

WATER PERMIT NO. 6233-3

Name of Applicant: **Karl M Schenk**

Address: **44352 308th St, Mission Hill SD 57046**

Phone: **605 665-6113**

Amount of Water Claimed: **2.44 cfs**

Total Acres: **90**

Source of Water Supply: **groundwater**

Water to be used for: **irrigation**

County: **Yankton**

Type of Waste Disposal System:

Location: **2 miles northeast of Yankton**

PRIORITY

Date Received: **10-17-2000**

Fee: **\$225**

Corrected Application Received::

Period of Annual Use: **April 1 – October 31**

Remarks:

Diversion Point: **S ½ SE ¼ Sec 2-T93N-R55W**

Land to be Irrigated: **S ½ SE ¼ Sec 2 and**
NE ¼ NE ¼ Sec 11; all in T93N-R55W

Depth of Well: **approximately 80 feet**

Well Driller: :

Remarks:

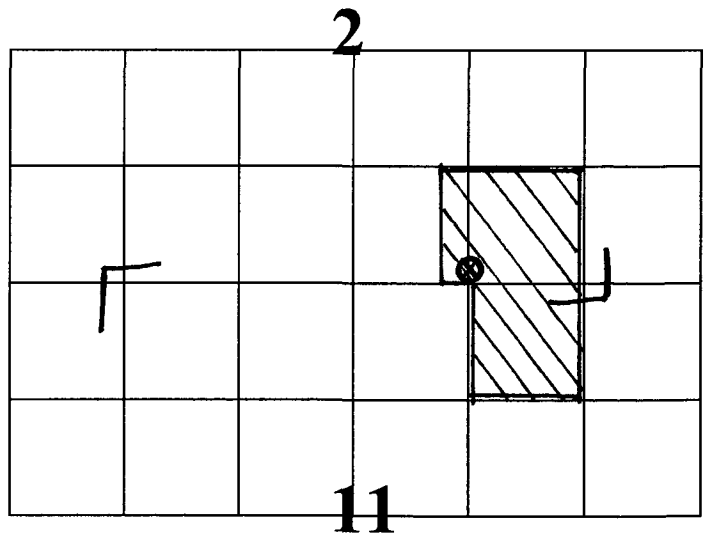
Type of Map: **aerial**

Prepared by: **Steve Meyer**

Reviewed and the Number Assigned on: **10-17-2000**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 6233-3**

Date of first receipt of application October 17, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6233-3 to Karl M Schenk, 44352 308th St, Mission Hill SD 57046 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. 6233-3 appropriates 2.44 cubic feet of water per second (cfs) from one well (Missouri Elk Point Aquifer) approximately 100 feet deep located in the S ½ SE ¼ Section 2 to irrigate 90 acres located in the S ½ SE ¼ Section 2 and NE ¼ NE ¼ Section 11; all in T93N-R55W.
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: April 1 – October 31.
3. The date from which applicant may claim right is October 17, 2000.
4. The date of approval of Permit No. 6233-3 is December 4, 2000.
5. One-fifth of the construction is to be completed on or before June 4, 2003.
6. All construction is to be completed on or before December 4, 2005.
7. Water is to be put to beneficial use on or before December 4, 2009.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well 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. The well authorized by Permit No. 6233-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6233-3 authorizes a maximum diversion rate of 2.44 cfs for the irrigation of 90 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 29 2001

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6233-3</u>	(office use only) Hydrologic Unit <u>10160011</u>
	Basin <u>James River</u>	
	Newspaper <u>Daily Press + Dakotan, Yankton</u>	



Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

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

1. Name of Applicant Karl M Schenk Phone 605-665-6113
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 44352 308th street Mission Hill State SD 57046
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed 2.44 *CFS or 1100 **GPM 1200 ***AF Total Acreage 12890
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Lower James/Missouri River aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
one well in the south half of the southeast quarter of section
2, 93-55 Yankton county SD (S1/2 SE1/4) County Yankton

5. County or counties where water will be used Yankton

6. Annual period during which water is to be used 2001 - April - October 31

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
XXXXXXXXXXXXXXXXXXXX	40	<u>SE1/4 SE1/4 sec 2 93-55</u>	<u>40</u>
XXXXXXXXXXXXXXXXXXXX	40	<u>East 10 ac SW1/4 SE1/4 sec 2 93-55</u>	<u>10</u>
XXXXXXXXXXXXXXXXXXXX	40	<u>NE1/4 NE1/4 sec 11 93-55</u>	<u>40</u>
XXXXXXXXXXXXXXXXXXXX	40		

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

STATE OF SOUTH DAKOTA) SS
County of Yankton)

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)

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

Applicant's signature Karl M Schenk

Subscribed and sworn to before me this 24 day of August 2000

Betsy Peters
Notary Public signature

My Comm Exp: 5-18-2004

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 18" to 22" Depth 80-100 ft
- b) Casing Type PVC Diameter 14-16" Thickness Sch. 40
- c) Screen Type PVC slotted or stainless Diameter 14-16" Thickness Sch. 40
- d) Gravel Pack yes Length of Gravel Pack 30-50 feet
- e) Depth to Top of Water Bearing Material 40-60'
- f) Depth to Water (ground surface to water level) 20-35'
- g) Distance to nearest existing domestic well:

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) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

UNKNOWN
There.

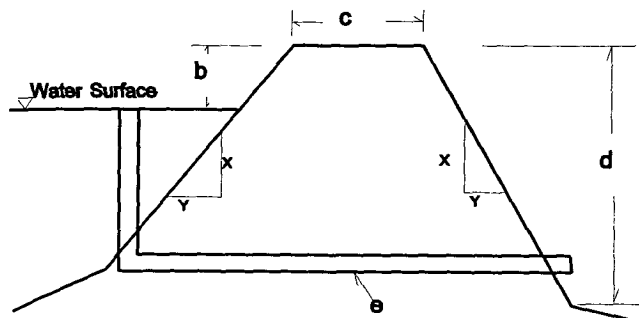
3. Dugout Information

- 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

Hammond-Wetmore Drilling

27 North Yale Street
 Vermillion, SD 57069
 605-624-6745
 Richard Hammond, Geologist

Invoice

Invoice 1203

11-Jun-01

Karl Schenk
 44352 308th Street
 Mission Hill, SD 57046

	Item	Cost
2	Irrigation test holes, 110' ea @ \$8/ft (2 tests waived)	\$ 1,760.00
440'	geophysical logging @ \$1.50/ft	NC
1hr	test pump, 350gpm sub and 35kw generator	NC
114	Drilling, 22" hole @ \$27/ft.	\$ 3,078.00
51	16" casing, sch 40 PVC @ 26.50/ft.	\$ 1,351.50
60	16" screen, sch 40 PVC, 40 slot @ \$31/ft.	\$ 1,860.00
1	Filter pack, annular completion, surface pad	\$550.00
1	Pump assy, 700 gpm @ 160ft TDH	\$2,480.00
60	Column, complete, 8"x2"x1.25"	\$2,680.00
1	Discharge head, 8", M-OL-16	\$1,080.00
1	Headshaft, 1.5", GE motor to WLR 1.25"	\$162.00
1	Workover: labor and materials to install pump assy	\$ 500.00
Total		\$ 15,501.50
Sales tax		\$ 193.59
SD contractors excise tax		\$ 310.03

Discount if paid in 7 days: \$ (300.00)

cash total \$ 15,705.12



SOUTH DAKOTA WATER WELL COMPLETION REPORT

6233-3
07-92

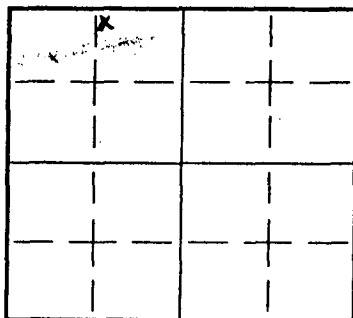
ation NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 11 Twp 93N Rg 55W

County YANKTON

Please mark well location with an "X"

W

E



Well Completion Date

June 4, 2001

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 500 ft. from Septic Tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

casing DATA: ☐ Steel ☒ Plastic ☐ Other

other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1.40</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>114</u> FT	<u>24</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

ROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Best bet</u>	<u>28</u>	<u>< 10</u> lb./gal	<u>48</u> ft	<u>20</u> ft
<u>Neat Cement</u>	<u>15</u>	<u>< 14</u> lb./gal	<u>20</u> ft	<u>0</u> ft

Describe grouting procedure pressure grout thru tremie

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 16 IN Length 66 FEET

Material PVC

Slot Size .060 Set From 4' Feet to 114 Feet

Other information blank at 78 to 93'

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: HTH

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Karl Schenk

Business Name: _____

Address: 44352 308th ST
MISSION HILL, SD 57046

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>DK BRN SILTY CLAY</u>	<u>0</u>	<u>2</u>
<u>SAND, V. FINE, SILTY</u>	<u>2</u>	<u>47</u>
<u>SAND, COARSE TO MED</u>	<u>47</u>	<u>78</u>
<u>CLAY, GRAY, SILTY</u>	<u>78</u>	<u>93</u>
<u>SAND, COARSE</u>	<u>93</u>	<u>102</u>
<u>GRAVEL, MED TO COARSE</u>	<u>102</u>	<u>114</u>

STATIC WATER LEVEL 20 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

- ☒ Pumped Describe: _____
☐ Bailed _____
☐ Other _____

Pumping Level Below Land Surface

35 ft. After 2 Hrs. pumped 700 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 700 GPM

REMARKS

This well was drilled under license # 6666

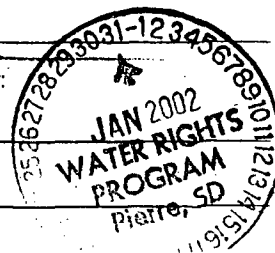
And this report is true and accurate.

Drilling firm HANCOCK - WITMOR, Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 6-11-01



[illegible]

6233-3

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416656

Pierre, October 17, 2000, _____

RECEIVED OF Karl M Schenk, 44352 308 St, Mission Hill SD 57046
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>4233-3</u> to Appropriate Water, to construct 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. <u>4233-3</u> _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	275 00

By

Chief Engineer

Harland Erbele

KS

IRRIGATION PROJECT DECSRIPTION

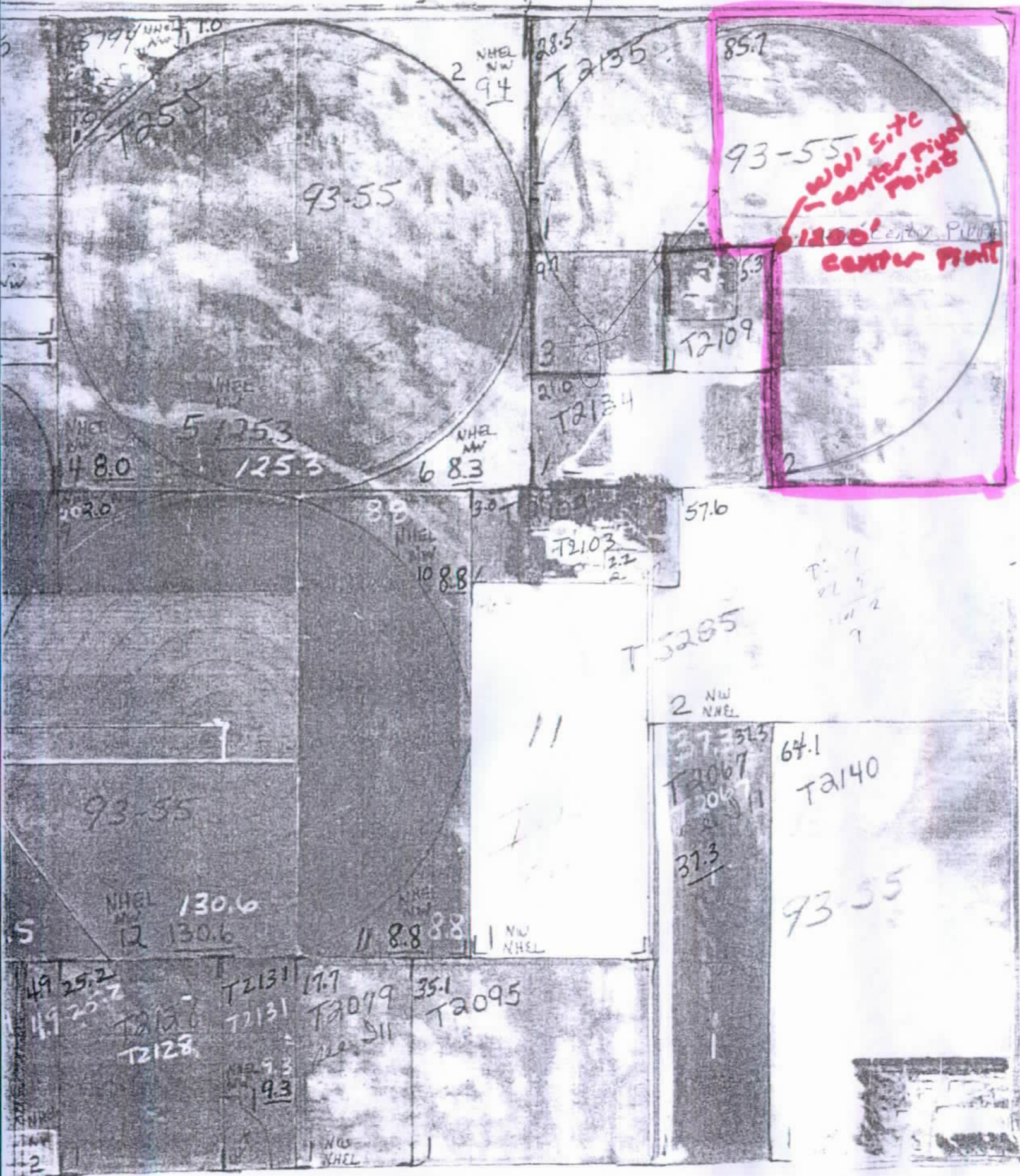
The irrigation project will consist of a 70 to 100 foot 14-16 inch diameter plastic cased well with either an electric or diesel driven engine. The anticipated unrestricted flow of the well will be approximately 1200 gallons per minute. The water delivery system will consists of a 7-9 tower (1280 feet) electric driven center pivot irrigation system. The anticipated amount of water delivered will be between 900-1100 gallons per minute and the irrigation structure will water approximately 80 acres of cropland.

The Well and the Center Pivot point will be located in the extreme northwest **corner** of the Northeast quarter of the Northeast quarter of section 11, 93-55 and/or in the extreme Southwest **corner** of the Southeast quarter of the Southeast quarter of Section 2, 93-55 Yankton County South Dakota.

The Irrigation System will be low pressure utilizing drop nozzles. The system will utilize and end gun with a booster pump. The irrigation system will make slightly more than a half circle.

See attached map

1100 /acre



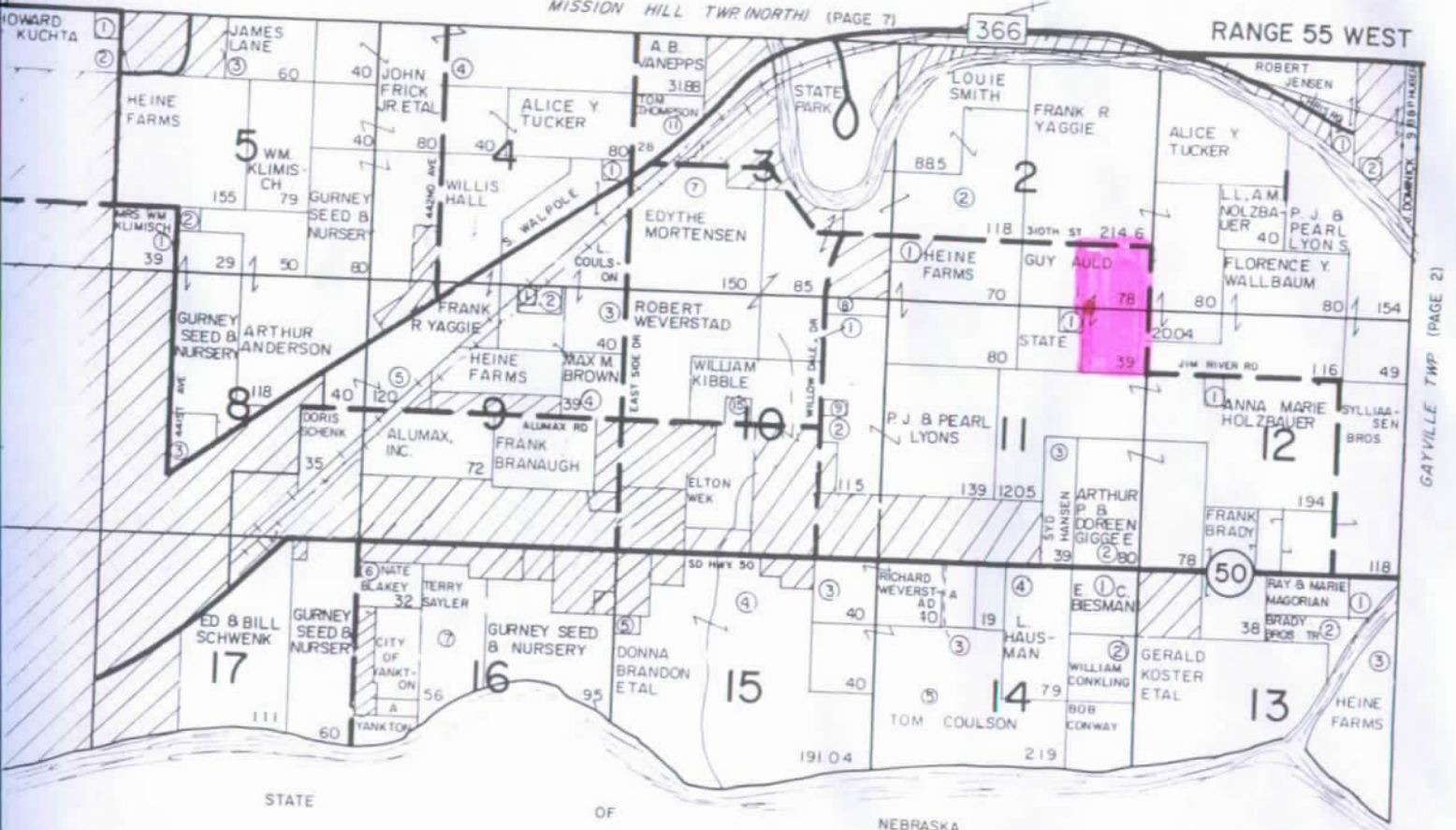
MISSION HILL (SOUTH)

CODE-8

93 NORTH

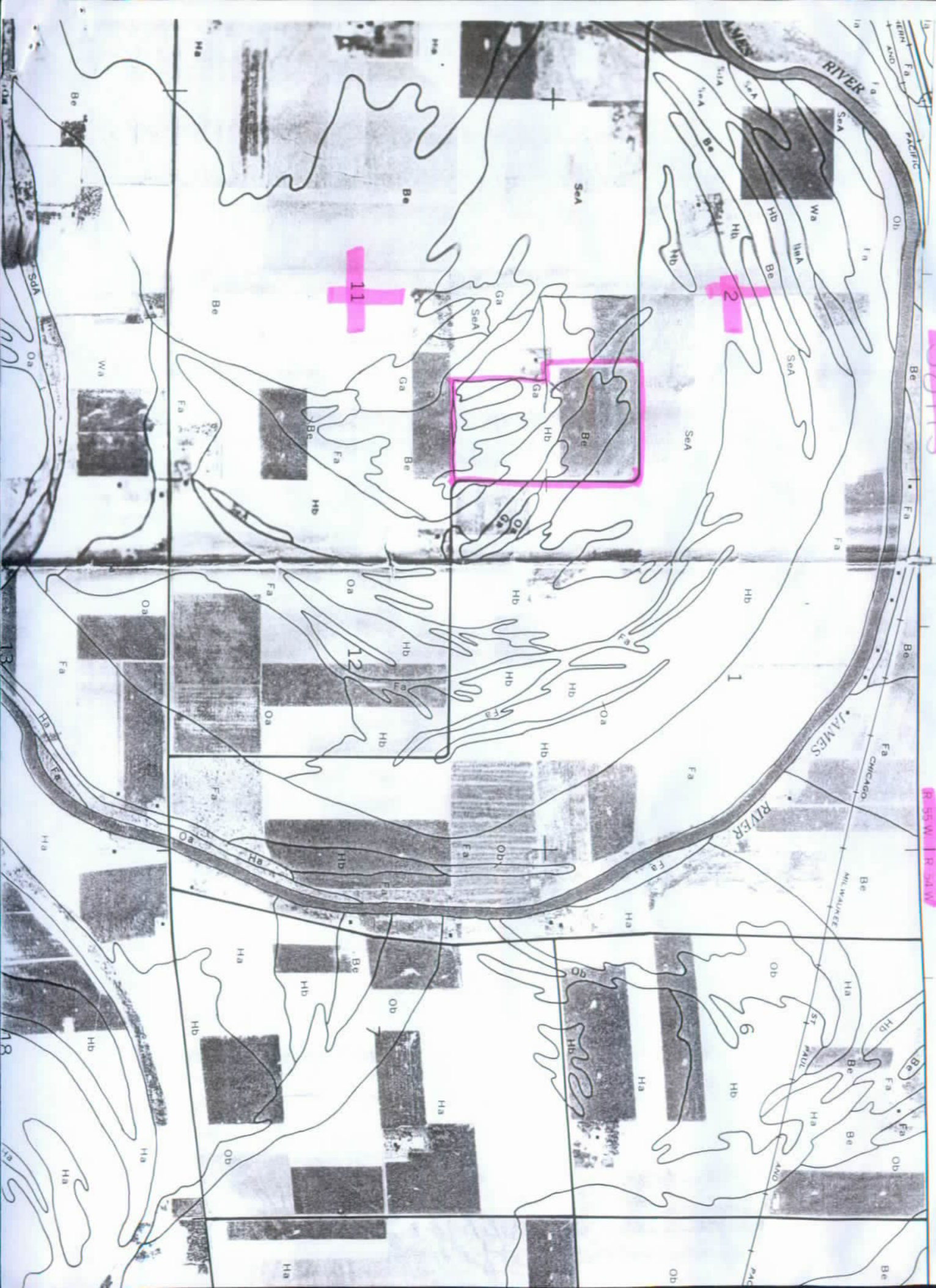
MISSION HILL TWP (NORTH) (PAGE 7)

RANGE 55 WEST



80113

R 55 W | R 54 W



nel and have an overstory of cottonwood and black willow. Management that maintains an adequate vegetative cover and ground mulch helps prevent excessive soil blowing and provides food and shelter for openland and woodland wildlife.

The flooding generally is too frequent for this soil to be suitable as a site for buildings or sanitary facilities. The effluent from all sanitary facilities can pollute the ground water. Capability unit IVs-1; Sands range site.

SeA—Sarpy-Grable complex, 0 to 4 percent slopes.

These deep, nearly level and gently undulating, excessively drained and well drained soils are on bottom land along the Missouri River. They are subject to the flooding that occurs as local runoff. Gavins Point Dam provides protection from the floodwater in the Missouri River during all periods but those of high discharge from the dam. Areas of these soils range from 20 to 200 acres in size. They are about 45 to 55 percent Sarpy soil and about 30 to 40 percent Grable soil. The Sarpy soil is in convex areas, and the Grable soil is in the concave areas. The two soils occur as areas so closely intermingled or small that it is not practical to separate them in mapping.

Typically, the Sarpy soil has a surface layer of grayish brown, calcareous loamy fine sand about 9 inches thick. The underlying material to a depth of 60 inches is light brownish gray fine sand. In places, the surface layer is fine sandy loam or fine sand.

Typically, the Grable soil has a surface layer of grayish brown, calcareous silt loam about 7 inches thick. To a depth of 28 inches, the underlying material is light gray, very friable, calcareous silt loam. Below this to a depth of 60 inches, it is light brownish gray, calcareous fine sand. In places, the surface layer is loamy fine sand, fine sandy loam, or silty clay loam. In some areas, the soil is silty throughout.

Included with these soils in mapping are small areas of Blake and Onawa soils. These included soils make up less than 15 percent of any one mapped area. Blake soils contain more clay throughout than the Sarpy and Grable soils and are in similar positions on the landscape. Onawa soils are in the lower positions. They contain more clay in the upper part than the Sarpy and Grable soils.

Permeability is rapid in the Sarpy soil. It is moderate in the upper part of the Grable soil and rapid in the underlying material. Available water capacity is low in the Sarpy soil and moderate in the Grable soil. Organic-matter content and fertility are low in both soils. Runoff is slow.

Most areas of these soils are farmed. The soils have good potential for rangeland and tame pasture and hay. They have fair potential for windbreaks and environmental plantings and rangeland wildlife habitat. The Sarpy soil has fair potential for cultivated crops and poor potential for openland wildlife habitat. The Grable soil has good potential for cultivated crops and openland wildlife

habitat. Both soils have poor potential for building sites and sanitary facilities.

The main concerns in farming these soils are controlling soil blowing and conserving moisture. Crop residue management, strip crops, and field windbreaks help control soil blowing and conserve moisture. A cropping system in which grasses and legumes are grown during most years also helps to control soil blowing and improves fertility.

These soils are suited to tame pasture and hay. Species that are suited to a sandy soil that is low in fertility and droughty should be grown. Proper stocking rates, uniform grazing distribution, and timely deferment of grazing help keep the pasture and the soils in good condition.

These soils are suited to windbreaks and environmental plantings. The Sarpy soil is better suited to evergreen trees than to deciduous trees. Optimum growth should not be expected from trees planted on the Grable soil because of droughtiness. Keeping cultivation to a minimum helps to control soil blowing. Planting trees directly in sod or stubble also helps to control soil blowing.

The flooding is too frequent for these soils to be suitable as sites for buildings or sanitary facilities. The effluent from all sanitary facilities can pollute the ground water. Sarpy soil in capability unit IVs-1, Sands range site; Grable soil in capability unit IIs-3, Silty range site.

TaE—Talgo-Thurman complex, 15 to 40 percent slopes.

These excessively drained and somewhat excessively drained, moderately steep and steep soils are on uplands adjacent to the major creeks. The Talgo soil is shallow to sand and gravel, and the Thurman soil is deep. Individual areas of these soils range from 10 to 100 acres in size. They are about 50 to 60 percent Talgo soil and 25 to 35 percent Thurman soil. The two soils occur as areas so closely intermingled or so small that it is not practical to separate them in mapping.

Typically, the surface layer of the Talgo soil is about 9 inches thick. It is very dark grayish brown loam in the upper part and dark grayish brown gravelly loam in the lower part. The underlying material to a depth of 60 inches is brown, calcareous sand and gravel.

Typically, the Thurman soil has a surface layer of dark grayish brown fine sandy loam about 10 inches thick. Next is a transitional layer about 20 inches thick. The upper part is dark grayish brown, very friable sandy loam; the lower part is brown, loose loamy sand. The underlying material to a depth of 60 inches is very pale brown, calcareous loamy sand. In places, coarse sand and gravel is in the underlying material. In some areas, the surface soil contains less sand. In other areas, the surface layer is thicker and darker.

Included with these soils in mapping are small areas of Betts soils. These included soils make up less than 15 percent of any one mapped area. They formed in glacial

Included with this soil in mapping are small areas of Blake, Grable, and Onawa soils. These soils make up less than 15 percent of any one mapped area. They occur in a random pattern throughout the map unit. The Blake soils contain more clay throughout than the Haynie soil. The Grable soils have sand below a depth of 28 inches. The Onawa soils contain more clay in the upper part than the Haynie soil.

Permeability is moderate in the upper part of the Haynie soil and slow in the lower part. Available water capacity is high. Organic-matter content and fertility are low. Runoff is slow. This soil has a perched water table at a depth of 4 to 6 feet most of the year.

Almost all areas are farmed. This soil has good potential for cultivated crops, rangeland, windbreaks and environmental plantings, tame pasture and hay, and openland wildlife habitat. It has fair potential for rangeland wildlife habitat and for most building sites and most sanitary facilities.

This soil is well suited to cultivated crops. The main concern of management is improving fertility. Returning crop residue to the soil improves fertility and tilth and increases the infiltration rate.

This soil is well suited to windbreaks and environmental plantings. Competing vegetation prevents maximum tree growth. It can be controlled by timely cultivation and by herbicides.

This soil is well suited to tame pasture and hay. Proper stocking rates, pasture rotation, timely deferment of grazing, and weed control help keep pastures in good condition.

This soil is well suited to building site development, but ground water can seep into basements during wet periods. Roads should be graded to provide drainage and thus prevent the damage caused by frost action. Enlarging the absorption area of septic tank absorption fields helps overcome the slow absorption rate of this soil. Wetness may be a problem during wet periods. Sealing the bottom and sides of sewage lagoons helps prevent seepage. Capability unit I-1; Overflow range site.

Hb—Haynie silty clay loam, overwash. This deep, moderately well drained, nearly level soil is on the lower parts of the bottom land near the present channel of the Missouri River. It is subject to rare, brief flooding. Areas of this soil range from 10 to 300 acres in size and generally are long and narrow.

Typically, the surface layer is light brownish gray, calcareous silty clay loam about 16 inches thick. The underlying material to a depth of 60 inches is pale brown and very pale brown, calcareous silt loam. In places, the surface layer is thicker. In some areas, silty clay is below a depth of 40 inches.

Included with this soil in mapping are small areas of Forney and Onawa soils. These soils make up less than 15 percent of any one mapped area. They occur in a random pattern throughout the map unit. The Forney

soils contain more clay than the Haynie soil. The Onawa soils have a clayey surface layer.

Permeability is moderate in the Haynie soil. Available water capacity is high. Organic-matter content and fertility are low. Runoff is slow. This soil has a perched water table at a depth of 4 to 6 feet most of the year.

Almost all areas are farmed. Some support native trees. This soil has good potential for cultivated crops, tame pasture and hay, windbreaks and environmental plantings, rangeland, and openland wildlife habitat. It has fair potential for rangeland wildlife habitat and poor potential for most building sites and sanitary facilities.

This soil is well suited to cultivated crops. The main concerns of management are the low fertility and the rare flooding. Returning crop residue to the soil improves tilth and fertility and increases the infiltration rate. Planting and harvesting may be delayed during periods of heavy rainfall.

The soil is well suited to windbreaks and environmental plantings. Competing vegetation prevents maximum tree growth. It can be controlled by timely cultivation and by herbicides.

This soil is well suited to tame pasture and hay. Proper stocking rates, pasture rotation, timely deferment of grazing, and weed control help keep pastures in good condition.

This soil is poorly suited to most kinds of building site development. If roads are constructed across areas of this soil, artificial drainage is needed to prevent the damage caused by frost action. Sanitary facilities should be protected from flooding. Wetness is a problem during some periods. Sealing the bottom and sides of sewage lagoons helps prevent seepage. Capability unit IIw-3; Overflow range site.

Ja—James silty clay loam. This deep, poorly drained, nearly level soil is on bottom land. It is frequently flooded for long periods. Individual areas range from 20 to 200 acres in size and are irregular in shape.

Typically, the surface layer is about 18 inches of very dark gray silty clay loam that has many nests of salts. The subsoil is about 10 inches of dark gray, very firm silty clay loam that has nests of salts. To a depth of 40 inches, the underlying material is gray, mottled silty clay loam that has nests of salts and accumulations of lime. Below this to a depth of 60 inches, it is gray, mottled silty clay loam that has many nests of salts. In places, no salts are in the surface layer or subsoil. In some areas, the content of clay is lower throughout.

Included with this soil in mapping are small areas of Clamo and Lamo soils, which are in similar positions on the landscape. These soils make up less than 15 percent of any one mapped area. They do not have salts. In addition, Lamo soils contain less clay than the James soil.

Permeability is slow in the James soil. Available water capacity is moderate. Organic-matter content and fertility

Permeability is very slow in the Forney soil. Available water capacity is moderate. Organic-matter content also moderate, and fertility is medium. The shrink-swell potential is high. Runoff is very slow. This soil has a water table at a depth of 1 to 3 feet most of the year. Almost all areas of this soil are farmed. The soil has good potential for rangeland, tame pasture and hay, windbreaks and environmental plantings, and openland wildlife habitat. It has fair potential for cultivated crops and rangeland wildlife habitat. It has poor potential for building sites and most sanitary facilities.

This soil is suited to cultivated crops. Returning crop residue to the soil improves tilth and fertility and increases the infiltration rate. Avoiding fieldwork when the soil is wet helps to prevent puddling of the soil. Planting and harvesting may be delayed during wet periods.

This soil is well suited to windbreaks and environmental plantings. Competing vegetation prevents maximum tree growth. It can be controlled by timely cultivation and herbicides.

This soil is well suited to tame pasture and hay. Proper stocking rates, pasture rotation, timely deferment of grazing, and weed control help keep pastures in good condition.

This soil is poorly suited to building site development because of the wetness, the low strength, and the high shrink-swell potential. If roads are constructed across areas of this soil, the base material should be strengthened or replaced to overcome the low strength and the high shrink-swell potential. Adequate surface drainage is needed. This soil is poorly suited to septic tank absorption fields because of wetness. Sewage lagoons function well on this soil; their embankments provide protection from flooding. Capability unit IIIw-2; Clayey range site.

Ga—Grable silt loam. This deep, well drained, nearly level soil is on the higher parts of the bottom land along the Missouri River, near the present channel and on alluvial fans adjacent to upland escarpments. Very brief flooding is a hazard, but it occurs only as local runoff; Lewis Point Dam holds back the potential floodwater in the Missouri River. Areas of this soil range from 10 to several hundred acres in size and are irregular in shape. Typically, the surface layer is grayish brown, calcareous silt loam about 7 inches thick. To a depth of 28 inches, the underlying material is light gray, calcareous, very friable silt loam. Below this to a depth of 60 inches, the material is light brownish gray, calcareous fine sand. In places, the surface layer is not so dark.

Included with this soil in mapping are small areas of Blake, Haynie, and Onawa soils. These soils make up less than 15 percent of any one mapped area. Blake soils contain more clay throughout than the Grable soil. Haynie soils are silty throughout. Blake and Haynie soils occur in a random pattern throughout the map unit. Onawa soils are in the lower positions. They contain

more clay in the surface layer and subsoil than the Grable soil.

Permeability is moderate in the upper part of the Grable soil and rapid in the underlying material. Available water capacity is moderate. Organic-matter content and fertility are low. Runoff is slow.

Almost all areas are cultivated. This soil has good potential for cultivated crops, tame pasture and hay, rangeland, rangeland wildlife habitat, and openland wildlife habitat. It has fair potential for windbreaks and environmental plantings. It has good potential for truck gardening and nursery stock and poor potential for most building sites and sanitary facilities.

This soil is suited to cultivated crops. The main concerns of management are low fertility and soil blowing. Management practices that maintain adequate cover during dry, windy periods help control soil blowing. Returning crop residue to the soil improves fertility and tilth and increases the infiltration rate. Planting and harvesting may be delayed during wet periods.

This soil is well suited to truck gardening and nursery stock. Irrigation is essential to meet the peak water demands of the crop.

This soil is suited to windbreaks and environmental plantings. It is somewhat droughty, however, because of the underlying sand. Competing vegetation prevents maximum tree growth. It can be controlled by timely cultivation and by herbicides.

Using the soil for tame pasture and hay is an effective way to control soil blowing. Proper stocking rates, pasture rotation, timely deferment of grazing, and weed control help keep pastures in good condition.

Buildings constructed on this soil should be protected from local flooding. Also, the ground water can seep into basements during wet periods. Roads constructed across areas of this soil should be graded to shed water. The effluent from all sanitary facilities can pollute the ground water because of the rapidly permeable underlying material. Capability unit IIs-3; Silty range site.

Gb—Graceville silty clay loam. This deep, well drained, nearly level soil is on terraces on bottom land along the major creeks. It is subject to rare flooding. Areas of this soil range from 15 to 75 acres in size and generally are irregular in shape.

Typically, the surface layer is dark grayish brown silty clay loam about 16 inches thick. The subsoil is about 29 inches of brown, pale brown, and light yellowish brown, friable silty clay loam. The underlying material to a depth of 60 inches is brown gravelly sand. In places, sand and gravel is at a depth of 40 inches or less.

Included with this soil in mapping are small areas of Roxbury and Wentworth soils. These soils make up less than 15 percent of any one mapped area. They do not have sand and gravel in the underlying material. The Roxbury soils have lime at the surface. Their position on



Figure 5.—Little bluestem and yucca on Betts-Gavins complex, 15 to 40 percent slopes.

Be—Blake silty clay loam. This deep, somewhat poorly drained, nearly level soil is on bottom land near the present channel of the Missouri River. Rare flooding is a hazard, but it occurs only as local runoff; Gavins Point Dam holds back the potential floodwater in the Missouri River. Areas of this soil range from 10 to 300 acres in size and are irregular in shape.

Typically, the surface layer is dark grayish brown silty clay loam about 8 inches thick. The subsurface layer is about 9 inches of grayish brown, mottled, calcareous silty clay loam. The underlying material to a depth of 60 inches is pale yellow and light brownish gray, mottled, calcareous silt loam and silty clay loam over light yellowish brown, calcareous loamy very fine sand. In places, the material below 40 inches is dark colored silty clay loam. In some areas, the surface layer is fine sandy loam.

Included with this soil in mapping are small areas of Grable, Haynie, and Owego soils. These soils make up less than 15 percent of any one mapped area. Grable

soils have sand below a depth of 24 inches. Haynie soils contain less clay and Owego soils more clay than the Blake soil. Included soils occur in a random pattern throughout the map unit.

Permeability is moderate in the Blake soil, and available water capacity is high. The shrink-swell potential is moderate in the surface and subsurface layers and low in the underlying material. Organic-matter content is moderate, and fertility is medium. Runoff is slow. This soil has a seasonal high water table at a depth of 2 to 4 feet in most years.

Almost all areas of this soil are farmed. The soil has good potential for cultivated crops, rangeland, wind-breaks and environmental plantings, tame pasture and hay, and openland wildlife habitat. It has poor potential for building sites and most sanitary facilities.

This soil is well suited to cultivated crops. The major concerns of management are maintaining tilth and the organic-matter content. Returning crop residue to the soil

TABLE 15.--PHYSICAL AND CHEMICAL PROPERTIES OF SOILS--Continued

Soil name and map symbol	Depth	Permeability	Available water capacity	Soil reaction	Salinity	Shrink-swell potential	Erosion factors		Wind erodibility group
							K	T	
	In	In/hr	In/in	pH	Mmhos/cm				
EhA*, EhB*:									
Enet-----	0-8	0.6-2.0	0.18-0.20	5.6-7.3	<2	Low-----	0.28	4	6
	8-25	0.6-2.0	0.18-0.22	6.6-7.8	<2	Low-----	0.28		
	25-34	0.6-6.0	0.11-0.20	6.6-7.8	<2	Low-----	0.28		
	34-60	6.0-20	0.03-0.06	7.4-8.4	<2	Low-----	0.10		
Delmont-----	0-7	0.6-2.0	0.18-0.20	6.6-7.8	<2	Low-----	0.28	3	6
	7-18	0.6-6.0	0.12-0.18	6.6-7.8	<2	Low-----	0.28		
	18-60	6.0-20	0.03-0.06	7.4-8.4	<2	Low-----	0.10		
EkD-----	0-4	0.6-2.0	0.11-0.15	6.1-7.8	<2	Moderate	0.28	5	6
Ethan-----	4-16	0.6-2.0	0.16-0.20	7.4-8.4	<2	Moderate	0.37		
	16-60	0.2-0.6	0.16-0.20	7.4-9.0	2-8	Moderate	0.37		
EmE*:									
Ethan-----	0-4	0.6-2.0	0.18-0.20	6.1-7.8	<2	Moderate	0.28	5	6
	4-16	0.6-2.0	0.16-0.20	7.4-8.4	<2	Moderate	0.37		
	16-60	0.2-2.0	0.16-0.20	7.4-9.0	2-8	Moderate	0.37		
Betts-----	0-3	0.6-2.0	0.16-0.18	6.6-8.4	<2	Moderate	0.28	5	4L
	3-32	0.6-2.0	0.17-0.20	7.4-8.4	<2	Moderate	0.37		
	32-60	0.2-0.6	0.17-0.20	7.4-8.4	2-8	Moderate	0.37		
EnC*:									
Ethan-----	0-8	0.6-2.0	0.18-0.20	6.1-7.8	<2	Moderate	0.28	5	6
	8-16	0.6-2.0	0.16-0.20	7.4-8.4	<2	Moderate	0.37		
	16-60	0.2-2.0	0.16-0.20	7.4-9.0	2-8	Moderate	0.37		
Bonilla-----	0-7	0.6-2.0	0.18-0.20	5.6-7.3	<2	Low-----	0.24	5	6
	7-40	0.6-2.0	0.18-0.22	6.1-7.8	<2	Moderate	0.24		
	40-60	0.2-2.0	0.12-0.18	7.4-8.4	2-8	Moderate	0.43		
EoD*:									
Ethan-----	0-4	0.6-2.0	0.18-0.20	6.1-7.8	<2	Moderate	0.28	5	6
	4-16	0.6-2.0	0.16-0.20	7.4-8.4	<2	Moderate	0.37		
	16-60	0.2-2.0	0.16-0.20	7.4-9.0	2-8	Moderate	0.37		
Davis-----	0-9	0.6-2.0	0.18-0.22	6.1-7.3	<2	Moderate	0.28	5	6
	9-30	0.6-2.0	0.18-0.22	6.1-7.8	<2	Moderate	0.28		
	30-60	0.6-2.0	0.18-0.20	6.6-8.4	<2	Moderate	0.28		
EpD*:									
Ethan-----	0-4	0.6-2.0	0.18-0.20	6.1-7.8	<2	Moderate	0.28	5	6
	4-16	0.6-2.0	0.16-0.20	7.4-8.4	<2	Moderate	0.37		
	16-60	0.2-2.0	0.16-0.20	7.4-9.0	2-8	Moderate	0.37		
Talmo-----	0-9	0.6-2.0	0.11-0.20	6.6-7.8	<2	Low-----	0.20	2	6
	9-60	6.0-20	0.03-0.06	7.4-8.4	<2	Low-----	0.10		
Fa-----	0-16	<0.06	0.11-0.13	6.1-7.8	<2	High-----	0.28	5	4
Forney-----	16-60	<0.06	0.11-0.13	6.1-7.8	<2	High-----	0.28		
Ga-----	0-7	0.6-2.0	0.22-0.24	7.4-8.4	<2	Low-----	0.32	4	4L
Grable-----	7-28	0.6-2.0	0.20-0.22	7.4-8.4	<2	Low-----	0.43		
	28-60	>6.0	0.02-0.07	7.4-8.4	<2	Low-----	0.15		
Gb-----	0-16	0.6-2.0	0.19-0.22	5.6-7.3	<2	Moderate	0.32	5	7
Graceville-----	16-45	0.6-2.0	0.17-0.22	6.1-7.8	<2	Moderate	0.32		
	45-60	6.0-20	0.03-0.06	6.1-7.8	<2	Low-----	0.10		
Ha-----	0-9	0.6-2.0	0.18-0.20	6.6-8.4	<2	Low-----	0.37	5	4L
Haynie-----	9-53	0.6-2.0	0.16-0.19	7.4-8.4	<2	Low-----	0.37		
	53-60	<0.2	0.08-0.12	7.4-8.4	<2	High-----	0.37		
Hb-----	0-16	0.6-2.0	0.14-0.19	6.6-7.8	<2	Moderate	0.37	5	4L
Haynie-----	16-60	0.6-2.0	0.16-0.19	7.4-8.4	<2	Low-----	0.37		

See footnote at end of table.

TABLE 15.--PHYSICAL AND CHEMICAL PROPERTIES OF SOILS--Continued

Soil name and map symbol	Depth	Permeability	Available water capacity	Soil reaction	Salinity	Shrink-swell potential	Erosion factors		Wind erodibility group
							K	T	
	In	In/hr	In/in	pH	Mmhos/cm				
Ja----- James	0-4	0.2-0.6	0.13-0.16	7.4-9.0	>2	High-----	0.28	5	4
	4-60	<0.2	0.09-0.14	7.4-9.0	>4	High-----	0.28		
La----- Lakeport	0-19	0.2-2.0	0.18-0.20	6.1-7.3	<2	High-----	0.28	5	4
	19-44	0.2-0.6	0.17-0.19	6.6-7.8	<2	High-----	0.28		
	44-60	0.6-2.0	0.17-0.19	7.4-8.4	<2	Moderate	0.43		
Lb----- Lamo	0-16	0.2-0.6	0.21-0.23	7.4-8.4	<2	High-----	0.20	5	7
	16-60	0.2-0.6	0.18-0.20	7.4-8.4	<2	High-----	0.28		
Lc, Ld----- Luton	0-16	<0.06	0.12-0.14	6.6-7.8	<2	High-----	0.28	5	4
	16-24	<0.06	0.12-0.14	6.6-7.8	<2	High-----	0.28		
	24-60	<0.06	0.11-0.13	6.6-8.4	<2	High-----	0.28		
Oa----- Onawa	0-7	0.06-0.2	0.12-0.14	7.4-8.4	<2	High-----	0.32	5	4
	7-30	0.06-0.2	0.12-0.14	7.4-8.4	<2	High-----	0.32		
	30-60	0.6-6.0	0.20-0.22	7.4-8.4	<2	Moderate	0.43		
Ob----- Owego	0-16	<0.06	0.12-0.14	6.1-7.3	<2	High-----	0.32	5	4
	16-36	0.6-2.0	0.20-0.22	7.4-8.4	<2	Moderate	0.32		
	36-60	<0.06	0.11-0.13	7.4-8.4	<2	High-----	0.32		
Pa. Pits, gravel									
Ra----- Redstoe Variant	0-12	0.6-2.0	0.15-0.19	6.6-8.4	<2	Low-----	0.28	4	4L
	12-60	0.6-2.0	0.13-0.17	7.4-8.4	<2	Low-----	0.43		
Rb, Rc----- Roxbury	0-12	0.6-2.0	0.22-0.24	6.6-8.4	<2	Moderate	0.32	5	4L
	12-42	0.6-2.0	0.17-0.22	7.4-8.4	<2	Moderate	0.43		
	42-60	0.6-2.0	0.17-0.22	7.4-8.4	<2	Moderate	0.43		
Sa----- Salix	0-16	0.6-2.0	0.21-0.23	6.6-7.8	<2	Moderate	0.28	5	6
	16-34	0.6-2.0	0.18-0.20	6.6-7.8	<2	Moderate	0.43		
	34-60	0.6-2.0	0.20-0.22	7.4-8.4	<2	Moderate	0.43		
Sb----- Salmo	0-20	0.2-0.6	0.19-0.24	6.6-8.4	4-16	Moderate	0.28	5	7
	20-34	0.2-0.6	0.17-0.20	7.4-8.4	4-16	Moderate	0.28		
	34-60	0.2-0.6	0.11-0.20	7.4-8.4	4-16	Moderate	0.28		
ScA----- Sarpy	0-9	>6.0	0.05-0.09	6.6-8.4	<2	Low-----	0.15	5	1
	9-60	>6.0	0.05-0.09	7.4-8.4	<2	Low-----	0.15		
SeA*: Sarpy	0-9	>6.0	0.05-0.09	6.6-8.4	<2	Low-----	0.15	5	1
	9-60	>6.0	0.05-0.09	7.4-8.4	<2	Low-----	0.15		
Grable-----	0-7	0.6-2.0	0.22-0.24	7.4-8.4	<2	Low-----	0.32	4	4L
	7-28	0.6-2.0	0.20-0.22	7.4-8.4	<2	Low-----	0.43		
	28-60	>6.0	0.02-0.07	7.4-8.4	<2	Low-----	0.15		
TeA*: Salmo	0-9	0.6-2.0	0.11-0.20	6.6-7.8	<2	Low-----	0.20	2	6
	9-60	6.0-20	0.03-0.06	7.4-8.4	<2	Low-----	0.10		
Thurman-----	0-18	6.0-20	0.10-0.12	6.1-7.3	<2	Low-----	0.17	5	2
	18-60	6.0-20	0.06-0.11	6.1-7.3	<2	Low-----	0.17		
Tonka-----	0-17	0.6-2.0	0.19-0.22	5.6-7.3	<2	Moderate	0.24	3	6
	17-21	0.2-0.6	0.19-0.22	5.6-7.3	<2	Moderate	0.32		
	21-48	<0.06	0.13-0.19	6.1-7.3	<2	High-----	0.32		
	48-60	0.06-0.6	0.11-0.17	7.4-8.4	2-8	High-----	0.32		
Thurman-----	0-18	6.0-20	0.10-0.12	6.1-7.3	<2	Low-----	0.17	5	2
	18-60	6.0-20	0.06-0.11	6.1-7.3	<2	Low-----	0.17		

See footnote at end of table.

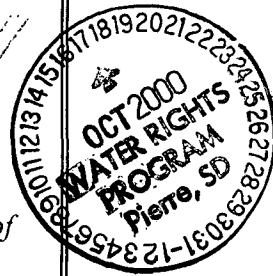
TABLE 15.--PHYSICAL AND CHEMICAL PROPERTIES OF SOILS

[The symbol < means less than; > means more than. Entries under "Erosion factors--T" apply to the entire profile. Entries under "Wind erodibility group" apply only to the surface layer. Absence of an entry indicates that data were not available or were not estimated]

Soil name and map symbol	Depth	Permeability		Available water capacity	Soil reaction	Salinity	Shrink-swell potential	Erosion factors		Wind erodibility group
		In	In/hr					K	T	
Ba----- Baltic	0-16	0.6-2.0		0.18-0.22	7.4-8.4	<2	Low-----	0.28	5	4L
	16-36	0.06-0.2		0.11-0.18	7.4-8.4	2-4	High-----	0.28		
	36-60	0.06-0.6		0.08-0.17	7.4-8.4	2-4	High-----	0.28		
Bb, Bc----- Baltic	0-24	0.06-0.2		0.13-0.18	7.4-8.4	<2	High-----	0.28	5	4
	24-36	0.06-0.2		0.11-0.18	7.4-8.4	2-4	High-----	0.28		
	36-60	0.06-0.6		0.08-0.17	7.4-8.4	2-4	High-----	0.28		
BdE*: Betts-----	0-3	0.6-2.0		0.16-0.18	6.6-8.4	<2	Moderate	0.28	5	4L
	3-32	0.6-2.0		0.17-0.20	7.4-8.4	<2	Moderate	0.37		
	32-60	0.2-0.6		0.17-0.20	7.4-8.4	2-8	Moderate	0.37		
Gavins-----	0-4	0.6-2.0		0.15-0.19	6.6-8.4	<2	Low-----	0.43	2	4L
	4-16	0.6-2.0		0.15-0.19	6.6-8.4	<2	Low-----	0.43		
	16-60	---		---	---	---	---	---		
Be----- Blake	0-17	0.2-2.0		0.19-0.22	7.4-8.4	<2	Moderate	0.28	5	4L
	17-53	0.2-2.0		0.19-0.22	7.4-8.4	<2	Moderate	0.28		
	53-60	2.0-6.0		0.11-0.15	7.4-8.4	<2	Low-----	0.17		
Bf----- Blencoe	0-21	<0.06		0.12-0.14	6.1-7.3	<2	High-----	0.28	5	4
	21-27	0.2-2.0		0.18-0.20	6.6-7.3	<2	High-----	0.43		
	27-60	0.6-2.0		0.20-0.22	6.6-8.4	<2	Moderate	0.43		
Bg*: Blencoe-----	0-21	<0.06		0.12-0.14	6.1-7.3	<2	High-----	0.28	5	4
	21-27	0.2-2.0		0.18-0.20	6.6-7.3	<2	High-----	0.43		
	27-60	0.6-2.0		0.20-0.22	6.6-8.4	<2	Moderate	0.43		
Gayville-----	0-6	0.6-2.0		0.16-0.19	6.6-9.0	2-4	Moderate	0.28	3	7
	6-14	<0.06		0.10-0.16	7.9-9.0	4-16	High-----	0.28		
	14-22	0.2-0.6		0.14-0.16	7.9-9.5	4-16	High-----	0.28		
	22-60	0.2-2.0		0.15-0.17	7.9-9.5	4-16	Low-----	0.43		
BhB*: Blendon-----	0-8	0.6-2.0		0.18-0.20	5.6-7.3	<2	Low-----	0.20	5	5
	8-33	0.6-6.0		0.11-0.18	6.1-7.3	<2	Low-----	0.20		
	33-60	2.0-20		0.08-0.15	6.6-8.4	<2	Low-----	0.20		
Thurman-----	0-18	2.0-6.0		0.16-0.18	6.1-7.3	<2	Low-----	0.17	5	3
	18-60	6.0-20		0.06-0.11	6.1-7.3	<2	Low-----	0.17		
Bk----- Blyburg	0-19	0.6-2.0		0.21-0.24	6.6-8.4	<2	Low-----	0.32	5	5
	19-60	0.6-2.0		0.17-0.22	7.4-8.4	<2	Low-----	0.43		
Bm----- Bon	0-36	0.6-2.0		0.19-0.22	6.6-8.4	<2	Low-----	0.24	5	6
	36-50	0.6-2.0		0.13-0.17	7.4-8.4	<2	Low-----	0.32		
	50-60	0.6-6.0		0.11-0.16	7.4-8.4	<2	Low-----	0.32		
BnA*: Bonilla-----	0-7	0.6-2.0		0.18-0.20	5.6-7.3	<2	Low-----	0.24	5	6
	7-40	0.6-2.0		0.18-0.22	6.1-7.8	<2	Moderate	0.24		
	40-60	0.2-0.6		0.16-0.20	7.4-8.4	2-8	Moderate	0.43		
Crossplain-----	0-14	0.2-0.6		0.19-0.22	6.1-7.3	<2	Moderate	0.24	5	6
	14-32	0.06-0.6		0.11-0.17	6.1-7.3	<2	High-----	0.32		
	32-60	0.06-0.6		0.16-0.20	6.6-8.4	2-8	Moderate	0.32		
BoE*: Boyd-----	0-30	<0.2		0.08-0.14	6.6-8.4	<2	High-----	0.28	4	4
	30-60	<0.06		---	6.6-8.4	<2	High-----	0.28		

See footnote at end of table.

COPY



GUY H. AULD and PAMELA A. AULD,
Husband and Wife,

grantors, of 153202 West Richards Road, Benton County, State of Washington, for and in consideration of
 One Dollar (\$1.00) and other valuable consideration **GRANT, CONVEY, AND WARRANT TO:**

KARL M. SCHENK and NANCY SCHENK,
Husband and Wife,

as joint tenants with right of survivorship and not as tenants in common, grantees, of 44352 - 308th Street,
 Mission Hill, SD 57046, P.O. the following described real estate in the County of Yankton, in the State of
 South Dakota:

The South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Two (2),
 Township Ninety-three (93), Range Fifty-five (55), West of the 5th P.M.;
 and the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of
 Section Eleven (11), Township Ninety-three (93), Range Fifty-five (55),
 West of the 5th P.M.; and the Northwest Quarter of the Northwest Quarter
 of the Northeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section Eleven (11),
 Township Ninety-three (93), Range Fifty-five (55), West of the 5th P.M.,
 all located in Yankton County, South Dakota.

Dated this 3rd day of August, 2000.

Guy H. Auld
 GUY H. AULD

Pamela A. Auld
 PAMELA A. AULD

STATE OF WASHINGTON)

County of Benton)

)SS

DOCUMENT PREPARED BY:
 Robert W. Klimisch
 GOETZ & KLIMISCH
 P. O. Box 708
 Yankton, SD 57078
 605/665-9495

On this the 3rd day of August, 2000, before
 me, Sheriff Staal, the undersigned
 officer, personally appeared GUY H. AULD and PAMELA A.
 AULD, husband and wife, known to me or satisfactorily proven
 to be the persons whose names are subscribed to the within
 instrument and acknowledged that they executed the same for
 the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

STATE OF SOUTH DAKOTA

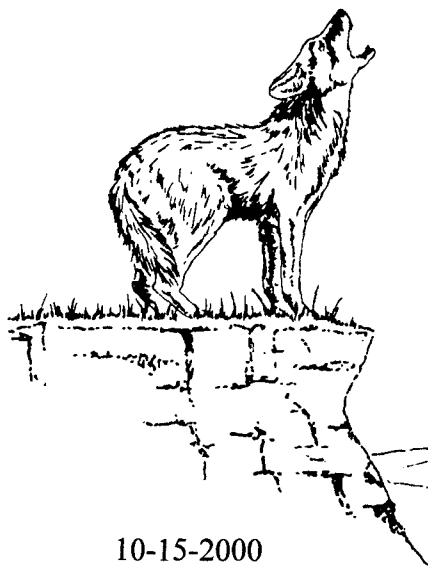
County of _____

Filed for record this _____

day of _____, 20____

Notary Public

Sheriff Staal



Schenk's Belleterre Ranch

Karl M. Schenk

RR 1, Box 217, Mission Hill South Dakota 57046

Phone 605-665-6113



10-15-2000

State of South Dakota
Dept. of Environment & Natural Resources
Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Re: Water permit for irrigation

Dear Sirs:

Enclosed please find my application and fee for a water permit for irrigation. I am submitting the application short of the well log or driller's test hole information I understand that this information maybe required if your office deems it necessary.

There is an irrigation well located one-half mile west of my proposed location. It is located either in North half northwest quarter section 11 or in South half Southwest quarter of section 2, 93-55 Yankton County, South Dakota the Irrigation system irrigates these two 80 acre parcels. The land is owned by Heine Farms.

If further information is needed please let me know.

Sincerely:

Karl M. Schenk

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Karl Schenk

ADDRESS: COUNTY: Yankton

DATE: October 17, 2000 TELEPHONE: 665-6113

RE: questions on application.

COMMENTS:

Mr. Schenk indicated that the pivot will operate at a little more than a half circle irrigating a total of 90 acres. He further stated that the well will divert at a rate of 1100 gpm which is above the statutory limit of 1 cfs / 70 acres. The reason is the pivot operates and approx. 1100 gpm but only will make a windshield wipe rotation.

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 Lundberg



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6233-3, Karl M. Schenk**

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. 6233-3, Karl M. Schenk, 44352 308th Street, Mission Hill SD 57046.

The Chief Engineer is recommending APPROVAL of Application No. 6233-3 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) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6233-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6233-3 authorizes a maximum diversion rate of 2.44 cfs for the irrigation of 90 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
November 6, 2000

REPORT ON WATER PERMIT APPLICATION NO. 6233-3
for Karl M. Schenk
November 2, 2000

Application No. 6233-3 proposes to appropriate 2.44 cfs (1100 gpm) from one well approximately 100 feet deep located in the S 1/2 SE 1/4 of section 2 to irrigate 90 acres located in the S 1/2 SE 1/4 of section 2 and the NE 1/4 NE 1/4 of section 11; all in T93N R55W in Yankton County. This diversion rate is in excess of the one cfs for each 70 acre irrigated, however; pursuant to SDCL 46-5-6 this may be allowed if the method of irrigation, time constraints on diversion of water, or the type of soil so requires.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is a alluvium mantled outwash (sand and gravel) in this area. The aquifer is under water table conditions at this site. The Missouri Elk Point aquifer underlies 45,000 acres and contains an estimated 675,000 acre feet of recoverable water in storage in Yankton County (Hedges, 1982). The Missouri Elk Point is roughly equivalent the "southern area" of the Lower James Missouri aquifer as described in the Yankton County Study (Bugliosi, 1986). The Missouri Elk Point aquifer extends into Clay County to the east, is hydraulically connected to the Lower James Missouri aquifer to the north, and is hydraulically connected to the James and Missouri Rivers. The general direction of ground water movement is toward the Missouri River.

The Water Rights Program does monitor an observation well, YA-57D, which is located about one mile east of this application. Water levels for this well show good correlation with climatic conditions, that is, rising during wet years and gradually declining during dry years. Also, this well appears to show a slight decline in water levels which could be attributed to the entrenching of the Missouri River thus lowering the ground water levels near to the river. A hydrograph for this well and two other nearby observation wells, YA-78J and YA-79H, are included with this report (Water Rights, 2000).

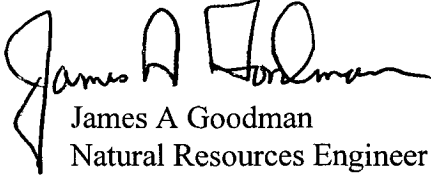
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are other existing water rights/permits in this area. There are existing irrigation systems surrounding the area of this application. There are four other irrigation wells located within a one mile radius of this application. Interference is not a concern. Drawdown will be created by pumping but this will not be significant in this area. The existing wells have been in use for many years with no apparent problems.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is under water table conditions, in this area, and pumping is not expected to cause significant drawdown. Interference is not a concern.

3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. The system used to irrigate this land will be a pivot which will operate in a windshield wiper like manner. Therefore, the system will require more water delivery than the statutory limit of one cfs per 70 acres.



James A Goodman
Natural Resources Engineer

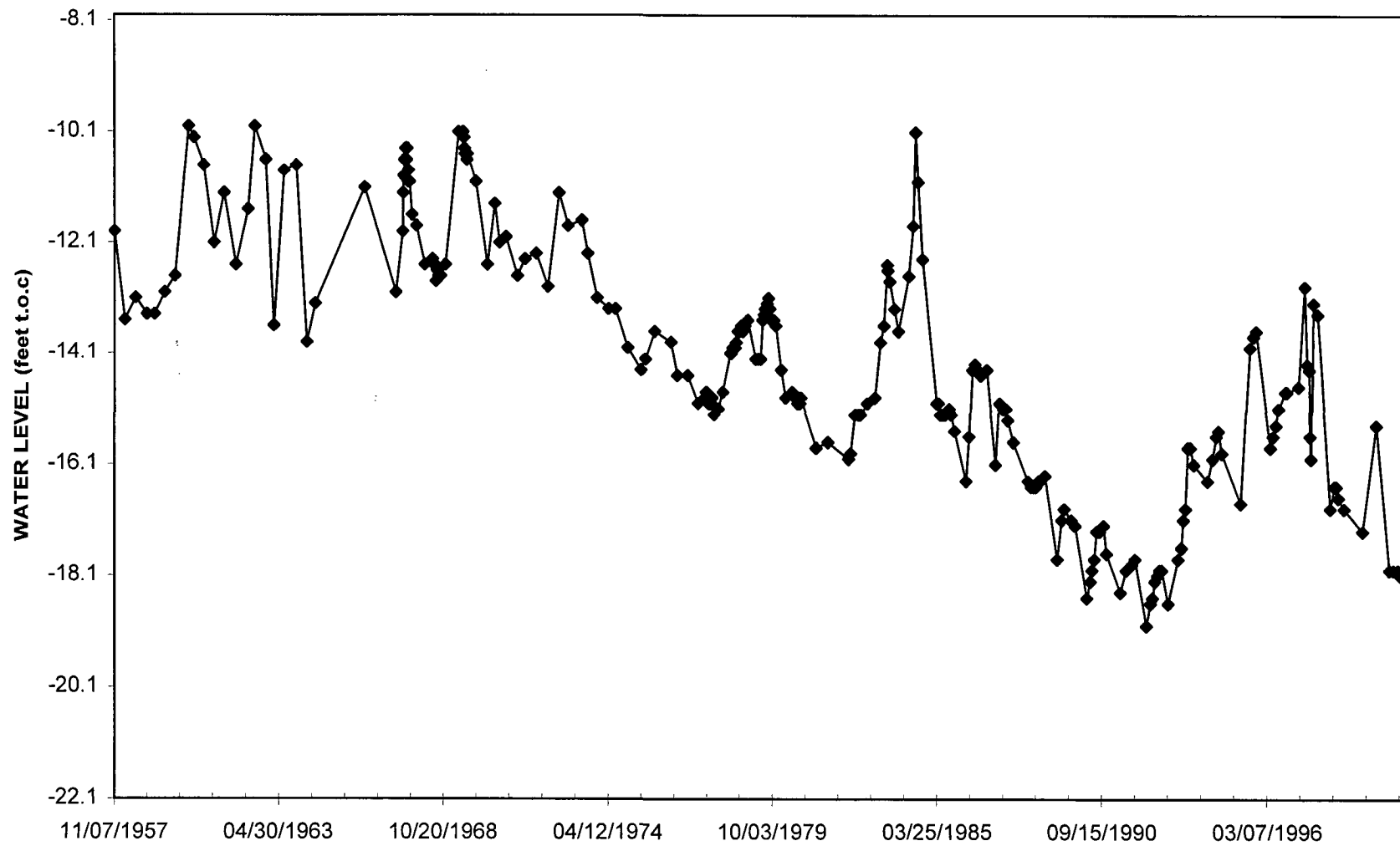
BIBLIOGRAPHY

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

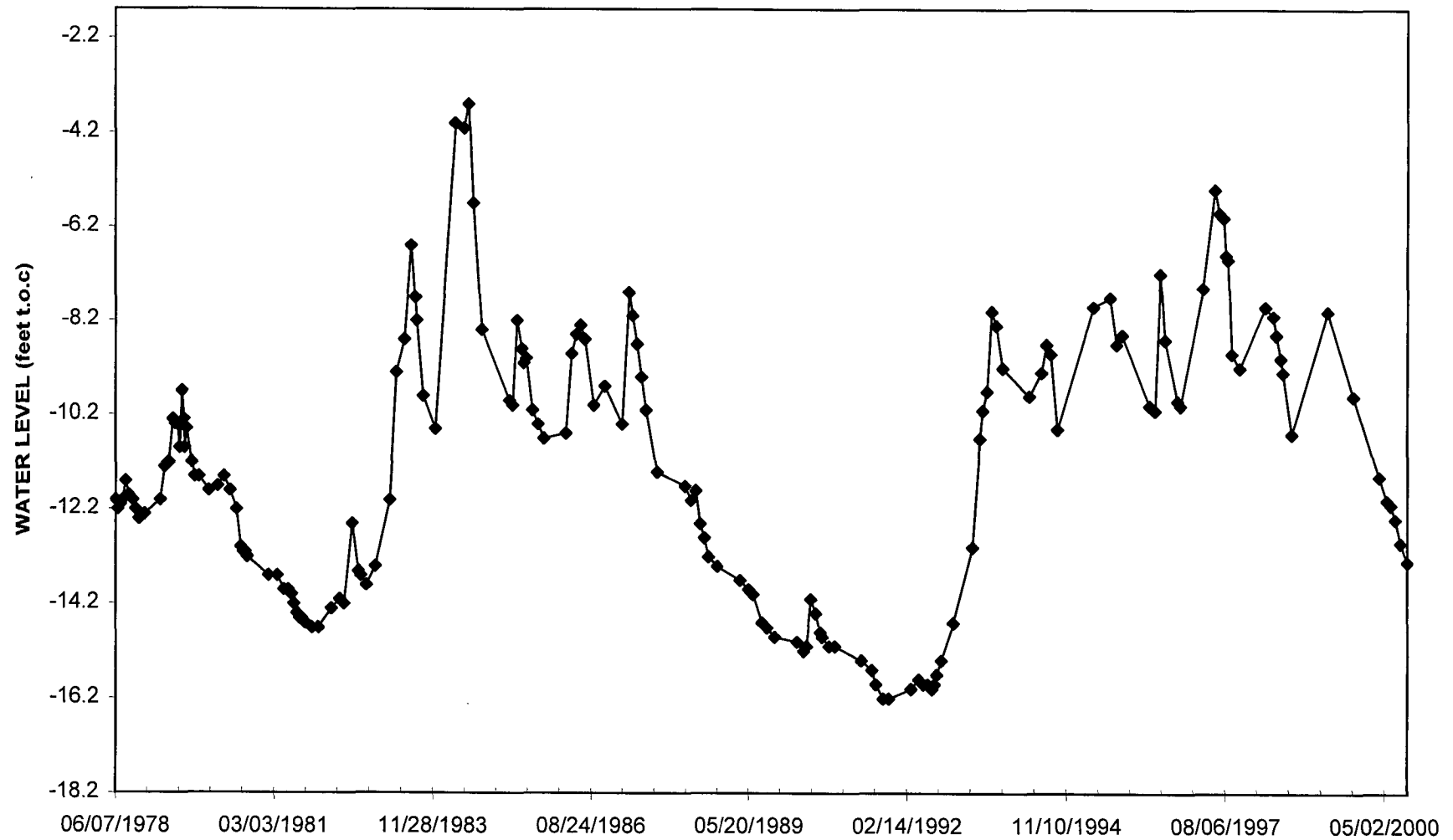
Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2000, Unpublished Observation Well Data for Yankton County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

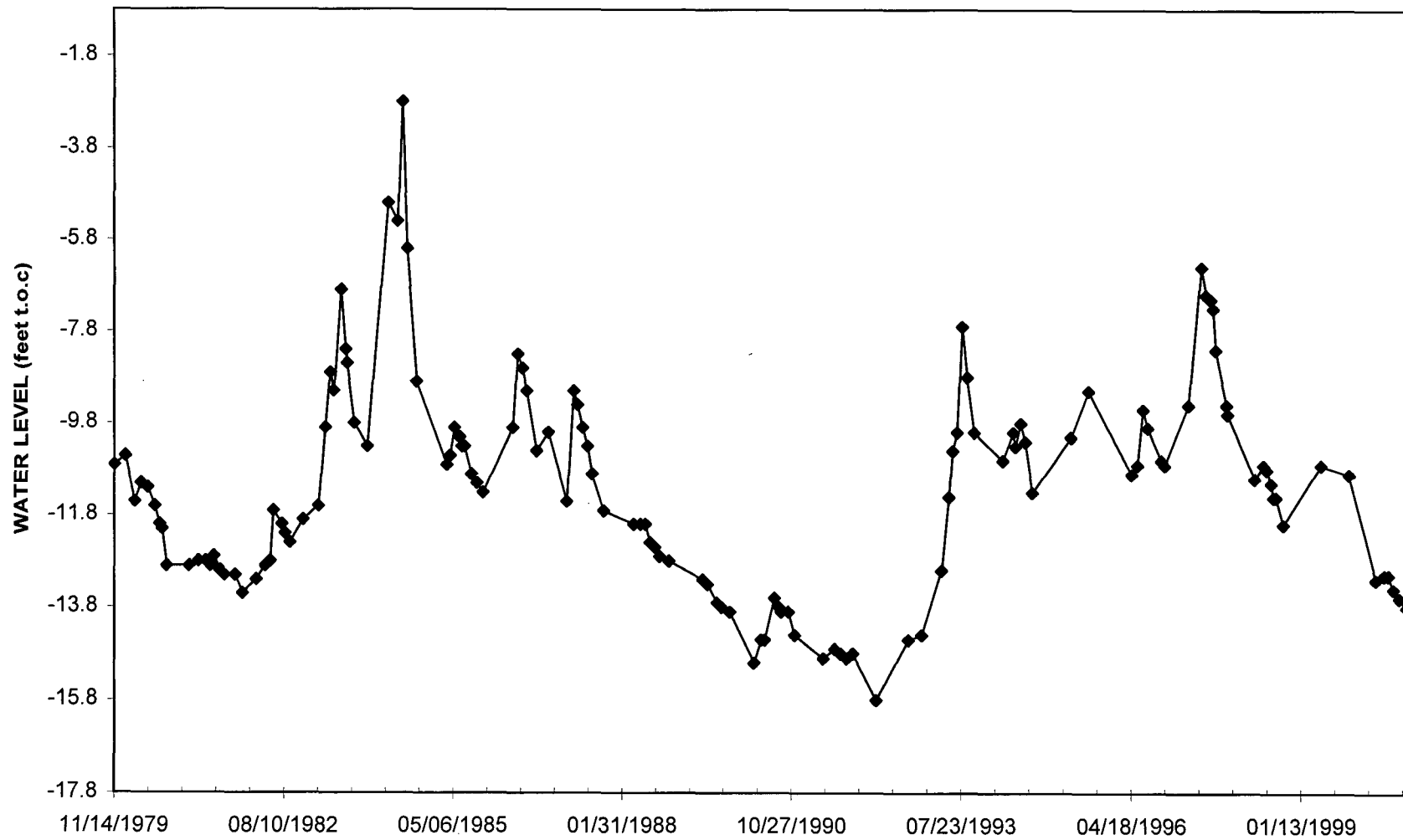
**WATER RIGHTS' OBSERVATION WELL
YA-57D**



WATER RIGHTS' OBSERVATION WELL
YA-78J



WATER RIGHTS' OBSERVATION WELL
YA-79H





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

November 7, 2000

Karl M Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

Water Permit Application No. 6233-3 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 (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
www.state.sd.us/denr

November 7, 2000

Daily Press & Dakotan
PO Box 56
Yankton SD 57078-0056

ATTENTION: Legal Public Notice

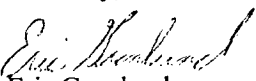
Enclosed is a Notice of Hearing on Application No. 6233-3 to Appropriate Water to be published twice. Please publish the first notice on November 15, 2000 with the second publication 7 days later.

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 Karl M Schenk, 44352 308th St, Mission Hill SD 57046 (Ph # 605 665-6113).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 6233-3

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

Date _____

We are in receipt of your letter of November 7, 2000 enclosing Notice of Hearing to Appropriate Water by Application No. 6233-3 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 November 15, 2000 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6233-3 to Appropriate Water

Notice is given that Karl M Schenk, 44352 308th St, Mission Hills SD 57046 has filed an application for a water permit to appropriate 2.44 cubic feet of water per second (cfs) from one well (Missouri Elk Point Aquifer) approximately 100 feet deep located in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 2 to irrigate 90 acres located in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 2 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11; all in T93N-R55W. This diversion rate is in excess of one cfs for each 70 acres irrigated, however; pursuant to SDCL 46-5-6 this may be allowed if the method of irrigation, time constraints on diversion of water, or the type of soil so requires.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6233-3 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 December 4, 2000.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

ERIC GRONLUND
WATER RIGHTS PROGRAM
JOE FOSS BUILDING
PIERRE, SOUTH DAKOTA 57501-3181

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

RITA THOMAS BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT SHE IS THE PUBLISHER OF THE YANKTON
PRINTING COMPANY, A CORPORATION, THE PRINTER AND THE
PUBLISHER OF THE YANKTON DAILY PRESS AND DAKOTAN, A LEGAL
DAILY NEWSPAPER PRINTED AND PUBLISHED IN THE CITY OF YANKTON,
SAID COUNTY AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF
THE SAID COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE
ANNEXED NOTICE OF APPLICATION NO. 6233-3 TO APPROPRIATE WATER

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON THE 15TH DAY OF NOVEMBER, 2000.
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$35.70 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 11/15/2000; 11/22/00

FILED ON: 11/15/2000

SUBSCRIBED AND SWORN TO BEFORE ME THIS 15TH DAY OF NOVEMBER, 2000

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2003

11+15 & 22

NOTICE OF APPLICATION NO. 6233-3 to Appropriate Water

Notice is given that Karl M Schenk, 44352 308th St. Mission Hills SD 57046 has filed an application for a water permit to appropriate 2.44 cubic feet of water per second (cfs) from one well (Missouri Elk Point Aquifer) approximately 100 feet deep located in the S 1/2 SE 1/4 Section 2 to irrigate 90 acres located in the S 1/2 SE 1/4 Section 2 and NE 1/4 NE 1/4 Section 11; all in T93N-R55W. This diversion rate is in excess of one cfs for each 70 acres irrigated, however; pursuant to SDCL 46-5-6 this may be allowed if the method of irrigation, time constraints on diversion of water, or the type of soil so requires.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6233-3 because 1) unappropriated water is available, 2) existing rights will not be lawfully 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.

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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 December 4, 2000.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 29 2001

Karl M. Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

Enclosed is Water Permit No. 6233-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

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

Date July-14-01

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

FROM: Karl M. Schenk
(name)
44352 308th Street
(address)
Mission Hill, SD 57046 605-665-6113
(city, state, zip) (phone)
661-6113

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

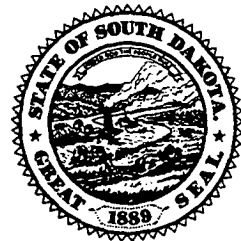
Water Permit No. 6233-3 states that the water use system is to be constructed by
Dec. 4, 2005 , and water is to be put to beneficial use by Dec. 4 2009 .
(date) (date)

The water use system was completed on May 15, 2001 .
(date)

Applying the water to beneficial use was completed on May 15, 2001 .
(date)

You may schedule an investigation so that the water license may be issued.

Karl M. Schenk
(signature)



FIELD INVESTIGATION REPORT FOR PERMIT NO. 6233-3

DATE OF INVESTIGATION:	June 19, 2002
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Karl Schenk 44352 308th Street Mission Hill SD 57046
NAME & ADDRESS OF PERMIT HOLDER	
DIVERSION POINT LEGAL LOCATION	<u>approximately 1,650 feet west and 200 feet north of the SE corner (SW ¼ SE ¼) of Section 2, T93N, R55W (LAT/LON – N42.946 W- 097.3044</u>

WATER SUPPLY Source: Missouri:Elk Point Aquifer

Well Information:

- | | |
|---|-------------------------------------|
| 1) Well Drilling Firm: <u>Hammond - Wetmore</u> | 2) No. of Wells <u>1</u> |
| 3) Depth <u>114</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|------------------------------|--------------------------|
| 1) Diameter <u>16</u> inches | 2) Length <u>48</u> feet |
| 3) Type <u>plastic</u> | |

Screen:

- | | |
|--|--------------------------|
| 1) Type <u>plastic perforated pipe</u> | 2) Length <u>66</u> feet |
| 3) Static water level <u>20</u> feet | |

Pump:

- | | |
|------------------|--------------------------|
| 1) Make <u>#</u> | 2) Model <u>#</u> |
| 3) Size <u>#</u> | 4) Capacity <u>#</u> GPM |

Motor:

- | | |
|-----------------------------------|-----------------------------------|
| 1) Make <u>General Electric</u> | 2) Model No. <u>5K324BBB6005A</u> |
| 3) Horsepower rating <u>40</u> hp | |

DISTRIBUTION LINES OR CANALS:

- 1) Type steel 2) Size 12 inches 3) Length approx. 225 feet

SYSTEM TYPE:

Center pivot:

- | | |
|------------------------------------|--|
| 1) Make <u>lockwood</u> | 2) Overall length <u>1260 + 100 end gun</u> feet |
| 3) Number of towers <u>8</u> | 4) End gun <u>yes</u> |
| 5) High or low pressure <u>low</u> | 6) Capacity <u>650</u> GPM |

CHEMIGATION EQUIPMENT:

- 1) Does chemigate none present at time of licensing investigation

PERMIT QUALIFICATIONS AND REGULATIONS:

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

- LAT/LON readings taken using a Garmin Etrex GPS unit

Permit No. 6233-3
James River (10160011) - 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, June 19, 2002, made a thorough examination of the water use system constructed by Karl Schenk of 44352 308th Street, Mission Hill SD 57046 holder of Permit No. 6233-3, bearing the priority of October 17, 2000 authorizing the diversion of 2.44 cu. ft. per second of the waters of Missouri:Elk Point Aquifer for irrigation purposes, in Yankton County.

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

A. Works used to divert the water:

Pump with a General Electric 40 hp motor

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

Water is piped over ground approximately 225 feet to the center pivot

C. Works used to apply water to beneficial use:

Low pressure Lockwood center pivot

The system is in the following condition **good**. The point of diversion is located **approximately 1,650 feet west and 200 feet north of the SE corner (SW ¼ SE ¼) of Section 2, T93N, R55W (LAT/LON – N42.946 W-097.3044)**. The works are capable of diverting and conveying to the place of use **1.45** cu. ft. per second (650 gpm) of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

SW ¼ SE ¼ Section 2, T93N, R55W	8 acres
SE ¼ SE ¼ Section 2, T93N, R55W	34 acres
NE ¼ NE ¼ Section 11, T93N, R55W	34 acres

comprising a total of **76** acres of land and the license should be issued for **1.45** cfs.

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: **none** Date Report Completed: **July 23, 2002**



Eric Gronlund

Natural Resources Engineer

DENR, Water Rights Program

- ❖ The 1.45 cfs (650 gpm) that the works are capable of diverting is based on a telephone conversation with Karl Schenk on the evening of June 18, 2002 and reaffirmed during a conversation on July 23, 2002. Mr. Schenk stated that he did not get the production from the well that they anticipated.

WATER PERMIT No. 6233-3, Karl Schenk



3000 0 3000 6000 Feet



Well is located in the SW 1/4 SE 1/4 Section 2, T93N, R55W
- approximately 1,650 west and 200 north of SE corner of Section 2
Latitude - N 42.946 (decimal degrees)
Longitude - W -97.3047 (decimal degrees)
center of pivot is approximately 220 feet east of well



Eric Gronlund
Eric Gronlund
Water Rights Program
6/19/02

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6233-3

(1) Karl Schenk, 44352 308th St, Mission Hill, SD 57046 made Application No. 6233-3, October 17, 2000 for a water permit to divert 2.44 cubic feet of water per second from ground water (one well – Missouri Elk Point Aquifer), Yankton County, South Dakota for irrigation purposes. Permit No. 6233-3, with a priority date of October 17, 2000 was approved December 4, 2000 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 4, 2005 and for the application to beneficial use of said water on or before December 4, 2009.

The permit holder submitted a “*Notice of Completion of Works and Application of Water to Beneficial Use*” on October 11, 2001. The *Notice* indicated the water use system was completed and water applied to beneficial use on May 15, 2001.

(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 1.45 cubic feet of water per second for beneficial use. The location of the diversion point is 1,650’W and 200’N of the SE corner of Section 2, T93N, R55W (SW 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:

T93N, R55W	Section 2	SW ¼ SE ¼	8 acres
		SE ¼ SE ¼	34 acres
	Section 11	NE ¼ NE ¼	34 acres
		Total	76 acres

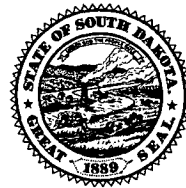
(4) Pursuant to South Dakota Water Law 46-5-30.1 Karl Schenk, 44352 308th St, Mission Hill, SD 57046 the holder and/or owner of Water Right No. 6233-3 is issued a license to appropriate water, the right to use 1.45 cubic feet of water per second from ground water (one well – Missouri Elk Point Aquifer) with a priority date of October 17, 2002 from the location specified in (2) of this license. The water is 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. 6233-3 and subject to South Dakota State Law.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 30 2002

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 30 2002

6233-3

Karl Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

Enclosed is Water License No. 6233-3. This is the final water right document completing your process of obtaining a Water Right.

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. 6233-3, 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



January 14, 2004

6233-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: KARL M SCHENK, 44352 308TH ST, MISSION HILL, SD 57046

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 521-3, 4855-3 & 6233-3, 4506-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4506-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 521-3, 4855-3 & 6233-3 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 3, 2004 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) 521-3, 4855-3 & 6233-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4506-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 27, 2004, 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 (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.



6233-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 7995

Your item was delivered at 3:52 pm on January 22, 2004 in MISSION HILL, SD 57046. The item was signed for by K SCHENK.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

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▶ Request Proof of Delivery

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 7995

KARL M SCHENK
44352 308TH ST
MISSION HILL SD 57046

Waiver of Signature ☐ YES ☐ NO

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Here

ore mailing.

POSTAL CUSTOMER:

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6233-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2004

521-3
4506-3
4855-3
6233-3

Karl M Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 521-3, 4506-3, 4855-3 and 6233-3.

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



6233-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: KARL M SCHENK, 44352 308TH ST, MISSION HILL, SD 57046

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4506-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 521-3, 4855-3 & 6233-3 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 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) 521-3, 4855-3 & 6233-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4506-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before **February 24, 2006**, 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 (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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2006

521-3
4506-3
4855-3
6233-3

Karl M Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 521-3, 4506-3, 4855-3 and 6233-3.

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



6233-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 19, 2016

6233-3

Dennis Kralicek
43619 306th St
Yankton SD 57078

Dear Mr. Kralicek:

I am contacting you in regard to ownership of land described in Water Right No. 6233-3. We were notified by Karl Schenk that he sold the land to you in December, 2015. Enclosed is a copy of the water right for your records.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions concerning the water right or completion of the transfer form, please give me a call.

Sincerely,

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

enclosures

RECEIVED

JAN 27 2016

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 6233-3

Date: 1-21-2016

I/We request that Water Right No. 6233-3

formerly owned by: Karl Schenk

be transferred to: (name & address) Dennis Kralicek

43619-306 Street

Yankton, South Dakota 57078-5914 Telephone No. 605-661-2883
605-665-6638

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

76 acres located in the S ½ SE ¼ Section 2 and NE ¼ NE ¼ Section 11, T93N, R55W

I/We understand that the validity of Water Right No. 6233-3 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Dennis Kralicek, the new owner, certify that the above information is true and correct.

Dennis Kralicek
(Signed by new owner)

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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/27, 20 16

RECEIVED OF Dennis Kralicek 43619 306th St 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	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 <u>6233-3</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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 07705

By Jean Goodman
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 27, 2016

6233-3

Dennis Kralicek
43619 306th St
Yankton SD 57078

Dear Mr. Kralicek:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 6233-3.

The ownership change has been completed. Water Right No. 6233-3 formerly held by Karl Schenk is now listed in your name. Enclosed for your records is Receipt No. 07705 in the amount of \$50 which you paid for filing the ownership change.

For informational purposes, I am enclosing a copy of an irrigation questionnaire Mr. Schenk filled out for this property in 2013. This will give you an idea of what type of information to keep track of during the irrigation season. Irrigation questionnaires are sent to irrigators on an annual basis. The information provided by the irrigators is one of the tools we use to help manage water resources in the state.

If you have any questions, please contact me.

Sincerely,

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

enclosures