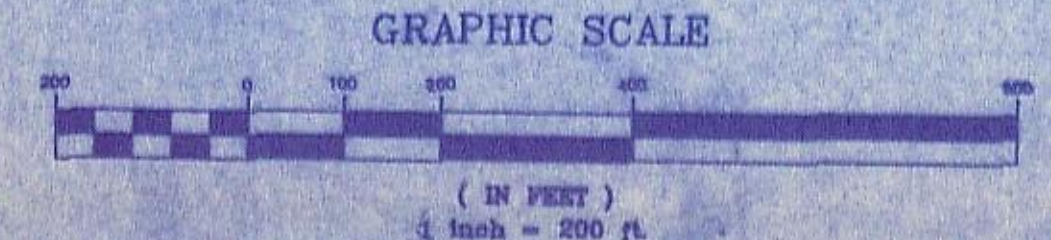
Signed [Signature]
Subscribed and sworn to before me this 7th day of April 19 89
[Signature]
Notary Public

Commission Expires 7-1-96



POINTS AND DISTANCES USED FOR
PROPORTIONING IN THE LEGAL SURVEY

POINT NOS. FROM - TO	PLATTED DISTANCE	ACTUAL MEASURED DISTANCE
1 - 4	872	871.21'
100 - 103	396	401.26'
98 - 97	220	220.68'
97 - 101	88	87.68'
106 - 105	872	876.19'
34 - 29	306	395.95'
100 - 34	740	749.35'
100 - 102	570	577.00'
103 - 29	740	749.40'
103 - 104	570	577.05'
108 - 107	872	874.77'
108 - 117	396	397.38'
109 - 107	396	397.38'
116 - 43	132	132.27'
43 - 44	132	132.28'
44 - 115	132	132.27'
114 - 51	607	604.17'
112 - 113	396	394.15'
107 - 112	320	322.05'
109 - 113	320	322.77'
9 - 15	1184' 5"	1,187.66'
9 - 123	275' 3"	276.09'
125 - 123	113' 3 2/3"	113.68'
126 - 129	388' 7"	389.81'
121 - 119	161' 10 11/12"	162.40'
65 - 95	1103' 9 2/3"	1,106.06'
65 - 122	194' 4 1/3"	194.82'
124 - 122	113' 4 1/2"	113.64'
127 - 128	388' 8 2/3"	389.60'
120 - 118	161' 11 7/12"	162.35'



SURVEYOR'S CERTIFICATE

I, Daniel D. Eisenbraun, a Registered Professional Engineer and Land Surveyor, have at the request of the Federal Bureau of Prisons completed a survey for the purpose of mapping the topographic and physical features, as well as defining the property lines, of the following parcels of land:

- Block Ten (10), Eleven (11), Fourteen (14), and Fifteen (15), together with all vacated alleys and streets, in that part of the City and County of Yankton platted and known as Lower Yankton.
- Block Nine (9) and the West one-half (W 1/2) of Block Sixteen (16), together with all vacated alleys and streets, in that part of the City and County of Yankton platted and known as Lower Yankton.
- Block Thirty-five (35), together with the vacated alley, in that part of the City and County of Yankton platted and known as Lower Yankton.
- Lot Twenty (20) through Twenty-four (24), both inclusive, of Block One (1) in that part of the City and County of Yankton platted and known as Tripp and Harris Addition. (No topographic survey requested for this parcel.)
- Lots Thirteen (13), Fourteen (14), Fifteen (15), and the South one-half (S 1/2) of Lot Sixteen (16), Block Seven (7), in that part of the City and County of Yankton platted and known as Tripp and Harris Addition. (No topographic survey requested for this parcel.)

I, Daniel D. Eisenbraun, a Registered Professional Engineer and Land Surveyor, do hereby certify that I have executed this document the 27th day of June, 1988.

Daniel D. Eisenbraun
Daniel D. Eisenbraun, P.E. & L.S.



LEGEND

- PROPERTY CORNER FOUND (Iron Pipe)
- PROPERTY CORNER SET (5/8" Rebar w/ Cap)
- ✕ CHISELED 'X' IN CONCRETE
- ⊙ COMPUTED PROPERTY CORNER NOT SET
- 103 POINT NUMBER DESIGNATION

ALL DISTANCES SHOWN ARE MEASURED

TOPOGRAPHIC AND BOUNDARY SURVEY OF THE YANKTON FEDERAL PRISON CAMP GENERAL LAYOUT

DRAWN BY:	BRK	DATE:	14 JUNE 1988
CHECKED BY:	DDE	DRAWING NO.:	
JOB NO.:	88-030	SHEET	1 of 4



WE GUARANTEE THE GOODS OR SERVICES WHICH ARE PRESENTED FOR PAYMENT ON THIS INVOICE HAVE BEEN RECEIVED.
4/16/89

**B & E
ENGINEERING**

RT. 1 BOX 256
HWY. 52 WEST
YANKTON, S.D. 57078

Appl. No. 5325-3

SOUTH DAKOTA
WATER PERMIT No. 5325-3 FOR IRRIGATION

Date of first receipt of application March 23, 1989.

Date Soil/Water Compatibility Permit received May 9, 1989.

Date returned to applicant for required corrections, amendments or changes April 3, 1989.

Date of receipt of corrected application April 17, 1989.

The Water Management Board approved Water Permit Application No. 5325-3 on July 26, 1989 for the Federal Prison Camp - Yankton, P.O. Box 680, Yankton, South Dakota 57078 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. 5325-3 appropriates 0.44 cubic feet of water per second from one well (Lower James: Missouri Aquifer), 86 feet deep, to irrigate 31 acres. The well is to be located in the NE1/4 NW1/4 Section 18 and the acreage to be irrigated is located in the S1/2 SW1/4 Section 7, NE1/4 NW1/4 Section 18; all in T93N-R55W.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second 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: May 1 - September 30.
3. The date from which applicant may claim right is March 23, 1989.
4. One-fifth of the construction is to be completed on or before January 26, 1992.
5. All construction is to be completed on or before July 26, 1994.
6. Water is to be put to beneficial use on or before July 26, 1998.
7. 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 authorized by Permit No. 5325-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.
2. 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.
3. 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

SEP 12 1989

(date)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 12" Depth 86'
- b) Casing Type PVC Diameter 8" Thickness HEAVY DUTY
- c) Screen Type PVC Diameter 8" Thickness HEAVY DUTY
- d) Gravel Pack Thickness 2" Length of Gravel Pack 20'
- e) Depth to Top of Water Bearing Material 62'
- f) Depth to Water (ground surface to water level) 62'
- g) Distance to nearest existing domestic well:
- On applicants property N/A On property owned by others 1 1/2 MILES

a) Surface Dimensions N/A Depth N/A

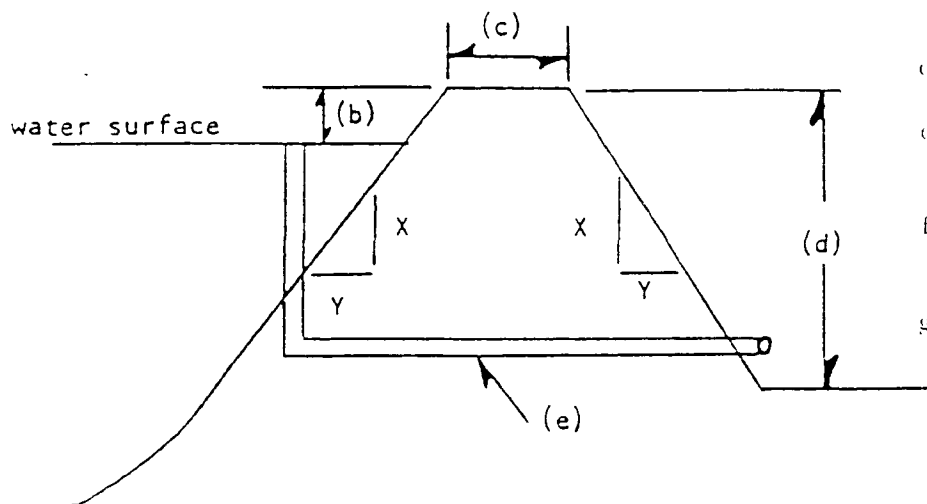
b) Depth to water (ground surface to water level) N/A

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

N/A

- 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 _____



Signature of Applicant

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Department of Water & Natural Resources

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

April 3, 1989

Robert L. Smith
Federal Prison Camp
P.O. Box 680
Yankton, SD 57078

Dear Mr. Smith:

This letter is in response to the water permit application received from you on March 23, 1989.

The application is incomplete for the following reason(s):

- (1) The legal description (quarter-quarter, section, township, range) of the 21 acres to be irrigated needs to be listed under No. 7 on the enclosed application form.
- (2) The legal description of the well needs to be listed under No. 4 on the enclosed application form.
- (3) A well log or test hole, signed by a South Dakota Licensed Land Surveyor, needs to be submitted with the application.
- (4) The enclosed map that was submitted needs to show the well location and an outline of the acres to be irrigated **in relation to a government section corner or quarter-corner.**
- (5) The map needs to be signed by a South Dakota Registered Engineer, a South Dakota Licensed Land Surveyor, or by a government employee who normally prepares maps as part of his/her duties (ASCS or SCS). If you normally prepare maps please add your title. If not, your local ASCS or SCS office may be able to help you.
- (6) The required fee for the application needs to be submitted. The correct fee for irrigating 21 acres is \$150. Please consider this letter an 'invoice' as described on the purchase order you submitted.

The Water Management Board cannot consider a water permit application until it is complete. Please return the enclosed application forms with the legal descriptions of the acres to be irrigated and of the location of the well listed, a signed well log, a signed map showing the location of the well and of the acres to be irrigated, and the proper fee to begin processing of your water permit application.

Feel free to contact us if you have any questions.

Sincerely,

Susan A. Bowar

Susan A. Bowar
Natural Resources Engineer
Water Rights Division

enclosure





U. S. Department of Justice

Federal Bureau of Prisons

Federal Prison Camp

Yankton, SD 57078



April 7, 1989

MS. SUSAN A. BOWAR, Natural Resources Engineer
Water Rights Division
Joe Foss Building
Pierre, South Dakota 57501

Dear Ms. Bowar:

This letter is in response to your letter of April 3, 1989. I am enclosing with this letter the corrected application for a water compatibility permit/water permit. The well log and water sample will be submitted separately by SIOUX DRILLING.

Sincerely,

A handwritten signature, likely of S. Sheid, is written over a horizontal line.

S. SHEID, Acting Facilities Manager

FUND
CONTROL # 2026

PURCHASE ORDER
FEDERAL BUREAU OF PRISONS

This number must appear on all
PACKAGES and PAPERS relating to this
order and should be accompanied by
packing tickets.



100-5 CMS
773-3352

FEDERAL PRISON CAMP
YANKTON, SOUTH DAKOTA 57078

R.P. NO.	APPR	BA	COST CENTER	PMS	PROJ	SUB OBJECT	IG	DOC TYPE	PURCHASE ORDER NO	DESG	DESG	STORES IN- DICATOR
1925	92	P	335	618	000	2599	N	05	1442	F3*	- - -	N

ALL INVOICES SHALL BEAR THE ORDER NUMBER AND BE SUBMITTED IN DUPLICATE

TO S
E
L
L
E
R

WATER RIGHTS DIVISION DWR
JOE FOSS BUILDING
PIERRE, SD 57501

CONSIGNEE AND DESTINATION

FEDERAL PRISON CAMP
P.O. BOX 630 (237-P-1442)
EAST HIGHWAY 50
YANKTON, SO. DAKOTA 57078

INVITATION NO. PRICE LIST	CONTRACT NO. O.M.	TIME FOR DELIVERY 3/21/89	DISCOUNT TERMS NET 30 DAYS
------------------------------	----------------------	------------------------------	-------------------------------

FOB POINT
DESTINATION

SEE BELOW

ITEM NO.	ARTICLES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1.	APPLICATION FOR SOIL/WATER COMPATIBILITY PERMIT, AND WATER PERMIT FOR UNDERGROUND SPRINKLER SYSTEM.	1	EA	150.00	150.00
PRICES & TERMS PER PHONE QUOTE WITH SUSAN BOWAR ON 3/17/89 MAR 1989 DIVISION OF WATER RIGHTS PIERRE, SD APR 1989 DIVISION OF WATER RIGHTS PIERRE, SD 4-10-89 Your invoice is being processed, payment should follow within 30 days. Please process this application ASAP. - Pamela True DO NOT TYPE IN THIS SPACE					

1. NOTE: See Terms and Conditions on Reverse.

2. NOTE: IF THIS ORDER IS F.O.B. SHIPPING POINT, SHIP PREPAID VIA
CHEAPEST AVAILABLE MEANS. TRANSPORTATION CHARGES
TO BE INCLUDED ON INVOICE AS A SEPARATE ITEM WHICH
SHALL BE SUPPORTED BY ORIGINAL FREIGHT BILL OR EX-
PRESS BILL. DO NOT INSURE PARCEL POST SHIPMENTS.

DELIVERY HOURS: 8 A.M. TO 4 P.M. LOCAL TIME

Except Saturday, Sundays and Government
Holidays.

VENDOR

trg

TOTAL 150.00

Pamela True

SIGNATURE P. TRUE, CONTRACT SPECIALIST

PROCUREMENT OFFICER

3/17/89

(DATE)

(605)665-3262 ext. 1044

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4374

WR#

OWNERS NAME: Federal Prison Camp-Yankton OWNERS ADDRESS: PO Box 680
Yankton, SD 57078

COUNTY LAND LOCATED IN: Yankton PHONE: 665-3262 ext. 1076

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18-T93N-R55W

Depth _____

Legal Description	Acres	Legal Description	Acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18-T93N-R55W	13		
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7-T93N-R55W	15		
SW $\frac{1}{4}$ SW $\frac{1}{4}$ " "	3		
		TOTAL ACRES = 31	

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: underground
(Specify) sprinkler
system

3. CROPS TO BE IRRIGATED: lawn, trees, ornamentals, & flowers

WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-0130

7. ADJUSTED (SAR): 2.37

5. SALINITY (EC X 10⁶): 2100

8. PERCENT SODIUM 11.39

6. SODIUM (SAR): 0.87

Requirements: The area mapped as Ethan-Davis loams, 9-15% slope, shall require landscaping and other practices to control runoff and erosion, if irrigated.



John Daniel
Director, Division of Conservation

Date

5/15/89

☒ APPROVED ☒ REQUIREMENTS
☐ DISAPPROVED
☐ WAIVER

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 17, 1989

RECEIVED OF U.S. Dept Of Justice, Bureau of Federal Prisons, Washington, DCC.

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

Fee for Application for Permit No. <u>5325-3</u> to Appropriate Water, to construct works and to put water to beneficial use	150	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	150 00

By

Phyllis Mera
Chief Engineer

NAM- FPC-YAN OUTSIDE GROUNDS SITE NUMBER- 0014 CYCLE- 28
MAINTENANCE WORTHY ITEM: SUBMERSIBLE PUMP & MOTOR
NUMBER: P 16

LOCATION:

MANUFACTURER: FRANKLIN ELECTRIC

IDENTIFICATION:

WARRANTY :

IN SERVICE: 06/01/93

COST : 1000.00

GENERIC NM:

MISC INFO :

SERIAL # : ✓

MODEL # : S09978

RUNTIME :

JOB VALUE : 1

OFF SEASON:

PARTGRAPH :

WC : 18

LIFECYCLE : 1995

SAFETY PRO: LOCKOUT AND TAGOUT

MISC : 200 VOLT

MISC : 3 PHASE

MISC : 10 HP

MISC :

MISC :

GRAPH :

CMWO :

LAST CMWO :

LAST PMWO :

LAST PMWO :

WC	CO	F	P	TN	TASKS	TIME	MATERIALS
18		A			1. CHECK AMPS	0.10	VOLT METER
18		A			2. CHECK PRESSURE SWITCH	.10	
18		A			3. CHECK WIRING & PIPING	.10	
18		A			4. CHECK GALLONS PER MINUTE	.20	
TOTAL ANNUAL TIME FOR MACHINE P 16						=	0.50 hrs.

BOIN WINE

NAM- FPC-YAN OUTSIDE GROUNDS SITE NUMBER- 0014 CYCLE- 28
 MAINTENANCE WORTHY ITEM: SUBMERSIBLE PUMP & MOTOR
 NUMBER: P 15
 LOCATION:
 MANUFACTURER: GOULD
 IDENTIFICATION:
 WARRANTY :
 IN SERVICE: 07/01/89
 COST : 1000.00
 GENERIC NM:
 MISC INFO : 5 STAGE FOR DEEP WELL
 SERIAL # : ✓
 MODEL # : 100 H10
 RUNTIME :
 JOB VALUE : 1
 OFF SEASON:
 PARTGRAPH :
 WC : 18
 LIFECYCLE : 1995
 SAFETY PRO: LOCKOUT AND TAGOUT
 MISC : ENCLOSED 10 HP
 MISC : 200 VOLT
 MISC : 3 PHASE
 MISC :
 MJSC :
 PARTGRAPH :
 LAST CMWO :
 LAST CMWO :
 LAST PMWO :
 LAST PMWO :

WC	CO	F	P	TN	TASKS	TIME	MATERIALS
18		A			1. CHECK AMPS	0.10	VOLT METER
18		A			2. CHECK PRESSURE SWITCH	0.10	
18		A			3. CHECK WIRING & PIPING	0.10	
18		A			4. CHECK GALLONS PER MINUTE	.20	
TOTAL ANNUAL TIME FOR MACHINE P 15						=	0.50 hrs.

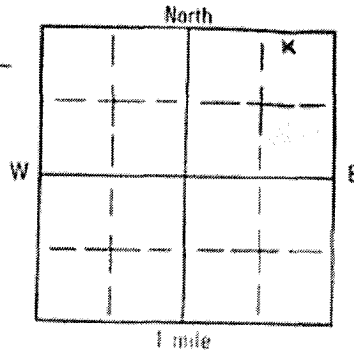
SOUTH DAKOTA WELL REHABILITATION REPORT

10-85

Location 1/4 NE 1/4 Sec 8 Twp 93N Rg 55W

County Yankton

Please mark well location with an "X"



Rehabilitation Completion Date June 89

PROPOSED USE:

- ☐ Domestic ☐ Municipal ☐ Stock
☒ Irrigation ☐ Industrial

Well Owner:

Name Federal Prison Camp

Address Yankton S.D.

Describe original construction if possible?
(Attach original log if known)

Description of condition of well before rehabilitation new

Description of rehabilitation work completed: 5" well was pulled and replaced with 8" PVC well casing & screen

Recasing information: Material PVC Diameter 8 Inches Depth 86 Feet

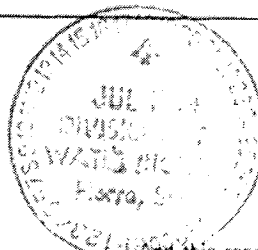
Describe screen or perforations _____ Screen Location From 76 To 86
From _____ To _____

Grout. ☒ YES ☐ NO Describe grouting procedure and grout grout feed with tremie pipe

Well Test Data

Specific capacity 10 G. per ft. Static water level 62

If a flowing well GPM _____ Shut in _____ PSI



This well rehabilitation was completed under license # 129

Drilling firm Stone Well Drilling

Signature of Licensed Representative Wayne J. Wagner

Signature of Well Owner _____

Date July 89

And this report is true and accurate

REPORT ON APPLICATION NO. 5325-3
FEDERAL PRISON CAMP
June 16, 1989

This application proposes to appropriate 0.44 cfs from one well approximately 86 feet deep to irrigate 31 acres. The well is to be located in the NE 1/4 NW 1/4 of Section 18 and the acreage to be irrigated is located in the S 1/2 SW 1/4 of Section 7, NE 1/4 NW 1/4 of Section 18; all in T93N, R55W in Yankton County.

Aquifer - Lower James-Missouri (LJM)

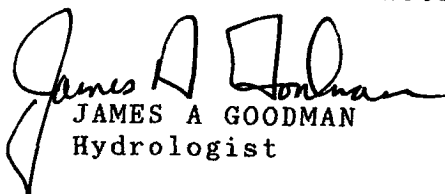
The Lower James-Missouri (LJM) aquifer is a glacial outwash (sand and gravel) under water table conditions in this area. The aquifer underlies 92,500 acres and contains over 2 million acre feet of recoverable water in Yankton County (Hedges, 1982). The aquifer is hydraulically connected to the Lower James-Missouri Scotland and Missouri Aquifers. The Division of Water Rights monitors 24 observation wells completed into the LJM Aquifer in Yankton County. Records for these observation wells indicate water levels do respond to climatic conditions, that is, rising water levels during wet years and declining water levels during dry years (Water Rights, 1989). Pumping effects do not significantly affect water levels in the LJM Aquifer.

Review of Existing Water Permits

There are four existing permits within one mile of this application. These are Permit Nos. 512-3, 1919-3, 277-3 and 5315-3. The diversion point for this application is approximately 1 mile from the other diversions. Interference should not be a problem. Drawdowns caused by pumping from aquifers like the LJM Aquifer do not extend very far from the production well. The driller's log submitted with the application indicates a specific capacity of about 15 gpm/ft of drawdown.

Conclusions

1. Water is available from the LJM Aquifer.
2. The aquifer is under water table conditions and drawdowns caused by pumping should not be significant. Interference will not be a problem.
3. The proposed well must be completed in accordance with SD Well Construction Standards.


JAMES A GOODMAN
Hydrologist

Bibliography

Hedges, L.S., Etal., 1982, Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River SD and Iowa, for US Army Corps of Engineers, DWNR, SDGS, Vermillion SD.

Water Rights, 1989, Observation Well Records for LJM Aquifer In Yankton County, SD DWNR, Div of Water Right, Joe Foss Bldg, Pierre SD.

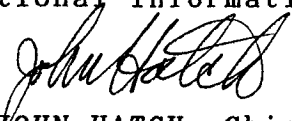
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5325-3, Federal Prison Camp-Yankton

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. 5325-3, Federal Prison Camp-Yankton, c/o Steve Sheid, PO Box 860, Yankton SD.

The Chief Engineer is recommending APPROVAL of Application No. 5325-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well authorized by Permit No. 5325-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.
2. 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.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
June 16, 1989

**Department of
Water & Natural Resources**

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

June 23, 1989

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

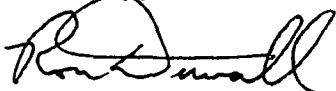
Steve Sheid
Federal Prison Camp - Yankton
Box 680
Yankton, SD 57078

Dear Mr. Sheid:

Water Permit Application No. 5325-3 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 Yankton Press printed at Yankton SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation will be sent to you at a later date. 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,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

June 23, 1989

Yankton Press
Box 56
Yankton, SD 57078

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5325-3 to be published twice. Please publish the first notice on or before June 28, 1989 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 the Federal Prison Camp - Yankton, c/o Steve Sheid, Box 680, Yankton, SD 57078.

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,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO:

Ron Duvall
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 June 28, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5325-3 to Appropriate Water

Notice is given that the Federal Prison Camp - Yankton, c/o Steve Sheid, P.O. Box 860, Yankton, SD 57078 has filed an application for a water permit to appropriate 0.44 cubic feet of water per second from one well (Lower James - Missouri Aquifer) 86 feet deep to irrigate 31 acres. The well is to be located in the NE1/4 NW1/4 Section 18 and the acreage to be irrigated is located in the S1/2 SW1/4 Section 7, NE1/4 NW1/4 Section 18; all in T93N-R55W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5325-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City, SD, July 26, 1989 at 10:00 am. 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.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 14, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. 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. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 14, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Affidavit of Publication

STATE OF SOUTH DAKOTA

COUNTY OF YANKTON

SS.



6+28&7+5
 NOTICE OF HEARING
 on Application No. 5325-3
 to Appropriate Water

Larry A. Benson being first duly sworn says: That he is the Business Manager of the Yankton Printing Company, a corporation, the printer and publisher of the Yankton Daily Press and Dakotan, a daily newspaper of general circulation, printed and published in the City and County of Yankton, South Dakota; that he has personal knowledge of all the facts stated in this affidavit; and that the advertisement captioned Notice of Hearing on Application No. 5325-3 to Appropriate Water

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement, once each week for two successive weeks, the first publication being made on the 28th day of June, 1989, and the last publication being made on the 5th day of July, 1989.

The first publication being made on the 28th day of June

The second publication being made on the 5th day of July

The third publication being made on the _____ day of _____

The fourth publication being made on the _____ day of _____

The fifth publication being made on the _____ day of _____

The sixth publication being made on the _____ day of _____

The seventh publication being made on the _____ day of _____

The eighth publication being made on the _____ day of _____

The ninth publication being made on the _____ day of _____

The tenth publication being made on the _____ day of _____

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies daily and has been published in the English language within the said County of Yankton for more than one year next prior to the first publication of said notice, and is printed in Yankton in an office maintained in Yankton, South Dakota, the place of publication of said newspaper. That the full amount of the fee paid for the publication of the annexed notice is \$39.65, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Larry A. Benson

Subscribed and sworn to before me this 5th day

of July 1989

Paula Benson
 Notary Public, South Dakota 1/10/92

Notice is given that the Federal Prison Camp - Yankton, c/o Steve Sheid, P.O. Box 860, Yankton, SD 57078 has filed an application for a water permit to appropriate 0.44 cubic feet of water per second from one well (Lower James - Missouri Aquifer) 86 feet deep to irrigate 31 acres. The well is to be located in the NE 1/4 NW 1/4 Section 18 and the acreage to be irrigated is located in the S 1/2 SW 1/4 Section 7, NE 1/4 NW 1/4 Section 18; all in T93N-R55W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5325-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City, SD, July 26, 1989 at 10:00 a.m. 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.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 14, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605) 773-3352". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. 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. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 14, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Publication Fees \$.....

Received Payment, ...

SOUTH Dakota Department of
Water & Natural Resources

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

July 7, 1989

Federal Prison Camp-Yankton
Steve Sheid
PO Box 680
Yankton SD 57078

Dear Mr. Sheid:

Enclosed is the Report and Recommendations of the Chief Engineer
for Water Permit Application No. 5325-3.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Senior Secretary
605 773-3352

enclosures





Department of Water & Natural Resources

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

SEP 12 1989

Robert L. Smith
Federal Prison Camp
P.O. Box 680
Yankton, SD 57078

Dear Mr. Smith:

Enclosed is Water Permit No. 5325-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

Yankton Co.

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

Date September 15, 1989

TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181

FROM: Federal Prison Camp Box 680 Yankton, SD 57078
name address city

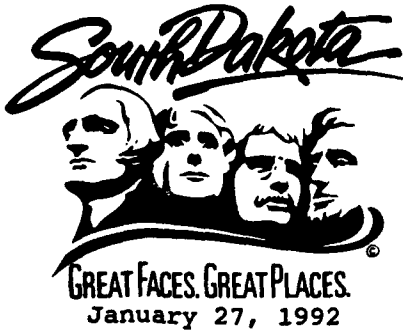
I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5325-3.

Water Permit No. 5325-3 states that the diversion system is to be constructed by Sioux Well Drilling, and that the water it put to beneficial use by FPC, Yankton.

The diversion system was completed on 6-30-89.
Applying the water to beneficial use was completed on 6-30-89.

You may schedule an inspection so that the Water License may be issued.

Rahert L. Smith
signature



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEDERAL PRISON CAMP & STEVE SHEID
PO BOX 680
YANKTON SD 57078

NOTICE

RE: Violation of Water Permit No(s) 5325-3

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 5325-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 5325-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, 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 SDCL 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) 5325-3 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 before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

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 Fee will provide you the signature of the person delivered to and the date of delivery.

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:

4a. Article Number

FEDERAL PRISON CAMP %STEVE SHEID
PO BOX 680
YANKTON, SD 57078

4b. Service Type

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

7. Date of Delivery

1-29-92

5. Signature (Addressee)

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

6. Signature (Agent)

PS Form 3811, November 1990 ☆U.S. GPO: 1991-287-066

DOMESTIC RETURN RECEIPT



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

January 31, 1992

5325-3

Federal Prison Camp
PO Box 680
Yankton, SD 57078

Dear Sirs:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Permit No. 5325-3. The questionnaire was completed during our January 31, 1992 telephone conversation. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

Enclosed is a copy of the questionnaire for your records. If you have any questions, please contact me at (605) 773-3352.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst
Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 5325-3

DATE OF INSPECTION: July 31, 1995

Other permit(s) associated with the project: na

NAME & ADDRESS OF INSPECTION CONTACT: Tim Dickes

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Facility Manager, Federal Prison Camp

NAME & ADDRESS OF PERMIT HOLDER: The Federal Prison Camp, PO Box 680, Yankton, SD
57078

DIVERSION POINT LEGAL LOCATION:

East Well: 177' South and 445' West of the north 1/4 corner of Sec. 18, T93N-R55W , (NW 1/4
NE 1/4 NW 1/4 Sec. 18, T93N-R55W

West Well: 115' South and 679' West of the north 1/4 corner of Sec. 18, T93N-R55W , (NE
1/4 NW 1/4 NW 1/4 Sec. 18, T93N-R55W

WELL INFORMATION:

East Well

- 1) Well Drilling Firm: Sioux Well Drilling
- 2) Depth 86 feet
- 3) Well log is available yes

Casing:

- 1) Diameter 8 inches
- 2) Length 76 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 10 feet
- 3) Static water level 62 feet

West Well

- 1) Well Drilling Firm: Sioux Well Drilling
- 2) Depth 86 feet
- 3) Well log is available no (contacted Wayne
Wagner for log)

Casing:

- 1) Diameter 8 inches
- 2) Length 76 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 10 feet
- 3) Static water level 62 feet

East Well**Pump and Motor:**

- 1) Make Gould Submersible
- 2) Model 2366529020 Serial 23Q114
- 3) Size 5 stage for deep well
- 4) Capacity 125 GPM
- 5) Horsepower rating 10 hp

West Well**Pump:**

- 1) Make Franklin Submersible
- 2) Model S09978
- 3) Size 6
- 4) Capacity 125 GPM
- 5) Horsepower rating 10 hp

SYSTEM TYPE:**Underground sprinkler system:****PERMIT QUALIFICATIONS AND REGULATIONS:**

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

Permit No. 5325-3
Missouri 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, July 31, 1995, made a thorough examination of the water use system constructed by the Federal Prison Camp of PO Box 680, Yankton, SD 57078 holder of Permit No. 5325-3, bearing the priority of March 23, 1989 authorizing the diversion of 0.44 cu. ft. per second of the waters of groundwater for irrigation purposes, in Yankton County.

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

A. Works used to divert the water:

Water is diverted from two 8-inch diameter wells 86 feet deep. The wells are located in the NW 1/4 NE 1/4 NW 1/4 Sec. 18, T93N-R55W and in the NE 1/4 NW 1/4 NW 1/4 Sec. 18, T93N-R55W. The wells use 6-inch submersible pumps powered by 10 horse power electric motors.

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

Water is transported to place through buried water lines as part of an underground sprinkler system

C. Works used to apply water to beneficial use:

Water is applied to beneficial use through an underground sprinkler system

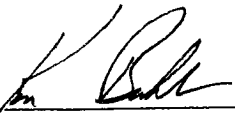
The system is in the following condition good. The point of diversion is located in the NW 1/4 NE 1/4 NW 1/4 Sec. 18, T93N-R55W and in the NE 1/4 NW 1/4 NW 1/4 Sec. 18, T93N-R55W. The works are capable of diverting and conveying to the place of use 0.56 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

27 acres less buildings at Yankton Federal Prison Camp located in the NE 1/4 NW 1/4 and the NW 1/4 NW 1/4 of Sec. 18, T93N-R55W and the SE 1/4 SW 1/4 and the SW 1/4 SW 1/4 of Sec. 7, T93N-R55W.

comprising a total of 27 acres of land and the license should be issued for 0.39 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: na



Ken Buhler
Natural Resources Engineer
DENR, Water Rights Program

4/2/96

Date

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

DATE: April 2, 1996

RE: Addition of a Diversion Point for Water Permit No. 5325-3 (Federal Prison Camp)

An inspection of Permit No. 5325-3 found a second well which was not authorized by the permit diverting water for this project. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional point of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Water Permit No. 5325-3, approved in 1989, appropriates 0.44 cubic feet of water per second (cfs) from one well (lower James: Missouri Aquifer), 86 feet deep, to irrigate 31 acres. The diversion point was to be located in the NE¼ NW¼ of Section 18, T93N-R55W. An inspection of Water Permit No. 5325-3 found that water is diverted from two 8-inch diameter wells 86 feet deep. The wells are both located in the NW¼ Sec. 18, T93N-R55W.

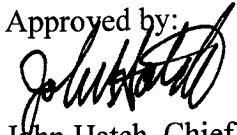
A review of existing diversions in the area was conducted based on Water Rights Program records. This review in addition to consideration of the characteristics of the Lower James: Missouri aquifer indicates that this second well does not change the potential to impact existing domestic or appropriative rights from the aquifer. The diversion point has been in operation at the described location for several years with no known controversy.



Ken Buhler
Natural Resources Engineer
DENR, Water Rights Program

The Chief Engineer makes a finding that this change in location does not increase the potential for interference with existing diversions. In making the finding "does not increase the potential for interference" is interpreted to mean potential for adverse interference. Water Permit No. 5325-3 may be licensed without requiring an application or publication of a notice of hearing pursuant to SDCL 46-2A-4 for a change of diversion point.

Approved by:



John Hatch, Chief Engineer
Water Rights Program

Licensing of Acreage Outside of Permitted Area

NAME: Federal Prison Camp

ADDRESS: PO Box 680, Yankton, SD 57078

DATE: July 8, 1996 **COUNTY:** Yankton **TELEPHONE:** (605)665-3262 Ext 1076

AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

The acreage developed for irrigation is 27 acres less buildings as compared to 31 acres authorized by the permit. Licensing of the permit will result in a reduction in the amount of water appropriated.

UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage**

The unpermitted acreage is 7.5 acres less buildings located in the W½ Sec. 18, T93N-R55W. This acreage was identified on the map submitted with the permit application but was not identified on the application or the Notice of Hearing. The W½ Sec. 18, T93N-R55W is contiguous to permitted acreage.

- **Owned by Same Property Owner**

According to a plat map compiled by Daniel D. Eisenbraun, P.E. & L.S., which was submitted with the permit application the W½ Sec. 18, T93N-R55W is owned by the Yankton Federal Prison Camp

- **Developed Prior to Expiration of Construction Period**

According to the well completion report, conversations with the well driller and the Prison personnel, the acreage was developed for irrigation prior to the end of the construction period.

RECOMMENDED ACTION

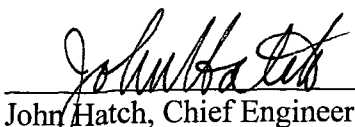
Based on the above criteria, it is recommended that the 7.5 acres less buildings be included in the water license.



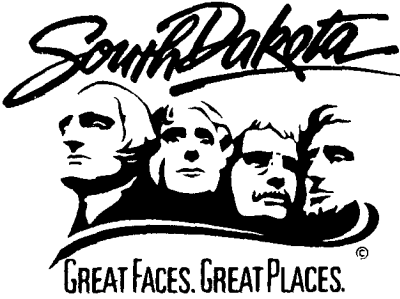
Ken Buhler, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.



John Hatch, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 17, 1996

5325-3

Tim Dickes, Facility Manager
Federal Prison Camp
P.O. Box 680
Yankton, SD 57078

Dear Mr. Dickes:

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 No. 5235-3, has been completed. Your final water right document, the Water License, can now be issued.

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.

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

Sincerely,

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

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

FUND
CONTROL # 212-4

FACILITIES

PURCHASE ORDER
FEDERAL BUREAU OF PRISONS

YANKTON, SOUTH DAKOTA
605-665-3262

This number must appear on all
PACKAGES and PAPERS relating to this
order and should be accompanied by
packing tickets.



	APPR	BA	COST CENTER	PMS	PROJ	SUB OBJECT	IG	DOC TYPE	PURCHASE ORDER NO	DESG	RECYCLE	STORES INDICATOR
R.P. NO. 1584	62	P	334	645	000	2599	N	05	1256	F3*		N

ALL INVOICES SHALL BEAR THE ORDER NUMBER AND BE SUBMITTED IN DUPLICATE

TO S DEPT OF ENVIRONMENTAL & NAT RESOURCES
E 523 EAST CAPITOL
L PIERRE SD 57501-3181
L
E
R 605-773-3352

CONSIGNEE AND DESTINATION
FEDERAL PRISON CAMP
1016 DOUGLAS AVE
PO BOX 680
YANKTON SD 57078

INVITATION NO.
LETTER/CHERYL FROST

CONTRACT NO.
OPEN MARKET

TIME FOR DELIVERY
BY 6-1-96

DISCOUNT TERMS
N30 OR DISCOUNT TERMS

FOB POINT
NOT APPLICABLE

SHIP VIA
NOT APPLICABLE

ITEM NO.	ARTICLES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1.	FEE FOR WATER PERMIT #5235-3 FOR INSPECTION AND ISSUANCE OF WATER LICENSE.	1	EA	50.000	50.00



1. NOTE: See Terms and Conditions on Reverse.

2. NOTE: IF THIS ORDER IS F.O.B. SHIPPING POINT, SHIP PREPAID VIA
MOST ECONOMICAL MEANS. TRANSPORTATION CHARGES TO
BE INCLUDED ON INVOICE AS A SEPARATE ITEM WHICH
SHALL BE SUPPORTED BY ORIGINAL FREIGHT BILL OR EX-
PRESS BILL. DO NOT INSURE PARCEL POST SHIPMENTS.

DELIVERY HOURS: 8 : AM TO 11 : 15 LOCAL TIME
12 : 00 TO 3 : PM LOCAL TIME

Except Saturdays, Sundays and Government Holidays.

3. NOTE: Variation in Quantity _____ %.
(0% Unless Otherwise Specified)

4. NOTE: Vendor must supply material safety data sheets if applicable.

TOTAL 50.00

SIGNATURE
PAMELA TRUE, 605-668-1044/FAX 668-1087
CONTRACTING OFFICER 04/29/96

TYPE OF ORDER (Check One) (DATE)

☒ Purchase Order (See Reverse)

☐ Delivery Order

VENDOR



PURCHASE ORDER TERMS AND CONDITIONS

- 52.252-2 CLAUSES INCORPORATED BY REFERENCE (Jun 88). This contract incorporates one or more of the following clauses by reference with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available.

FEDERAL ACQUISITION REGULATION (48 CFR CHAPTER 1) CLAUSES

- | | |
|--|--|
| <p>52.203-3 Gratuities (Apr 84)</p> <p>52.204-3 Taxpayer Identification (Sep 89)</p> <p>52.212-9 Variation in Quantity (Apr 84)
(permissible variations are stated in the schedule)</p> <p>52.219-1 Small Business Concerns Representation (Jan 91)</p> <p>52.222-3 Convict Labor (Apr 84)</p> <p>52.222-22 Previous Contracts and Compliance Reports (Apr 84)</p> <p>52.222-25 Affirmative Action Compliance (Apr 84)</p> <p>52.222-26 Equal Opportunity (Apr 84)</p> <p>52.222-36 Affirmative Action for Handicapped Workers (Apr 84)</p> <p>52.222-40 Service Contract Act of 1965-As Amended, Contracts of \$2,500 or Less (May 89)</p> <p>52.222-41 Service Contract Act of 1965, As Amended (May 89)</p> | <p>52.225-3 Buy American Act-Supplies (Jan 89)</p> <p>52.225-11 Restrictions on Certain Foreign Purchases (Apr 91)</p> <p>52.232-1 Payments (Apr 84)</p> <p>52.232-8 Discounts for Prompt Payment (Apr 89)</p> <p>52.232-17 Interest (Jan 91)</p> <p>52.232-25 Prompt Payment (Apr 89)</p> <p>52.233-1 Disputes (Apr 84)</p> <p>52.233-3 Protest after Award (Aug 89)</p> <p>52.243-1 Changes-Fixed Price (Aug 87)</p> <p>52.249-1 Termination for Convenience of the Government (Fixed Price) (Short Form) (Apr 84)</p> <p>52.249-8 Default (Fixed-Price Supply and Service) (Apr 84)</p> |
|--|--|

INVOICE REQUIREMENTS

- (1) Invoices shall be prepared and an original submitted to the attention of the cashier at the address specified as consignee on the front of the purchase order.
- (2) Name and address of the Contractor.
- (3) Invoice date.
- (4) Purchase Order number for supplies delivered or services performed.
- (5) Description, quantity, unit of measure, unit price, and extended price of supplies delivered or services performed.
- (6) Shipping and payment terms (shipment number and date of shipment, prompt payment discount terms). Bill of lading number and weight of shipment shall be shown for shipments on Government bills of lading.
- (7) Name, address, and telephone number of Contractor official to whom payment is to be sent.
- (8) Any other information or documentation needed by other requirements of the Purchase Order (such as evidence of shipment).



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

* INVOICE *

Invoice No. 20211-28-05/15/96

Tim Dickes, Facility Manager
Federal Prison Camp
P.O. Box 68
Yankton, SD 57078

Fee required for the final inspection and issuance of Water License No. 5325-3.

PLEASE PAY THIS AMOUNT:

\$50.00


CHERYL F. FROST
Secretary
Water Rights Program
(605) 773-3352

RECEIPT

414992

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ June 21, 19 96

RECEIVED OF Federal Prison Camp, P.O.Box 68, 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. <u>5325-3</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 Hatcher
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5325-3

(1) Federal Prison Camp, PO Box 680, Yankton SD 57078-0680 made Application No. 5325-3, March 23, 1989 for a water permit to divert 0.44 cubic feet of water per second from groundwater (one well), Yankton County, South Dakota for irrigation purposes. Permit No. 5325-3, with a priority date of March 23, 1989 was approved July 26, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 26, 1994 and for the application to beneficial use of said water on or before July 26, 1998.

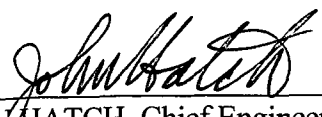
The permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on September 20, 1989. The "*Notice*" stated the diversion system was completed and the water placed to beneficial use on June 30, 1989.

Pursuant to SDCL 46-5-13.1 and 46-5-30.5, the Chief Engineer made findings that the additional point of diversion does not increase the potential for interference with existing diversions and that the acreage developed for irrigation outside of the area described on the permit does not impair existing water rights.

(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 0.39 cubic feet of water per second for beneficial use. The location of the diversion points are: Well No. 1 - 115 feet south and 679 feet west (NW 1/4 NW 1/4) and Well No. 2 - 177 feet south and 445 feet west (NE 1/4 NW 1/4) of the north quarter corner of Section 18-T93N-R55W.

(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: 27 acres less buildings at Yankton Federal Prison Camp located in the N 1/2 NW 1/4 of Section 18-T93N-R55W and the S 1/2 SW 1/4 of Section 7-T93N-R55W.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Federal Prison Camp, PO Box 680, Yankton SD 57078-0680 the holder and/or owner of Water Permit No. 5325-3 is issued a license to appropriate water, the right to use 0.39 cubic feet of water per second from groundwater (two wells) with a priority date of March 23, 1989 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 5325-3 and subject to South Dakota State Law.



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

JUL 17 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 17 1996

5325-3

Tim Dickes, Facility Manager
Federal Prison Camp
P.O. Box 680
Yankton, SD 57078-0680

Dear Mr. Dickes:

Enclosed is Water License No. 5325-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414992 in the amount of \$50.00 which you paid for the investigation 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. 5325-3, 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.

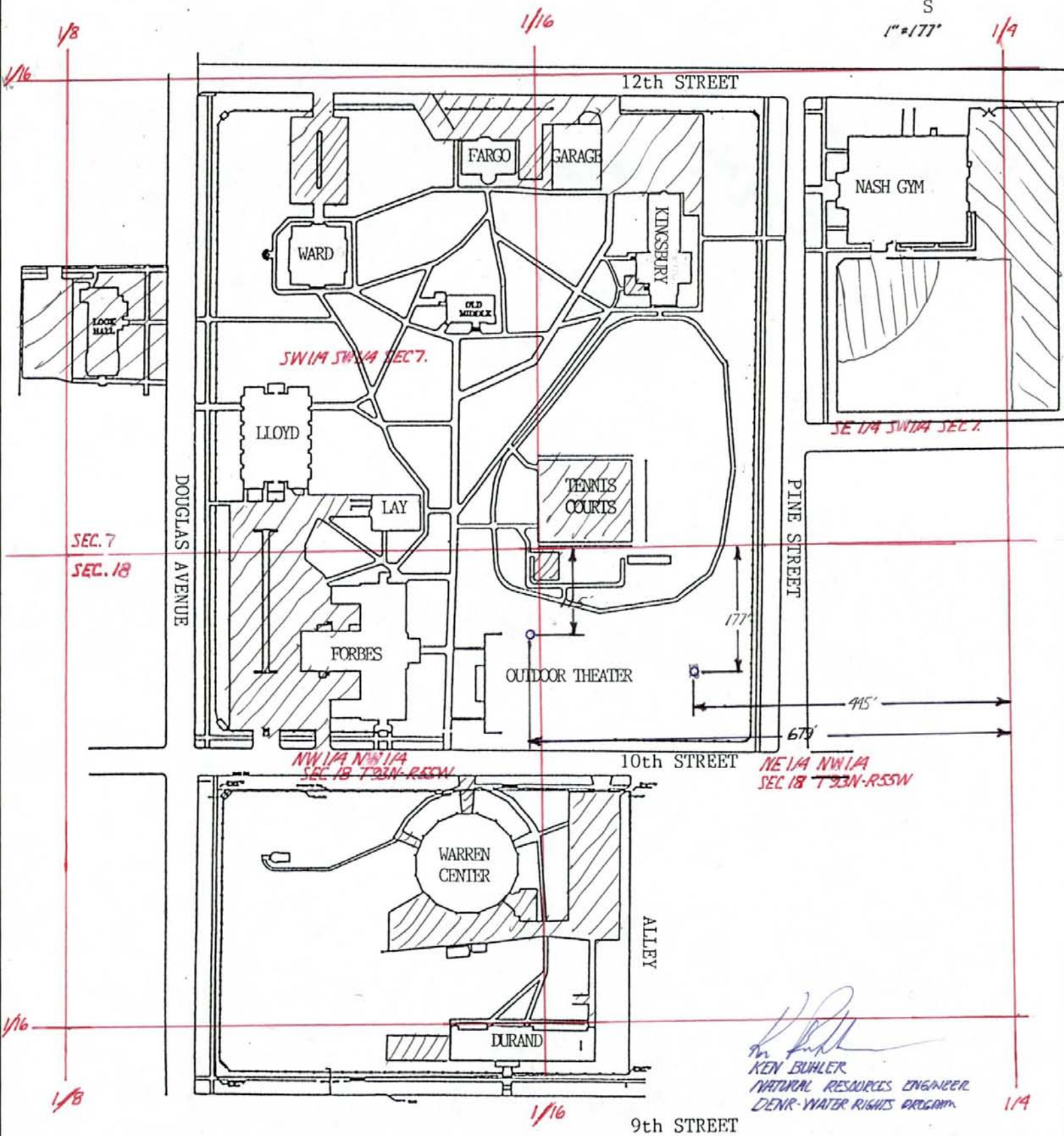
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

ks
enclosures

N
W + E
S
1" = 177'



Ken Buhler
KEN BUHLER
NATURAL RESOURCES ENGINEER
DENR-WATER RIGHTS PROGRAM

5325-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 14, 2009

Yankton Federal Prison Camp
1016 Douglas Ave
Yankton SD 57078

Dear Sir:

I am writing in regard to a well driller's report filed by Christensen Well & Irrigation. The report shows a new well was completed for Yankton Federal Prison Camp on June 17, 2009. A review of our files indicates that prison camp holds Water Right No. 5325-3 for 175 gallons per minute (gpm) from two wells, approximately 86 feet deep located in the N ½ NW ¼ Section 18-T93N-R55W for irrigation around the facility.

South Dakota Codified Law 46-5-13.1 provides that a point of diversion (well) may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Is this well a replacement or an additional well? If this is an additional well, does the total appropriation from the three wells exceed 175 gpm? If so, a new permit application will be required for the additional diversion rate above 175 gpm. Enclosed are application forms and instructions if needed.

If you have any questions, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

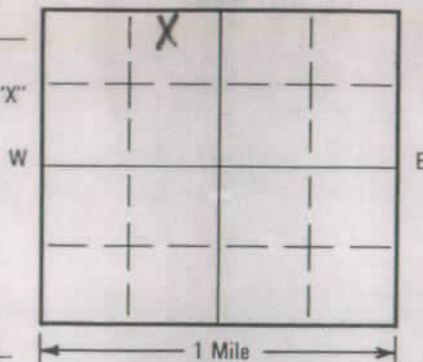
enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NE 1/4 NW 1/4 Sec 18 Twp 93 Rg 55W
County granston

Please mark well location with an "X"



Well Completion Date

6-17-09

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 3000 ft. from city sewer (identify source).

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>160</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>40</u> FT	<u>28</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Benscal</u>	<u>20</u>	_____ lb./gal	_____ ft	_____ ft
		_____ lb./gal	<u>0</u> ft	<u>50</u> ft

Describe grouting procedure Pressure groutedSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 16 IN Length 60 FEETMaterial PVC
Slot Size .085 Set From 40 Feet to 100 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: chlorine☐ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: granston Federal Prison Camp

Business Name: _____

Address: 1016 Douglas Ave
granston, SD 57078

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>top + brown clay</u>	<u>0</u>	<u>13</u>
<u>ROCKS + brown clay</u>	<u>13</u>	<u>25</u>
<u>dirty gravel</u>	<u>25</u>	<u>60</u>
<u>coarse sand</u>	<u>60</u>	<u>92</u>
<u>shell</u>	<u>92</u>	<u>100</u>

STATIC WATER LEVEL 65' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: turbine pump
☐ Bailed
☐ Other

Pumping Level Below Land Surface

79 ft. After 2 Hrs. pumped 285 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 200 GPM

REMARKS

RECEIVED

DEC - 4 2009

WATER RIGHTS
PROGRAMThis well was drilled under license # 444

And this report is true and accurate.

Drilling firm Chelmsen Well & DrillingSignature of License Representative: Cody W. Chelmsen

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

12-10-09

5325-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 5325-3, Yankton Federal Prison Camp

ADDRESS: COUNTY: Yankton County

DATE: December 22, 2009 TELEPHONE: 668-1076

RE: Discussion with Fred Lyman, Facility Manager

COMMENTS:

Karen Schlaak wrote to the Prison Camp on December 14th regarding a well completion report received for a new well. The Prison Camp holds WR No. 5325-3 appropriating 175 gpm from two wells to irrigate 27 acres. The completion report for the new well states a pump rate of 200 gpm.

Mr. Fred Lyman, Facility Manager, called in response to receiving the letter. He has been in that position for 2 months since Tim Dickes retired.

In reviewing the file, a license investigation was conducted in July 1995 and was the basis for the license being issued for 175 gpm. The actual diversion capability at that time was 125 gpm per well for a total ability to divert 250 gpm. However, the license was issued for 175 gpm based on the statutory limit for irrigation of 27 acres.

Our discussion involved what the new well actually produced and what additional permitting may be necessary. Mr. Lyman indicated that one of the permitted wells failed entirely and therefore a new well was drilled. The second well also was having problems but is still operational. The decision was made when drilling the new well to complete it in a manner that it would replace both wells because it is only a matter of time before the 2nd well fails. The 2nd well is currently intended to be a standby well for use only when the primary well is out of service for maintenance.

I told Mr. Lyman that the water right was limited back in 1996 to the statutory limit for irrigation even though the capability was 250 gpm and I could not tell the Prison Camp they had a right to divert more than 175 gpm. Mr. Lyman was uncertain of what the actual diversion rate is to the land. We discussed two ways of checking. First, check the pump curve for the pump set at that depth, or calculate the application rate on the capacity of sprinkler heads in the largest zone. He intended to check and get back to me after the first of the year.

He said if they need to get a permit for an additional diversion rate that is what they intend to do. SDCL 46-5-6 now allows for a rate greater than 1 cfs per 70 acres if the method of irrigation, time constraints or type of soil so requires. Generally, the irrigation of turf has time constraints when watering can occur.

NAME: 

5325-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 5325-3, Federal Prison Camp

ADDRESS: 1016 Douglas Avenue, Yankton SD COUNTY: Yankton

DATE: April 19, 2010 TELEPHONE: 668-1076

RE: Discussion with Fred Lyman, Facility Manager

Mr. Lyman called back regarding the new well that we spoke about last December (see file documentation). Since winter weather has past he was able to get out and determine the capacity of their system. Based on capacity of the sprinkler heads for the two largest zones (only two zones can operate at a time) the system is capable of applying water at a rate of 170 gallons per minute (gpm). This is 5 gpm less than the authorized amount.

I then asked the proximity of the new well to where the failed well was plugged. Mr. Lyman stated it is almost the exact same location.

Based on the fact that no additional water is requested to what is currently held by Water Right No. 5325-3, this new well is completed into the same aquifer and it is in the same location as the failed well, I told Mr. Lyman that no water right permitting is necessary.

Mr. Lyman was going to send me documentation on the capacity of the system. I told him I would include it in the water right record for No. 5325-3.

NAME: Eric Headland



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

January 20, 2022

NOTICE

TO: FEDERAL PRISON CAMP, FRED LYMAN, FACILITY MANAGER, PO BOX 680,
YANKTON, SD 57078 0680

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5325-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 5325-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** 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) 5325-3 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 before the **March 2, 2022** hearing 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: <https://danr.sd.gov/iq> using this password: HDLYOV**

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 AGRICULTURE
and NATURAL RESOURCES**

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

January 25, 2022

5325-3

Brian Fejfar
Federal Prison Camp
PO Box 680
Yankton SD 57078-0680

Dear Sir:

I am writing to acknowledge receipt of the 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 5325-3. The information was received in our office prior to the Water Management Board meeting and has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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