

Considered: _____

WATER PERMIT NO. 5553-3

Phone: 605 267-2129

Name of Applicant: Lyle Stratman

Post Office Address: RR 1, Box 27, Volin SD 57072

Amount of Water Claimed: 2.0 Total Acres: 221

Source of Water Supply: groundwater

Water to be used for: irrigation County: Yankton

About 5 miles W, 3 N of Volin

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 4-3-91 Fee: \$275 Remarks _____

Corrected Application Received 4-9-91 Period of Annual Use May 1 - Sept 30

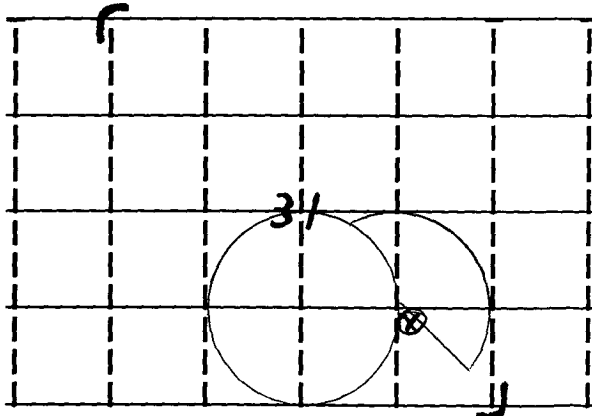
WATER QUALITY APPROVAL RECEIVED 5-14-91 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: SE 1/4 SE 1/4 31-95-54

Land to be Irrigated: E 1/2 SW 1/4, SE 1/4

31-95-54

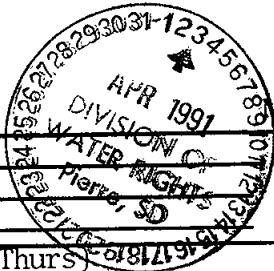
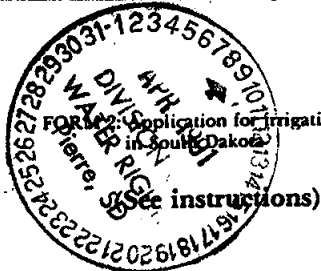


Well Log: Driller: James Wetmore Licensed YES X NO _____

Depth of Well: 165 ft REMARKS _____

Type of Map: aerial PREPARED BY: Kathy Lindquist, ASCS Reviewed and the Number

igned on 4-16-91 By Karen Schlaak



FORM 2 Application for Irrigation (type or print)

101701024

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352No. 5553-3 Hydrologic Unit
Basin Vermillion River
Newspaper Tri-County News

Box 6, Irene, SD (Thurs)

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 _____
1. Name of Applicant Lyle Stratman Phone No. (605) 267-2129
- Post Office Address RR 1 Box 27 Volin State S.D. 57072
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed (c.f.s.) 900 GPM (2.0 cfs) Total acres irrigated 221
3. Source of Water supply Well
4. Location of point of diversion SE 1/4 of SE 1/4 of Section 31, Township
95 N., Range 54 W. County Yankton
5. Counties where water will be used Yankton
6. Annual period during which water is to be used May 1 September 30
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
All located in Section 31, Township 95 N., R 54 W.

Land Description	No. Acres Irr.
<u>NE 1/4 of SW 1/4</u>	<u>40</u>
<u>SE 1/4 of SW 1/4</u>	<u>40</u>
<u>NW 1/4 of SE 1/4</u>	<u>40</u>
<u>SW 1/4 of SE 1/4</u>	<u>40</u>

Land Description	No. Acres Irr.
<u>NE 1/4 of SE 1/4</u>	<u>40</u>
<u>SE 1/4 of SE 1/4</u>	<u>21</u>

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: Corn, Beans
10. Give a description of proposed project. (Attach sheet if more space is needed)

The pivot located on the SE quarter section of approximately 80% of a circle around the farm place and irrigate about 141.0 acres in that quarter section. The pivot will then be moved to irrigate the E 1/2 of SW 1/4, Sec. 31, T. 95 N., R 54 W.

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, Lyle, 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 Lyle StratmanSubscribed and sworn to before me this 25 day of March 19 91Phonda J. Stralman
Notary Public
my commission expires: 8-28-97

SOUTH DAKOTA
WATER PERMIT No. 5553-3 FOR IRRIGATION

Date of first receipt of application March 27, 1991.

Date Soil/Water Compatibility Permit received May 14, 1991.

Date of return to applicant for corrections, amendments or changes March 27, 1991.

Date of receipt of corrected application April 9, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5553-3 to Lyle Stratman, RR 1, Box 27, Volin SD 57072 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. 5553-3 appropriates 2.0 cubic feet of water per second from one well (Lower James Missouri Aquifer) 165 feet deep located in the SE 1/4 SE 1/4 Section 31; to irrigate 221 acres located in the E 1/2 SW 1/4, SE 1/4 Section 31; all in T95N, R54W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - September 30.
3. The date from which applicant may claim right is March 27, 1991.
4. The date of approval of Permit No. 5553-3 is August 14, 1991.
5. One-fifth of the construction is to be completed on or before February 14, 1994.
6. All construction is to be completed on or before August 14, 1996.
7. Water is to be put to beneficial use on or before August 14, 2000.
8. 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. 5553-3 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 74:02:04:33.
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.

(continued)

Water Permit No. 5553-3
Page 2

3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

SEP 16 1991

date

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 21" Depth 165 ft
- b) Casing Type PVC Diameter 16" Thickness 1/2"
- c) Screen Type SLOTTED Diameter 16" Thickness 1/2"
- d) Gravel Pack Thickness 3" Length of Gravel Pack 30'
- e) Depth to Top of Water Bearing Material 141'
- f) Depth to Water (ground surface to water level) 80 ft
- g) Distance to nearest existing domestic well: 1/4 mile
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

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

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

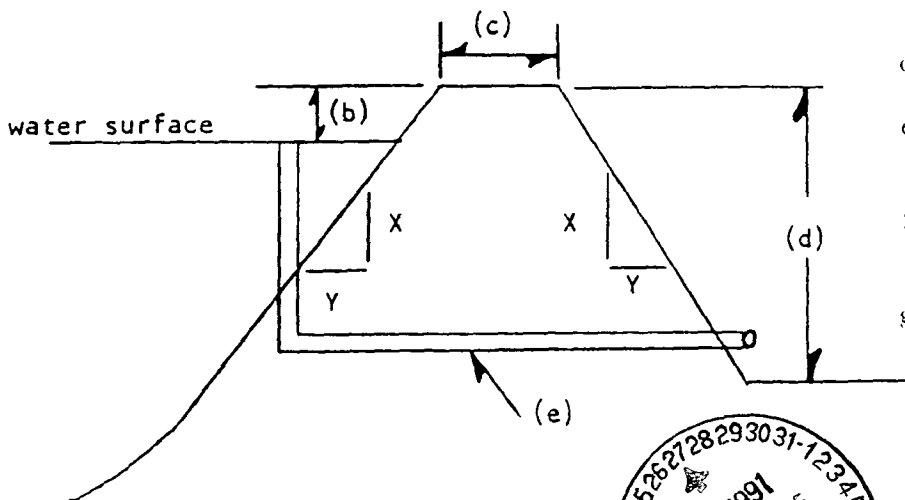
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____



WETMORE DRILLING

Elk Point, South Dakota 57025

Phone [605] 356-3272

Name

Address

Date _____

12-12, 1990

No.	Description	Amount
E 1/2 - SW 1/4	Sec 31	
T 9 S	R 6 E	
Yankton Co.		
0 - 2.5	Top soil	
2.5 - 121	clay	
121 - 166	coarse sand & gravel	
166 - 170	clay	
James Wetmore		
Wetmore Pulling		

Received By

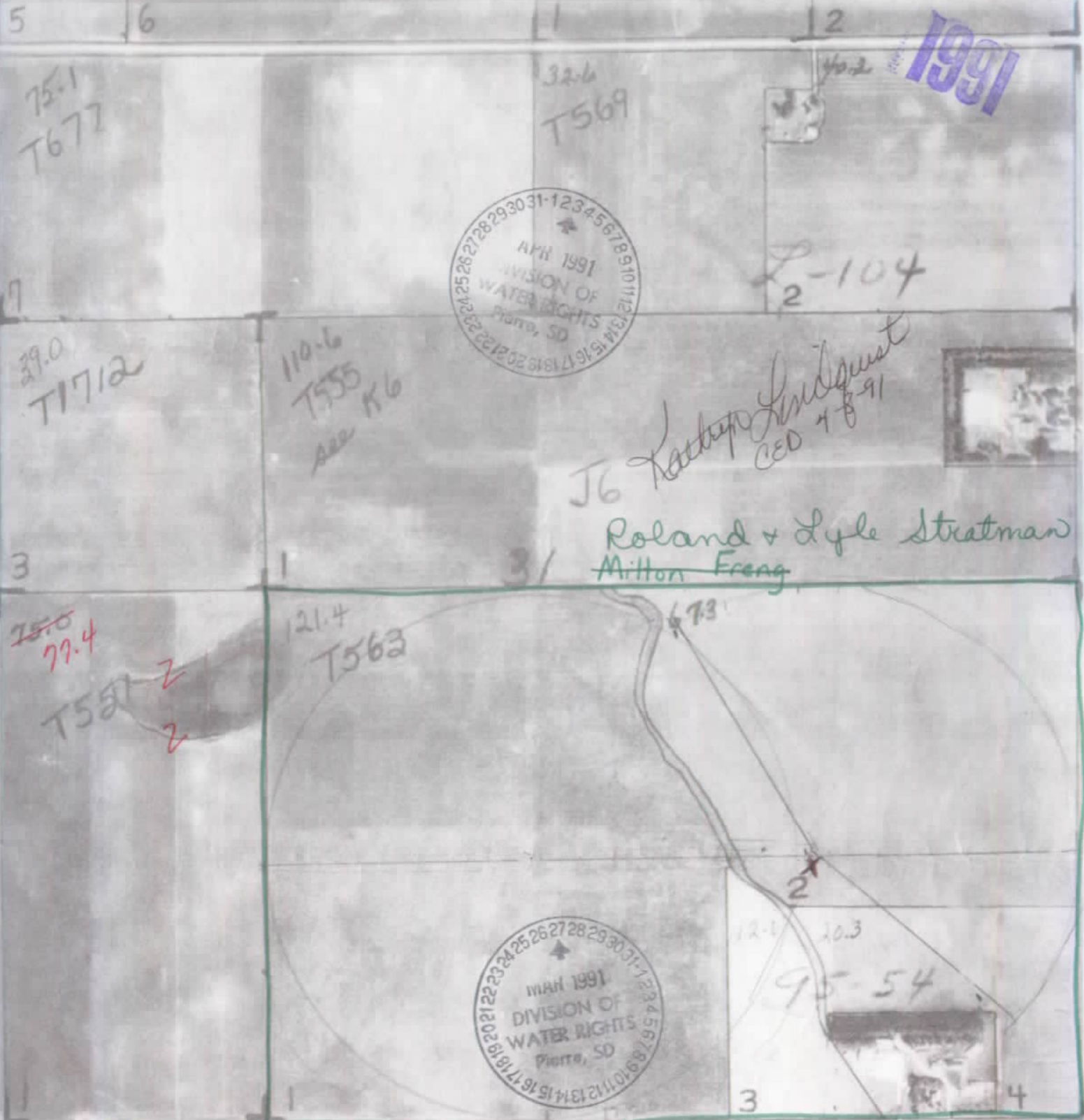
Sub Total

Tax

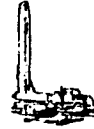
TOTAL

**Please Pay By Invoice
No Statement Will Be Sent**

NOT TO SCALE



WETMORE DRILLING

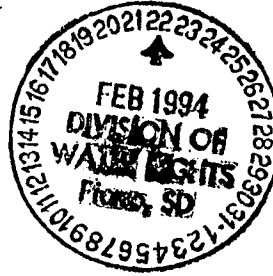


Mike Wetmore
Geologist

Office: (605) 232-4747
208 Suncoast Drive
McCook Lake, SD 57038

Mobile Phone: (712) 258-0005 *1222

Shop: (605) 356-2248
I-29 Exit 15
Elk Point, SD 57025



February 15, 1994

Ken Buhler
SD Water Rights Commission
State Office Building number 2
Pierre, SD 57501

Re: Well logs for Morris Nelson and Lyle Spratman

Dear Ken,

It is with regret that I have to inform you that we are unable to locate the well logs for either Morris Nelson in 32-95-54 or Lyle Spratman in 31-95-54. We will continue to look for these logs and if they should turn up we will forward them to you immediately.

If there is anything else that we can do for you, please do not hesitate to call.

Sincerely,

WETMORE DRILLING

Mike Wetmore

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412615

Pierre, March 27, 19 91

RECEIVED OF Lyle Stratman, PO Box 60, St. Helena NE 68774

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

Fee for Application for Permit No. <u>5553-3</u> to Appropriate Water, to construct works and to put water to beneficial use	275	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	275 00

By John Hatch
Chief Engineer

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4602

WR#

OWNERS NAME: STRATMAN, LYLE OWNERS ADDRESS: RR 1, BOX 27
VOLIN, SD 57072

COUNTY LAND LOCATED IN: YANKTON PHONE: 267-2129

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION SE $\frac{1}{4}$ SE $\frac{1}{4}$ 31-T95N-R54W

Depth: _____

Legal Description	Acres	Legal Description	Acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 31-T95N-R54W	40	SE $\frac{1}{4}$ SW $\frac{1}{4}$ 31-T95N-R54W	40
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 31-T95N-R54W	40	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 31-T95N-R54W	40
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 31-T95N-R54W	40	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 31-T95N-R54W	21

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: XXX GUN: _____ (Specify) _____

3. CROPS TO BE IRRIGATED: CORN, BEANS

WATER QUALITY:	
4. WATER SAMPLE NUMBER: <u>91-0143</u>	7. ADJUSTED (SAR): <u>1.08</u>
5. SALINITY (EC X 10 ⁶): <u>1400</u>	8. PERCENT SODIUM: <u>6.44</u>
6. SODIUM (SAR): <u>0.39</u>	

Requirements:

(See attached Management Plan).

Adequate internal drainage shall be provided, as deemed necessary; i.e., tile drainage.

Please be advised that we do not consider the Swampbuster or Wetland Provisions of the Farm Bills when developing our recommendation; contact your local SCS or ASCS before undertaking any drainage projects.



XXX

APPROVED

DISAPPROVED

WAIVER

XXX

REQUIRED

[Signature]
Director, Division of Conservation

APRIL 26, 1991

Date

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



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 27, 1991

Lyle Stratman
RR 1, Box 27
Volin SD 57072

Dear Mr. Stratman:

In regard to your water permit application received on March 27, 1991, the application and aerial photo are being returned for the following reasons:

1. The application needs to be signed by a notary public.
2. The aerial photo submitted with the application must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares map as a part of his assigned duties (i.e. local SCS or ASCS office). Also, on the map, please mark the location of the well with an "X".
3. On Item No. 4 of the application, please indicate the quarter-quarter (40 acre parcel) of Section 31 where the well is located.
4. On Item No. 7, please breakdown the land description to the quarter-quarter (40 acre parcel) and include the number of acres in each parcel.

The water permit application can not be consider until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Upon receipt of the above, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosures



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 3, 1991

Lyle Stratman
RR 1, Box 27
Volin SD 57072

Dear Mr. Stratman:

Enclosed is your water permit application and aerial photo. As stated in my letter dated March 27, 1991, the application needs to be notarized. Also, the aerial photo needs to be taken back to the Yankton County ASCS office and be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares map as a part of his assigned duties.

Upon receipt of the notarized application and a signed aerial photo, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosures

R.R. 1, Box 27
Volin, SD 57072

April 22, 1991

Mr. James L. Stukel
Natural Resource Program Scientist
South Dakota Division of Conservation
South Dakota Dept. of Agriculture
445 East Capitol Avenue
Pierre, SD 57501-3188

RE: Permit #4602

Dear Mr. Stukel:

The following information is provided regarding the irrigation permit #4602. In order to deal with those soils that are unsuitable for irrigation, a management plan to deal with this situation will be implemented. Corn, soybeans, and alfalfa will be grown in rotation. A conservation tillage program will be used to maintain the residue on the surface.

Corn planted into soybean stubble will be planted no-till to limit erosion. One to two discings will be used following corn, and the inner row space of the corn and soybeans will be ripped annually using a subsoiler. This will help improve infiltration of water on these soils, reduce compaction problems, and still maintain residue cover. All nitrogen fertilizer will be applied at cultivation to limit nitrogen losses.

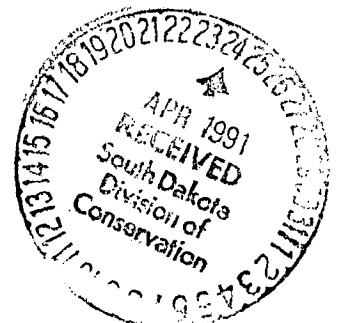
Irrigation water is to be applied with a center pivot at a rate of one inch of water per application. Soil moisture levels will be maintained at just below field capacity to prevent deep percolation of water, and still prevent runoff. Drainage required will be provided by grassed waterways where they are needed.

I hope this management plan provides you with the information you need to proceed with the permit process.

Sincerely,



Lyle K. Stratman



REPORT ON APPLICATION NO. 5553-3
for Lyle Stratman
June 21, 1991

Application No. 5553-3 proposes to appropriate 2.0 cfs from one well approximately 165 feet deep located in the SE 1/4 SE 1/4 of section 31; to irrigate 221 acres located in the E 1/2 SW 1/4, SE 1/4 of section 31; all in T95N R54W in Yankton County.

AQUIFER - LOWER JAMES MISSOURI (LJM)

The Lower James Missouri is a buried glacial outwash (sand and gravel) under predominantly water table conditions in this area. According to the test well log submitted with the application, sand and gravel was encountered from 121 to 166 feet below land surface at this site. No water level was given for this test well but it should be about 105 feet below land surface which would make a well at this site under artesian conditions. The Lower James Missouri aquifer underlies 92,500 acres and contains an estimated 2.08 million acre feet of recoverable water in storage in Yankton County (Hedges, 1982). The Lower James Missouri is hydraulically connected to the Lower James Scotland aquifer to the northwest, the Lower James Missouri in Hutchinson County, the Missouri Elk Point aquifer to the south and to the James River which serves as a discharge point for the aquifer. Also the bedrock Niobrara formation may also be hydraulically connected. The thickness of the Lower James Missouri aquifer averages 150 feet in the northern area and 100 feet in the southern area (Missouri River floodplain) (Bugliosi, 1986) which corresponds with the management units of the Hedges report cited previously.

The Division of Water Rights monitors 24 observation wells completed into the Lower James Missouri aquifer in Yankton County. Water levels for these wells respond to climatic conditions, that is, rising during wet years and gradually declining during dry years. The water levels indicate the aquifer is capable of sustaining additional withdrawals (Water Rights, 1991). Observation Well YA-80FA is located approximately 1 3/4 miles west of this application.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

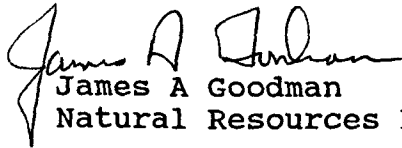
There is one existing water permit No. 4551-3 located about 1/2 mile east of this application. Interference is not expected to be a concern. The formation thickness, the high capacity of area irrigation wells and the relatively small changes in water levels observed in monitoring wells would indicate that drawdown caused by pumping should not be adverse.

CONCLUSIONS

1. Water is available from the Lower James Missouri aquifer.
2. The aquifer is under artesian conditions at this site, but the area surrounding this site is under water table conditions.

Significant drawdown due to pumping is not expected to occur.
Interference is not expected to be a problem.

3. Any well authorized by this application must be completed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Bugliosi, E.F., 1986, Water Resources of Yankton County, South Dakota, USGS WRI 84-4241, USGS, Huron, SD, 57350.

Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1991, Observation Well Records for Yankton County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

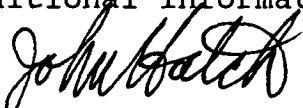
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5553-3, Lyle Stratman

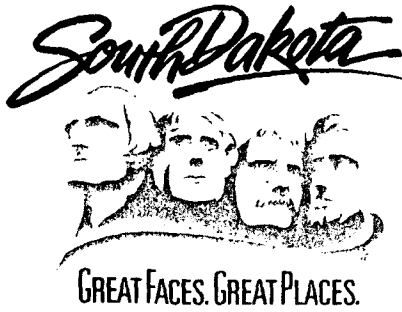
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5553-3, Lyle Stratman, RR 1, Box 27, Volin, SD 57072.

The Chief Engineer is recommending APPROVAL of Application No. 5553-3 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. 5553-3 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 74:02:04:33.
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 report on application for additional information.


JOHN HATCH, Chief Engineer
June 27, 1991



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

June 28, 1991

Lyle Stratman
RR 1 Box 27
Volin, SD 57072

Dear Mr. Stratman:

Water Permit Application No. 5553-3 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 Tri-County News printed at Irene, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

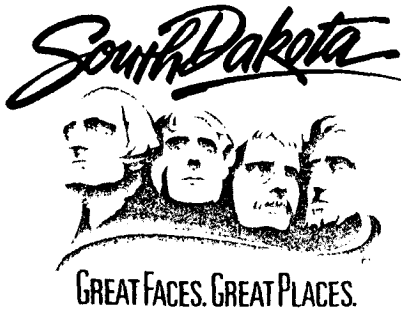
Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



June 28, 1991

Tri-County News
Box 6
Irene, SD 57037

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5553-3 to be published twice. Please publish the first notice on July 11, 1991, 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 Lyle Stratman, RR 1, Box 27, Volin, SD 57072.

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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

18

Instruction to Newspaper - Publish first Notice on or before July ~~11~~, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5553-3 to Appropriate Water

Notice is given that Lyle Stratman, RR 1, Box 27, Volin, SD 57072 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well (Lower James Missouri Aquifer) 165 feet deep located in the SE 1/4 SE 1/4 Section 31; to irrigate 221 acres located in the E 1/2 SW 1/4, SE 1/4 Section 31; all in T95N, R54W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5553-3 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July ~~29~~¹⁸, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5553-3 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for August ~~7~~¹⁸, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the August ~~7~~¹⁸, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August ~~7~~¹⁸, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July ~~29~~¹⁸, 1991.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

July 10, 1991

Lyle Stratman
RR 1 Box 27
Volin, SD 57072

Dear Mr. Stratman:

Water Permit Application No. 5553-3 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 Tri-County News printed at Irene, SD. A copy of the notice, the recommendation of the Chief Engineer and a report on the application were forwarded to you at an earlier 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 Hearing 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 10, 1991

Tri-County News
Box 6
Irene, SD 57037

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5553-3 to be published twice. Please publish the first notice on July 18, 1991, 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 Lyle Stratman, RR 1, Box 27, Volin, SD 57072.

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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on or before July 18, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5553-3 to Appropriate Water

Notice is given that Lyle Stratman, RR 1, Box 27, Volin, SD 57072 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well (Lower James Missouri Aquifer) 165 feet deep located in the SE 1/4 SE 1/4 Section 31; to irrigate 221 acres located in the E 1/2 SW 1/4, SE 1/4 Section 31; all in T95N, R54W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5553-3 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

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For purposes of publishing 1) the notice of hearing on Application No. 5553-3 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for August 14, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the August 14, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 14, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 5, 1991.

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PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Yankton) ss.

I, Berniece A. Hansen
certify that the attached printed Notice was taken
from the Tri County News

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

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

July 18, 1991

July 25, 1991

Berniece A. Hansen
(Signature)

Owner / Editor
(Title)

7-26-91
(Date Signed)

Cost of Printing: \$ 79.20

NOTICE OF HEARING
on application No. 5553-3
to Appropriate Water

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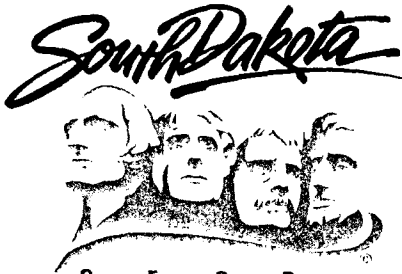
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GREAT FACES. GREAT PLACES.

SEP 16 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Lyle Stratman
RR 1 Box 27
Volin, SD 57072

Dear Mr. Stratman:

Enclosed is Water Permit No. 5553-3 authorizing construction of 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.

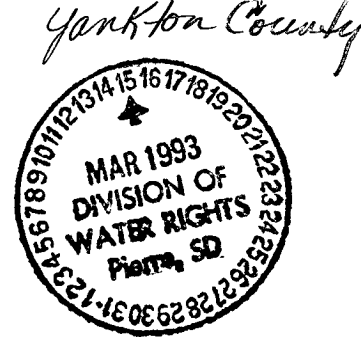
Very truly yours,

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.



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

Date March 10, 1993

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

FROM: Lyle Stratman RR1 Box 27 Volin SD 57072
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. 5553-3.

Water Permit No. 5553-3 states that the diversion system is to be constructed by August 14, 1996, and that the water it put to beneficial use by August 14, 2000.

The diversion system was completed on May 10, 1992.
Applying the water to beneficial use was completed on May 20, 1992.

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

Lyle Stratman
signature

Permit No. 5553-3
Missouri River - Water District

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

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

I have this day, September 29, 1993, made a thorough examination of the water use system constructed by Lyle Stratman of Volin holder of Permit No. 5553-3, bearing the priority of March 27, 1991 authorizing the diversion of 2.0 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 a well located 1850'N46°W of the SE corner of Sec.31, T95N-R54W, with a Mid American, 12 inch, 5 stage, turbine pump, (Model # MA 11085-91), powered by a John Deere, 125 horsepower, diesel engine (SN T06059T342744* 6059TF001).

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

Water is transported through 1300 feet of buried 8-inch diameter PVC pipe from the well to one of pivot point for a center pivot irrigation system and through 30 feet of 10-inch diameter aluminum pipe from the well to a second pivot point for a center pivot irrigation system.

C. Works used to apply water to beneficial use:

Water is applied to beneficial use through a low pressure, 7 tower, towable, Linsay Zimmatic center pivot (Serial No. L38928). The system is 1300 feet long and has a Nelson 100 end gun.

The system is in the following condition good. The point of diversion is located 1850 feet N46°W from the SE corner of Sec. 31, T95N-R54W (NW NW NW SE Sec. 31, T95N-R54W). The works are capable of diverting and conveying to the place of use 2.0 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:

<u>NE 1/4 SE 1/4 Sec. 31, T95N-R54W</u>	<u>36 acres</u>
<u>NW 1/4 SE 1/4 Sec. 31, T95N-R54W</u>	<u>40 acres</u>
<u>SW 1/4 SE 1/4 Sec. 31, T95N-R54W</u>	<u>40 acres</u>
<u>SE 1/4 SE 1/4 Sec. 31, T95N-R54W</u>	<u>23 acres</u>
<u>NE 1/4 SW 1/4 Sec. 31, T95N-R54W</u>	<u>36 acres</u>
<u>SE 1/4 SW 1/4 Sec. 31, T95N-R54W</u>	<u>36 acres</u>

comprising a total of 211 acres of land and the license should be issued for 2.0 cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are:

Date: February 22, 1994


 Ken Buhler
 Natural Resources Engineer
 DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 5553-3

DATE: January 31, 1994

Other permit(s) associated with the project:

DIVERSION POINT LEGAL LOCATION: 1850 feet North 46 degrees West of the SE corner of Sec. 31, T95N-R54W, (NW 1/4 NW 1/4 SE 1/4 SE 1/4 Sec. 31, T95N-R54W)

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore Drilling
- 2) No. of Wells one
- 3) Depth(s) 240 feet
- 4) Well log is available Y/N
- 5) Comment:

Casing:

- 1) Diameter 16 inches
- 2) Length? feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length? feet
- 3) Static water level 100 feet

Pump:

- 1) Make Mid American Pump and Supply
- 2) Model MA 11085-91, Type MAPS
- 3) Size 5 stage, 12, 2-80
- 4) Capacity 900 gpm
- 5) Operating Pressure 40 psi

Motor:

- 1) Make John Deere, 6 cylinder diesel, 5.9 Liter
- 2) Serial No. T06059T342744* 6059TF001
- 3) Horsepower rating 125 hp

DISTRIBUTION LINES OR CANALS:

A) Well to East Pivot Point

1) Type Alluminum 2) Size 10 inches 3) Length 30 feet

B) Well to West Pivot Point

1) Type PVC 2) Size 8 inches 3) Length 1300 feet

SYSTEM TYPE:

Center pivot:

1) Make Linsay Zimmatic Electric (Serial No. L38928), (towable)

2) Overall length 1300 feet

3) Number of towers 7

4) Distance between towers 178.5 feet

5) End gun Y/N (Nelson 100)

6) High or low pressure LOW

7) Capacity 900 GPM

CHEMIGATION EQUIPMENT:

1) Does chemigate Y/N

PERMIT QUALIFICATIONS AND REGULATIONS:

1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y/N

2) Special qualifications to permit being abided by Y/N

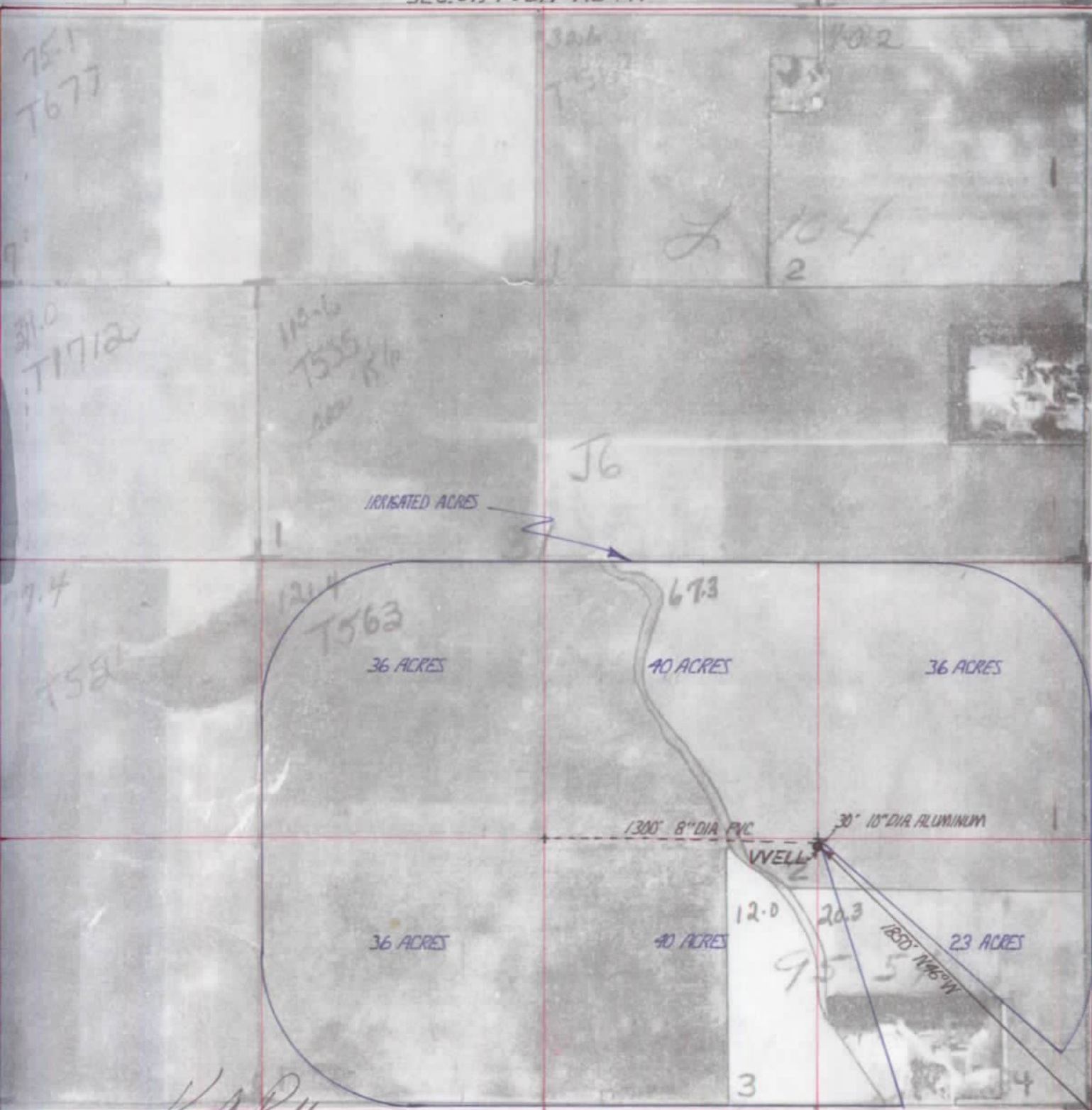
3) All structures, wells and lands on map Y/N

4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y/N

NOT TO SCALE

1553

SEC. 31, T95N-R54W



Ken A. Smith
 NATURAL RESOURCES ENGINEER
 DEWR - WATER RIGHTS

5553-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5553-3

(1) Lyle Stratman of RR #1 Box 27, Volin, SD 57072-9801 made Application No. 5553-3, March 27, 1991 for a water permit to appropriate 2.00 cubic feet of water per second from groundwater (one well), Yankton County, South Dakota for irrigation purposes. Permit No. 5553-3, with a priority date of March 27, 1991 was approved August 14, 1991 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 14, 1996 and for the application to beneficial use of said water on or before August 14, 2000.

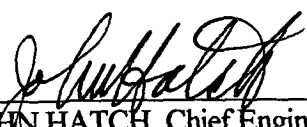
The permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on March 15, 1993. The "*Notice*" stated the diversion system was completed on May 10, 1992 and the water placed to beneficial use on May 20, 1992.

(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 2.00 cubic feet of water per second for beneficial use. The location of the diversion point is 1850 feet N46°W from the SE corner of Section 31, T95N, R54W (NW 1/4 NW 1/4 SE 1/4 SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land: all located in Section 31, T95N, R54W

NE 1/4 SE 1/4	36.00 acres	NE 1/4 SW 1/4	36.00 acres
NW 1/4 SE 1/4	40.00 acres	SE 1/4 SW 1/4	36.00 acres
SW 1/4 SE 1/4	40.00 acres		
SE 1/4 SE 1/4	23.00 acres	Total acres irrigated:	211.00

(4) Pursuant to South Dakota Water Law 46-5-30.1 Lyle Stratman of RR #1 Box 27, Volin, SD 57072-9801 the holder and/or owner of Water Permit No. 5553-3 is issued a license to appropriate water, the right to use 2.00 cubic feet of water per second from groundwater (one well) with a priority date of March 27, 1991 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. 5553-3 and subject to South Dakota State Law.



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

SEP 6 1995

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 9, 1995

5553-3

Lyle Stratman
RR 1, Box 27
Volin, SD 57072

Dear Mr. Stratman:

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. 5553-3, 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 Division
523 E. Capitol
Pierre, SD 57501-3181

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

Sincerely,

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

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

RECEIPT

414558

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, July 19 _____, 19 95

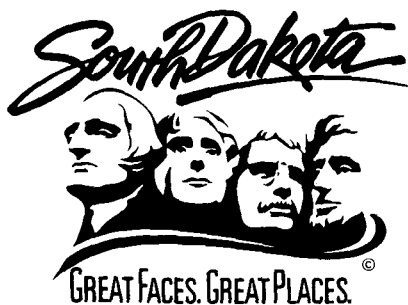
RECEIVED OF Lyle Stratman, RR 1 Box 27, Volin, SD 57072

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>5553-3</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 Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

5553-3

Lyle Stratman
RR 1, Box 27
Volin, SD 57072-9801

Dear Mr. Stratman:

Enclosed is Water License No. 5553-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414558 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5553-3, 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

gm
enclosures