

Considered: _____

WATER PERMIT NO. 5609-3

Phone: 665-4501

Name of Applicant: City of Yankton

Post Office Address: PO Box 176, Yankton SD 57078

Amount of Water Claimed: 1.11 cfs Total Acres: 100

Source of Water Supply: groundwater (two wells)

Water to be used for: irrigation County: Yankton

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received: 11-26-91 Fee: _____ Remarks Sent

invoice 1-26-91

Corrected Application Received 11-27-91 Period of Annual Use Mar 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

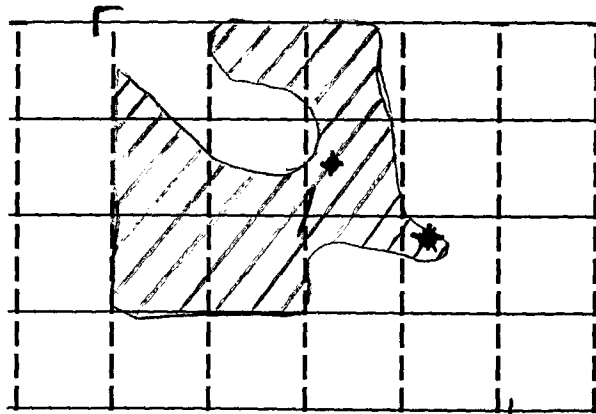
WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: SW 1/4 NE 1/4 and NE 1/4 SE 1/4

Sec 1-T93N-R56W

Land to be Irrigated: NW 1/4, N 1/2 SW 1/4,

N 1/2 SE 1/4, W 1/2 NE 1/4 Sec 1-T93N-R56W

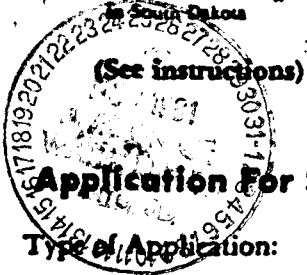


Well Log: Driller: Christenson Well Co. Licensed YES X NO _____

Depth of Well: 100' REMARKS _____

Type of Map: plat PREPARED BY: Kevin Kuhl Reviewed and the Number

Assigned on 1-14-92 By Karen Schlaak



No. 5609-3 Hydrologic Unit 10170101
Basin Vermillion River
Newspaper Daily Press & Dakotan, PO Box 56
Yankton

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

Type of Application: ☒ New ☐ Vested Right or ☒ Amend Permit No. 5561-3
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

1. Name of Applicant City of Yankton Phone No. 665-4501 ext 31

Post Office Address PO Box 176 Yankton State SD 57078
(Street, R.R. or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 500 gpm 1.11 cfs Total acres irrigated Approximately 100

3. Source of Water supply Wells

4. Location of point of diversion Wells of the NE 1/4 and the SE 1/4 of the SW 1/4 of Section 1-T93N, R56W,
as shown on attached drawing dugout/ponds SW 1/4 NE 1/4, NW 1/4 SE 1/4 Sec 1-T93N-R56W
County Yankton

5. Counties where water will be used Yankton

6. Annual period during which water is to be used March 1 - October 31

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

All in Section 1-T93N-R56W

Land Description	No. Acres Irr.
NW 1/4, NW 1/4	1.9
NE 1/4, NW 1/4	10.5
SE 1/4, NW 1/4	6.3
SW 1/4, NW 1/4	10.7

-NW 1/4, SW 1/4

Attach sheet if more space is needed
7.3

Land Description	No. Acres Irr.
NE 1/4, SW 1/4	17.7
NW 1/4, SE 1/4	15.3
NE 1/4, SE 1/4	1
NW 1/4, NE 1/4	13.2

15.7

Other:

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ (Specify) Pumped

9. Crops to be Irrigated: N/A

10. Give a description of proposed project. (Attach sheet if more space is needed)

Installation of wells to direct water to ~~a~~ lakes on the municipal golf course. Lake to provide a water hazard for golf play and a detention cell for water storage for irrigation purposes.

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, William R. Ross, 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

William R. Ross

City Manager

Subscribed and sworn to before me this 25th day of November 1991

Zola Stark
Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5609-3 FOR IRRIGATION

Date of first receipt of application November 26, 1991.
Date Soil/Water Compatibility Permit received January 17, 1992.
Date of return to applicant for corrections, amendments or changes
November 26, 1991.
Date of receipt of corrected application November 27, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5609-3 to the City of Yankton, PO Box 176, Yankton SD 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. 5609-3 appropriates 1.11 cubic feet of water per second from two wells (Niobrara Formation) 100 feet deep located in the SW 1/4 NE 1/4 and the NE 1/4 SE 1/4 Section 1-T93N-R56W to irrigate 100 acres and to authorize storage of water in a dugout/ponds (9 acre-feet capacity). The irrigated land is to be located in the NW 1/4, N 1/2 SW 1/4, N 1/2 SE 1/4, W 1/2 NE 1/4 Section 1-T93N-R56W. This permit authorizes diversion of 1.11 cfs into a dugout (9 acre-feet regulating pond) located in the SW 1/4 NE 1/4, NW 1/4 SE 1/4 Section 1-T93N-R56W.
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: March 1 - October 31.
3. The date from which applicant may claim right is November 26, 1991.
4. The date of approval of Permit No. 5609-3 is April 23, 1992.
5. One-fifth of the construction is to be completed on or before October 23, 1994.
6. All construction is to be completed on or before April 23, 1997.
7. Water is to be put to beneficial use on or before April 23, 2001.
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 wells 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. 5609-3

Page 2

2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. The combined diversion rate from Water Permit No. 5561-3 and this Permit may not exceed the statutory limit for irrigation of 1 cfs per 70 acres.

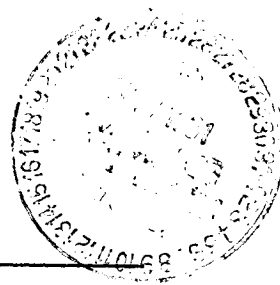
WATER MANAGEMENT BOARD

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

AUG 7 1992
date

Supplemental Information

(type or print in ink)



I. Well Information - Proposed construction

- a) Drill Hole Diameter 24 inch Depth 100 feet
- b) Casing Type PVC Diameter 16 inch Thickness Schedule 40
- c) Screen Type Slotted PVC Diameter 16 inch Thickness Schedule 40
- d) Gravel Pack Thickness 4 inches Length of Gravel Pack 80 feet
- e) Depth to Top of Water Bearing Material 20 feet
- f) Depth to Water (ground surface to water level) 15 feet
- g) Distance to nearest existing domestic well:
 On applicants property none On property owned by others unknown

2. Dugout Information Estimates

- a) Surface Dimensions 4.2 acres Depth 10 feet
 (as shown on drawing)
- b) Depth to water (ground surface to water level) 15 feet

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 _____

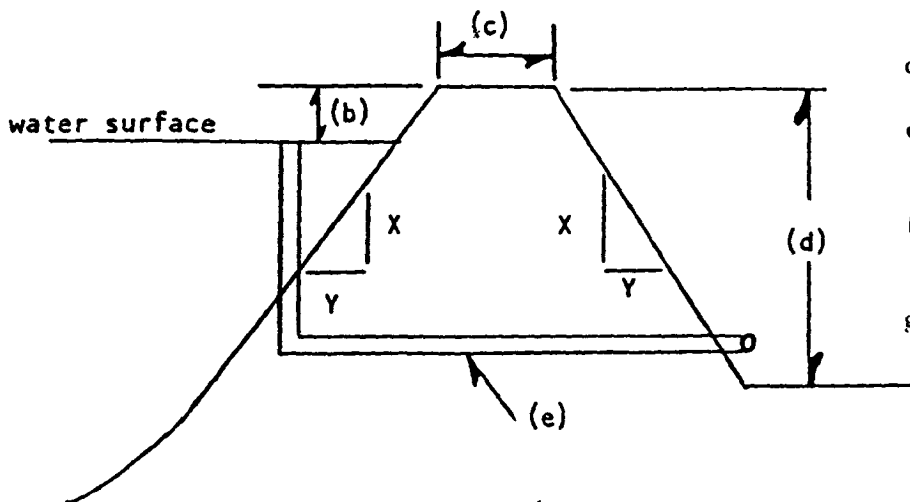
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



William R. Moss
 Signature of Applicant

NW
1-93-56

SD HIGHWAY 50

HUMAN SERVICES CENTER



Exclude see file
doc. dated 1/16/92

PREVIOUSLY
APPROVED WELL
LOCATIONS RE:
PERMIT # 5561-3

TO BE ABANDONED
AFTER APPROVAL OF
NEW WELL SITES.

PROPOSED WELLS (2)
INTO THE NIobrARA
FORMATION
±100 DEPTH

Highway
81

SE
1-93-56

SECTION 1, TOWNSHIP 93 NORTH, RANGE 56 WEST.



City of YANKTON S.D.
GOLF COURSE IRRIGATION WELLS
(RE-APPLICATION)
NOVEMBER 1991

by
K. Kuhl



Appl. No. 5609-3

Received
11-26-91

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SW 1/4 NE 1/4 Sec 1 Twp 93N Rg 56W

County

Yankton

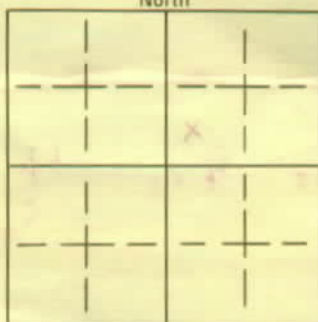
North

W

E

1 mile

Please mark well location with an "X"



Well Completion Date Oct 1991

PROPOSED USE:

☐ Domestic ☐ Municipal ☒ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

ROTARY

CASING DATA:

☐ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☐ YES ☐ NO

To what depth? _____ FEET

What is grouting material? _____

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☐ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name

YANKTON GOLF COURSE

Address

YANKTON S.D.

Well Log:

Depth

Formation

From

To

<u>TOP SOIL + CLAY</u>	<u>0</u>	<u>10</u>
<u>BRN CLAY</u>	<u>10</u>	<u>20</u>
<u>WHITE + GRAY CLAY</u>	<u>20</u>	<u>30</u>
<u>WHITE GRAY + YELLOW CLAY</u>	<u>30</u>	<u>40</u>
<u>GRAY + WHITE SHALE</u>	<u>40</u>	<u>50</u>
<u>BROWN SHALE</u>	<u>50</u>	<u>55</u>
<u>GRAY + WHITE SHALE</u>	<u>55</u>	<u>80</u>
<u>GRAY + BRN SHALE</u>	<u>80</u>	<u>90</u>
<u>BRN TO BLK SHALE</u>	<u>90</u>	<u>100</u>

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped

☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 444

And this report is true and accurate.

Drilling firm

CHRISTENSEN WELL CO., INC.

Signature of License Representative:

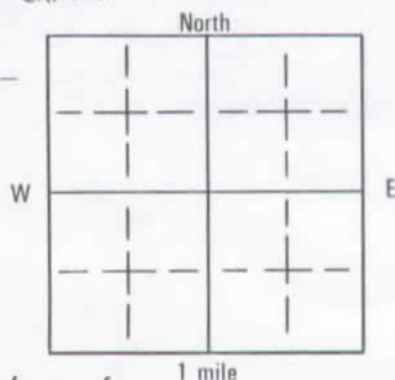
William J. Christensen

Signature of Well Owner:

Date

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location N 1/2 Sec 1 Twp 93N Rg 56W
CHRISTENSEN WELLCounty YANKTONPlease mark well
location with
an "X"Well Completion Date 11/15/91

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

REVERSE ROTARY

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>540 LB/FT</u>	<u>16 IN</u>	<u>0 FT</u>	<u>100 FT</u>	<u>24 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 20' FEETWhat is grouting material? NEAT CEMENT

If cement, number of sacks? _____

Describe grouting procedure TREMIEWhat was grout weight? APPROX 15.5 LB/GALSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 16 IN Length 80 FEETMaterial PVC SCD 40Slot Size 1020 Set From 20 Feet To 100 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain CHLORINATEDBacteriological analysis ☐ YES ☒ NO

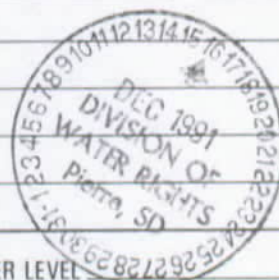
Laboratory sent to _____

Well Owner:

Name CITY OF YANKTONAddress YANKTON SOUTH DAKOTA

Well Log: _____ Depth _____

Formation	From	To
TOP SOIL + CLAY	0	10
BRN CLAY	10	20
WHITE + GREY CLAY	20	30
WHITE, GREY, + YELLOW CLAY	30	40
GREY + WHITE SHALE	40	50
BROWN SHALE	50	55
GREY + WHITE SHALE	55	80
GREY + BRN SHALE	80	90
BRN TO BLK SHALE	90	100

STATIC WATER LEVEL 27 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped8" TURBINE☐ Bailed

Describe: _____

☐ Other _____

Pumping Level Below Land Surface

37 ft. After 36 Hrs. pumped 620 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 444

And this report is true and accurate.

Drilling firm CHRISTENSEN WELL CO.

Signature of License Representative:

William J. Christensen

Signature of Well Owner:

Date 12/10/912-27-92

Received
11-26-91

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NE 1/4 SE 1/4 Sec 1 Twp 93N Rg 56W

County

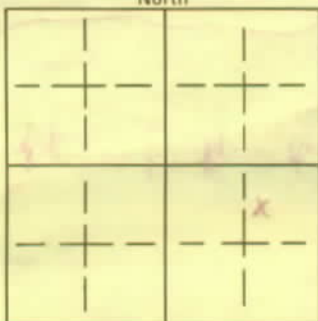
North

W

E

1 mile

Please mark well location with an "X"



Well Completion Date OCT 1991

PROPOSED USE:

- ☐ Domestic ☐ Municipal ☒ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

ROTARY

CASING DATA:

- ☐ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☐ YES ☐ NO

To what depth? _____ FEET

What is grouting material? _____

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☐ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name CITY OF YANKTON GOLF COURSE

Address YANKTON S.D.

Well Log:

Depth

Formation	From	To
TOP SOIL + CLAY	0	10
RED RUSTY GRAVEL	10	15
WHITE SHALE	15	20
GREY + BLUE SHALE	20	30
WHITE + GREY SHALE	30	70
BROWN GREY SHALE	70	80
BLACK SHALE	80	100

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped

☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 444

And this report is true and accurate.

Drilling firm CHRISTENSEN WELL CO. INC.

Signature of License Representative:

William J. Christensen

Signature of Well Owner:

Date _____



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

* I N V O I C E *

Invoice No. 20411 11-26

Department of Finance
PO Box 176
Yankton SD 57078

Your Purchase Order #: 4616

Application for Permit to Appropriate Water
Within the State of South Dakota

\$225.00

Please pay this amount:

\$225.00

Karen Schlaak

KAREN SCHLAACK
Natural Resources Analyst
Water Rights Division
605 773-3352

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413069

Pierre, _____

February 14, 1992

RECEIVED OF City of Yankton, Yankton SD 57078

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

Fee for Application for Permit No. <u>5609-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	225	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	225 00

By

John Hater /
Chief Engineer

1/15



City of Yankton

416 Walnut - P.O. Box 176
Yankton, South Dakota 57078-0176
Phone (605) 665-4501

October 2, 1991

State of South Dakota
Department of Environment & Nat. Resources
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181



Attn: James A. Goodman
Natural Resource Engineer

Dear Mr. Goodman:

This letter is to request permission to construct a test well related to Water Permit Application No. 5561-3.

As discussed with you on October 2nd in a telephone conversation, the test well will be located west of the proposed well locations in the permit and will be drilled into the Niobrara formation. A 16-inch diameter PVC casing and screen will be used. If this well is successfully completed additional similar wells may be used in order to get the desired production rate.

Thank you for your consideration of this request.

Sincerely yours,

Kevin Kuhl P.E.
Kevin Kuhl
Civil Engineer

CC: Erice Gronlund, Natural Resource Engineer
Eugene G. Hoag, Director of Public Works
Roger L. Pierce, Director of Parks & Recreation



EQUAL OPPORTUNITY EMPLOYER

South Dakota



GREAT FACES. GREAT PLACES.

October 4, 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING

523 EAST CAPITOL

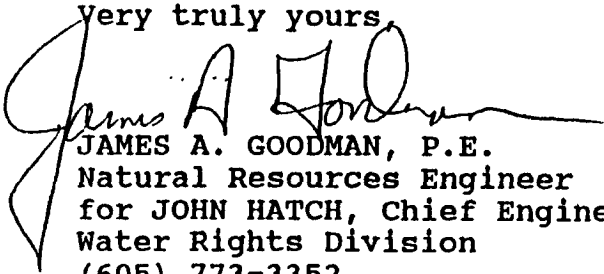
PIERRE SOUTH DAKOTA 57501-3181

Kevin Kuhl,
City of Yankton
P.O. Box 176
Yankton, SD 57078-0176

Dear Mr. Kuhl:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, the City of Yankton is authorized to construct a test well prior to approval of a water permit. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Very truly yours,



JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 6, 1991

Kevin Kuhl, Civil Engineer
City of Yankton
PO Box 176
Yankton, SD 57078-0176

Dear Mr. Kuhl:

This letter is a follow-up to our phone conversation of November 6, 1991. I am including a copy of the letter authorizing construction of a test well and application forms for a new water permit. This letter also authorizes you to construct other test wells into the Niobrara if you choose. These can be constructed as long as the well is completed in accordance with SD Well Construction Standards. Because the water will be produced from the Niobrara Formation, it will be necessary for you to obtain a new water permit. In effect, this would mean abandonment of your permit No. 5561-3. A letter from you stating that you do not wish or intent to utilize this permit would authorize us to cancel that permit. Most of the paperwork will be the same for the new application as for permit No. 5561-3. You will need to include the well completion reports, obtain a new soil water compatibility and file the new application.

If there are any questions or problems please feel free to contact our office.

Sincerely,

A handwritten signature in dark ink, appearing to read "James A. Goodman", is written over the typed name.

James A Goodman
Natural Resources Engineer
Water Rights Division
(605) 773-3352

encl



City of Yankton

November 21, 1991

416 Walnut - P.O. Box 176
Yankton, South Dakota 57078-0176
Phone (605) 665-4501

James A. Goodman
Department of Environment & Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501-3181



Re: Yankton Golf Course Irrigation Wells

Dear Mr. Goodman:

Enclosed with this letter is a "Application for Soil/Water Compatibility permit and Permit to Appropriate Water" pertaining to the City of Yankton, South Dakota Golf Course, located in Section 1, Township 93 North, Range 56 West.

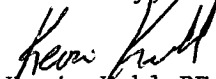
The attached application is to replace the previously issued Permit No. 5561, after this new application has been accepted and approved by the Water Management Board. this re-application and new permit is necessary since ground water of a production quality and quantity was determined to exist in the Niobrara formation. Included with this re-application are the following:

- (1) Completed application Forms 2 and 2A,
- (2) Map showing location of the wells, areas to be irrigated, and location of dugouts,
- (3) Driller's test log,
- (4) A Purchase Order for the required processing fee of \$225.00.

Soils information for the area to be irrigated was previously submitted as a part of Permit No. 5561-3. Water samples were submitted to the Water Quality Laboratory, Water Resources Institute, South Dakota State University at Brookings, SD, 57007 and test results should be on file in your office.

Please contact me if further information is required.

Sincerely,


Kevin Kuhl PE

Encl:

CC: Eugene G. Hoag, Director of Public Works
City of Yankton
Roger L. Pierce, Director of Parks & Recreation
City of Yankton



EQUAL OPPORTUNITY EMPLOYER



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 26, 1991

Kevin Kuhl
City of Yankton
PO Box 176
Yankton SD 57078-0176

Dear Mr. Kuhl:

In regard to the water permit application received on November 26, 1991, the following information needs to be clarified in order to process the application for the City of Yankton.

Item No. 4 on the Application for a Permit states the two wells are located in the SW 1/4 NE 1/4 and the SE 1/4 NW 1/4 Section 1-T93N-R56W. It appears from the map submitted with the application that the wells are located in the SW 1/4 NE 1/4 and the NE 1/4 SE 1/4 Section 1-T93N-R56W. Which locations are correct?

Enclosed is an invoice for the \$225.00 application fee. The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Upon receipt of the fee and clarification of the well location, further processing of the application will continue.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

Conversation or File Documentation

NAME OF PERSON OR FILE: Kevin KuhlADDRESS: Yankton COUNTY _____DATE: 11/27/91 TELEPHONE _____RE: City of Yankton's Application

COMMENTS:

Mr. Kuhl called regarding my letter. He
stated the legal description for the two
wells should be the SW 1/4 NE 1/4 and the
NE 1/4 SE 1/4 Sec 1-T93N-R56W.

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



City of Yankton

416 Walnut - P.O. Box 176
Yankton, South Dakota 57078-0176
Phone (605) 665-4501

January 10, 1992



Mr. James Goodman
Department of DENR
523 East Capitol
Joe Foss Building
Pierre, SD 57501-3181

Dear Mr. Goodman:

As a follow-up to the faxed copy sent January 10, 1992, to Mr. Jim Stukel, enclosed is the signed original management plan for our golf course irrigation and well permits. Please inform Jim of this and include the agreement in the permitting process.

Thank you for your assistance and cooperation. If additional information is needed or if you have further questions, please contact Kevin Kuhl in our Public Works Department or me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roger L. Pierce".

Roger L. Pierce, CLP
Director of Parks and Recreation

RLP/lg

Enc.

CC: William R Ross
Kevin Kuhl



EQUAL OPPORTUNITY EMPLOYER

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: City of Yankton Water Permit Application

ADDRESS: _____ COUNTY: Yankton

DATE: 1/13/92 TELEPHONE: 665-4501

RE: Water Source Formation for Application Submitted November 26, 1991

COMMENTS:

Upon Jim Goodman getting the management plan for the city of Yankton, he noted to me that the plan states the water source was the Dakota Formation. He thought this was probably a misprint but thought it should be followed up on. I called Roger Pierce, Director of Parks and Recreation for the City of Yankton. He stated that he would follow-up on this immediately.

Jim Goodman received a call in the afternoon from Kevin Kuhl, that the Management Plan should indeed have stated the water source to be the Niobrara Formation.

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

NAME: Eric Lund

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: City of Yankton Water Permit Application No. 5609-3

ADDRESS: Yankton COUNTY: Yankton

DATE: 1/16/92 TELEPHONE: 665-4501 Ext. 31

RE: Phone Conversation with Kevin Kuhl

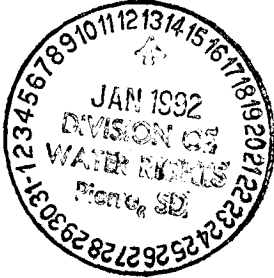
COMMENTS:

Mr. Kuhl returned my phone call regarding Yankton water permit application for their proposed golf course. They previously obtained a permit (No. 5561-3) for a golf course from the Lower James Missouri Aquifer but now reapplied for the water source to be the Niobrara Formation. I noted to Mr. Kuhl that the map submitted with the most recent applied outlined an area in the SE1/4 NE1/4 Section 1 T93N-R56W that was not on the application form and had not been included on the map or application form from the previous water permit.

Mr. Kuhl state he mistakingly included this small area on the recent map and that it should not be included on the application.

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

NAME: Eric Thonlund



CITY OF YANKTON GOLF COURSE IRRIGATION SALINITY MANAGEMENT PLAN

Submitted to the South Dakota Department of Agriculture, Division of Conservation, in support of our application for an irrigation permit

Since early 1990, we have been investigating different possibilities for a source for irrigation water for the new municipal golf course located in the North 1/2 of section 1, Township 93, Range 56. We have had many conversations with consultants, the Geological Survey, with Gregg Carlson from SDSU. We have evaluated many different possibilities. We have had a number of water samples analyzed while looking for a viable irrigation water source.

Dr. Carlson has strongly encouraged us to use Missouri River water as our irrigation water source but because of cost and a lack of capacity during the prime irrigation season, this will not be possible.

We have drilled a ^{Nebraska}~~Dakota~~ formation well and pumped it for 36 hours at ~500gal/minute before taking a water sample. The water analysis (SDSU lab # 91-0529) indicates that the water is high in total salt ($EC = \sim 3.1$ mmho/cm), and low in sodium ($SAR = \sim .67$, $SAR_{adj} = 2.02$). It is our intent to use this water and mix it with water from a low yield (~300 gal/min maximum) shallow well (about 2/3 Dakota water and 1/3 shallow well water). The water quality of this shallow well (SDSU lab # 91-0238) is low to medium total salt ($EC = \sim 1.1$ mmho/cm) and low sodium ($SAR = \sim .54$, $SAR_{adj} = 1.35$). This will give us a water with an EC of about 2.45 mmho/cm and low sodium.

We understand that irrigating with water of this quality has some risks. Bentgrass, the grass that we will use on our greens, begins to be negatively impacted by salinity at about 2 mmho/cm and blue grass, our fairway and rough grass, begins to be negatively impacted at about 3-4 mmho/cm. Offsetting this is the fact that our greens will be extremely well drained with a tilled sand base. Most of the rest of the golf course contains well drained soil with the exception of a limited amount of Chancellor soil. It will be our intent to monitor the golf course by soil testing annually and to install supplemental drainage where needed if and when salinity problems develop. Our irrigation management plan is to irrigate to the extent that the soil root zone is thoroughly wetted and that drainage occurs to the extent that salinity is minimized.

The fact that the irrigated land will all be turf and not tilled should increase macro pore flow, increase leaching fractions and reduce the potential of negative impact from the less than ideal Dakota formation water.


William Ross
City Manager

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4667

WR#

OWNERS NAME: CITY OF YANKTON OWNERS ADDRESS: PO BOX 176
YANKTON, SD 57078-0176

COUNTY LAND LOCATED IN: YANKTON PHONE: 665-4501 Ext 31

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION: SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1-T93N-R56W and NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1-T93N-R56W
Depth: _____

Legal Description	Acres	Legal Description	Acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1-T93N-R56W	1.9	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1-T93N-R56W	17.7
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1-T93N-R56W	10.5	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1-T93N-R56W	15.3
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1-T93N-R56W	6.3	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1-T93N-R56W	1.0
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 1-T93N-R56W	10.7	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1-T93N-R56W	13.2
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1-T93N-R56W	7.3	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1-T93N-R56W	15.7

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

3. CROPS TO BE IRRIGATED: Turf, Trees, Bushes

WATER QUALITY:

4. WATER SAMPLE NUMBER: 91-0510 & 91-0511 7. ADJUSTED (SAR): 1.63 & 1.81
5. SALINITY (EC X 10⁶): 1600 & 2500 8. PERCENT SODIUM: 8.51 & 7.15
6. SODIUM (SAR): 0.58 & 0.60

Requirements:

(SEE ATTACHED MANAGEMENT PLAN)



Russell J. Stone

Director, Division of Conservation

JANUARY 10, 1992

Date

XXX APPROVED

 DISAPPROVED

 WAIVER

XXX REQUIREMENTS

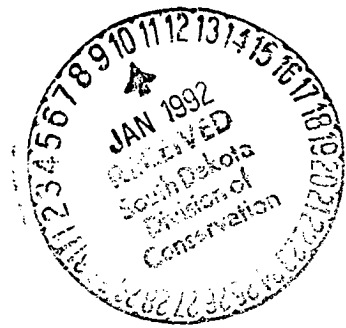
Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

CITY OF YANKTON

GOLF COURSE IRRIGATION

SALINITY MANAGEMENT PLAN

Submitted to the South Dakota Department of Agriculture, Division of Conservation, in support of our application for an irrigation permit



Since early 1990, we have been investigating different possibilities for a source for irrigation water for the new municipal golf course located in the North 1/2 of section 1, Township 93, Range 56. We have had many conversations with consultants, the Geological Survey, with Gregg Carlson from SDSU. We have evaluated many different possibilities. We have had a number of water samples analyzed while looking for a viable irrigation water source.

Dr. Carlson has strongly encouraged us to use Missouri River water as our irrigation water source but because of cost and a lack of capacity during the prime irrigation season, this will not be possible.

We have drilled a Dakota formation well and pumped it for 36 hours at ~500gal/minute before taking a water sample. The water analysis (SDSU lab # 91-0529) indicates that the water is high in total salt ($EC = \sim 3.1$ mmho/cm), and low in sodium ($SAR = -.67$, $SAR_{adj} = 2.02$). It is our intent to use this water and mix it with water from a low yield (~300 gal/min maximum) shallow well (about 2/3 Dakota water and 1/3 shallow well water). The water quality of this shallow well (SDSU lab # 91-0238) is low to medium total salt ($EC = -1.1$ mmho/cm) and low sodium ($SAR = -.54$, $SAR_{adj} = 1.35$). This will give us a water with an EC of about 2.45 mmho/cm and low sodium.

We understand that irrigating with water of this quality has some risks. Bentgrass, the grass that we will use on our greens, begins to be negatively impacted by salinity at about 2 mmho/cm and blue grass, our fairway and rough grass, begins to be negatively impacted at about 3-4 mmho/cm. Offsetting this is the fact that our greens will be extremely well drained with a tilled sand base. Most of the rest of the golf course contains well drained soil with the exception of a limited amount of Chancellor soil. It will be our intent to monitor the golf course by soil testing annually and to install supplemental drainage where needed if and when salinity problems develop. Our irrigation management plan is to irrigate to the extent that the soil root zone is thoroughly wetted and that drainage occurs to the extent that salinity is minimized.

The fact that the irrigated land will all be turf and not tilled should increase macro pore flow, increase leaching fractions and reduce the potential of negative impact from the less than ideal Dakota formation water.

William Ross
William Ross
City Manager



REPORT ON APPLICATION NO. 5609-3
for the City of Yankton
March 11, 1992

Application proposes to appropriate 1.11 cfs from two wells approximately 100 feet deep located in the SW 1/4 NE 1/4 and the NE 1/4 SE 1/4 of section 1, T93N R56W to irrigate 100 acres and to authorize storage of water in a dugout/ponds (9 acre feet capacity). The irrigated land is to be located in the NW 1/4, N 1/2 SW 1/4, N 1/2 SE 1/4, W 1/2 NE 1/4 of section 1, T93N R56W in Yankton County. This application, if approved, would authorize diversion of 1.11 cfs into a the 9 acre feet regulating pond which is located in the SW 1/4 NE 1/4, NW 1/4 SE 1/4 of section 1, T93N R56W.

AQUIFER - NIOBRARA FORMATION (NBRR)

The Niobrara consist of a light-gray to black, soft calcareous shale or marl and would vary in thickness from 250 feet to less than 100 feet in the area of this application (Bugliosi, 1986). The aquifer can be either under water table or artesian conditions and is hydraulically connected to the Upper Vermillion Missouri aquifer. Ground water is found within the natural porosity of the rock and in fractures and solution openings within the rock. This secondary porosity is probably dominant and prolific wells can be drilled where fracture and solution openings are encountered. According to test well logs submitted with the application the Niobrara is under water table conditions at this site.

No estimate for water in storage is available for the Niobrara Formation and the Niobrara underlies 238 square miles of Yankton County (Bugliosi, 1986). The Division of Water Rights has one observation well YA-80L which is completed into the Niobrara Formation and is located approximately 1 1/2 mile southwest of this application. Water levels for this well do fluctuate in response to climatic conditions, that is, rising during wet years and gradually declining during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1992).

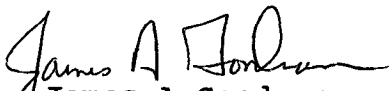
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing water permit No. 4758-3 which obtains water from gravels and the Niobrara Formation which is located approximately 1 mile southwest of this application. Interference is not expected to be a concern. Since the aquifer is under water table conditions and the fact that there is outwash lying on top of the Niobrara, drawdown caused by pumping should not extend very far from an individual production well.

CONCLUSIONS

1. Water is available from the Niobrara Formation.

2. Interference is not expected to be a problem. The distance between diversions and the fact that the aquifer is under water table conditions minimize any potential interference.
3. The City of Yankton already has a Water Permit No. 5561-3 for irrigation of this same land from a different water source. The city of Yankton has indicated that this permit would be abandoned, if this application is approved. If that permit is not abandoned then the combined diversion from both sources cannot exceed the statutory limit of 2 acre feet per acre for irrigation.
4. Because of the geology of the site it may be necessary to line the dugout or ponds to prevent leakage.


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.

Water Rights, 1992, Observation Well Records for Yankton County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

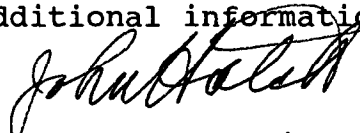
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5609-3, City of Yankton

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. 5609-3, City of Yankton, PO Box 176, Yankton, SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 5609-3 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. The combined diversion rate from Water Permit No. 5561-3 and this Permit may not exceed the statutory limit for irrigation of 1 cfs per 70 acres.

See report on application for additional information.



JOHN HATCH, Chief Engineer
March 12, 1992



**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.

March 24, 1992

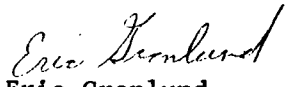
William R Ross
City of Yankton
PO Box 176
Yankton, SD 57078

Dear Mr. Ross:

Water Permit Application No. 5609-3 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 Daily Press & Dakotan printed at Yankton, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 24, 1992

Daily Press & Dakotan
PO Box 56
Yankton, SD 57078

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5609-3 to be published twice. Please publish the first notice on March 27, 1992, 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 City of Yankton, PO Box 176, 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. 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 March 27, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5609-3 to Appropriate Water

Notice is given that the City of Yankton, PO Box 176, Yankton, SD 57078 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from two wells (Niobrara Formation) 100 feet deep located in the SW 1/4 NE 1/4 and the NE 1/4 SE 1/4 Section 1-T93N-R56W to irrigate 100 acres and to authorize storage of water in a dugout/ponds (9 acre-feet capacity). The irrigated land is to be located in the NW 1/4, N 1/2 SW 1/4, N 1/2 SE 1/4, W 1/2 NE 1/4 Section 1-T93N-R56W. This application, if approved, would authorize diversion of 1.11 cfs into dugouts (9 acre-feet regulating ponds) located in the SW 1/4 NE 1/4, NW 1/4 SE 1/4 Section 1-T93N-R56W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5609-3 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 April 13, 1992. 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. 5609-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for April 23, 1992, 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 April 23, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board 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 April 23, 1992, 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 April 13, 1992.

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.

Affidavit of Publication

STATE OF SOUTH DAKOTA

COUNTY OF YANKTON

SS.

Robert C. Helsley

being first duly sworn says: that he is the Editor 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. 5609-3 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 27th day of March, 1992, and the last publication being made on the 3rd day of April, 1992.

The first publication being made on the 27th day of March

The second publication being made on the 3rd day of April

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 \$57.95, 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.

Subscribed and sworn to before me this 3rd day

of April, 1992

Notary Public, South Dakota



3+27&4+3
NOTICE OF HEARING on Application
No. 5609-3 to Appropriate Water

Notice is given that the City of Yankton, PO Box 176, Yankton, SD 57078 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from two wells (Niobrara formation) 100 feet deep located in the SW 1/4 NE 1/4 and the NE 1/4 SE 1/4 Section 1-T93N-R56W to irrigate 100 acres and to authorize storage of water in a dugout/ponds (9 acre-foot capacity). The irrigated land is to be located in the NW 1/4, N 1/2 SW 1/4, N 1/2 SE 1/4, W 1/2 NE 1/4 Section 1-T93N-R56W. This application, if approved, would authorize diversion of 1.11 cfs into dugouts (9 acre-foot regulating ponds) located in the SW 1/4 NE 1/4, NW 1/4 SE 1/4 Section 1-T93N-R56W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5609-3 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 of 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 April 13, 1992. 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. 5609-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for April 23, 1992, 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 April 23, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given the 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 April 23, 1992, 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 April 13, 1992.

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 provide 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.

Publi

Recei



City of Yankton

416 Walnut - P.O. Box 176
Yankton, South Dakota 57078-0176
Phone (605) 665-4501

September 28, 1992

Water Rights Division, DWR
Joe Foss Building
Pierre, SD 57501-3181

Attn: John Hatch



Dear Mr. Hatch:

Attached is an executed copy of "Notice of Completion of Works And Application Of Water To Beneficial Use" Form 10 pertaining to the two Yankton Golf Course Irrigation Wells located in Section 1, T93N, R56W.

The golf course is complete and is being irrigated by the wells.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Kevin Kuhl".
Kevin Kuhl
Civil Engineer

Encl.

CC: Roger Pierce, Director
Parks & Recreation



EQUAL OPPORTUNITY EMPLOYER



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 2, 1992

5609-3

Kevin Kuhl, Civil Engineer
City of Yankton
PO Box 176
Yankton, SD 57078-0176

Dear Mr. Kuhl:

Enclosed is the "Notice of Completion of Works and Application of Water to Beneficial Use" form you submitted for the Yankton Golf Course.

The third paragraph on the form requests dates for when the diversion system was completed and the water placed to beneficial use. The dates you inserted are dates described in Water Permit No. 5609-3, not the dates the system was completed and put to use.

I have included a blank "Form 10" for completion. Please complete the form and return it to our office. An inspection of the water use system, permitted under No. 5609-3, will be scheduled.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

CITY OF YANKTON
ENGINEERING DEPARTMENT
P. O. BOX 176
YANKTON, SOUTH DAKOTA 57078

PHONE 665-4501

TO GENNY McMATH
• Dept of Environment & Natural Res.
JOE FOSS BLDG
• 523 EAST CAPITOL
• Pierre SD 57501-3181

DATE 10/9/92

SUBJECT WATER PERMIT # 5609-3

Golf course IRRIGATION WELLS.

Dear Genny,

A CORRECTED "Form 10" is enclosed in response to your
Oct. 2, 1992 letter.

Thank you for bringing this to our attention.

Kevin Kuhl

New form dated 10/5/92.





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

Date October 5, 1992

TO: Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: City of Yankton PO Box 176
(name) (address)

Yankton South Dakota 57078 605-665-4501
(city) (state) (zip) (phone)

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. 5609-3.

Water Permit No. 5609-3 states that the diversion system is to be constructed by April 23, 1997, and that the water is put to beneficial use by April 23, 2001.
(date) (date)

The diversion system was completed on July 1, 1992.
(date)

Applying the water to beneficial use was completed on July 1, 1992.
(date)

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

William Meyer
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 7 1992

William R Ross
City of Yankton
PO Box 176
Yankton, SD 57078

Dear Mr. Ross:

Enclosed is Water Permit No. 5609-3 authorizing construction of your water diversion system and beneficial use of the water, 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.



5709-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

CITY OF YANKTON
PO BOX 176
YANKTON SD 57078-0176

NOTICE

RE: Violation of Water Permit No(s) 5561-3 & 5609-3

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 5561-3 & 5609-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 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) 5561-3 & 5609-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, 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) 5561-3 & 5609-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before April 1, 1994, 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 28, 1994

5609-3 —
5561-3

Roger Pierce
Parks & Recreation Dept
City of Yankton
PO Box 176
Yankton, SD 57078-0176

Dear Mr. Pierce:

I am writing to acknowledge receipt of your 1993 irrigation questionnaires. You may disregard the February 16, 1994, **Notice of Violation of Water Permit Nos. 5561-3 and 5609-3.**

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

If you have any questions, please contact me.

Sincerely,

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

Change of Diversion Point

NAME: City of Yankton, c/o Roger Pierce, Parks and Recreation Director

ADDRESS: PO Box 176, Yankton SD

DATE: June 29, 2005 **COUNTY:** Yankton County

BACKGROUND:

Water Permit No. 5609-3 appropriates 1.11 cubic feet of water per second from two wells completed into the Niobrara Formation to irrigate 100 acres at the Fox Run Golf Course. The permit also authorizes two storage ponds. The wells were to be located in the SE ¼ NE ¼ and the NE ¼ SE ¼ of Section 1, T93N, R56W

A licensing investigation found one well located in the SE ¼ NE ¼ of Section 1 as authorized. The second well is constructed in the NW ¼ SE ¼ of Section 1 which is the quarter quarter section to the west of the advertised location.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Both wells authorized under Water Permit No. 5609-3 are constructed into the Niobrara Formation at a depth of approximately 100 feet.

No additional appropriation of water is requested. Water Permit No. 5609-3 appropriates 1.11 cfs from the Niobrara Formation. Based on the licensing investigation for Water Permit No. 5609-3, the change in the location of the southerly well must be authorized prior to the licensing of Water Permit Nos. 5609-3 and 6365-3.

- **Review of Existing Diversions**

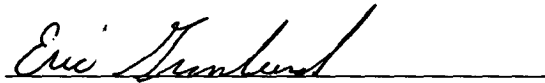
A detailed review of existing diversions was not conducted. There are domestic and municipal wells in the neighboring sections. However, this change in the diversion point is to describe the correct developed location of the south well authorized by Water Permit No. 5609-3. The well is located approximately 300 feet west of its originally proposed location. The well has been in place since 1991 with no complaints.

CONCLUSION

- This replacement well does not appropriate additional water.
- The replacement well is to be constructed into the Niobrara Formation which is the same water source as the original well authorized by Water Permit No. 5609-3.
- Existing domestic wells and water rights will not be adversely impacted by authorizing this replacement well.
- The well has been in existence since 1991 without complaint.
- Authorization of the developed location of the well will allow licensing of Water Permit Nos. 5609-3 and 6365-3.

RECOMMENDED ACTION

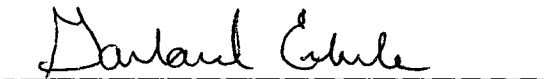
Based on the above criteria, it is recommended that the change in location of the southerly well be authorized by Water Permit No. 5609-3.



Eric Gronlund
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in the well location will not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program



5609-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 08 2005

6365-3

Roger Pierce, Parks Director
City of Yankton
PO Box 176
Yankton SD 57078-0176

Dear Mr. Pierce:

Enclosed is Water License No. 6365-3. This is the final water right document completing your process of obtaining a Water Right. Also enclosed is a map prepared by the staff engineer who conducted the field investigation of the City's water use system.

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. 6365-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures

Note: The applicable portions of Water Permit No. 5609-3 were incorporated into Water License No. 6365-3.