

WATER PERMIT NO. 6389-3

Name of Applicant: Robert L. DeJong

Address: 30226 432nd Ave, Lesterville SD 570404

Phone: 605 364-7466

Amount of Water Claimed: no add'l

Total Acres: 8

Source of Water Supply: groundwater (1 existing well)

Water to be used for: irrigation

County: Yankton

Type of Waste Disposal System:

Location: 2miles southeast of Lesterville

PRIORITY

Date Received: 2-5-03

Application/License Fee: \$200

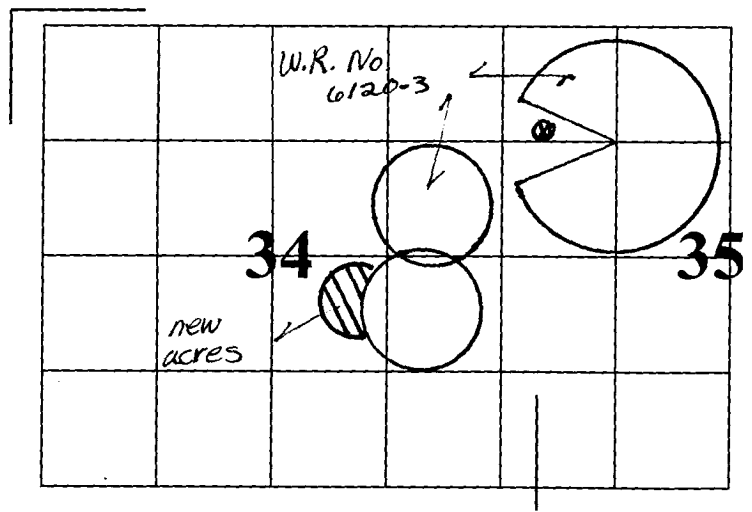
Corrected Application Received:

Period of Annual Use: April 1 – October 31

Remarks: Increase acres being irrigated under Water Right No. 6120-3

Diversion Point: NW ¼ NW ¼ Sec 35-T95N-
R57W

Land to be Irrigated: NW ¼ SE ¼ Sec 34-T95N-
R57W



Depth of Well: ≈ 250 feet deep

Well Driller: : Cullum & Brown

Remarks:

Type of Map: aerial

Prepared by: Steve Meyer, NRCS

Reviewed and the Number Assigned on: 2-5-03

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 6389-3

Date of first receipt of application February 5, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6389-3 to Robert L DeJong, 30226 432nd Ave, Lesterville SD 57040 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. 6389-3 authorizes irrigation of 8 additional acres. Water Right No. 6120-3 appropriates 2.56 cubic feet of water per second (cfs) from one well (Lower James Missouri-Scotland Aquifer) approximately 250 feet deep located in the NW ¼ NW ¼ Section 35 to irrigate 191 acres located in the NW ¼ Section 35 and E ½ NE ¼, SW ¼ NE ¼, N ½ SE ¼ Section 34; all in T95N-R57W. This permit authorizes irrigation of 8 additional acres located in the NW ¼ SE ¼ Section 34-T95N-R57W from the existing well. This permit does not authorize any increase in the developed diversion rate.
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 February 5, 2003.
4. The date of approval of Permit No. 6389-3 is April 28, 2003.
5. One-fifth of the construction is to be completed on or before October 28, 2005.
6. All construction is to be completed on or before April 28, 2008.
7. Water is to be put to beneficial use on or before April 28, 2012.
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. 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

JUN 13 2003

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6389-3</u>	(office use only) Hydrologic Unit <u>10160011</u>
	Basin <u>James River</u>	
	Newspaper <u>Yankton Press and Dakotan</u>	
	<u>605 665-7811</u> <u>PO Box 56, Yankton 57078-0056</u>	

RECEIVED

FEB - 5 2003

WATER RIGHTS
PROGRAM

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.)
Increase the number of acres being irrigated under Water Right No. 6120-3

1. Name of Applicant Robert L DeJong Phone 605 364-7466
(check one) X Owner Tenant/lessee
Mailing Address 30226 432nd Ave, Lesterville SD State 57040
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed *CFS or No add'l **GPM ***AF Total Acreage 8
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Groundwater - 1 existing well

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
NW 1/4 NW 1/4 Section 35-T95N-R57W
County Yankton

5. County or counties where water will be used Yankton

6. Annual period during which water is to be used April 1 - 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
NW 1/4 SE 1/4 Section 34-T95N-R57W	8		

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, Robert L. DeJong, 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 Robert L DeJong

Subscribed and sworn to before me this 3rd day of February 19 2003

Jolene G. Pravecek

Notary Public signature

Jolene G. Pravecek

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5 FEBRUARY 5, 2003

RECEIVED OF Janice or Robert DeJong, 30226 432nd Ave., Lesterville SD 57040

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

Fee for Application for Permit No. <u>6389-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6389-3</u>	50	00
Fee for Filing Transfer Form _____		
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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	200.00

No. **000638**

By Darland Erbe
Chief Engineer *gm*

RECEIVED
NOV 25 2002
WATER RIGHTS
PROGRAM

11-20-02
Robert X De Jong
30226 432 ave
Lesterwill S.D. 57046
605-364-7466

Water Rights Program:

I replaced my old center pivot in sec 34 - 95N - 57W because it was always broken down. The dealer said it had no value so I took off one span for parts and moved it to the west end of NE 60 acres of SE 1/4 of sec 34 95-57.

I don't think these few acres are included in my permitted acres. Can you change this and add to my acres?

Enclosed is map where I intend to use old irrigator. I will make about 1/2 circle.

Thank you for your help.
Robert X De Jong



November 26, 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Robert L DeJong
30226 432nd Ave
Lesterville SD 57040

Dear Mr. DeJong:

We received your letter and aerial photo submitted with the irrigation questionnaire. Based on your request to add acres to your existing permit, enclosed is a partially completed application form.

I am assuming that you will be using the existing well and will not be increasing the 2.56 cubic feet per second diversion rate authorized by Water Right No. 6120-3. If this is not the case, please make the necessary changes on the application. Also, complete Item No. 2 of the application with the total acreage the additional pivot will cover.

Enclosed is the map you submitted. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).

The application/license fee will be \$200.

Upon receipt of the signed and notarized application, signed map and fee, we will continue processing the application. If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

362
T529

T520

T485

T520

area to be added

43.4

T417

Steve Meyer
HEL 500 C
2/3/03

3 NW HEL
34
8.0

12 NW HEL

T486
450' →
8.0 A

lost RZ
2-3-03

T1825
Yan B6

HEL

HEL

T5444
HEL

T5443

95-57

Robert L DeJong
30.226-432 Ave
Lesterville S.D. 57040

6389-3

REPORT ON WATER PERMIT APPLICATION NO. 6389-3

For Robert L DeJong

March 20, 2003

Application No. 6389-3 proposes to irrigate an additional 8 acres. Water Right No. 6120-3 appropriates 2.56 cfs from one well approximately 250 feet deep located in the NW $\frac{1}{4}$ of section 35 to irrigate 191 acres located in the NW $\frac{1}{4}$ of section 35 and E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of section 34; all in T95N R57W in Yankton County. This application proposes to irrigate 8 additional acres located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 34, T95N R57W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

AQUIFER – LOWER JAMES MISSOURI-SCOTLAND (LJM-S)

The Lower James Missouri Scotland aquifer is a buried outwash (sand and gravel) which is under artesian conditions at this site. The aquifer underlies 37,700 acres and contains an estimated 847,400 acre-feet of recoverable water in storage in Yankton County (Hedges, 1982). The aquifer extends into Bon Homme County to the west and blends into the Lower James Missouri aquifer to the east. The entire aquifer is fairly well mapped and underlies about 238 square miles in Yankton County (Bugliosi 1986). This estimate is close to the estimate of the totals of the management units described in the Hedges report.

The Water Rights Program monitors two observation wells in the immediate area of this application. These are YA-77A and YA-80E. Observation well YA-77A is located within a quarter mile to the north and observation well YA-80E is located about one mile to the east of this application. Both of these observation wells are completed into the Lower James Missouri Scotland aquifer and 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. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2003). Hydrographs for these two observation wells area included with this report.

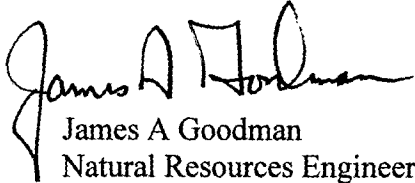
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The only existing water rights/permits in this area already belong to this applicant. Interference is not a concern. This application simply adds eight acres to the existing irrigated lands. No change in diversion rate or location of the diversion point is requested.

CONCLUSIONS

1. Water is available from the Lower James Missouri Scotland aquifer.
2. The aquifer is buried and under confined conditions. Some drawdown is created by pumping but this is not significant. This is shown by the observation well record which indicates a few feet of fluctuation annually.

3. No information concerning the well construction is available. It can not be determined if the well is constructed in accordance with SD Well Construction Standards.
4. Approval of this application simply adds an additional eight acres of irrigated lands. No increase in the diversion rate is authorized by this application.



James A Goodman
Natural Resources Engineer

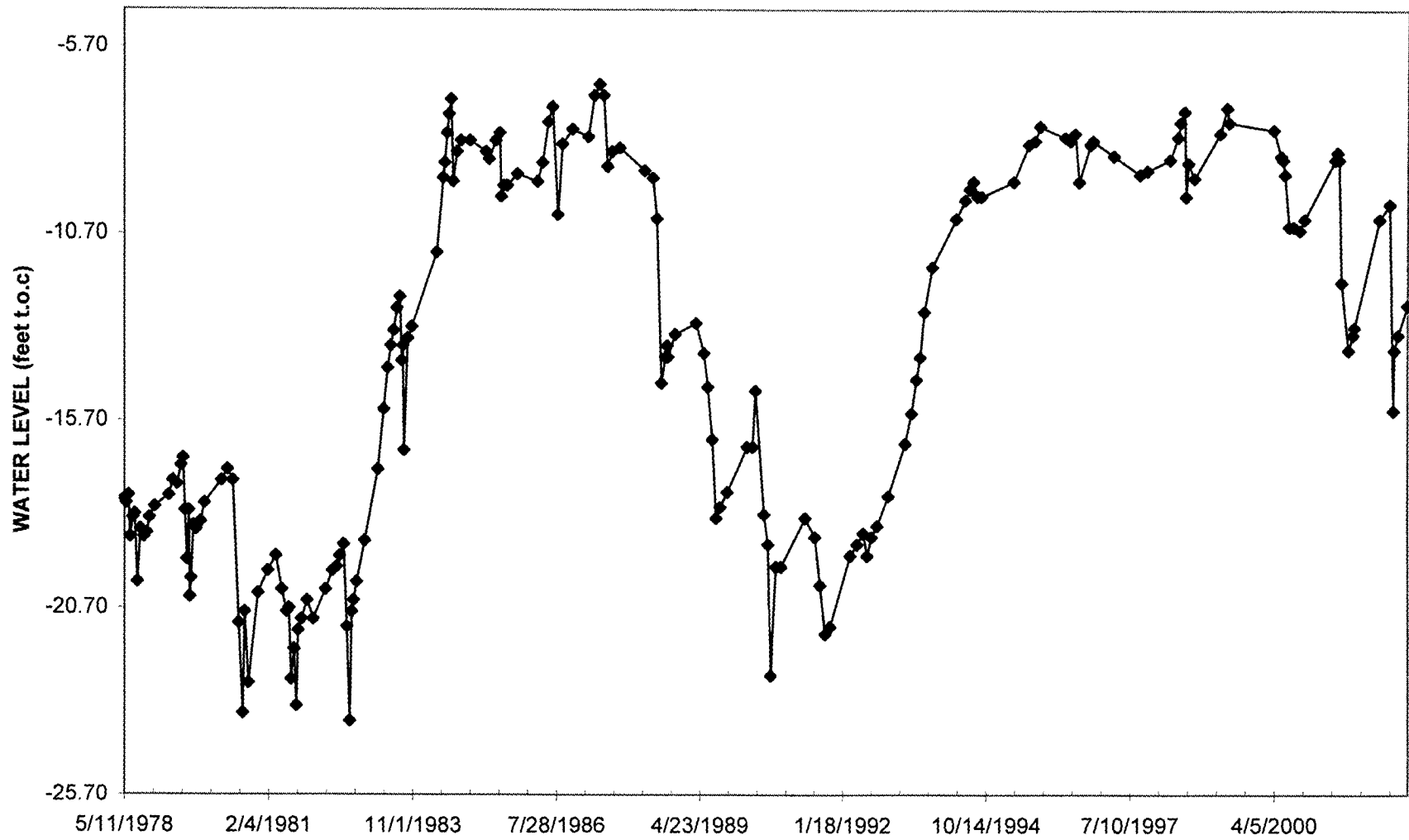
BIBLIOGRAPHY

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

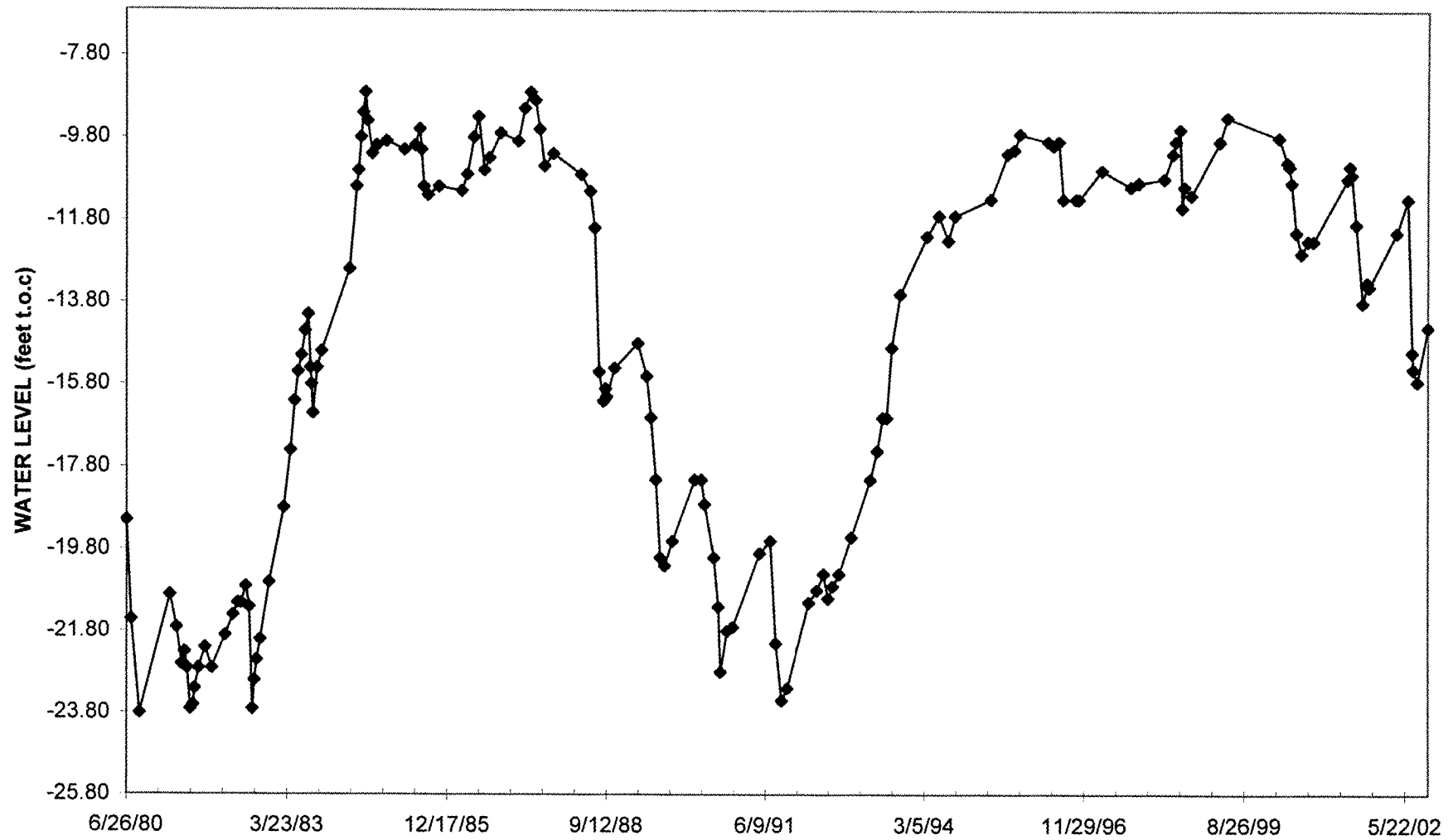
Hedges, L.S., et al., 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2003, Unpublished Observation Well Data for Yankton County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
YA-77A**



**WATER RIGHTS' OBSERVATION WELL
YA-80E**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6389-3, Robert L. DeJong**

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. 6389-3, Robert L. DeJong, 30226 432nd Avenue, Lesterville SD 57040.

The Chief Engineer is recommending APPROVAL of Application No. 6389-3 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. 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
March 31, 2003

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

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APR 23 2003

WATER RIGHTS
PROGRAM

4+9+16

ERIC GRONLUND
WATER RIGHTS PROGRAM
523 E. Capitol Avenue, Joe Foss Building
Pierre, SD 57501

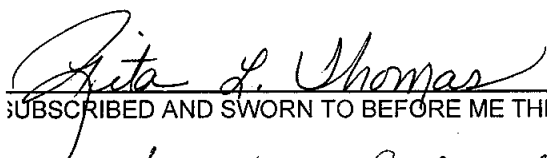
STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

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. 6389-3 to Appropriate Water Amend
Water Right No. 6120-3

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON THE 16TH DAY OF April 2003
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID Notice TO WIT \$199.29 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: 4/9/03; 4/16/03

FILED ON: 4/16/03


SUBSCRIBED AND SWORN TO BEFORE ME THIS 16th DAY OF April, 2003


NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 08/19/03

NOTICE OF APPLICATION NO. 6389-3
to Appropriate Water
Amend Water Right No. 6120-3

Notice is given that Robert L. DeJong, 30226
432nd Ave. Lesterville, SD has filed an ap-
plication for a water permit to irrigate 8 ad-
ditional acres. Water Right No. 6120-3 ap-
propriates 2.56 cubic feet of water per sec-
ond (cfs) from one well (Lower James Mis-
souri-Scotland Aquifer) approximately 250
feet deep located in the NW 1/4 NW 1/4
Section 35, to irrigate 191 acres located in
the NW 1/4 Section 35 and E 1/2 NE 1/4,
SW 1/4 NE 1/4, N 1/2 SE 1/4 Section 34, all
in T95N-R57W. This application proposes
to irrigate 8 additional acres located in the
NW 1/4 SE 1/4 Section 34-T95N-R57W
from the existing well. This application, if
approved, does not authorize any increase in
the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief En-
gineer recommends APPROVAL of Applica-
tion No. 6389-3 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 inter-
est. 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 En-
gineer's recommendation. If a petition oppos-
ing the application or contesting the recom-
mendation 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 sup-
porting 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 En-
gineer'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 ap-
plicant must be filed by April 28, 2003.

The petition may be informal, but must in-
clude a statement describing the petitioner's
interest in the application, the petitioner's
reasons for opposing or supporting the appli-
cation, and the signature and mailing ad-
dress of the petitioner or the petitioner's le-
gal 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. Pimer, Secretary, Department of
Environment and Natural Resources.

Instruction to Newspaper - Publish first Notice on April 9, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6389-3 to Appropriate Water
Amend Water Right No. 6120-3

Notice is given that Robert L DeJong, 30226 432nd Ave, Lesterville SD has filed an application for a water permit to irrigate 8 additional acres. Water Right No. 6120-3 appropriates 2.56 cubic feet of water per second (cfs) from one well (Lower James Missouri-Scotland Aquifer) approximately 250 feet deep located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35 to irrigate 191 acres located in the NW $\frac{1}{4}$ Section 35 and E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 34; all in T95N-R57W. This application proposes to irrigate 8 additional acres located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34-T95N-R57W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6389-3 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 April 28, 2003.

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**

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

March 31, 2003

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6389-3 to Appropriate Water to be published twice. Please publish the first notice on April 9, 2003 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 Robert L. DeJong, 30226 432nd Ave., Lesterville SD 57040 (Ph # 605-364-7466).

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

CUT HERE

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

No. 6389-3

Date _____

We are in receipt of your letter of March 31, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6389-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

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

March 31, 2003

Robert L DeJong
30226 432nd Ave
Lesterville SD 57040

Dear Mr. DeJong:

Water Permit Application No. 6389-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Yankton Press & Dakotan printed at Yankton, SD (Ph # 605-665-7811). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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**

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

JUN 13 2003

Robert L. DeJong
30226 432nd Ave
Lesterville SD 57040

Dear Mr. DeJong:

Enclosed is Water Permit No. 6389-3 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

7-12-03

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

RECEIVED

SEP 15 2003

WATER RIGHTS
PROGRAM

FROM:

ROBERT L. DE JONG

(name)

30226-432 AVE

(address)

LESTERVILLE S.D. 57040

(city, state, zip)

605-364-7466

(phone)

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. 6389-3 states that the water use system is to be constructed by

4-28-08

(date)

, and water is to be put to beneficial use by

4-28-12

(date)

The water use system was completed on

7-15-03

(date)

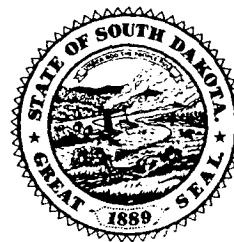
Applying the water to beneficial use was completed on

7-20-03

(date)

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

Robert L. De Jong
(signature)



Permit No. 6389-3
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, July 13, 2006, made a thorough examination of the water use system constructed by Robert L De Jong of 30226 432nd Avenue, Lesterville SD 57040 holder of Permit Nos. 6389-3 and 6120-3, bearing the priority of (February 5, 2003 -- No. 6389-3) and (January 11, 1999 and February 24, 1976 -- No. 6120-3), authorizing the diversion of (no additional -- No. 6389-3) and (1.06 and 1.50 -- No. 6120-3) cu. ft. per second of the waters of ground water 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:

WELL INFORMATION:

- 1) Well Drilling Firm: Cullum & Brown
- 2) No. of Wells 1
- 3) Depth(s) ≈ 250 feet
- 4) Well log is available N

Casing:

- 1) Diameter 16 inches
- 2) Length ≈ 230 feet
- 3) Type PVC

Screen:

- 1) Type Johnson
- 2) Length 20 feet
- 3) Static water level 2 to 3 feet

Pump:

- 1) Make National

Motor:

- 1) Make US Electrical
- 2) Horsepower rating 100 hp

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

- | | | |
|--------------------|-------------------------|-------------------------------|
| 1) Type <u>PVC</u> | 2) Size <u>8</u> inches | 3) Length <u>≈ 700</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>6</u> inches | 3) Length <u>≈ 3,600</u> feet |

C. Works used to apply water to beneficial use: **center pivots (4) -- operate large and one small pivot together**

- | | | | |
|---|---|---|---|
| 1) Make <u>T&L</u> | 1) Make <u>T&L (South)</u> | 1) Make <u>T&L (North)</u> | 1) <u>Lockwood (West)</u> |
| 2) Number of towers <u>8</u> | 2) Number of towers <u>4</u> | 2) Number of towers <u>4</u> | 2) Number of towers <u>3</u> |
| 3) End gun <u>Y</u> | 3) End gun <u>Y</u> | 3) End gun <u>Y</u> | 3) End gun <u>Y</u> |
| 4) High or low pressure <u>≈ 40 psi</u> | 4) High or low pressure <u>≈ 40 psi</u> | 4) High or low pressure <u>≈ 40 psi</u> | 4) High or low pressure <u>≈ 40 psi</u> |
| 5) Capacity <u>750</u> GPM | 5) Capacity <u>400</u> GPM | 5) Capacity <u>400</u> GPM | 5) Capacity <u>400</u> GPM |

CHEMIGATION EQUIPMENT: none

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y

Report of Examination of Works

Permit No. 6389-3

- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **Construction period not expired.**

The system is in the following condition **good**. The point of diversion is located **Well: 1,200 feet S and 660 feet E from the NW corner section 35-T95N-R57W (Latitude $\approx$ 43.00698, Longitude $\approx$ -97.55415 -- NW $\frac{1}{4}$ NW $\frac{1}{4}$).** The works are capable of diverting and conveying to the place of use **2.56** cu. ft. per second of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows: **All in T95N-R57W**

NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec 35	24 ac	SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec 34	35 ac
NE $\frac{1}{4}$ NW $\frac{1}{4}$ "	34 ac	SW $\frac{1}{4}$ NE $\frac{1}{4}$ "	1 ac
SW $\frac{1}{4}$ NW $\frac{1}{4}$ "	24 ac	NE $\frac{1}{4}$ SE $\frac{1}{4}$ "	33 ac
SE $\frac{1}{4}$ NW $\frac{1}{4}$ "	34 ac	NW $\frac{1}{4}$ SE $\frac{1}{4}$ "	13 ac
NE $\frac{1}{4}$ NE $\frac{1}{4}$ sec 34	1 ac		

comprising a total of **199** acres of land and the license should be issued for **2.56** cfs.

Applicable permit qualifications have been complied with: Yes **X** No **X**

Exceptions to compliance are: **none** Date report completed: **September 28, 2006**



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Water Right No. 6120-3 is to be incorporated into Water Right No. 6389-3 – see table below for details.

Assignment of Priority Dates Authorized by Nos. 2611-3, 6120-3 and 6389-3:

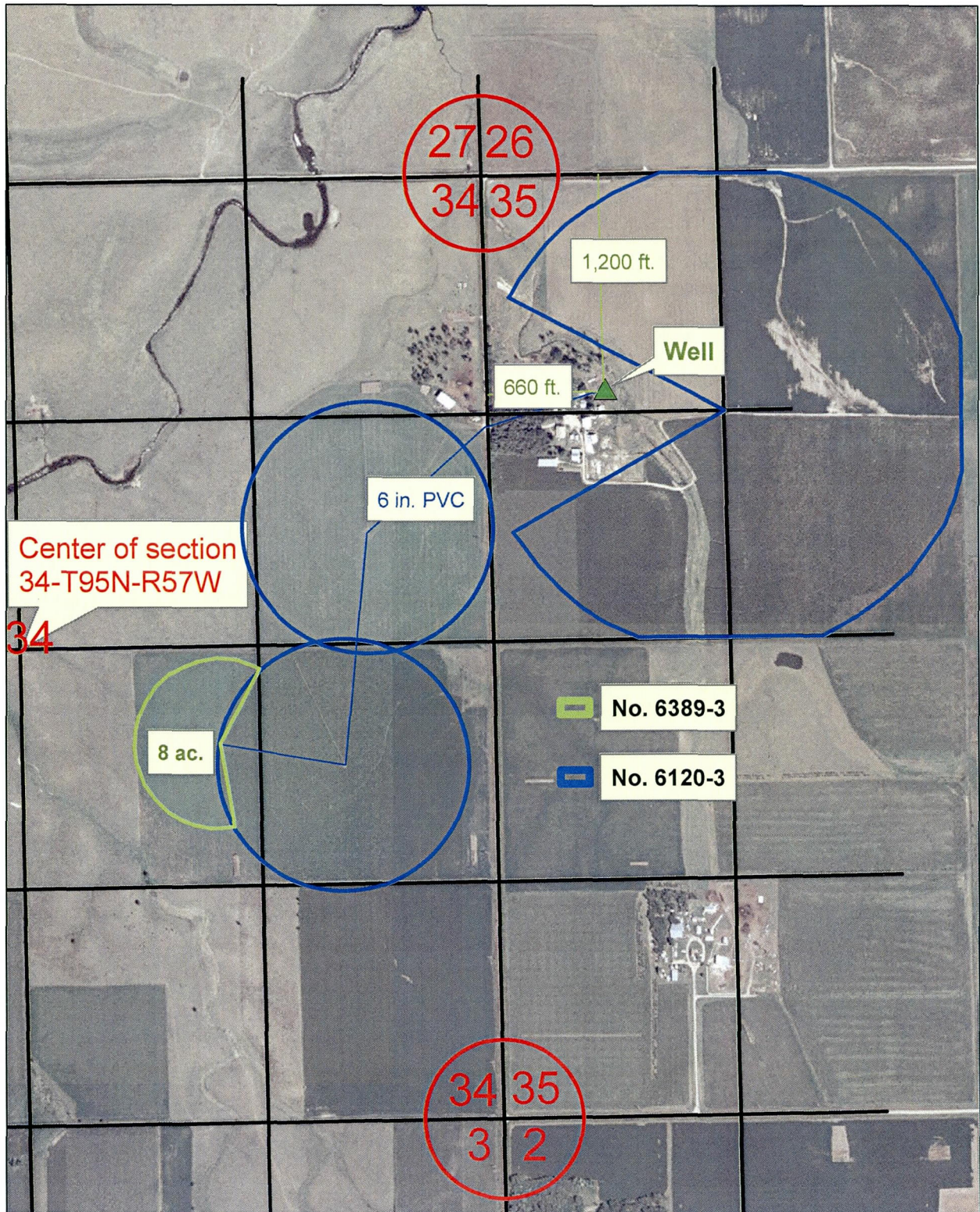
Water Permit/Right No.	Acreage	Diversion rate
2611-3	160 acres	1.50 cfs
6120-3	31 acres	1.06 cfs
6389-3	8 acres	No additional cfs

Scale: 1 inch equals 833 feet

1,200

Feet

N



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:

Ron Duvall
Ron Duvall, Natural Resources Engineer
Water Rights Program

Date: Sept. 28, 2006

Water Right No. 6389-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 01 2008

6120-3
6389-3

Robert L DeJong
30226 432nd Ave
Lesterville SD 57040

Dear Mr. DeJong:

Enclosed is your Water License No. 6389-3. You will note that the applicable portions of Water Right No. 6120-3 were incorporated into Water License No. 6389-3. The water license is the final water right document completing your process of obtaining a Water Right. Also included is a map of the area prepared by the staff engineer who conducted the field investigation. You may keep this for your records.

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. 6389-3, 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

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6389-3

(1) Robert L DeJong, 30226 432nd Ave., Lesterville SD 57040 made Application No. 6389-3, February 5, 2003 for a water permit to authorize irrigation of additional acreage with no increase in the diversion rate from an existing well described in Water Right No. 6120-3. Water Right No. 6120-3 authorizes diversion of 2.56 cubic feet of water per second from ground water (one well – Lower James Missouri Scotland Aquifer), in Yankton County, South Dakota for irrigation purposes. Permit No. 6389-3, with a priority date of February 5, 2003 (for the eight additional acres) was approved April 28, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 28, 2008 and for the application to beneficial use of water on or before April 28, 2012.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on September 15, 2003. The "*Notice*" stated the water use system was completed on July 15, 2003 and the water placed to beneficial use on July 20, 2003.

The applicable portions of Water Right No. 6120-3 are incorporated into this Water License No. 6389-3. The priority dates retained are as follows: (a) February 24, 1976 (160 acres and 1.50 cfs); (b) January 11, 1999 (31 acres and 1.06 cfs); (c) February 5, 2003 (8 acres).

(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 2.56 cubic feet of water per second for beneficial use. The location of the diversion point is 1,200 feet S and 660 feet E of the NW corner of Section 35, T95N, R57W (NW ¼ NW 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 a total of 199 acres described as follows:

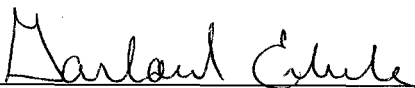
Section 35, T95N, R57W		Section 34, T95N, R57W			
NW ¼ NW ¼	24 acres	NE ¼ NE ¼	1 acre	NE ¼ SE ¼	33 acres
NE ¼ NW ¼	34 acres	SE ¼ NE ¼	35 acres	NW ¼ SE ¼	13 acres
SW ¼ NW ¼	24 acres	SW ¼ NE ¼	1 acre		
SE ¼ NW ¼	34 acres				

(4) Pursuant to South Dakota Water Law 46-5-30.1 Robert L DeJong the holder and/or owner of Incorporated Water Right No. 6389-3 is issued a license to appropriate water, the right to use 2.56 cubic feet of water per second from ground water (one well - Lower James Missouri Scotland Aquifer) with priority dates of February 24, 1976; January 11, 1999 and February 5, 2003 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 South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 6389-3 and subject to the following qualifications:

The well authorized will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in wells having prior water rights.

The water right is approved subject to the irrigation water use questionnaire being submitted each year.



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

NOV 01 2006

date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 26, 2024

6389-3

Mike Manas & Sons
30226 432nd Ave
Lesterville SD 57040

Dear Mr. Manas:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters.

This year we received word from one of the irrigators, Robert Dejong, that the property he had previously reported on, had been sold to you. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card you may call our Fiscal Office at 605.773.4216. This form will still need to be returned even if you are submitting payment over the phone.

Should you decide you wish to discontinue the irrigation on this piece of land, we would ask that you let us know.

If you have any questions or concerns, please give me a call. My direct number is 605.910.5187

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

6389-3

PAID

DEC 27 2024

Ck# 308

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 6389-3

Date: 12-23-24

I/We request that Water Right/Permit No. 6389-3
Robert Dejong - Lesterville SD

be transferred to:

New Owner Name: Dylan Manas

Address: 30226 432nd Ave mobile: 605-660-9106

City, State, Zip Lesterville SD 57040 email: dylan.dp12345@outlook.com

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

Section 34 - T95N-R57W

N 1/2 SE 1/4

S 1/2 NE 1/4

NE 1/4 NE 1/4

Section 35-T95N-R57W

NW 1/4

TOTAL: 199 acres

☒ I understand that the validity of Water Right/Permit No. 6389-3 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 Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Dylan Manas, the new owner, certify that the above information is true and correct.


(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

RECEIVED

DEC 27 2024

OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date December 30th, 2024

RECEIVED OF Dylan Manas 30226 432nd Ave Lesterville SD 57040

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 #6389-3	\$50.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$50.00

By Eric Gronlund
Chief Engineer

GR



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 31, 2024

6389-3

Dylan Manas
30226 432nd Ave
Lesterville SD 57040

Dear Mr. Manas:

I have received your completed "Notice of Transfer of Ownership" form and the required fees. Enclosed is a receipt of payment for your records.

Water Right No. 6389-3 previously owned by Robert Dejong is now listed under yourself. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the water right, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the water right will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTE: The validity of Water Right No. 6389-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure