

WATER PERMIT NO. 6637-3

Name of Applicant: Harold J Tacke

Address: 30857 432 Ave, Yankton SD 57078

Phone: 605 665-5494

Amount of Water Claimed: 0.13

Total Acres:

Source of Water Supply: groundwater (2 wells)

Water to be used for: commercial

County: Yankton

Type of Waste Disposal System:

Location: 6 miles northwest of Yankton

PRIORITY

Date Received: 7-28-05

Application/License Fee: \$200

Corrected Application Received:

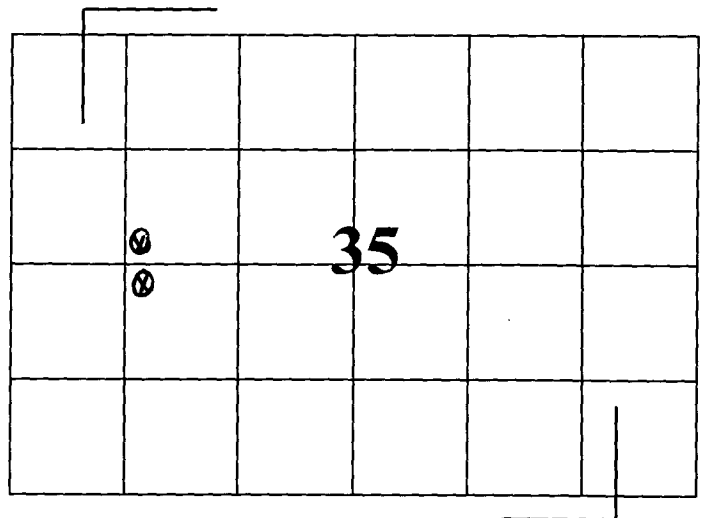
Period of Annual Use: January 1 – Decemer 31

Remarks: cattle feedlot operation

Diversion Point: SW ¼ NW 1/4 & NW ¼ SW ¼

Sec 35-T94N-R57W

Land to be Irrigated: NA



Depth of Well: approximately 900 feet deep

Well Driller:

Remarks:

Type of Map: plat

Prepared by: Dale F Leffers, PE

Reviewed and the Number Assigned on: 7-28-05

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

RECEIVED

JUL 28 2005

WATER RIGHTS
PROGRAM

Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

(office use only)
No. 6637-3 Hydrologic Unit 10170101
Basin Missouri River
Newspaper Daily Press + Dakotan, Yankton

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

☐ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☐ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☒ Domestic (over 18 gpm) ☐ Industrial ☐ Other LIVESTOCK

Type of Application: ☒ New ☒ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

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

- Name of Applicant HAROLD J TACKER Phone 665-5494
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 30837-432-NV YANKTON State SD 57078
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.13 *CFS or no **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply WELLS 1 EXISTING, 1 NEW WELL
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 215KV SECTION 35
SOUTH ON HALF-OF NW 1/4 SECTION 35-T94N-R57W
(SW1/4 NW1/4 + NW1/4 SW1/4) County YANKTON
- County or counties where water will be used YANKTON
- Annual period during which water is to be used ALL YEAR Jan 1-Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
CATTLE FEEDING OPERATION.

STATE OF SOUTH DAKOTA)

County of Yankton SS

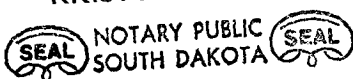
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Harold J Tacker, 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 Harold J Tacker

Subscribed and sworn to before me this 25 day of July 20 05

KRISTY HACECKY



Kristy Hacecky
Notary Public signature

Comm. expires 2-28-05

**SOUTH DAKOTA
WATER PERMIT NO. 6637-3**

Date of first receipt of application July 28, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6637-3 to Harold J Tacke, 30837 432 Ave, 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. 6637-3 appropriates 0.13 cubic feet of water per second from two wells (one existing) completed into the Dakota Formation (approximately 900 feet deep) located in the SW ¼ NW ¼ and NW ¼ SW ¼ Section 35-T94N-R57W.
2. The water appropriated shall be used for the purpose of commercial use in a cattle feeding operation and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 6637-3 is October 3, 2005.
5. The date from which applicant may claim right is July 28, 2005.
6. One-fifth of the construction is to be completed on or before April 3, 2008.
7. All construction is to be completed on or before October 3, 2010.
8. Water is to be put to beneficial use on or before October 3, 2014.
9. 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. Permit No. 6637-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 6637-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a) Chapter 74:54:01 Ground Water Quality Standards,
 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions

WATER MANAGEMENT BOARD

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

OCT 11 2005
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 5 INCH ^{AND 2 INCH} Depth 900
- 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 _____

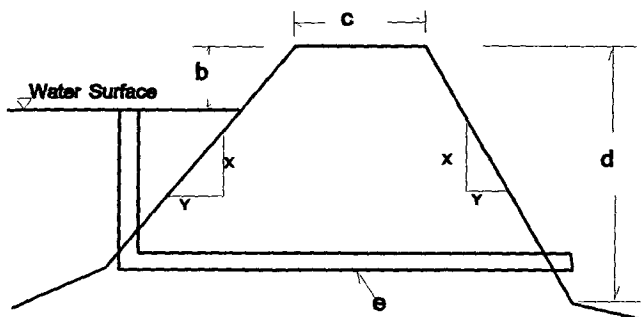
3. Dugout Information

- 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

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 5" ~~4"~~ Depth 800 to 900 Feet
- b) Casing Type CAST Diameter 5" Thickness 1/2"
- 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) APPLYING FOR GENERAL PERMIT
- b) System Capacity (gallons) _____ Year Constructed 1970
- c) Connected to the City of _____ Sanitary System _____

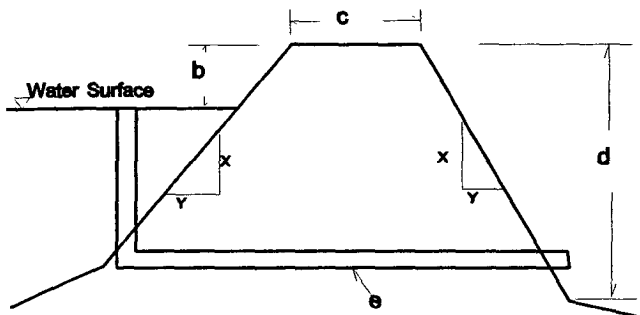
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Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date July 28, 20 05

RECEIVED OF Joseph G Tacke, 30837 432 ave., Yankton SD 57078

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

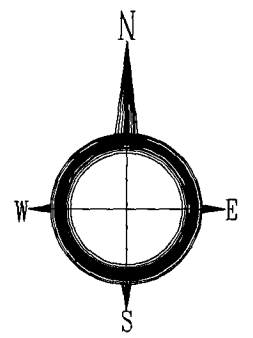
Fee for Application for Permit No. <u>6637-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6637-3</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.

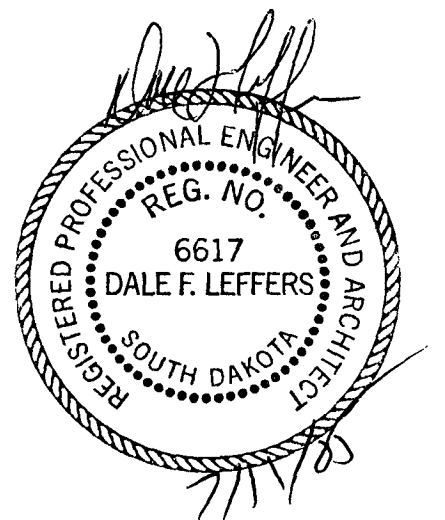
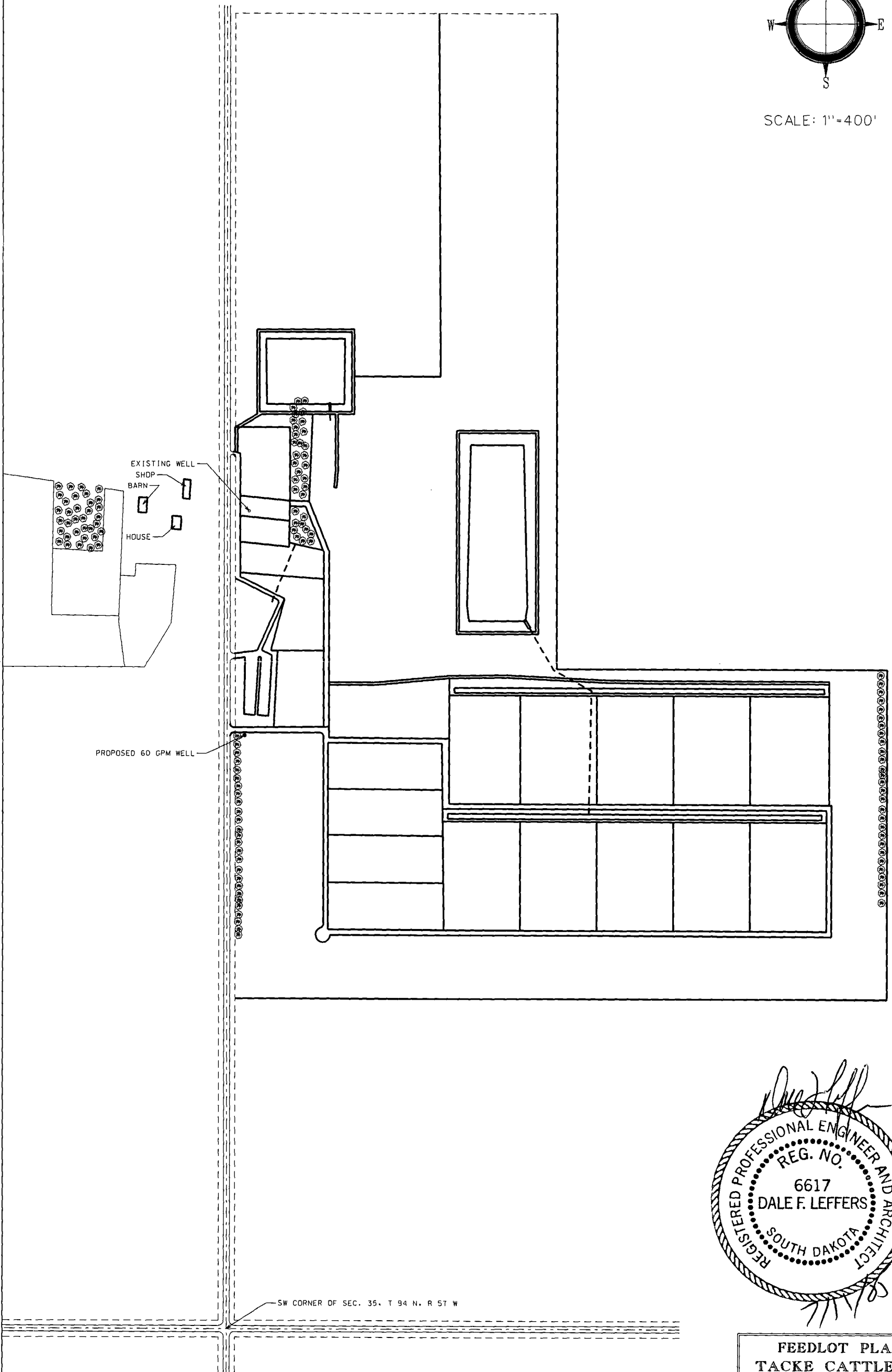
001909

By

Darland Erluke
Chief Engineer gmn



SCALE: 1"=400'



FEEDLOT PLAN
TACKE CATTLE CO.
N 1/2, OF SW1/4, SEC 35, T 94 N, R 57 W
W 1/2, OF NW1/4, SEC 35, T 94 N, R 57 W
YANKTON COUNTY
SETTJE AGRI SERVICES
AND ENGINEERING, INC.

6637-3

REPORT ON WATER PERMIT APPLICATION NO. 6637-3

For Harold J Tacke

August 19, 2005

Application No. 6637-3 proposes to appropriate 0.13 cfs (60 gpm) from two wells approximately 900 feet deep located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 35, T94N R57W in Yankton County. The water is for commercial use in a cattle feeding operation.

AQUIFER – DAKOTA FORMATION (DKOT)

The Dakota Formation is a buried sand, sandstone and shale under confined conditions in this area. The aquifer underlies 523 square miles and contains an estimated 7.9 million acre-feet of recoverable water in storage in Yankton County (Hedges, 1982). The aquifer extends into Bon Homme County to the west, Hutchinson County to the north, Clay County to the east and into Nebraska to the south. The direction of ground water movement is from west to east across this portion of Yankton County (Bugliosi, 1986). The Dakota Formation also is hydraulically connected to Missouri Elk Point aquifer in the subsurface in the Missouri River valley to the east of Yankton. This fact could account for the general stable water levels for the Dakota Formation in this general area whereas in other areas of the state water levels historically have been declining.

All indications are that these wells do not free flow at the land surface. Very little information is supplied with the application except for well depth. Nearby domestic wells also do not free flow at the land surface and the water level in the area is expected to be about 1300 feet msl or about 250 feet below land surface at this site (Bugliosi, 1986). The county study information and existing domestic wells in this area correlate well with the information in the application.

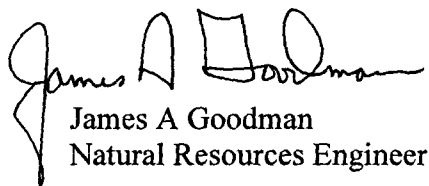
The Water Rights Program monitors a Dakota Formation observation well (HT-80B) located about 17 miles north of this location. Water levels for this well indicate slightly rising water levels during the last 20 years which also is indicated by the Bugliosi report. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2005). A hydrograph for this observation well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby water permits/rights for water from the Dakota Formation in this area. Interference is not expected to be a concern. This is an existing facility (well) and has been in use for many years. There are other domestic wells in the area that obtain water from the Dakota Formation.

CONCLUSIONS

1. Water is available from the Dakota Formation.
2. The aquifer is under confined conditions at this site. These are pumped wells and drawdown will be created. However, this is not expected to be significant at the requested pumping rate.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards. There is insufficient information available to determine the construction of the existing well.
4. Plans and specifications for this facility (2,600 head of beef cattle) have been submitted to the Department for review and were approved in January of 2005.



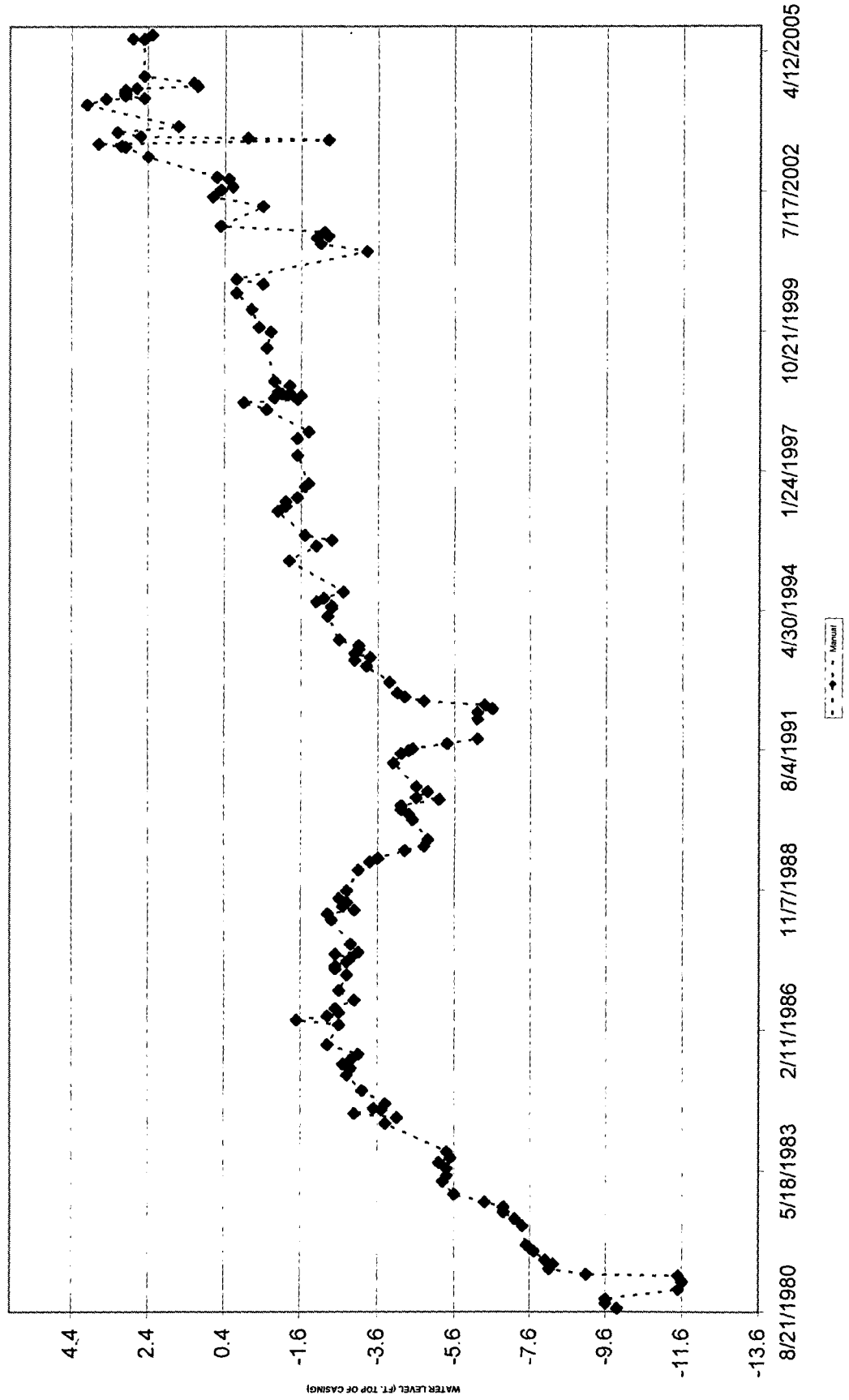
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

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

Water Rights, 2005, Unpublished Observation Well Records for the Dakota Formation, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
HT-80B





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

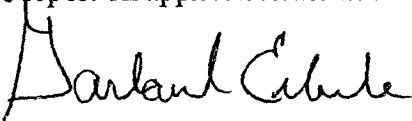
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6637-3, Harold J. Tacke**

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. 6637-3, Harold J. Tacke, 30837 432th Avenue, Yankton SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 6637-3 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. Permit No. 6637-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 6637-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a) Chapter 74:54:01 Ground Water Quality Standards,
 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions

See report on application for additional information.


Garland Erbele, Chief Engineer
September 6, 2005

**NOTICE OF APPLICATION
NO. 6637-3
to Appropriate Water**

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

Department of Environment and Natural Resources
523 East Capitol
Pierre, SD 57501

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

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 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. 6637-3

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON TH 21st DAY OF September, 2005.
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$37.44 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: 09/14/2005, 09/21/2005

FILED ON: 09/23/2005

SUBSCRIBED AND SWORN TO BEFORE ME THIS 23rd DAY OF September, 2005.

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2009

Notice is given that Harold J. Tacke, 30837 432 Ave, Yankton SD 57078 has filed an application for a water permit to appropriate 0.13 cubic feet of water per second from two wells (one existing) completed into the Dakota Formation (approximately 900 feet deep) located in the SW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 35-T94N-R57W. The water is for commercial use in a cattle feeding operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6637-3 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 October 3, 2005.

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 pertinent to this application. Steven M. Foss, Secretary, Department of Environment and Natural Resources.

RECEIVED

SEP 28 2005

WATER RIGHTS
PROGRAM



**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.**

September 7, 2005

Harold J Tacke
30837 432 Ave
Yankton SD 57078

Dear Mr. Tacke:

Water Permit Application No. 6637-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice 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 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

September 7, 2005

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

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6637-3 to Appropriate Water to be published twice. Please publish the first notice on September 14, 2005 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 Harold J. Tacke, 30837 432 Ave, Yankton SD (Ph # 605-665-5494).

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. 6637-3

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

Date _____

We are in receipt of your letter of September 7, 2005 enclosing Notice to Appropriate Water by Application No. 6637-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on September 14, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6637-3 to Appropriate Water

Notice is given that Harold J Tacke, 30837 432 Ave, Yankton SD 57078 has filed an application for a water permit to appropriate 0.13 cubic feet of water per second from two wells (one existing) completed into the Dakota Formation (approximately 900 feet deep) located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35-T94N-R57W. The water is for commercial use in a cattle feeding operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6637-3_ 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 October 3, 2005.

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

OCT 11 2005

Harold J Tacke
30857 432 Ave
Yankton SD 57078

Dear Mr. Tacke:

Enclosed is Water Permit No. 6637-3 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 TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

SEP 24 2019

WATER RIGHTS
PROGRAM

Water Right/Permit No. 6637-3

Date: September 19, 2019

PAID

SEP 24 2019

Ck# 3345

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

I/We request that Water Right/Permit No. 6637-3 formerly owned by:
Harold J Tacke be transferred to:

New Owner Name: Jason J Harmelink
Address: 55334 Hwy 121
City, State, Zip Crofton NE 68730 Telephone No. 605-661-0245

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

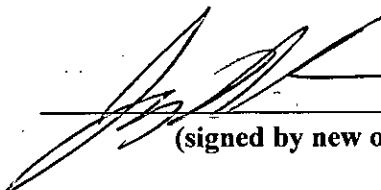
Wells located in the SW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 35, T94N, R57W

☒ I understand that the validity of Water Right/Permit No. 6637-3 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, Jason Harmelink, 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 and the water used, the permit becomes a right. A water right may be lost for three reasons:

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 24, 2019

RECEIVED OF Jason & Renae Harmelink 214 Capitol St., Ste 4 Yankton SD 57078

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>6637-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **09211**

By Jeanne Goodman
Chief Engineer
Jm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 24, 2019

6637-3

Jason J Harmelink
55334 Hwy 121
Crofton NE 68730

Dear Mr. Harmelink:

We have received your water permit application, transfer of ownership form and fees.

The ownership change for Water Permit No. 6637-3 has been completed. The water permit formerly held by Harold J Tacke is now listed in your name.

The application you submitted is being processed. If you have any questions, please let us know.

Sincerely,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

FEB 05 2020

8410-3
6637-3

Jason Harmelink
55334 Hwy 121
Crofton NE 68730

Dear Mr. Harmelink:

Enclosed is Water Permit and License No. 8410-3. These are the final water right documents completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if in the future the owner drills a replacement well and has no plan to use the old existing 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

Note: The applicable portions of No. 6637-3 are incorporated into Water License No. 8410-3.