

WATER PERMIT NO. 6497-3

Name of Applicant: Willard Schmidt

Address: 43970 306th St, Yankton SD 57078

Phone: 605 665-4833

Amount of Water Claimed: 1.43

Total Acres: 100

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Yankton

Type of Waste Disposal System:

Location: 7 miles east of Yankton

PRIORITY

Date Received: 3-8-04

Application/License Fee: \$275

Corrected Application Received: 4-12-04

Period of Annual Use: March 1 – Nov 1

Remarks:

Diversion Point: center of NW ⁹/₄ Sec ~~8~~-T93N-R54W

Land to be Irrigated: NW ⁹/₄ Sec ~~8~~-T93N-R54W

Depth of Well: 100 feet

Well Driller: : Christensen Well Drilling

Remarks:

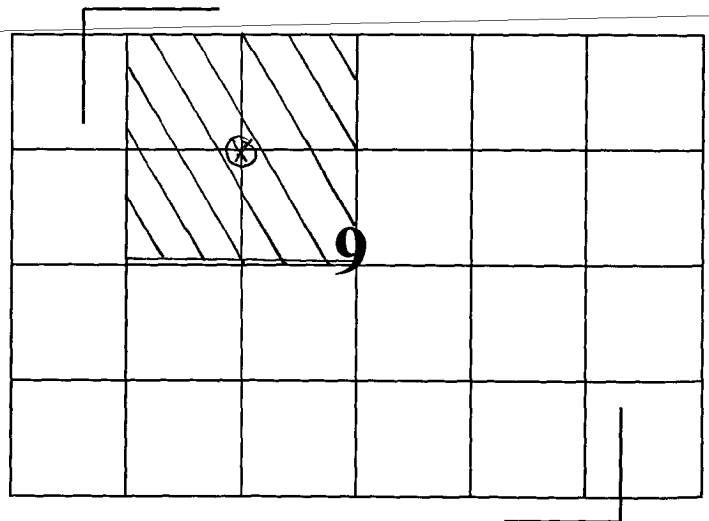
Type of Map: aerial

Prepared by: Richard Schwartz

Reviewed and the Number Assigned on: 4-12-04

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>6497-3</u> (office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>
	Newspaper <u>Daily Press & Dakotan, Yankton</u>

RECEIVED
MAR 08 2004
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.) _____

- Name of Applicant Willard Schmidt Phone 605-665-4833
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 43910 306th St Yankton State SD 57078
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.43*CFS or 640**GPM ***AF Total Acreage 100
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply well/water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
9-93-54 NW4 (center) County Yankton
- County or counties where water will be used Yankton
- Annual period during which water is to be used Summer March 1 - Nov 1
- 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)

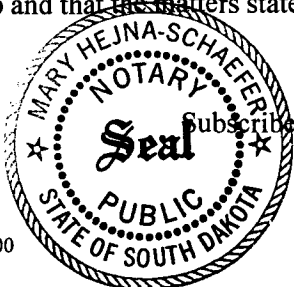
Land Description	Acres	Land Description	Acres
9-93-54 NW 1/4 of the NW 1/4	20		
9-93-54 NE 1/4 of the NW 1/4	20		
9-93-54 SE 1/4 of the NW 1/4	30		
9-93-54 SW 1/4 of the NW 1/4	30		

- 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, Willard Schmidt, 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 Willard Schmidt
Subscribed and sworn to before me this 3rd day of March 20 04

Mary Hejna-Schaefer
Notary Expires: Notary Public signature
8-28-09

**SOUTH DAKOTA
WATER PERMIT NO. 6497-3**

Date of first receipt of application March 8, 2004.

Date of return to applicant for corrections, amendments or changes March 9, 2004.

Date of receipt of corrected application April 12, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6497-3 to Willard Schmidt, 43970 306th St, 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. 6497-3 appropriates 1.43 cubic feet of water per second from one well (Missouri : Elk Point Aquifer) 100 feet deep located in the center of the NW ¼ Section 9 to irrigate 100 acres located in the NW ¼ Section 9; all in T93N-R54W.
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 1.
3. The date from which applicant may claim right is March 8, 2004.
4. The date of approval of Permit No. 6497-3 is June 1, 2004.
5. One-fifth of the construction is to be completed on or before December 1, 2006.
6. All construction is to be completed on or before June 1, 2009.
7. Water is to be put to beneficial use on or before June 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 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. 6497-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbe

Garland Erbe, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

JUN 22 2004

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 28 Depth 100
- b) Casing Type PVC Diameter 16 Thickness 1/2"
- c) Screen Type DOUBLE SLOT Diameter 16 Thickness 1/2"
- d) Gravel Pack ROAD Length of Gravel Pack 80
- e) Depth to Top of Water Bearing Material 20
- f) Depth to Water (ground surface to water level) 20
- g) Distance to nearest existing domestic well:
On applicants property NA On property owned by others 3/4 mile

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 _____

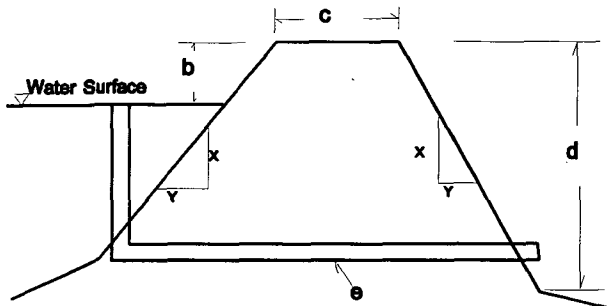
3. Dugout Information

- 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 March 8, 20 04

RECEIVED OF Steven Schmidt, 89498 558th Ave., Yankton SD 57078-6610

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	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. _____	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	275.00

No.

001221

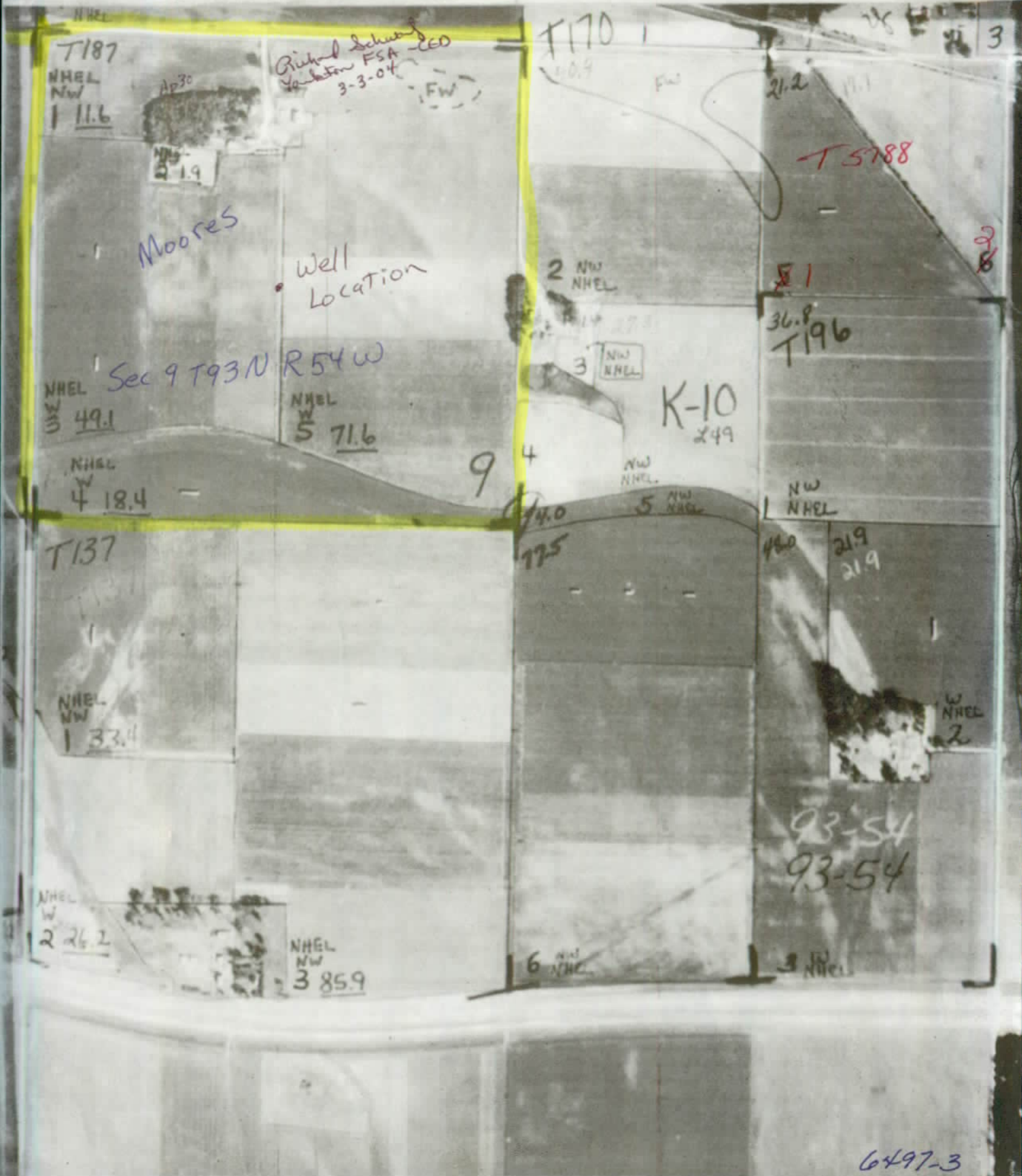
By

Darlene L. Cable

Chief Engineer

gm

2001 NOT TO SCALE



OWNER STEVE SCHMIDT

STATE

DATE _____

4	1	29004
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STONE



SHALE

GRAVE

SAND

CLAY

FT.

FT.

O	23			TYP FINE GRV SAND
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23	47			FUNE			X
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47	100	Course	X + X
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STATIC WATER LEVEL

PUMPING WATER LEVEL

AQUIFER THICKNESS

SCREEN LENGTH

SLOT SIZE

FITTING - TOP

FITTING - BOTTOM

TOTAL DEPTH



March 9, 2004

Steve Schmidt
44847 307th St
Mission Hill SD 57046

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dear Mr. Schmidt:

Thank you for submitting the four *Applications for a Permit to Appropriate Water* for irrigation. In order to complete the applications, I have listed below what is necessary for each application:

Application to irrigate Section 15-T94N-R54W (Wagner):

- Enclosed is a copy of the map for Water Right No. 4782A-3 which authorizes 1.14 cubic feet of water per second (cfs) (513 gallons per minute) to irrigate 80 acres. From the map submitted with your application, I am uncertain what you are proposing. Clearly mark on the map where the pivots will be located.
- Please complete Item No. 2 of the application, the total new acreage to be irrigated. The acreage breakdown is required in Item No. 7, also.
- Are you proposing to drill an additional well to the one authorized by Water Right No. 4782A-3? If so please mark that location on your map. We can not determine the application/filing fee until we can determine how many new acres will be irrigated.
- Also, Water Permit No. 4782A-3 is listed in the name of Paula & Theodore Schmidt. The new application indicates you are the owner of this land. I have enclosed a partially completed *Notice of Transfer of Ownership* form. Please complete, sign and return the form with a \$2.50 fee.

Application to irrigate Section 9-T93N-R54W (Moores):

- On the map, please mark the proposed well location. Please submit a well log or test hole log signed by a licensed South Dakota well driller.
- Item No. 2 of the application indicates the amount of water claimed to be 700 gpm to irrigate 100 acres. State Statutes limit diversions to 1 cfs (450 gpm) for each 70 acres irrigated. This would mean that you are allowed approximately 1.43 cfs (643 gpm) for the 100 acres to be irrigated. We understand that in order to accommodate certain methods of irrigation, a greater diversion rate is required. Please justify in writing your request for a diversion rate greater than the statutory limit.

March 9, 2004
Steve Schmidt
Page 2

Application to irrigate Section 28-T94N-R54W (Yaggies)

- On the map, please mark the proposed well location. Please submit a well log or test hole log signed by a licensed South Dakota well driller.

Application to irrigate Section 13-T94N-R56W (Willards)

- On the map, please mark the proposed well location. Please submit a well log or test hole log signed by a licensed South Dakota well driller.

We have receipted your check for \$1200. Once all the applications are complete, we will let you know if any additional fee or refund is required.

Mr. Schmidt, I understand this may be somewhat confusing. Hopefully, my breakdown of the applications, makes it clear what is required for each. If you have any questions, please contact me.

Sincerely,



Karen Schlaak
Water Rights Program
605 773-3352

enclosures

application to irrigate Section 9-T93N-R54(Moored)

enclosed ^{on map} marked well location+ well log.

Please reduce rate to 640 (gpm) on 100 acres

application to irrigate section 28 T94N R4W

on map well location+ well log

Don Schmitt

RECEIVED

APR 12 2004

WATER RIGHTS
PROGRAM

Water Rights Program - File Documentation

NAME: Russ Schmidt

ADDRESS:

DATE: 3-19-04 **COUNTY:** Yankton **TELEPHONE:** 402-357-3360

RE: Four pending applications

COMMENTS:

I talked with Russ Schmidt regarding their four pending applications. Russ stated he was a brother to Willard and Steve Schmidt. Russ indicated that we should proceed with the two applications which are complete (Willards and Wagner). He stated they would like to develop those permits this year.

He indicated they will be sending in the well logs and maps to complete the other two permits (Yaggies and Moores) at a later date.



Karen Schlaak
Environmental Scientist

REPORT ON WATER PERMIT APPLICATION NO. 6497-3
For Willard Schmidt
May 4, 2004

Application No. 6497-3 proposes to appropriate 1.43 cfs (640 gpm) from one well approximately 100 feet deep located in the center of the NW ¼ of section 9 to irrigate 100 acres located in the NW ¼ of section 9; all in T93N R54W in Yankton County.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 45,000 acres and contains an estimated 675,000 acre-feet of recoverable water in storage in Yankton County (Hedges, 1982). This portion of the aquifer is equivalent to the “southern portion” of the Lower James Missouri aquifer as described by Bugliosi in the Yankton County study report (Bugliosi, 1986). The aquifer extends into Clay County to the east, is hydraulically connected to the Lower James Missouri aquifer to the north, the Niobrara aquifer in the subsurface, and is also hydraulically connected to both the Missouri and James River in this area. Ground water movement is from north to south and toward the James and Missouri Rivers, locally.

The test well log filed with the application indicates topsoil and sand to a depth of 23 feet, followed by fine sand from 23 to 47 feet, followed by coarse gravel and sand from 47 to 100 feet all below land surface. The test well had a static water level of 18 feet below land surface. This geohydrologic information fits very well with nearby data from domestic, other irrigation, the county study and observation well logs. No test pumping or production testing data is available for this site.

The Water Rights Program monitors an observation well YA-78J is located within one-half mile of this application. Water levels for this well show good response to climatic conditions that is rising water levels during wet years and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2004). A hydrograph for this observation well is included with this report.

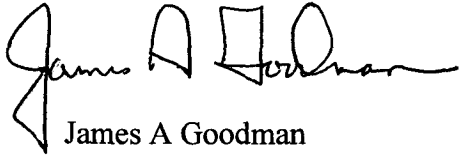
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing irrigation well is located about one mile northwest of the well for this application. At this distance, drawdown created by pumping should not be significant. Interference is not a concern. This is verified by the observation well hydrograph.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.

2. The aquifer is under water table conditions in this area. Drawdown should not be significant and interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

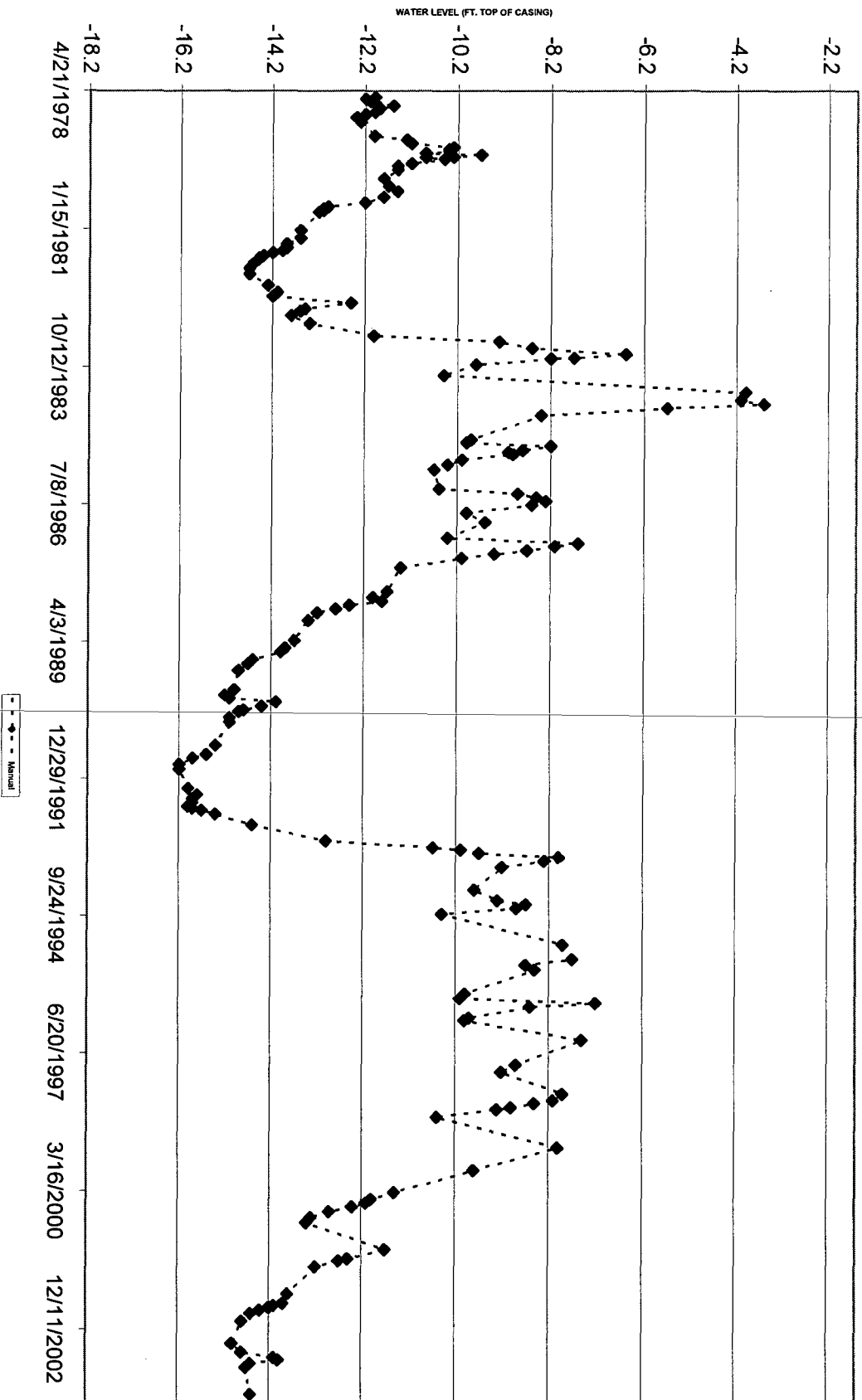
BIBLIOGRAPHY

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

Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota 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-78J





**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. 6497-3, Willard Schmidt**

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. 6497-3, Willard Schmidt, 43970 306th Street, Yankton SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 6497-3 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. 6497-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. 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
May 7, 2004

**NOTICE OF APPLICATION
NO. 6497-3
to Appropriate Water**

Notice is given that Willard Schmidt, 43970 306th St, Yankton SD 57078 has filed an application for a water permit to appropriate 1.43 cubic feet of water per second from one well (Missouri: Elk Point Aquifer) 100 feet deep located in the center of the NW 1/4 Section 9 to irrigate 100 acres located in the NW 1/4 Section 9; all in T93N-R54W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6497-3 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 June 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.

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

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

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES AND SAYS THAT SHE IS THE MANAGING EDITOR 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 APPLCIATION NO. 6497-3 to Appropriate Water

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE NEWSPAPER ON THE 21st DAY OF MAY, 2004. THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION OF SAID NOTICE TO WIT \$41.66 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: 5/14/04; 5/21/04

FILED ON: 5/24/04

SUBSCRIBED AND SWORN TO BEFORE ME THIS 24th DAY OF MAY, 2004.

NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 8/19/2009

**RECEIVED
MAY 27 2004
WATER RIGHTS
PROGRAM**

Instruction to Newspaper - Publish first Notice on May 14, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6497-3 to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6497-3 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.

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**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.

May 7, 2004

Willard Schmidt
43970 306th St
Yankton SD 57078

Dear Mr. Schmidt:

Water Permit Application No. 6497-3 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 & Dakota 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. 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

May 7, 2004

Daily Press & Dakotan
PO Box 56
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6497-3 to Appropriate Water to be published twice. Please publish the first notice on May 14, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Willard Schmidt, 43970 306th St., Yankton SD (Ph # 605-665-4833).

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-----

No. 6497-3

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

Date _____

We are in receipt of your letter of May 7, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 6497-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



JUN 22 2004

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Willard Schmidt
43970 306th St
Yankton SD 57078

Dear Mr. Schmidt:

Enclosed is Water Permit No. 6497-3 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

6497-3

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

Date Sept 6 04

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

FROM:

Willard Schmidt
(name)43970 306th St
(address)Yankton SD 57078
(city, state, zip)605-668-4833
(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. 6497-3 ^{moore's} states that the water use system is to be constructed by

6-1-09 (date), and water is to be put to beneficial use by 6-1-13 (date).

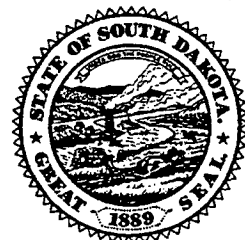
The water use system was completed on Aug 2 04 (date).

Applying the water to beneficial use was completed on Aug 8 04 (date).

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

Willard Schmidt
(signature)

RECEIVED
SEP - 9 2004
WATER RIGHTS
PROGRAM



SOUTH DAKOTA WATER WELL COMPLETION REPORT

6497-3

07-92

Location NW 1/4 - 1/4 Sec 9 Twp 93 Rg 54
County Yankton

Please mark well location with an "X"

Well Completion Date 7-15-04

Well Owner: Jess + Steve Schmidt
Business Name: _____
Address: 89419 580th NW York, NE 68797

WELL LOG:	DEPTH	
	FROM	TO
top + silty clay	0	25
med sand	25	45
med gravel + sand	45	60
fine sand + clay	60	80
med gravel + sand	80	95
coarse gravel + ROCKS	95	100

LOCATION:
Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1200 ft. from septic tank (identify source).

PROPOSED USE:
☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:
Reverse Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other
If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SDR26</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>40</u> FT	<u>28</u> IN
<u>SDR26</u> LB/FT	<u>16</u> IN	<u>60</u> FT	<u>80</u> FT	<u>28</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA
Grout Type Cement No. of Sacks _____ Grout Weight _____ lb./gal From 0 ft. To 25 ft.

Describe grouting procedure pumped down w/ pressure grouter

SCREEN: ☐ Perforated pipe ☒ Manufactured
Diameter 16 IN Length 40 FEET
Material PVC
Slot Size 0.075 Set From 40 Feet to 60 Feet
Other information 80 feet to 100 feet

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: chlorine
_____, NO, Why Not? _____

Laboratory sent to for water quality analysis _____

STATIC WATER LEVEL 15' 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: turbine pump
☐ Bailed
☐ Other
Pumping Level Below Land Surface
29 ft. After 7 Hrs. pumped 800 GPM
29 ft. After 4 Hrs. pumped 800 GPM
If pump installed, pump rate 800 GPM

REMARKS

This well was drilled under license # 4444
And this report is true and accurate.
Drilling firm Christensen Well & Pumping
Signature of License Representative Colly W. Christensen
RECEIVED
Signature of Well Owner or Equitable Property Holder: _____
Date: JAN - 3 2005
WATER RIGHTS PROGRAM

1-3-05



**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

6780-3

Willard Schmidt
43970 306th St
Yankton SD 57078

Dear Mr. Schmidt:

Enclosed are Water Permit and License No. 6780-3. These are the final water right documents 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. 6780-3, 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 No. 6497-3 are incorporated into Water License No. 6780-3.

enclosures