

WATER PERMIT NO. 6458-3

Name of Applicant: **Paul Young**

Address: **3103 Alumax Rd, Yankton SD**

Phone: **605 665-9569**

Amount of Water Claimed: **no add'l**

Total Acres: **40 acres**

Source of Water Supply: **groundwater (two existing wells)**

Water to be used for: **irrigation**

County: **Yankton**

Type of Waste Disposal System:

Location: **8 miles southeast of Yankton**

PRIORITY Date Received: **12-22-2003**

Application/License Fee: **\$200**

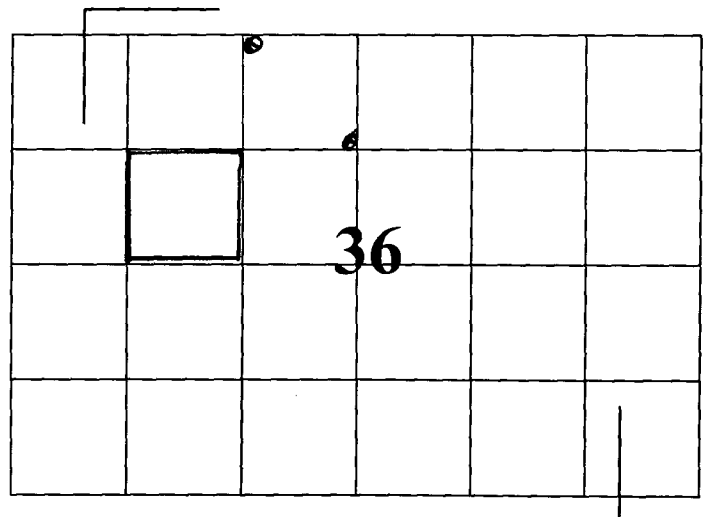
Corrected Application Received: **12-29-2003**

Period of Annual Use: **March 1 – November 30**

Remarks: **using existing wells authorized by No. 3846-3**

Diversion Point: **NE ¼ NW ¼ Sec 36-T93N-R54W**

Land to be Irrigated: **SW ¼ NW ¼ Sec 36-T93N-R54W**



Depth of Well:

Well Driller :

Remarks:

Type of Map: **aerial**

Prepared by: **Robert ? Yankton Co. FSA**

Reviewed and the Number Assigned on: **12-30-2003**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6458-3</u> (office use only)
	Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>
	Newspaper <u>Daily Press + Dakotan, Yankton</u>

RECEIVED
DEC 22 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.)
additional acreage to water permit No. 3846-3

1. Name of Applicant Paul Young Phone 665-9569 or 661 2111
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 3103 Aluma Rd. Yankton State S.D. 57078
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed *CFS or **GPM ***AF Total Acreage 40
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply 2 wells authorized by permit No. 3846-3

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
2 wells located SW of NW-36 NE1/4 NW1/4 Sec 36-T93N-R54W
County Yankton

5. County or counties where water will be used Yankton

6. Annual period during which water is to be used March 1 - Nov. 30

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
SW of NW 36	40		
T93N-R54W			

8. Give a description of the project. (Attach sheet if more space is needed)
purchase a new pivot - plan to construct it on presently developed acres
& construct old pivot on new acres as shown on map. Water will come from two
developed wells authorized by permit No. 3846-3

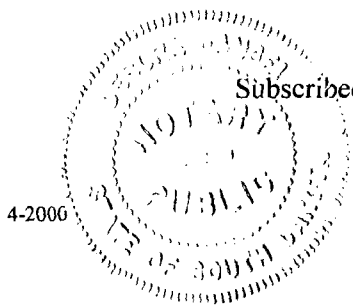
STATE OF SOUTH DAKOTA) SS
County of Yankton

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, Paul Young, 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 Paul Young
Subscribed and sworn to before me this 17th day of December 2004

Debra Sengel
Notary Public signature



**SOUTH DAKOTA
WATER PERMIT NO. 6458-3**

Date of first receipt of application December 22, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6458-3 to Paul Young, 3103 Alumax Rd, Yankton SD 57078 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6458-3 authorizes irrigation of 40 additional acres. Water Permit No. 3846-3 appropriates 3.71 cubic feet of water per second from two wells (Missouri: Elk Point Aquifer) located in the NE ¼ NW ¼ Section 36-T93N-R54W to irrigate 260 acres. This permit authorizes irrigation of 40 acres not previously developed within the timeframe allotted under Permit No. 3846-3 which are located in the SW ¼ NW ¼ Section 36-T93N-R54W from the two existing wells. No increase in the developed diversion rate is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: March 1 – November 30.
3. The date from which applicant may claim right is December 22, 2003.
4. The date of approval of Permit No. 6458-3 is March 1, 2004.
5. One-fifth of the construction is to be completed on or before September 1, 2006.
6. All construction is to be completed on or before March 1, 2009.
7. Water is to be put to beneficial use on or before March 1, 2013.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

MAY 10 2004

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction *See well information in Permit No. 3846-3*

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- 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 _____

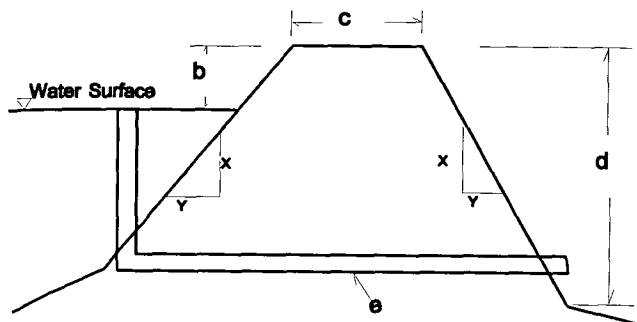
3. Dugout Information

- 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date DECEMBER 22, 20 03

RECEIVED OF Paul Young, 3103 Alumax Rd., Yankton SD 57078

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

Fee for Application for Permit No. <u>10458-3</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>10458-3</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.

001000

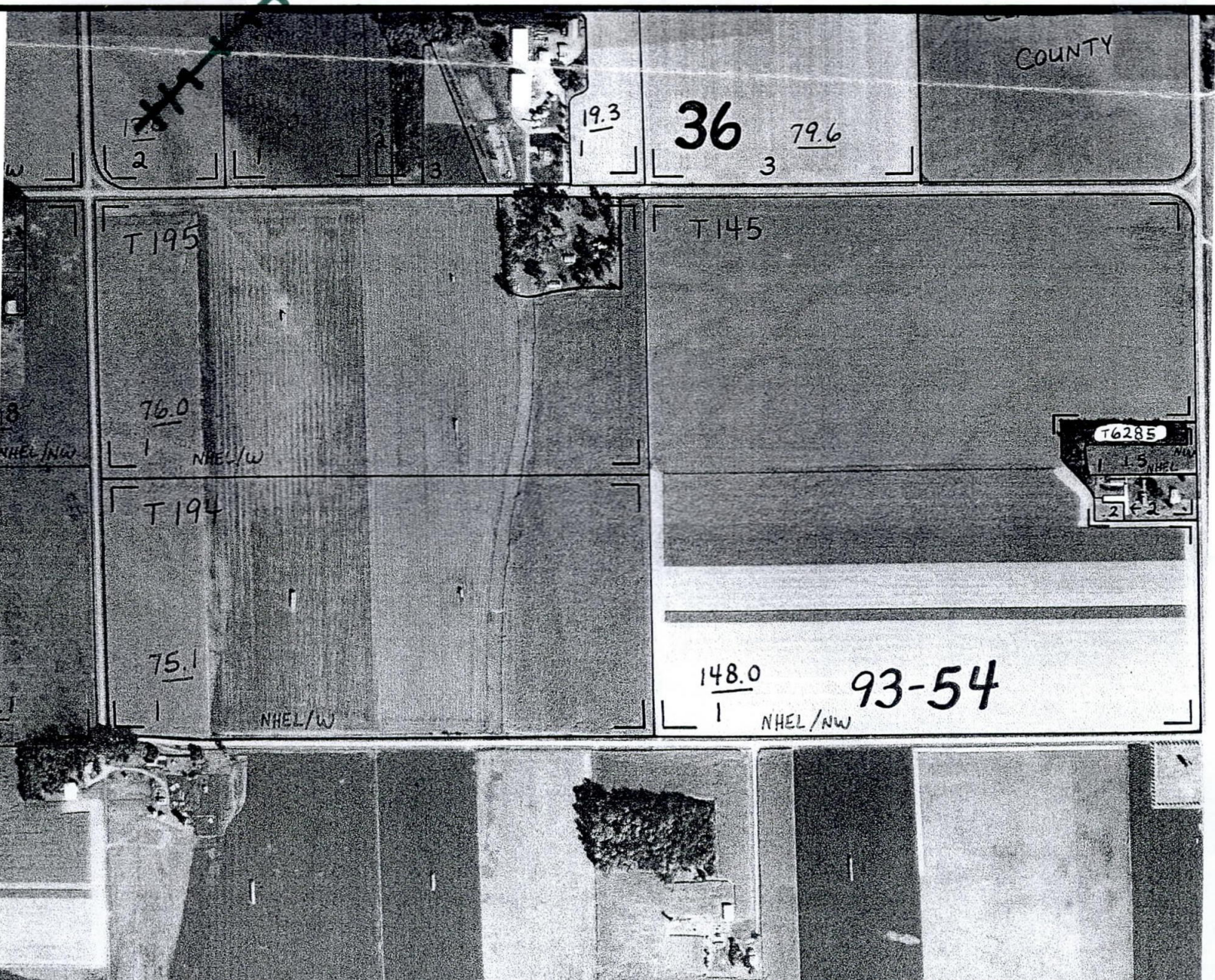
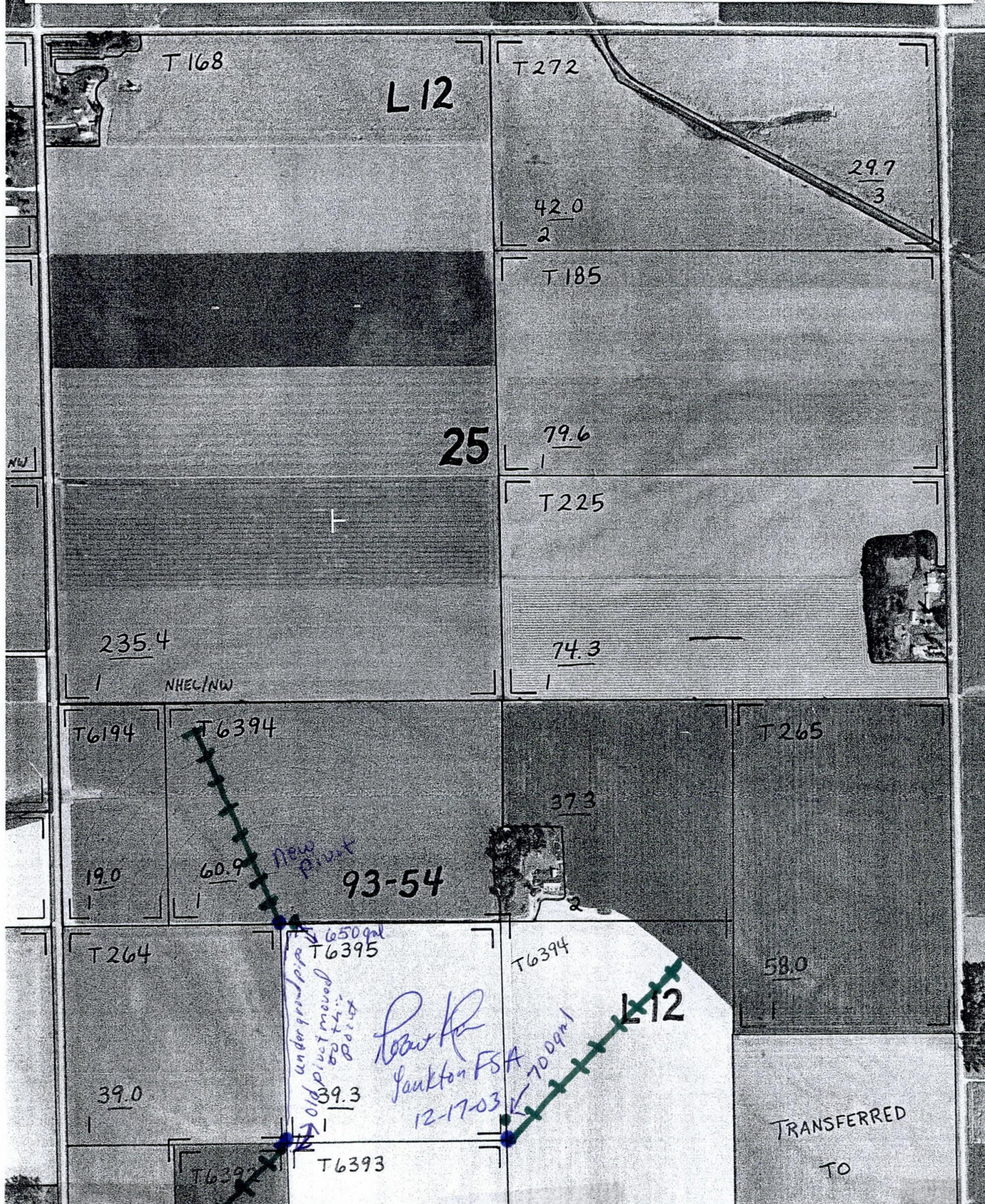
By

Darland Ebele

Chief Engineer

gm

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP





December 24, 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Paul Young
3103 Alumax Rd
Yankton SD 57078

Dear Mr. Young:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation. In order to complete the application the following is required.

On the map, please mark the location of the two existing wells. What are these two wells capable of producing in gallons per minute?

Also on the map, please outline the location of where the new pivot will be setup and where the old pivot will be moved to.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

REPORT ON WATER PERMIT APPLICATION NO. 6458-3

For Paul Young
January 29, 2004

Application No. 6458-3 proposes to irrigate 40 acres. Water Permit No. 3846-3 appropriates 3.71 cfs from two wells approximately 118 feet deep located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 36, T93N R54W to irrigate 260 acres. This application proposes to irrigate 40 acres not previously developed within the timeframe allotted under Permit No. 3846-3 which are located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 36, T93N R54W from the two existing wells. No increase in the developed diversion rate is authorized by this application.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) that is under predominantly water table conditions in this area. 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 aquifer is roughly equivalent to the southern portion of the Lower James Missouri described in the Yankton County Study (Bugliosi, 1986). The aquifer is hydraulically connected to the Lower James Missouri aquifer to the north, the Missouri Elk Point aquifer also extends into Clay County to the east and is hydraulically connected to both the James and Missouri rivers in Yankton County. Ground water movement is from northwest to southeast and locally toward the Missouri River.

Production well information filed with the application indicates, topsoil to 1.5 feet, clay to a depth of 23 feet, sand from 23 feet to 81 feet and coarse sand and gravel from 81 feet to 118 feet all below land surface. The completed well was capable of producing 1800 gpm.

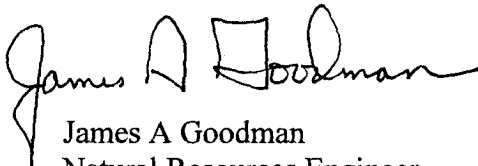
The Water Rights Program monitors an observation well YA-80KA located about one-quarter mile west of this application. Water levels for this observation well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of additional withdrawals (Water Rights, 2004). A hydrograph for YA-80KA is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The only existing water permit in the area is No. 3846-3 which is also held by the applicant. Interference is not a concern. This irrigation development has two existing wells and the north well will be used to provide water to this system. These 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 predominantly water table conditions in this area. Drawdown is not significant and interference is not a concern.
3. These are existing wells and the information available is not sufficient to determine if they are constructed in accordance with SD Well Construction Standards.

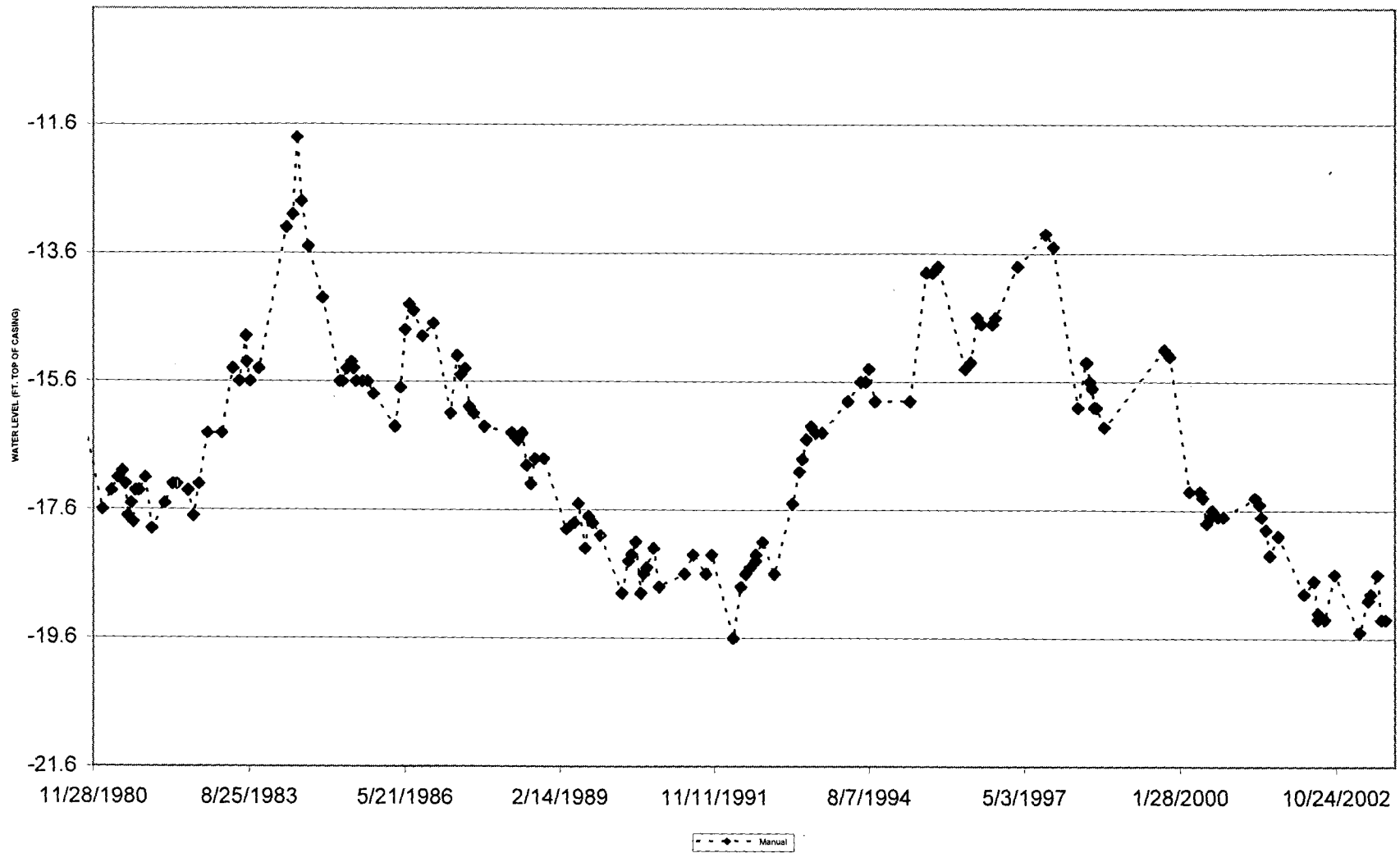


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Bugliosi, E.F., 1986, Water Resources of Yankton County, South Dakota, Water Resources Investigations Report 84-4241, USGS, Huron, SD, 57350.
- Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 2004, Unpublished Observation Well Data for Yankton County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

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





**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. 6458-3, Paul Young**

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. 6458-3, Paul Young, 3103 Alumax Road, Yankton SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 6458-3 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 3, 2004

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTA

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SD 57501-3182

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

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

2+11+18

**NOTICE OF APPLICATION
NO. 6458-3
to Appropriate Water**

Notice is given that Paul Young, 3103 Alumax Rd, Yankton SD 57078 has filed an application for a water permit to irrigate 40 acres. Water Permit No. 3846-3 appropriates 3.71 cubic feet of water per second from two wells (Missouri: Elk Point Aquifer) located in the NE 1/4 NW 1/4 Section 36-T93N-R54W to irrigate 260 acres. This application proposes to irrigate 40 acres not previously developed within the timeframe allotted under Permit No. 3846-3 which are located in the SW 1/4 NW 1/4 Section 36-T93N-R54W from the two existing wells. No increase in the developed diversion rate is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6458-3 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 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 March 1, 2004.

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES AND SAYS THAT HE IS THE MANAGING EDITOR OF THE YANKTON PRINTING COMPANY, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE YANKTON DAILY PRESS AND DAKOTA, 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. 6458-3**

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE NEWSPAPER ON THE 18TH DAY OF February 2004 THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION OF SAID **NOTICE** TO WIT \$47.73 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: 2/11/04; 2/18/04

FILED ON: 2/23/04

SUBSCRIBED AND SWORN TO BEFORE ME THIS 23RD DAY OF February, 2004

NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES

8/19/09

RECEIVED

FEB 26 2004

**WATER RIGHTS
PROGRAM**

Instruction to Newspaper - Publish first Notice on February 11, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6458-3 to Appropriate Water

Notice is given that Paul Young, 3103 Alumax Rd, Yankton SD 57078 has filed an application for a water permit to irrigate 40 acres. Water Permit No. 3846-3 appropriates 3.71 cubic feet of water per second from two wells (Missouri: Elk Point Aquifer) located in the NE ¼ NW ¼ Section 36-T93N-R54W to irrigate 260 acres. This application proposes to irrigate 40 acres not previously developed within the timeframe allotted under Permit No. 3846-3 which are located in the SW ¼ NW ¼ Section 36-T93N-R54W from the two existing wells. No increase in the developed diversion rate is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6458-3 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 March 1, 2004.

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

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

February 3, 2004

Paul Young
3103 Alumax Rd
Yankton SD 57078

Dear Mr. Young:

Water Permit Application No. 6458-3 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). 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

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

February 3, 2004

Daily Press & Dakotan
PO Box 56
Yankton SD 57078

ATTENTION: Legal Public Notice

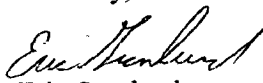
Enclosed is a Notice of Hearing on Application No. 6458-3 to Appropriate Water to be published twice. Please publish the first notice on February 11, 2004 with the second publication 7 days later.

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 Paul Young, 3103 Alumax Rd., Yankton SD (Ph # 605-665-9569).

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. 6458-3

Date _____

We are in receipt of your letter of February 3, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 6458-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



MAY 10 2004

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Paul Young
3103 Alumax Rd
Yankton SD 57078

Dear Mr. Young:

Enclosed is Water Permit No. 6458-3 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 may 12-04

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

FROM:

Paul Young
(name)
3103 Aluma Rd.
(address)
Yankton S.D.
(city, state, zip) 57078

RECEIVED
MAY 14 2004
WATER RIGHTS
PROGRAM

665-9569-0 or 661-2111
(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.

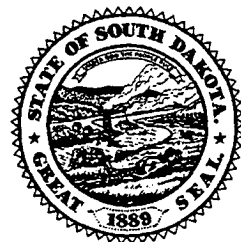
Water Permit No. 6458-3 states that the water use system is to be constructed by completed may 1-04 (date), and water is to be put to beneficial use by may 10-04 (date).

The water use system was completed on may 1-04 (date).

Applying the water to beneficial use was completed on may 1-04 (date).

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

Paul Young
(signature)





6458-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 2006

3315-3
3846-3
6458-3

Paul Young
815 James Place
Yankton SD 57078

Dear Mr. Young:

Enclosed is a "Notice" dated October 20, 2006 concerning the 2006 irrigation questionnaire. The notice was originally mailed to 3103 Alumax Rd, Yankton SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures

Permit No. 6458-3
Missouri 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 14, 2006, made a thorough examination of the water use system constructed by Paul Young of 3103 Alumax Rd, Yankton SD 57078 holder of Permit No. 6458-3, 3846-3 and 3315-3, bearing the priority of December 22, 2003, March 30, 1977 and December 14, 1976, respectively, authorizing the diversion of no additional, 3.71 and 2.28 cu. ft. per second, respectively, of the waters of ground water (Missouri Elk Point aquifer) for irrigation purposes, in Yankton County.

Inspection contact & relationship to permit holder, if applicable: **Paul Young**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Wetmore Drilling
- 2) No. of Wells 2 (only 1 log available)
- 3) Depth(s) ≈ 100 feet
- 4) Well log is available Y (one well)
- 5) Comment: Legal does not match permit

Casing:

- 1) Diameter 16 inches
- 2) Type Plastic

Screen:

- 1) Type PVC
- 2) Static water level 18 feet

Pump #1:

- 1) Make Western Land Roller

Motor #1:

- 1) Make General Electric
- 2) Horsepower rating 60 hp

Pump #2:

- 2) Make Fairbanks Morse

Motor #2:

- 3) Make General Electric
- 4) Horsepower rating 75 hp

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 1,320 feet

C. Works used to apply water to beneficial use:

Center pivot #1:

- 1) Make Valley
- 2) Number of towers 7
- 3) End gun Y
- 4) Capacity 800 GPM

Center pivot #2:

- 5) Make Zimmatic
- 6) Number of towers 7
- 7) End gun Y
- 8) Capacity 900 GPM

Center pivot #3:

- 9) Make Zimmatic
- 10) Number of towers 8
- 11) End gun Y
- 12) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate N

Report of Examination of Works

Permit No. 6458-3

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: none

The system is in good condition with the point(s) of diversion located as follows: Well #1: 1,370 feet E (Latitude 42.83731, Longitude -97.17517); Well #2: 2,640 feet E and 1,320 feet S (Latitude 42.83359, Longitude -97.17036); both from the NW corner section 36-T93N-R54W (both in NE $\frac{1}{4}$ NW $\frac{1}{4}$). The works are capable of diverting and conveying to the place of use 3.77 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: all in T93N-R54W

SE $\frac{1}{4}$ SW $\frac{1}{4}$ sec 25	34 acres	3846-3	NE $\frac{1}{4}$ NW $\frac{1}{4}$ sec 36	34 acres	3315-3
SW $\frac{1}{4}$ SW $\frac{1}{4}$	34 acres	3846-3	NW $\frac{1}{4}$ NW $\frac{1}{4}$	34 acres	3846-3
SW $\frac{1}{4}$ NE $\frac{1}{4}$ sec 36	34 acres	3315-3	SW $\frac{1}{4}$ NW $\frac{1}{4}$	34 acres	6458-3
NW $\frac{1}{4}$ NE $\frac{1}{4}$	34 acres	3315-3	SE $\frac{1}{4}$ NW $\frac{1}{4}$	24 acres	3315-3

comprising a total of 262 acres of land and the license should be issued for 3.74 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project: Permit Nos. 3846-3 and 3315-3 are incorporated into No. 6458-3.



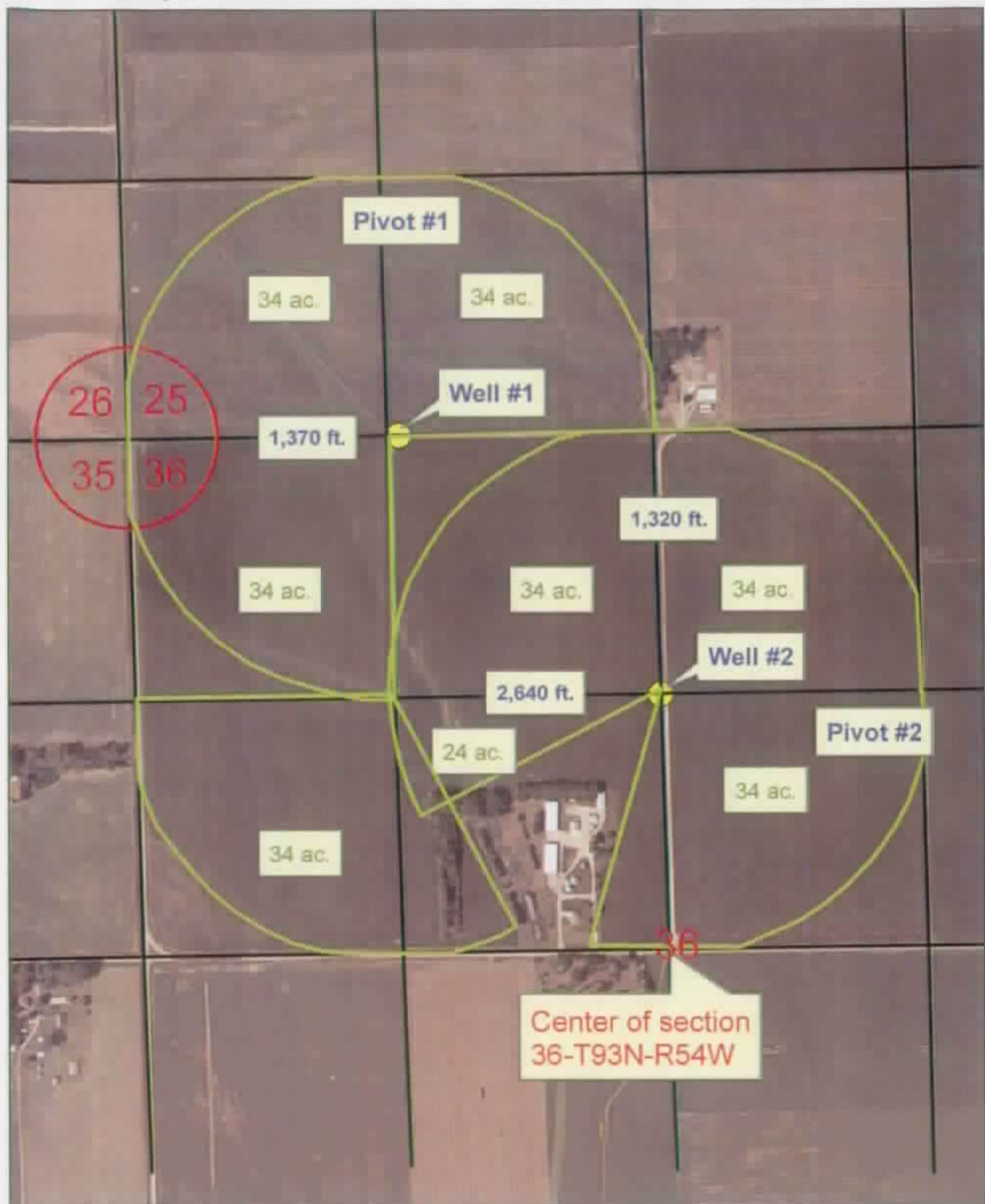
Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: October 31, 2006

Scale: 1 inch equals 760 feet

1,100

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:

Ron Duvall
Ron Duvall, Natural Resources Engineer
Water Rights Program

Diversion point(s) located using GeoExplorer II GPS

Date: Oct 31, 2006

Water Right No. 6458-3

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6458-3

(1) Paul Young, 815 James Place, Yankton SD 57078-4906 made Application No. 6458-3, December 23, 2003 to add acreage to the systems authorize by Water Permit Nos. 3315-3 and 3846-3. The entire system is located in Yankton County, South Dakota for irrigation purposes. Permit No. 6458-3, with a priority date of December 22, 2003 was approved March 1, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 1, 2009 and for the application to beneficial use of water on or before March 1, 2013.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on May 14, 2004. The *Notice* stated the diversion system was completed on May 1, 2004 and the water placed to beneficial use on May 1, 2004.

Water Permit No. 3315-3 authorizes irrigation located in the W ½ NE ¼, E ½ NW ¼ Section 36 and retains a priority date of December 14, 1976. Water Permit No. 3846-3 authorizes irrigation located in the S ½ SW ¼ Section 25 and the NW ¼ NW ¼ Section 36 and retains a priority date of March 30, 1977. The remaining acres in the SW ¼ NW ¼ Section 36 retains a priority date of December 23, 2003 established by No. 6458-3. The applicable portions of Nos. 3315-3 and 3846-3 have been incorporated into this Water License No. 6458-3.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Incorporated Water Right No. 6458-3 is issued a license, bearing priority dates of December 14, 1976, March 30, 1977 and December 23, 2003 to appropriate 3.74 cubic feet of water per second from groundwater (two wells) to irrigate 262 acres.

The diversion points are located: Well #1 – 1,370 feet east; Well #2 – 2,640 feet east and 1,320 feet south; both from the northwest corner Section 36-T93N-R54W (both in NE ¼ NW ¼). The acres authorized for irrigation are as follows:

All in T93N-R54W							
			priority date				priority date
Sec 25	SE ¼ SW ¼	34 ac	3-30-77	Sec 36	NE ¼ NW ¼	34 ac	12-14-76
	SW ¼ SW ¼	34 ac	3-30-77		NW ¼ NW ¼	34 ac	3-30-77
Sec 36	SW ¼ NE ¼	34 ac	12-14-76		SW ¼ NW ¼	34 ac	12-23-03
	NW ¼ NE ¼	34 ac	12-14-76		SE ¼ NW ¼	24 ac	12-14-76
Total 262 acres							

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Permit No. 6458-3 including the following now applicable qualifications:

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

MAY 10 2007

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 10 2007

6458-3

3315-3

3846-3

Paul Young
815 James Place
Yankton SD 57078-4906

Dear Mr. Young:

Enclosed is Water License No. 6458-3. A map of your project as prepared by a staff engineer is also enclosed. 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. 6458-3, 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

Note: The applicable portions of Nos. 3315-3 and 3846-3 are incorporated into Water License No. 6458-3.

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 22, 2008

6458-3

Paul Young
815 James Place
Yankton SD 57078

Dear Mr. Young:

Thank you for calling in with the information for your 2008 irrigation questionnaires. I completed forms for you based on our telephone conversation.

Enclosed, as we discussed, are copies of the following:

- Report of Examination of works;
- Water License No. 6458-3;
- A map prepared by the staff engineer who conducted the field inspection.

If you have any questions, please contact us.

Sincerely,

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

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
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523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

December 5, 2011

6458-3

Paul Young
815 James Place
Yankton SD 57078

Dear Mr. Young:

Thank you for calling in with the information for this year's irrigation questionnaires.

With regard to Water Right No. 6458-3, I have edited the database to reflect the entire acreage that is covered by the water right. Next year's irrigation questionnaire will have the correct legal descriptions on the form.

Thank you for bringing the legal description problem to my attention. Enclosed is a copy of the license issued in 2007. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

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

enclosure