

WATER PERMIT NO. 5936-3

Name of Applicant: Edwin Fricke

Address: 1900 East Highway 50, Yankton, SD

Phone: 665- 4425

Amount of Water Claimed: 45 gallons per minute

Total Acres: 3

Source of Water Supply: ground water (approximately 60 feet deep)

Water to be used for: Irrigation & Industrial

County: Yankton

Type of Waste Disposal System: connected to city of Yankton

Location: east side of city of Yankton

PRIORITY

Date Received: 5/10/96

Fee: \$50

Corrected Application Received:

Period of Annual Use: January 1 - December 31 for industrial use and March 1 - October 31 for irrigation

Diversion Point: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T93N, R55W

Land to be Irrigated: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T93N, R55W

Depth of Well: 60 feet

Well Driller: Koranda Well Company

Remarks:

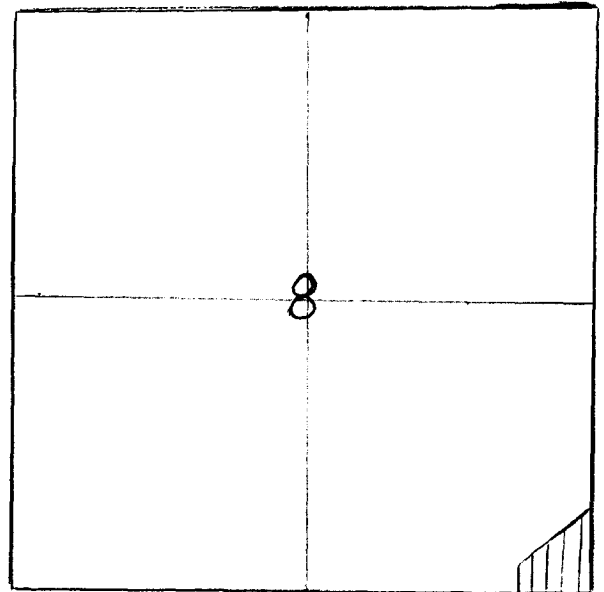
Type of Map: ASCS Aerial

Prepared by: Jerald Ryken

Reviewed and the Number Assigned on: 5/13/96

By: Eric Gronlund

Notice of Hearing - date to intervene:



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>5936-3</u> Hydrologic Unit <u>10170101</u>
	Basin <u>Pames River</u>
	Newspaper <u>Daily Press & Dakotan, Yankton, SD</u>



Application For Permit To Appropriate Water For Irrigation

Type of Application: X New Vested Right Amendment/Correction to Permit No.
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)

1. Name of Applicant Edwin H. Fricke ☐ Owner ☒ Tenant/Lessee Phone 605-665-4425
(check one) (Use predates Mar 2, 1955)
- Mailing Address 1900 East Highway 50, Yankton State SD 57078
(Street, RR, or Box) (Zip Code)
2. Amount of water claimed *CFS or 45 **GPM ***AF Total Acreage 3
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well in SESE 8-93-55
South of RR, Lot 1, Tract t2172 County Yankton
5. County or counties where water will be used Yankton
6. Annual period during which water is to be used year round Jan. 1 - Dec. 31 - Industrial
Mar. 1 - Oct. 31 - Irrigation
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
South of RR, SESE Tract 2172, Lot 1 8-93-55	3		

8. Give a description of the project. (Attach sheet if more space is needed)

1. Watering of South & East lawn area of Applied Engineering, Inc. located on Lot 1
2. Industrial use by plant processes

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of YANKTON SS

I, Edwin H Fricke, the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.

Signed Edwin H Fricke

Subscribed and sworn to before me this 9 day of MAY 19 96

Patricia Merkel
Notary Public

My commission
expires 4-18-2002.

SOUTH DAKOTA
WATER PERMIT NO. 5936-3

Date of first receipt of application May 10, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5936-3 to Edwin H. Fricke, 1900 East Highway 50, 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. 5936-3 appropriates 0.10 cubic feet of water per second (45 gallons per minute) from one well (Missouri:Elk Point Aquifer) which is 60 feet deep and located in the SE 1/4 SE 1/4 Section 8-T93N-R55W. Water to be used to irrigate approximately 3 acres of lawn and for industrial use at Applied Engineering. The location of the 3 acres is the SE 1/4 SE 1/4 Section 8-T93N-R55W.
2. The amount of the appropriation may not exceed 3 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 for irrigation use and January 1 - December 31 for industrial use.
3. The date from which applicant may claim right is May 10, 1996.
4. The date of approval of Permit No. 5936-3 is July 1, 1996.
5. One-fifth of the construction is to be completed on or before January 1, 1999.
6. All construction is to be completed on or before July 1, 2001.
7. Water is to be put to beneficial use on or before July 1, 2005.
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. Permit No. 5936-3 authorizes a diversion rate greater than one cubic feet of water per second due to the method of irrigation and time constraints on diversion of water. The annual volume of water applied may not exceed three acre-feet of water delivered to the land.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

JUL 17 1996

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction (See attached well drillers report on nearby well results).

- a) Drill Hole Diameter 8.25" Depth 60'
- b) Casing Type Steel PVC Diameter 6" Thickness Schedule 40 (160 lbs.)
- c) Screen Type Steel PVC Diameter 6" Thickness SDR 17
- d) Gravel Pack Thickness N/A Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material N/A
- f) Depth to Water (ground surface to water level) N/A
- g) Distance to nearest existing domestic well: Unknown
- On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ c) Year Constructed _____
- d) Connected to the City of Yankton Sanitary System.

3. Dugout Information

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



4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to 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

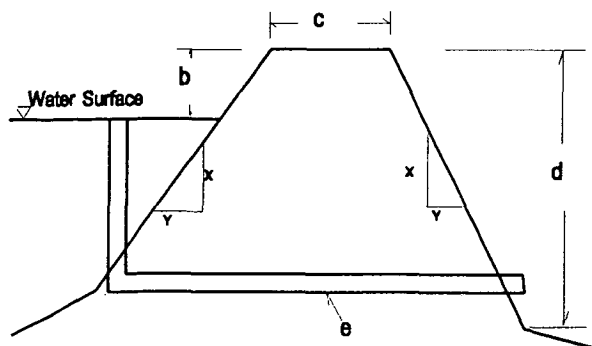
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres





5936-3

1996

T2072

9.5
T2061

NW
NHEL

23.5

2 NW
NHEL

77.0
T2061

1 NW
NHEL

43.9

T2144

3 NW
NHEL
4 1.6 NW
NHEL

5 NW
NHEL

T2015

12.5

H-10
152

37.0 T2083

8 NW
NHEL

T2149

30.1
T5630

30.1
T2106

93-55

Verified
David Lyken
5-3-96

NW
NHEL

T2112
1 NW
NHEL
2 NW
NHEL

SOUTH DAKOTA
YANKTON
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Consv. Svc.
Abbreviated 156 Farm Record

FARM 3225
Prepared: 01/10/96
Crop Year: 96
Page: 1

OPERATOR: Name, Address & I D No.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	EFFECTIVE CROPLAND	FARM IDENTIFIER	STATUS
507-58-6956 S EDWIN H FRICKE RR 1 BOX 176 YANKTON SD 57078	31.0	9.7		9.7	NONE	ACTIVE

CRP: .0
IFM: N
RECON. REF. NO.: A10076
OF AV NORMAL PLANTED ACRES: .0

CROP	ROT.	BASE	CRP REDUCTION	ADJ. BASE	DATE	P&CP		YIELD		
						YEAR		YEAR	NI	IR
CORN	1	.0	.0			95	.0	96	71	
						94	.0	85	68	
						93	.0			
						92	.0			
						91	.0			
						90	2.8			

No. of Tracts: 1 Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	HEL	027	A027	W	CW	FW	PC	AW	MW	RW	MG	CWTE	CWNA	PCW
2172	31.0	9.7		N	N	N	N	N	N	N	N	N	N	N	N	N	N

IDENTIFIER S OF RR SESE 8-93-55 H10
OWNER 1 - NORMA J FRICKE



SOUTH DAKOTA
YANKTON
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Consv. Svc.
Abbreviated 156 Farm Record

FARM 3225
Prepared: 01/10/96
Crop Year: 96
Page: 1

OPERATOR: Name, Address & I D No. FARMLAND CROPLAND IRRIGATED CROPLAND EFFECTIVE CROPLAND FARM IDENTIFIER STATUS

507-58-6956 S 31.0 9.7 9.7 NONE ACTIVE
EDWIN H FRICKE
RR 1 BOX 176
YANKTON SD 57078

CRP: .0
IFM: N
RECON. REF. NO.: A10076
OFAY NORMAL PLANTED ACRES: .0

CROP	ROT.	BASE	CRP REDUCTION	ADJ. BASE	DATE	-----P&CP-----		-----YIELD-----		
						YEAR		YEAR	NI	IR
CORN	1	.0	.0			95	.0	96	71	
						94	.0	85	68	
						93	.0			
						92	.0			
						91	.0			
						90	2.8			

No. of Tracts: 1 Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	HEL	027	A027	W	CW	FW	PC	AW	MW	RW	MG	CWTE	CWNA	PCW
2172	31.0	9.7		N	N	N	N	N	N	N	N	N	N	N	N	N	N

IDENTIFIER S OF RR SESE 8-93-55 H10
OWNER 1 - NORMA J FRICKE



RECEIPT

414954

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 10, 19 96

RECEIVED OF Applied Engineering, Inc., (Edwin H. Fricke), 1900 E. Hwy. 50, Yankton, SD 57171

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

Fee for Application for Permit No. <u>5936-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	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 _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch CE
Chief Engineer

MAY 09 1996

332 S. Hakl
Tabor, SD 57063-2020

April 29, 1996

Mr. Tom Bohnet
Applied Engineering
1900 E. Highway 50
Yankton, SD 57078

Dear Tom:

In response to your question regarding the new well construction proposed for your lawn irrigation. We have based our projected depth and construction on the existing wells at Dale Electronics, just a short distance to the west of your facility.

We propose a drill hole of 8 1/4 inches in diameter to a depth of 60 feet. We will install a 6 inch 160# PVC casing. The bottom of the well will have at least 10 feet of 6 inch 10 slot PVC screen. We will place a gravel pack of 3/8 inch washed pearock around the screen if it is necessary.

A well in your area with a 6 inch casing and screen will produce at least 45 gallons per minute.

If you have any questions feel free to call 463-2244.

Sincerely,

Irene T. Koranda

Irene T. Koranda
Koranda Well Company



REPORT ON WATER PERMIT APPLICATION NO. 5936-3

for Edwin Fricke

May 31, 1996

Application No. 5936-3 proposes to appropriate 0.10 cfs (45 gpm) from one well approximately 60 feet deep located in the SE 1/4 SE 1/4 of section 8, T93N R55W in Yankton County. The water will be used to irrigate approximately 3 acres of lawn and for industrial use at Applied Engineering. The location of the 3 irrigated acres is in the SE 1/4 SE 1/4 of section 8, T93N R55W.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled glacial outwash (sand and gravel) which is under predominantly water table conditions in this area. The aquifer underlies 45,000 acres and contains an estimated 675,000 acre feet of recoverable water in storage in Yankton County (Hedges, 1982). The aquifer is hydraulically connected to the Lower James Missouri aquifer to the north and to the James and Missouri Rivers.

The Water Rights Program monitors seven observation wells completed into the Missouri Elk Point aquifer in Yankton County. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1996).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are existing water permits/rights in this area. The nearest permitted well is about one quarter mile south of this application. Interference is not a concern. The diversion rates are relatively small and drawdown created by pumping should not be significant.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is unconfined and under water table conditions. Interference is not a concern.
3. This application indicates industrial use will be part of the water usage.
4. Applied Engineering is connected to City of Yankton's sanitary sewer.



for James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

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

Water Rights, 1996, Unpublished Observation Well Data for Yankton County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5936-3, Edwin Fricke**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5936-3, Edwin Fricke, Applied Engineering, Inc., 1900 East Highway 50, Yankton, SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 5936-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been 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. Permit No. 5936-3 authorizes a diversion rate greater than one cubic feet of water per second due to the method of irrigation and time constraints on diversion of water. The annual volume of water applied may not exceed three acre-feet of water delivered to the land.
2. 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 5, 1996



**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 7, 1996

Tom Bohnet
1900 East Hwy. 50
Yankton, SD 57078

Dear Mr. Bohnet:

Water Permit Application No. 5936-3 for irrigation and industrial 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 (Ph # (605) 665-7811). 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

June 7, 1996

Daily Press & Dakotan
P.O. Box 56
Yankton, SD 57078-0056

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5936-3 to be published twice. Please publish the first notice on June 14, 1996, 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 Edwin Fricke, 1900 East Hwy. 50, Yankton, SD 57078 (Ph # (605) 665-4425).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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 Program
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 June 14, 1996, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5936-3 to Appropriate Water

Notice is given that Edwin Fricke, 1900 East Highway 50, Yankton, SD 57078 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second (45 gallons per minute) from one well (Missouri:Elk Point Aquifer) which is 60 feet deep and located in the SE 1/4 SE 1/4 Section 8, T93N, R55W. Water will be used to irrigate approximately 3 acres of lawn and for industrial use at Applied Engineering. The location of the 3 acres is the SE 1/4 SE 1/4 Section 8, T93N, R55W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5936-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 1, 1996.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

1. Don S. Smith

taken from the Yankton Daily

Press & Dakotan

printed and published in Yankton

County of Yankton and State of

South Dakota. The notice was published in the newspaper on the following two dates:

June 14, 1996

June 21, 1996

Cost of Printing: \$42.46

(Signature)

Publisher

(Title)

6-24-96

(Date Signed)

6+14+21
NOTICE OF APPLICATION
NO. 5936-3 to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends **APPROVAL** of Application No. 5936-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 1, 1996.

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 17 1996

Edwin H. Fricke
1900 East Highway 50
Yankton, SD 57078

Dear Mr. Fricke:

Enclosed is Water Permit No. 5936-3 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 Program
605 773-3352

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.

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



Date 9/18/96

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

FROM: Edwin H. Fricke 1900 East Highway 50
(name) (address)
Yankton S.D. 57078 605-665-4405
(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. 5936-3.

Water Permit No. 5936-3 states that the diversion system is to be constructed by July 1, 2001, and that the water is put to beneficial use by
(date)

July 1, 2005
(date)

The diversion system was completed on 8/30/96
(date)

Applying the water to beneficial use was completed on 8/30/96
(date)

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

Edwin H. Fricke
(signature)

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5936-3

DATE OF INVESTIGATION	September 15, 1998
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Dave Staton
NAME & ADDRESS OF PERMIT HOLDER	Tom Bohnet 2008 E Hwy 50 Yankton SD 57078
DIVERSION POINT LEGAL LOCATION	Well: 1,000 feet W and 250 feet N from the SE corner sec 8-T93N-R55W (SE$\frac{1}{4}$SE$\frac{1}{4}$)

Other permit(s) associated with the project: 5936-3

WELL INFORMATION:

1) Well Drilling Firm: Koranda Well Co.

Screen:

2) No. of Wells 1

1) Type PVC

3) Depth(s) 55 feet

2) Length 30 feet

4) Well log is available Y

3) Static water level 10 feet

Casing:

Motor/Pump:

1) Diameter 6 inches

1) Make Grundfos submersible unit

2) Length 25 feet

2) Size 5 hp

3) Type Plastic

3) Capacity 45 GPM

DISTRIBUTION LINES OR CANALS:

Lawn sprinkling system used to irrigate 80,000 square feet (1.8 acres). No use of the water is being made for industrial purposes.

PERMIT QUALIFICATIONS:

1) Special qualifications to permit being abided by Y

2) All structures, wells and lands on map Y

Permit No. 5936-3
James River - Water District

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

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

I have this day, September 15, 1998, made a thorough examination of the water use system constructed by Edwin Fricke of 1900 E Hwy 50, Yankton SD 57078 holder of Permit No. 5936-3, bearing the priority of May 10, 1996 authorizing the diversion of 0.10 cu. ft. per second of the waters of ground water (Missouri Elk Point aquifer) for irrigation and industrial purposes, in Yankton County.

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

A. Works used to divert the water:

Motor/Pump:

1. Make Grundfos submersible unit
2. Size 5 hp
3. Capacity 45 GPM

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

Lawn sprinkling system used to irrigate 80,000 square feet (1.8 acres). No use of the water is being made for industrial purposes.

The system is in the following condition good. The point of diversion is located well: 1,000 feet W and 250 feet N from the SE corner sec 8-T93N-R55W (SE¼SE¼). The works are capable of diverting and conveying to the place of use 0.10 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:

SE¼SE¼ section 8-T93N-R55W (1.8 acres). The industrial portion of the permit is not in use.

comprising a total of 1.8 acres of land and the license should be issued for 0.10 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none Date report completed: November 4, 1998



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP

1998

1" = 660'





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 6, 1998

5936-3

Tom Bohnet
2008 E Hwy 50
Yankton SD 57078

Dear Mr. Bohnet:

The investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5936-3, was completed by Ron Duvall on September 15, 1998. The final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee, we will begin processing the Water License.

Also, enclosed is a *Notice of Transfer of Ownership* form. The form needs to be completed, signed by the owner, notarized and returned with a \$2.50 filing fee.

**Please submit \$52.50 to: Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

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

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 5936-3

Date: 11/16/98

I/We request that Water Permit No. **5936-3**

formerly owned by: Edwin Fricke

be transferred to: (name & address) Tom Bohmet, 2008 E Hwy 50, Yankton, S.D. 57078
Telephone No. 605-665-4425

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

1.8 acres located in the SE 1/4 SE 1/4 Section 8-T93N-R55W

I/We understand that the validity of Water Permit No. **5936-3** has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)
County of Yankton)

I/We Tom Bohmet being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Tom Bohmet
(Signed)

Subscribed and sworn to before me this 3RD day of December, 1998.

Bradley Bonty
(Notary Public)
My Commission Expires: August 5, 1999

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 415949

Pierre, December 7, 1998

RECEIVED OF Applied Engineering, Inc. (Tom Bohnet), 2008 E. Hwy. 50, Yankton, SD 57078-6408
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. 5936-3

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

John Hatcher

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

142 415950

Pierre, December 7, 19 98

RECEIVED OF Applied Engineering, Inc. (Tom Bohret), 2008 E. Hwy. 50, Yankton, SD 57078-6408
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. _____

Fee for Filing Transfer Form Water Permit No. 5936-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By _____
Chief Engineer

John Hatcher

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5936-3

(1) Edwin H Fricke, Yankton SD made Application No. 5936-3, May 10, 1996 for a water permit to divert 0.10 cubic feet of water per second from groundwater (one well), Yankton County, South Dakota for irrigation and industrial purposes. Permit No. 5936-3, with a priority date of May 10, 1996 was approved July 1, 1996 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 1, 2001 and for the application to beneficial use of said water on or before July 1, 2005.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on September 25, 1996. The *Notice* stated the diversion system was completed on August 30, 1996 and the water placed to beneficial use on August 30, 1996.

On December 7, 1998, Water Permit No. 5936-3 was transferred to Tom Bohnet.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.10 cubic feet of water per second for beneficial use. The location of the diversion point is 1,000 feet west and 250 feet north from the southeast corner of Section 8-T93N-R55W (SE ¼ SE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

1.8 acres located in the SE ¼ SE ¼ Section 8-T93N-R55W

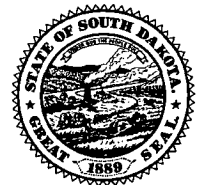
(4) Pursuant to South Dakota Water Law 46-5-30.1 Tom Bohnet, 2008 E Hwy 50, Yankton SD 57078 the holder and/or owner of Water Right No. 5936-3 is issued a license to appropriate water, the right to use 0.10 cubic feet of water per second from groundwater (one well) with a priority date of May 10, 1996 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 Right No. 5936-3 and subject to South Dakota State Law.



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

JAN 19 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 19 1999

5936-3

Tom Bohnet
2008 E. Hwy. 50
Yankton, SD 57078

Dear Mr. Bohnet:

Enclosed is Water License No. 5936-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415949 in the amount of \$50.00 and Receipt No. 415950 in the amount of \$2.50 which you paid for the investigation, issuance and Transfer of Ownership 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. 5936-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

ks
enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: TOM BOHNET, 2008 E HWY 50, YANKTON, SD 57078

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5936-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5936-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5936-3 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 February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



5936-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 6598

Your item was delivered at 10:05 am on January 21, 2003 in YANKTON, SD 57078. The item was signed for by D DAVIS.

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7540 6598

TOM BOHNET
2008 E HWY 50
YANKTON SD 57078

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(See Reverse)

PS Form 153, February 2001



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2003

5936-3

Tom Bohnet
2008 E Hwy 50
Yankton SD 57078

Dear Mr. Bohnet:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 5936-3.

The information was 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 Program
(605) 773-3352

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

AUG 28 2008

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 5936-3

Date: 8/21/08

I/We request that Water Right/Permit No. 5936-3 formerly owned by:

TOM BONNET

be transferred to:

New Owner Name: APPLIED ENGINEERING, INC

Address: 2008 EAST HIGHWAY 50

City, State, Zip VANDERTON, SD 57078

Telephone No. 605-665-4425

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

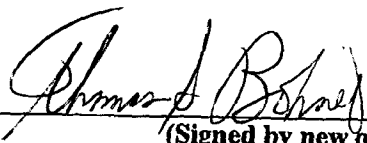
SEE ATTACHMENT

☒ I understand that the validity of Water Right/Permit No. 5936-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, APPLIED ENGINEERING, INC., the new owner, certify that the above information is true and correct.


(Signed by new owner)

President
TITLE

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

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

Lot A of Townsend's Addition, located in the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section 8, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota, as shown on the plat recorded in Book S11, Page 73.

Tract B, located in the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section 8, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota, as shown on the plat recorded in Book S18, Page 22.

Tract C, located in the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section 8, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota, as shown on the plat recorded in Book S18, Page 32

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/28, 20 08

RECEIVED OF Applied Engineering 2008 E Hwy 50 Yankton SD 57078

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>5936-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

03701

By

Michael Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 2, 2008

5936-3

Tom Bohnet
Applied Engineering Inc
2008 E Highway 50
Yankton SD 57078

Dear Mr. Bohnet:

I am writing to acknowledge receipt of the ownership change you filed with Water Right No. 5936-3. The water right formerly listed in your name is now listed in the name of "Applied Engineering Inc."

Enclosed is your Receipt No. 03731 in the amount of \$2.50. You may keep this for your records. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure



5936-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: TOM BOHNET, 2008 E HWY 50, YANKTON, SD 57078

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5936-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5936-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5936-3 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 **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 6425	
TOM BOHNET 2008 E HWY 50 YANKTON SD 57078	
Waiver of Signature	☐ YES ☐ NO
Postmark Here	
POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com ® or call 1-800-222-1811	
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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2009

5936-3

Tom Bohnet
2008 E Hwy 50
Yankton SD 57078

Dear Mr. Bohnet:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 5936-3.

The information was 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,

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

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



5936-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2011

NOTICE

TO: TOM BOHNET, 2008 E HWY 50, YANKTON, SD 57078
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5936-3. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5936-3 qualification:

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

The hearing will be held at **10:00 am, March 9, 2011** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5936-3 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 **March 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.


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Status: **Delivered**

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Detailed Results:

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- Notice Left (Business Closed), January 22, 2011, 8:42 am, YANKTON, SD 57078
- Out for Delivery, January 22, 2011, 8:35 am, YANKTON, SD 57078
- Sorting Complete, January 22, 2011, 8:25 am, YANKTON, SD 57078
- Arrival at Post Office, January 22, 2011, 8:07 am, YANKTON, SD 57078
- Processed through Sort Facility, January 22, 2011, 3:52 am, SIOUX FALLS, SD 57104

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0803 0132

TOM BOHNET
2008 E HWY 50
YANKTON SD 57078

Waiver of Signature ☐ YES ☐ NO

Postmark Here

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 8, 2011

5936-3

Tom Bohnet
2008 E Hwy 50
Yankton SD 57078

Dear Mr. Bohnet:

I am writing to acknowledge receipt of your 2010 irrigation questionnaire.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 5936-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

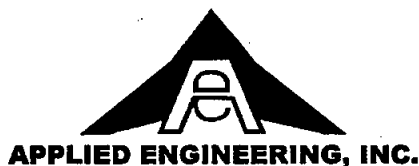
If you have any questions, please contact me.

Sincerely,

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

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

5936-3



RECEIVED
MAR 17 2016
SURFACE WATER PROGRAM

March 14, 2016

South Dakota Department of Environment and Natural Resources
Joe Foss Building
523 E Capitol
Pierre, SD 57501

Re: Applied Engineering, Inc.

Dear Sir or Madam:

Applied Engineering, Inc. holds the following licenses and permits which have been issued by the South Dakota Department of Environment and Natural Resources:

- Water License No. 5936-3 dated January 19, 1999.
- EPA Identification Number SD0000072017 issued on June 14, 1994.
- Exclusion Number NOX000068 issued on October 5, 2012.
- Authorization to Discharge under the Surface Water Discharge System effective July 1, 2007, and General Surface Water Discharge Permit for Metal Finishing Industrial Users effective July 1, 2015.

Please be advised that, effective March 14, 2016, all of the outstanding stock of Applied Engineering, Inc. was sold to Loar Group Inc. As a result of this sale, Applied Engineering, Inc. remains in existence as a wholly-owned subsidiary of Loar Group Inc.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Thomas S. Bohnet
President of Applied Engineering, Inc.