

WATER PERMIT NO. 6793-3

Name of Applicant: Eagle Venture

Address: Box 711, Yankton SD 57078

Phone: 605 665-7523

Amount of Water Claimed: 2.89 cfs

Total Acres: 263 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Yankton

Type of Waste Disposal System:

Location: 1 mile east of Yankton

PRIORITY

Date Received: 1-3-07

Application/License Fee: \$375

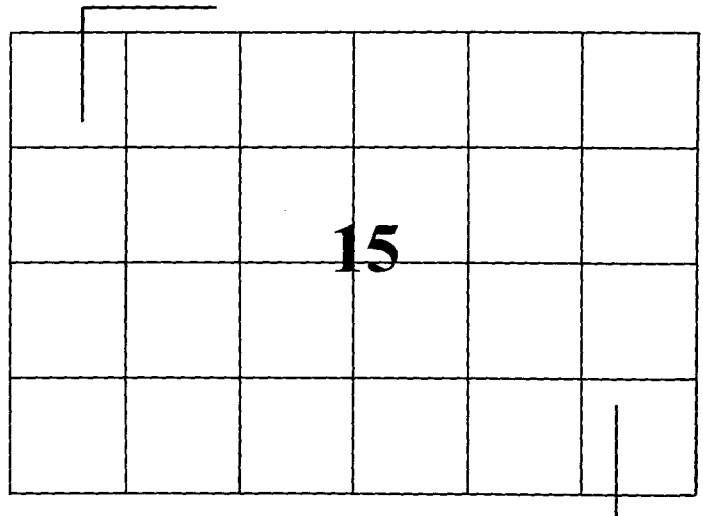
Corrected Application Received: 1-10-07

Period of Annual Use: April 1 – September 30

Remarks:

Diversion Point: approximate center of Sec 15-
T93N-R55W

Land to be Irrigated: N ½ NW ¼, NW ¼ NE ¼,
Gov't Lot 2, 3 & 4.



Depth of Well: 120 feet deep

Well Driller: :

Remarks:

Type of Map: aerial

Prepared by: Steve Meyer, NRCS

Reviewed and the Number Assigned on: 1-11-07

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6793-3</u> (office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>
	Newspaper <u>Daily Press & Dakotan Yankton</u>
	<u>605-665-7811</u> <u>805 57028</u>

RECEIVED

JAN - 3 2007

WATER RIGHTS
PROGRAM RECEIVED

Application For Permit To Appropriate Water For Irrigation JAN 10 2007

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

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

1. Name of Applicant Eagle Venture Phone (605) 665-7523
 (check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address Box 711 Yankton State SD 57028
 (Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 2.89*CFS or 1,300 **GPM ***AF Total Acreage 263
 (*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable
3. Source of water supply irrigation well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Yankton
Center of 15-93N-55W
5. County or counties where water will be used Yankton
6. Annual period during which water is to be used April through September
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
see attached absolute auction sheet		GOVERNMENT LOT 2	68
NW 1/4 OF THE NW 1/4	14	GOVERNMENT LOT 3	71
NE 1/4 OF THE NW 1/4	36	GOVERNMENT LOT 4	52
N 1/4 OF THE NE 1/4	22	all in Sec 15 T93N R55W	

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

irrigating cropland

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, Dennis Mitchell, 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 Dennis MitchellSubscribed and sworn to before me this 28th day of December 20 06

Notary Public signature

Exp 4-28-08

**SOUTH DAKOTA
WATER PERMIT NO. 6793-3**

Date of first receipt of application January 3, 2007.

Date of return to applicant for corrections, amendments or changes January 3, 2007.

Date of receipt of corrected application January 10, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6793-3 to Eagle Venture, Box 711, 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. 6793-3 appropriates 2.89 cubic feet per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (approximately 120 feet deep) located in the approximate center of Section 15 to irrigate 263 acres located in the (SD Survey) N 1/2 NW 1/4, NW 1/4 NE 1/4 and Gov't Lot 2, 3 and 4 Section 15; all in T93N-R55W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is January 3, 2007.
4. The date of approval of Permit No. 6793-3 is March 26, 2007.
5. One-fifth of the construction is to be completed on or before September 26, 2009.
6. All construction is to be completed on or before March 26, 2012.
7. Water is to be put to beneficial use on or before March 26, 2016.
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. 6793-3 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) 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 Erbele

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

APR 30 2007

date



The well has not been drilled yet. (type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth 120 Ft, Proposed
- 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

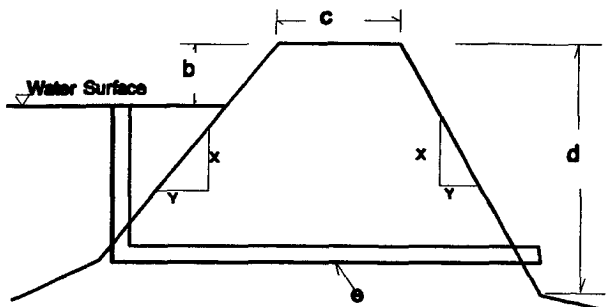
3. Dugout Information

- 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.

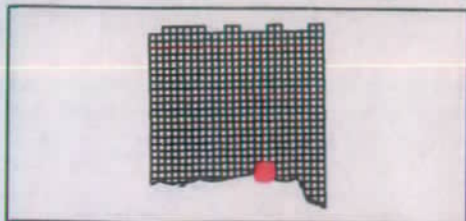
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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



USDA U.S. Dept. of Agriculture
Farm Service Agency



South Dakota Yankton County 15-93N-55W

N

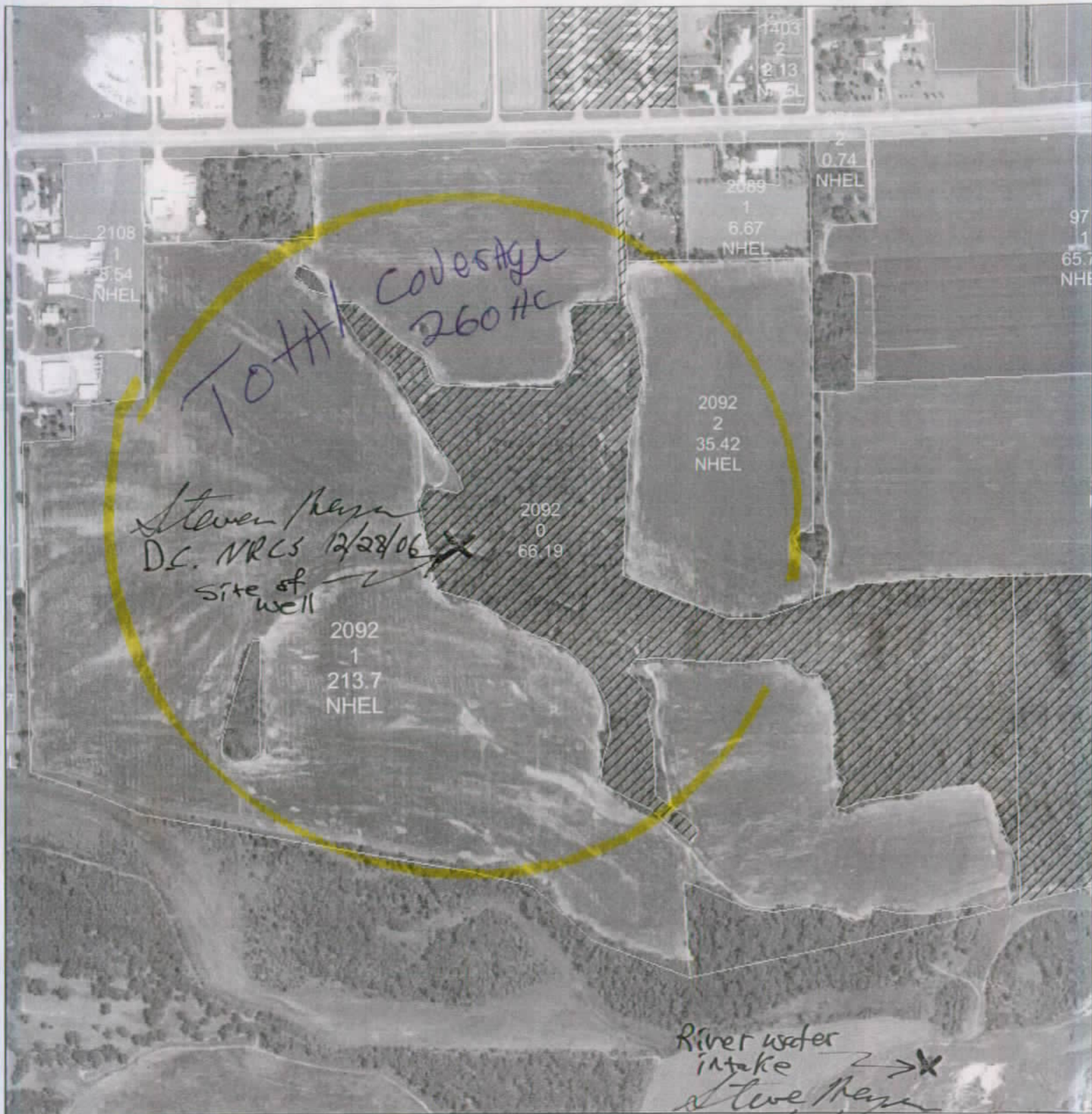


Legend

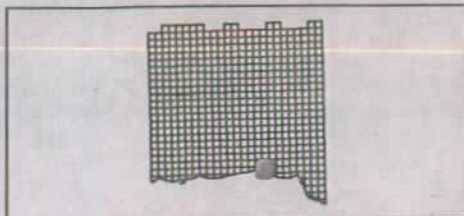
- Section-Township-Range
- Common Land Units
- Rangeland
- CRP

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2004 ortho rectified imagery for South Dakota. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs.

February 23, 2006



USDA U.S. Dept. of Agriculture
Farm Service Agency



South Dakota Yankton County 15-93N-55W

N



Legend

- Section-Township-Range
- Common Land Units
- Rangeland
- CRP

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2004 ortho rectified imagery for South Dakota. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs.

February 23, 2006

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Feb 2, 20 07

RECEIVED OF Dennis Mithcell, PO Box 711, Yankton SD 57078

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

Fee for Application for Permit No. <u>6793-3</u> to Appropriate Water, to construct and to put water to beneficial use	25	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 _____		
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	25.00

No.

02916

By Garland Ebele
Chief Engineer

(RS)

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date JANUARY 3, 2007

RECEIVED OF Dennis Mitchell, PO Box 711, Yankton SD 57078

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

Fee for Application for Permit No. <u>6793-3</u> to Appropriate Water, to construct and to put water to beneficial use	300	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>6793-3</u>	25	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	325.00

No.

2747

By

Darlene E. Eide
Chief Engineer gm



HEINE ELECTRIC
& IRRIGATION, INC.
311 S. Robinson Ave.
HARTINGTON, NE 68739-5139



PROPOSAL

(402) 254-2568

To: Eagle Venture
Box 711
Tankton SD 57078

Page No. _____ of _____ Pages

JOB NAME / NO.

LOCATION

PHONE

DATE

605-665-7523
605-641-823

11/28-06

We hereby submit specifications and estimates for:

~~New well 72" per foot 120' 8640.00~~

~~New Pump & Column 16800.00~~

~~New motor 50 HP & pump panel \$5100.00~~

~~\$30540.00~~

Turn Key bid on pump & well 28540.00

Water winch w Hose & P200 Gun. \$3200.00

TRAVEL GUN SYSTEM 31740.00

Subcontractors Are

Dick Hammond - well driller.

George Fox - plow in Corner Arm Cable

Power Co charge not included!

TAX Not included!

WE PROPOSE hereby to furnish material and labor - complete in accordance with these specifications, for the sum of:

Payable as follows:

_____ dollars (\$ _____).

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature

[Signature]

NOTE: This proposal may be withdrawn
by us if not accepted within _____ days.

ACCEPTANCE OF PROPOSAL - The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____ Date _____ Signature _____ 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

January 3, 2007

Eagle Venture
c/o Dennis Mitchell
Box 711
Yankton SD 57078

Dear Mr. Mitchell:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation. As stated in our phone conversation, two applications will be required since you are proposing to use water from two different water sources.

First, I will address what is needed for the application from groundwater.

- Enclosed is the application. Please complete Item No. 7 of the application. This would be a breakdown of the acreage by quarter-quarter (example: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 15-T93N-R55W – 32 acres). These amounts need to total the 260 acres as listed in Item No. 2.
- On the aerial photo map, please outline the 260 acres to be irrigated. This needs to match what is identified in Item No. 7.
- Complete Form 2A, Supplemental Information, Item No. 1, the well information. You have indicated the well has not been drilled. At the very least, we need to know the depth of your proposed well. If available, submit a test hole log.
- The application/license fee to irrigate 260 acres is \$350.00. We have receipted the \$325.00 submitted. An additional \$25.00 will be required.

Enclosed is an application form to be completed for the surface water source.

- Please complete the form accordingly. Form 2A will not be required.
- An additional aerial photo map will not be required if you are proposing to irrigate the same 260 acres from the surface water source. If this is not the case, please submit another map as per the instructions.
- The application/license fee for the surface water source will also be \$350.00.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2007

Dennis Mitchell
Eagle Venture
Box 711
Yankton SD 57078

RECEIVED

FEB 01 2007

WATER RIGHTS
PROGRAM

Dear Mr. Mitchell:

On January 10th, the Water Rights Program received Eagle Venture's supplemental information on two water right permit applications. A check accompanied your filing for the additional application filing fee.

A discrepancy occurred when the check was cashed. The check showed the amount to be for \$225 in the numerical form but on the line below in the written form was "Two hundred dollars and no/100". When cashing the check, the written amount is deemed valid by the bank. Therefore only \$200 is taken from your account and credited towards the required application filing fee.

Please submit the additional \$25. For your convenience I have included a self addressed stamped envelope.

Please feel free to contact me if you have questions.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
(605) 773-3352

c: Sandy Verhelst, Finance Management, DENR

2/1/07



**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. 6793-3, Eagle Venture**

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. 6793-3, Eagle Venture, c/o Dennis Mitchell, Box 711, Yankton SD 57078

The Chief Engineer is recommending APPROVAL of Application No. 6793-3 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 qualification:

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. 6793-3 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) 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
February 28, 2007

REPORT ON WATER PERMIT NO. 6793-3

For Eagle Venture

February 6, 2007

Application No. 6793-3 proposes to appropriate 2.89 cfs (1,300 gpm) from one well approximately 120 feet deep located in the approximate center of section 15 to irrigate 263 acres located in the N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and Government Lot 2, 3 and 4 section 15; all in T93N R55W 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 45,500 acres and contains an estimated 675,000 acre-feet of recoverable water in storage in Yankton County (Hedges, 1982). The Missouri Elk Point aquifer as shown by the Hedges report is roughly equivalent to the “southern portion” of the Lower James Missouri aquifer as described in the Yankton County Study (Bugliosi, 1986). The aquifer extends into Clay County to the east, blends into the Lower James Missouri aquifer to the north and is hydraulically connected to the Missouri and James Rivers. Ground water movement is probably from the northwest to southeast across Yankton County and towards the Missouri River.

No test well was drilled for this application. The county study indicates that this area probably has less than 100 feet of saturated thickness at this site. Nearby well and test well data indicates most domestic wells are in the 60 to 70 feet depth range. An existing irrigation well in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 15 is reportedly 99 feet deep. The information available indicates that this site is underlain by the aquifer and that 120 feet may be a strong estimate for the final well depth. There is sufficient information available for this area to evaluate this application. The applicant needs to test drill before attempting to put in the production well in order to find the most favorable location both in terms of water supply and for economic considerations.

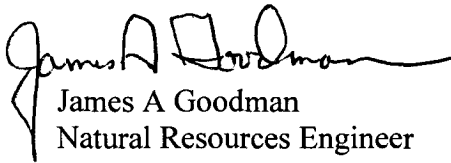
The Water Rights Program monitors an observation well YA-57D located about two miles northeast of this application. Water levels for this well show good response to climatic conditions that is rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2007). A hydrograph for this observation well is included with this report. Also note the water level appears to be declining in this area. This decline appears to be due to entrenching of the Missouri River and shows up in observation wells in Clay and Union Counties also. This phenomena is more pronounced near the river.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing water rights located about one-half mile from this proposed well. These are water right No. 373-3 (irrigation of 80 acres, 1.14 cfs) and No. 5592-3 (0.11 cfs for suburban housing). Interference is not a concern. This aquifer is very prolific and drawdown created by pumping should not be significant at this distance between wells.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is under water table conditions in this area. Drawdown created by pumping should not be significant. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. The map provided with the application indicates a pivot would be used but would require about 66 acres of trees be removed. The estimate provided for the irrigation system seems to indicate a traveling gun system will be used. Also the proposed pivot could cross into acreage listed under Water Right No. 373-3.



James A Goodman
Natural Resources Engineer

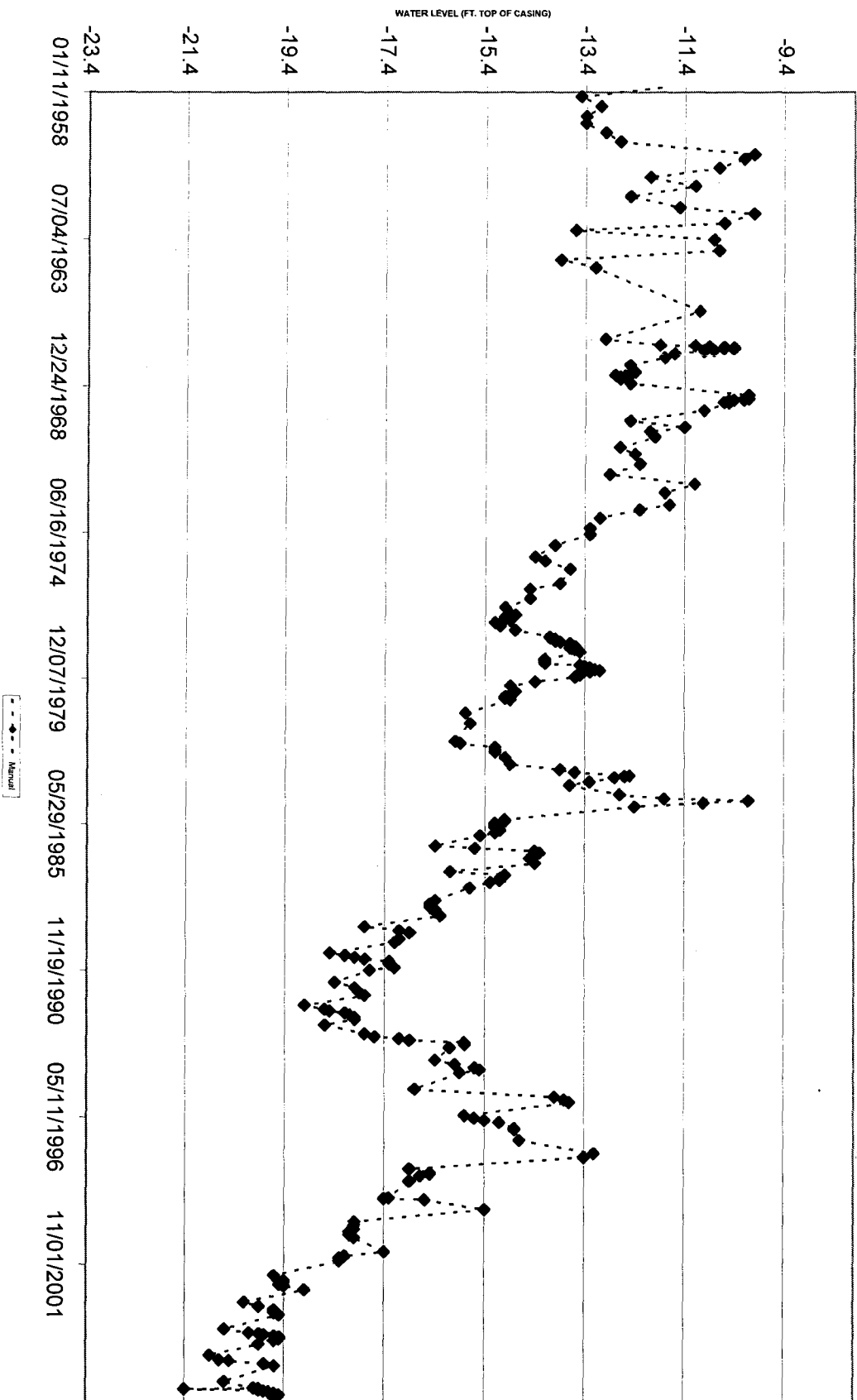
BIBLIOGRAPHY

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

Hedges, L.S., 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, 2007, Unpublished Observation Well Records for Yankton County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
YA-57D





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 1, 2007

Wayne Workmeister
National Park Service
PO Box 591
O'Neill NE 68763

Steve Wilson
National Park Service
PO Box 666
Yankton SD 57078

Dear Mr. Workmeister and Mr. Wilson:

Please find enclosed a copy of the reports, recommendations and public notice for Water Right Permit Application Nos. 6792-3 and 6793-3 filed by Eagle Ventures near Yankton. This information is being sent because one of the applications will have a Missouri River intake. It is my understanding that you are aware of these applications.

If you have any questions, please contact Mark Rath or myself at 605 773-3352.

Sincerely,

Eric Gronlund
Water Rights Program DENR
605 773-3352

enclosures

RECEIVED

MAR 19 2007

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

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

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 APPS 6792-3/6793-3

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON THE 15th DAY OF March, 2007.
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$170.10 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: 3/8, 3/15

FILED ON: 3/15/2007

SUBSCRIBED AND SWORN TO BEFORE ME THIS 15th DAY OF March, 2007

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES 8/19/2009

3+8+15

**NOTICE OF APPLICATION NO. 6792-3 & 6793-3
to Appropriate Water**

Notice is given that Eagle Venture, c/o Dennis Mitchell, Box 711,
Yankton SD 57078 has filed the following applications for a water
permit.

Application No. 6792-3 proposes to appropriate 0.29 cubic feet of
water per second (cfs) from the Missouri River located in the (SD
Survey) SE 1/4 Section 15-T93N-R55W (Accretion to Gov't Lots 1, 2,
3 & 4) to irrigate 20 acres located in portions of the (SD Survey) SE
1/4 Section 15-T93N-R55W (Accretion to Gov't Lots 1, 2, 3 & 4).

Application No. 6793-3 proposes to appropriate 2.89 cfs from one well
to be completed into the Missouri Elk Point Aquifer (approximately
120 feet deep) located in the approximate center of Section 15 to irri-
gate 263 acres located in the (SD Survey) N 1/2 NW 1/4, NW 1/4 NE
1/4 and Gov't Lot 2, 3 and 4 Section 15; all in T93N-R55W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends
APPROVAL of Application Nos. 6792-3 & 6793-3 because 1) unap-
propriated 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 these applications, as recommended, unless a petition is filed
opposing the applications or the applicant files a petition contesting the
Chief Engineer's recommendations. If a petition opposing the applica-
tions or contesting the recommendations is filed, then a hearing will be
scheduled and the Water Management Board will consider these applica-
tions. Notice of the hearing will be given to the applicant and any
person filing a petition.

Any person interested in opposing or supporting these applications or
recommendations must file a written petition with BOTH the applicant
and Chief Engineer. The applicant must file a petition if contesting the
Chief Engineer's recommendations. 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 26, 2007.

The petition may be informal, but must include a statement describing
the petitioner's interest in the applications, the petitioner's reasons for
opposing or supporting the applications, and the signature and mailing
address of the petitioner or the petitioner's legal counsel, if legal coun-
sel is obtained. Contact Eric Gronlund at the above Water Rights
Program address to request copies of information pertaining to these
applications. Steven M. Pirner, Secretary, Department of Environment
and Natural Resources.



March 1, 2007

DAILY PRESS AND DAKOTAN
PO BOX 56
YANKTON SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 6792-3 and 6793-3 to Appropriate Water to be published twice. Please publish the first notice on March 8, 2007 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 Eagle Ventures, Dennis Mitchell, PO Box 711, Yankton SD 57078 (Ph # 605-665-7523).

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. 6792-3 and 6793-3

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

Date _____

We are in receipt of your letter of March 1, 2007 enclosing Notice to Appropriate Water by Application Nos. 6792-3 and 6793-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.
www.state.sd.us/denr

March 1, 2007

Eagle Venture
Dennis Mitchell
PO Box 711
Yankton SD 57078

Dear Mr. Mitchell:

Water Permit Application Nos. 6792-3 and 6793-3 for irrigation 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 and Tribune 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 recommendations of the Chief Engineer and reports on the applications 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 Notices 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 applications.

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.

Instruction to Newspaper - Publish first Notice on March 8, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 6792-3 and 6793-3 to Appropriate Water

Notice is given that Eagle Venture, c/o Dennis Mitchell, Box 711, Yankton SD 57078 has filed the following applications for a water permit.

Application No. 6792-3 proposes to appropriate 0.29 cubic feet of water per second (cfs) from the Missouri River located in the (SD Survey) SE $\frac{1}{4}$ Section 15-T93N-R55W (Accretion to Gov't Lots 1, 2, 3 & 4) to irrigate 20 acres located in portions of the (SD Survey) SE $\frac{1}{4}$ Section 15-T93N-R55W (Accretion to Gov't Lots 1, 2, 3 & 4).

Application No. 6793-3 proposes to appropriate 2.89 cfs from one well to be completed into the Missouri:Elk Point Aquifer (approximately 120 feet deep) located in the approximate center of Section 15 to irrigate 263 acres located in the (SD Survey) N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and Gov't Lot 2, 3 and 4 Section 15; all in T93N-R55W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6792-2 & 6793-3 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 these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations 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 26, 2007.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, 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 these applications. 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

APR 30 2007

EAGLE VENTURE
PO BOX 711
YANKTON SD 57078

Dear Sir:

Enclosed is Water Permit No. 6792-3 and 6793-3 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2008

NOTICE

TO: EAGLE VENTURE, DENNIS MITCHELL, PO BOX 711, YANKTON, SD 57078 0711
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6792-3 & 6793-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6792-3 & 6793-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2008** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6792-3 & 6793-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

6793-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 2793
Status: **Delivered**

Your item was delivered at 9:19 AM on January 22, 2008 in YANKTON, SD 57078. The item was signed for by D MITCHELL.

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No FEAR Act EEO Data

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[www.usps.com](#)

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 2793	
EAGLE VENTURE DENNIS MITCHELL PO BOX 711 YANKTON SD 57078 0711	
Waiver of Signature	☐ YES ☐ NO
Postmark Here	
POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com ® or call 1-800-222-1811	
☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel	



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 12, 2008

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMITS

TO: Dennis Mitchell, Eagle Venture, PO Box 711, Yankton SD 57078-0711

FROM: Garland Erbele Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: One Year Suspension of Water Permit Nos. 6792-3 and 6793-3

On March 11, 2008, the Water Management Board ordered:

That effective April 11, 2008, Water Permit Nos. 6792-3 and 6793-3 be suspended for the 2008 irrigation season for failure to submit the 2007 irrigation questionnaires.

If the 2007 irrigation questionnaires are received prior to April 11, 2008 the suspensions will not take effect.

Suspension of the water permits means water may not be pumped during the 2008 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2008 unless the irrigation questionnaires are submitted by April 11th.

After April 11th, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2007 irrigation questionnaires and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 7, 2008 in Pierre, SD. The letter should include your reasons for not completing the 2007 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on March 12, 2008, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 12, 2008 regarding Board action concerning irrigation questionnaire violations addressed as stated below:

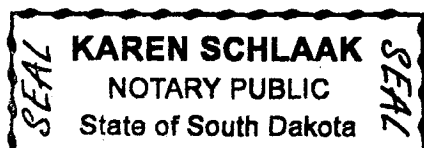
Nos. 400-2, 401-2, 1714-2, 2063-2 Melvin Brassfield Box 24 Caputa SD 57725	No. 5600-3 Castlewood Community Golf Course In 411 E Cemetary Rd Castlewood SD 57223-2206	Nos. 407-2, 408-2 & 409-2 Miles DeJong DeJong Ranch 31842 DeJong Rd Kennebec SD 57544-5999
No. 1755-1 John Bachman, Mayor City of Eagle Butte PO Box 150 Eagle Butte SD 57645-0150	Nos. 6792-3 & 6793-3 Dennis Mitchell Eagle Venture PO Box 711 Yankton SD 57078-0711	Nos. 2826-3 & 3109-3 Joseph R Edelen Jr 311 Canby St Vermillion SD 57069
Nos. 5341-3 & 5820-3 John Hartemink 5569 Pernod Dr Ft Myers FL 33919	No. 5777-3 Gerald A Person 42479 116 th St Britton SD 57430-2239	No. 2106-2 Stuart Rice 2300 Skyline Ranch Rd Rapid City SD 57701
No. 6664-3 Mike Waldner White Rock Colony 47788 102 nd St Rosholt SD 57260 and Gregg Magera, Attorney at Law PO Box 490 Aberdeen SD 57402-0490	No. 3791-3 Paul R Bremmon 42641 113 th St Britton SD 57430	No. 402-1 Calvin & Jana Meyers 1409 Willow Creek Estates Belle Fourche SD 57717
No. 773-1 James G & Brenda A Beauchene 10095 Borderline Rd Hettinger ND 58639	No. 2300-3 James E Dailey 48184 335 th St Jefferson SD 57038	No. 452-3 Harold Fornia 33044 484 th Ave Jefferson SD 57038
No. 3395-3 Todd Grohs 509 Slocum Ave S Wessington Springs and W H (Bill) Wittrig 13111 N Creekview Rd Rapid City SD 57702	No. 1529-3 Lloyd L Meyer 21175 396 th Ave Huron SD 57350	No. 2954-3 Lane Tekrony 47840 180 th St Clear Lake SD 57226-5405

Genny McMath
Water Rights Program

[illegible]

Sworn to, before me, this 12th day of March, 2008.

Notary Public *Karen Schlaak*



My commission
expires 4/1/13

RECEIVED

MAR 27 2008

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 3/10/08TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Eagle Venture
(name)
PO Box 711
(address)
Yankton SD 57078 (605) 665-7523
(city, state, zip) (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.

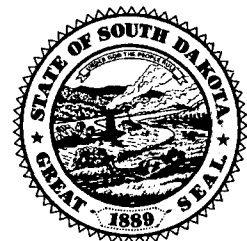
Water Permit No. 6793-3 states that the water use system is to be constructed by April 15, 2007 and water is to be put to beneficial use by May 20, 2007.
(date) (date)

The water use system was completed on April 15, 2007.
(date)

Applying the water to beneficial use was completed on Sept 15, 07.
(date)

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

Deanne Mitchell M. Pae
(signature)





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 27, 2008

6792-3
6793-3

Dennis Mitchell
Eagle Venture
PO Box 711
Yankton SD 57078

Dear Mr. Mitchell:

On March 11th, the Water Management Board ordered Water Permit Nos. 6792-3 and 6793-3 be suspended if the 2007 irrigation questionnaire was not received prior to April 11, 2008. The irrigation questionnaires have now been received. Since the irrigation questionnaires are on file, no violations have occurred and no suspensions will take place. **You are hereby authorized to irrigate during the 2008 irrigation season.**

The "Notice of Completion of Works and Application of Water to Beneficial Use" for Water Permit No. 6793-3 (ground water permit) was also received. The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit. When you have completed the system for Water Permit No. 6792-3 (Missouri River permit), please let us know. Enclosed is an additional form for you to use.

If you have any questions, please contact Genny McMath at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
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

April 17, 2008

Dennis Mitchell
Eagle Ventures
PO Box 711
Yankton SD 57078

Dear Mr. Mitchell:

I am writing in regard to well driller's reports filed by Hammond-Wetmore Drilling. The reports show two wells were completed for Eagle Ventures on May 21 & 22, 2007 located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15-T93N-R55W.

A review of our files indicates that Eagle Ventures holds Water Permit No. 6793-3 for 2.89 cubic feet per second or 1,300 gallons per minute from one well completed into the Missouri:Elk Point Aquifer (approximately 120 feet deep) located in the approximate center of the Section 15-T93N-R55W.

Have two wells been developed for this irrigation project and has the authorized diversion rate increased? Once we know this information we can determine what additional action, if any, needs to be taken to ensure the water rights accurately reflect the your irrigation system.

Please contact Eric Gronlund or me regarding the status of the wells or if you have any questions.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 15 Twp 93N Rg 55W

County

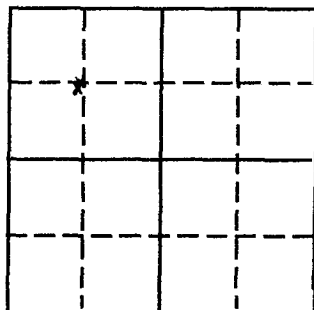
Yankton

North

Please mark well location with an "X"

W

E



1 Mile

Well Completion Date

5/22/2007

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

1,100.0 ft. from septic system (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

direct rotary

CASING DATA:

If other describe

☐ Steel ☒ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	73.0 FT	22.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bent grt	29	9.5 Lb/gal	0.0 Ft	67.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Tremie method

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 40.0 Feet
 Material PVC slotted
 Slot Size .080 Set From 73.0 Feet to 113.0 Feet
 Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH tablets☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Mike MitchellBusiness Name: Eagle VenturesAddress: PO box 711City, State, Zip: Yankton, SD 57078

WELL LOG:

DEPTH

FORMATION	FROM	TO
topsoil, Dk Brn, Silty	0	1
Sand, brown, medium	1	68
gravel, v large rocky	68	118
Shale, dk gray	118	123

STATIC WATER LEVEL 22.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe:☒ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

well # 2

RECEIVED

FEB - 1 2008

WATER RIGHTS PROGRAM

This well was drilled under license # 666

And this report is true and accurate.

Drilling firm: Hammond-Wetmore Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 12/27/07

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location se $\frac{1}{4}$ nw $\frac{1}{4}$ Sec 15 Twp 93n Rg 55w

County

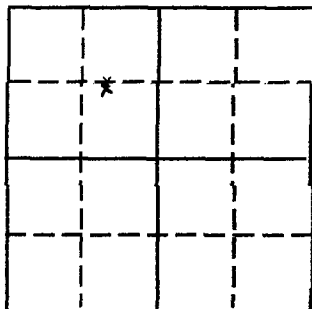
Yankton

North

Please mark well location with an "X"

W

E



1 Mile

Well Completion Date

5/21/2007

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? 1,400.0 ft. from septic system (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

direct rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	70.0 FT	22.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
3ent grt	27	9.5 Lb/gal	0.0 Ft	67.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Tremie method

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 40.0 FeetMaterial PVC slottedSlot Size .080 Set From 70.0 Feet to 110.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH tablets
☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Mike MitchellBusiness Name: Eagle VenturesAddress: PO box 711City, State, Zip: Yankton, SD 57078

WELL LOG:

DEPTH

FORMATION	FROM	TO
topsoil, Dk Bm, Silty	0	1
Sand, brown, medium	1	67
gravel, v large rocky	67	117
Shale, dk gray	117	123

STATIC WATER LEVEL 20.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe:☒ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

FEB - 1 2008

WATER RIGHTS PROGRAM

This well was drilled under license # 666

And this report is true and accurate.

Drilling firm: Hammond-Wetmore Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

12/27/07

We would like to request that
a second well was needed on
this irrigation system to reach up to
1300 gallons per min. The second well
is located 150 yard north of original.

Thank you, for granting us
this request and for your time on
this project.

Mike Mitchell
Eagle Venture Project
4/29/08

RECEIVED
APR 30 2008
WATER RIGHTS
PROGRAM



USDA U.S. Dept. of Agriculture
Farm Service Agency

South Dakota Yankton County

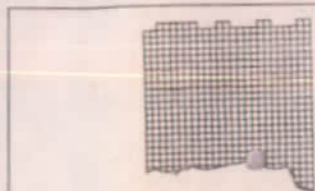
RECEIVED

15-93N-55W

APR 30 2008

WATER RIGHTS

PROGRAM



USDA FSA maps are for FSA Program administration only. This map is a legal survey to reflect actual ownership; neither it depicts the information provided directly from the producer under the 2004 online updated imagery for South Dakota. The producer accepts the data "as is" and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on the data records of FSA Programs.

N Legend

Section/Township-Range

Common Land Units

Range/Field

CRP

February 23, 2006

Approval of Additional Diversion Point

NAME: Eagle Venture**ADDRESS:** Box 711, Yankton SD 57078**DATE:** May 14, 2008 **COUNTY:** Yankton **TELEPHONE:**

Eagle Venture has made a request to authorize the additional well developed for the irrigation of land authorized by Water Permit No. 6793-3.

Water Permit No. 6793-3 appropriates 2.89 cfs from one well to be completed into the Missouri:Elk Point Aquifer located in the approximate center of the Section 15 to irrigate 263 acres location in the N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and Gov't Lots 2, 3, and 4 of Section 15; all in T93N, R55W. The priority date is January 3, 2007.

A request was submitted by Mike Mitchell stating that a second well was needed to obtain the 1,300 gpm (2.89 cfs) needed to operate the system. The two wells have been constructed and well completion reports are on file. The wells were completed to a depth of 110 and 113 feet deep. The additional well is located approximately 450 feet north of the originally permitted well. It is noted that the well completion reports indicate the wells are located near the center of the NW $\frac{1}{4}$ of Section 15 when in fact they are located near the center of the section.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The water source remains the Missouri:Elk Point Aquifer. No additional water is to be appropriated by this request. The request states the second well was constructed to bring the diversion capability up to the permitted amount of 1,300 gpm.

- **If irrigation, no new land is irrigated**

No additional land is to be irrigated above the 263 acres authorized by Water Permit No. 6793-3. This request is solely to authorize one additional well.

- **Review of Existing Diversions**

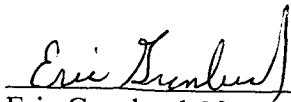
A review of existing diversions from the Missouri:Elk Point Aquifer in neighboring sections was conducted. This is an area of extensive development. Two nearest water rights are No. 373-3 (1.14 cfs to irrigate 80 acres) approximately 4,000 feet north and No. 5592-3 (0.11 cfs for a housing development) located approximately 2,640 feet north east. This additional well will be 450 feet closer to these diversions. The distance between wells will still be greater than 2,000 feet.

The Water Rights Program's database of well completion reports was also reviewed. Driller reports for thirteen domestic wells were found in neighboring sections.

The original report on this application stated that interference is not expected to be a concern. Observation well records indicate that drawdown is not significant in the area. It is not anticipated that this additional well will change this conclusion. The Missouri:Elk Point Aquifer is very prolific and drawdown create by pumping should not be significant at the distance between wells.

RECOMMENDED ACTION

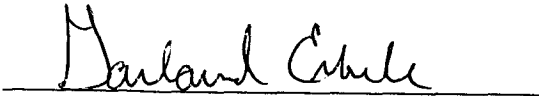
Based on the above criteria, it is recommended that the one additional diversion point be authorized pursuant to SDCL 46-5-13.1.



Eric Gronlund, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion point does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
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

May 15, 2008

Mike Mitchell
Eagle Ventures
PO Box 711
Yankton SD 57078

Dear Mr. Mitchell:

I am writing in regard to Eagle Ventures request to authorize one additional well for irrigation authorized by Water Permit No. 6793-3.

Water Permit No. 6793-3 appropriates 2.89 cfs from one well to be completed into the Missouri:Elk Point Aquifer located in the approximate center of the Section 15 to irrigate 263 acres location in the N ½ NW ¼, NW ¼ NE ¼ and Gov't Lots 2, 3, and 4 of Section 15; all in T93N, R55W. The priority date is January 3, 2007.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional well to be completed into the Missouri:Elk Point Aquifer is authorized without application or publication of a notice of hearing. The additional well will be located approximately 450 feet north of the originally authorized diversion point in Section 15, T93N, R55W.

No additional appropriation above the 2.89 cfs (1,300 gpm) currently authorized by Water Permit No. 6793-3 is authorized. If the combined diversion rate from the wells exceeds 2.89 cfs, a new water permit must be obtained.

If you have any questions, please contact Eric Gronlund at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2010

NOTICE

TO: EAGLE VENTURE, DENNIS MITCHELL, PO BOX 711, YANKTON, SD 57078 0711

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6792-3 & 6793-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6792-3 & 6793-3 qualification:

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

The hearing will be held at **10:00 am, March 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6792-3 & 6793-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2010

6792-3

6793-3

Dennis Mitchell
Eagle Venture
PO Box 711
Yankton SD 57078 0711

Dear Mr. Mitchell:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Permit Nos. 6792-3 and 6793-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6793-3

I have this day, February 7, 2020, made a thorough examination of the water use system constructed by Eagle Venture, Box 711, Yankton, SD 57078, holder of Permit No. 6793-3, bearing the priority of January 3, 2007 authorizing the diversion of 2.89 cu. ft. per second of the waters of groundwater (Missouri: Elk Point Aquifer) for the irrigation of 263 acres located in Yankton County.

Inspection contact: Frank Kralicek, Jr. and Mary Mitchell

A. Works used to divert the water:

North Well Information:

- 1) Well Drilling Firm: Hammond-Wetmore Drilling
- 2) No. of Wells 1
- 3) Depth(s) 123 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 16 inches
- 2) Length 73 feet
- 3) Type PVC

Screen:

- 1) Diameter 16 inches
- 2) Length 40 feet
- 3) Type PVC
- 4) Static water level 22 feet

Pump:

- 1) Make Unknown
- 2) Model S8EHC NB1
- 3) Capacity 650 GPM

Motor:

- 1) Make Unknown
- 2) Model No. Unknown
- 3) Horsepower rating 50 hp

South Well Information:

- 1) Well Drilling Firm: Hammond-Wetmore Drilling
- 2) No. of Wells 1
- 3) Depth(s) 123 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 16 inches
- 2) Length 70 feet
- 3) Type PVC

Screen:

- 1) Diameter 16 inches
- 2) Length 40 feet
- 3) Type PVC
- 4) Static water level 20 feet

Pump:

- 4) Make Unknown
- 5) Model S8EHC NB1
- 6) Capacity 650 GPM

Motor:

- 4) Make Unknown
- 5) Model No. Unknown
- 6) Horsepower rating 50 hp

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

- | | | | |
|---------------------|---------------------------|-------------------------|---------------------------|
| North Well to Pivot | 1) Type <u>PVC</u> | 2) Size <u>8</u> inches | 3) Length <u>790</u> feet |
| South Well to Pivot | 1) Type <u>Galvanized</u> | 2) Size <u>8</u> inches | 3) Length <u>20</u> feet |

C. Works used to apply water to beneficial use:

Center Pivot:

- 1) Make Valley
- 2) Overall length 1,888 feet
- 3) Number of towers 10
- 4) End gun Yes
- 5) Capacity 1,300 GPM

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

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

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows:

The north well is 2,120 feet east and 1,250 feet south of the northwest corner of Section 15-T93N-R55W (Latitude 42.876500, Longitude -97.330020 – NE1/4 of the NW1/4).

The south well is 2,110 feet east and 2,030 feet south of the northwest corner of Section 15-T93N-R55W (Latitude 42.874330, Longitude -97.330100 – SE1/4 of the NW1/4).

2. The works are capable of diverting and conveying to the place of use 2.89 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 Section 15-T93N-R55W:

<u>NW1/4NW1/4</u>	<u>11 acres</u>
<u>NE1/4NW1/4</u>	<u>34 acres</u>
<u>SW1/4NW1/4</u>	<u>34 acres</u>
<u>SE1/4NW1/4</u>	<u>40 acres</u>
<u>NW1/4NE1/4</u>	<u>19 acres</u>
<u>SW1/4NE1/4</u>	<u>38 acres</u>
<u>NW1/4SW1/4</u>	<u>15 acres</u>
<u>NE1/4SW1/4</u>	<u>30 acres</u>
<u>NW1/4SE1/4</u>	<u>26 acres</u>

comprising a total of 247 acres of land and the license should be issued for 2.89 cfs.

3. All structures, wells and lands on map Yes

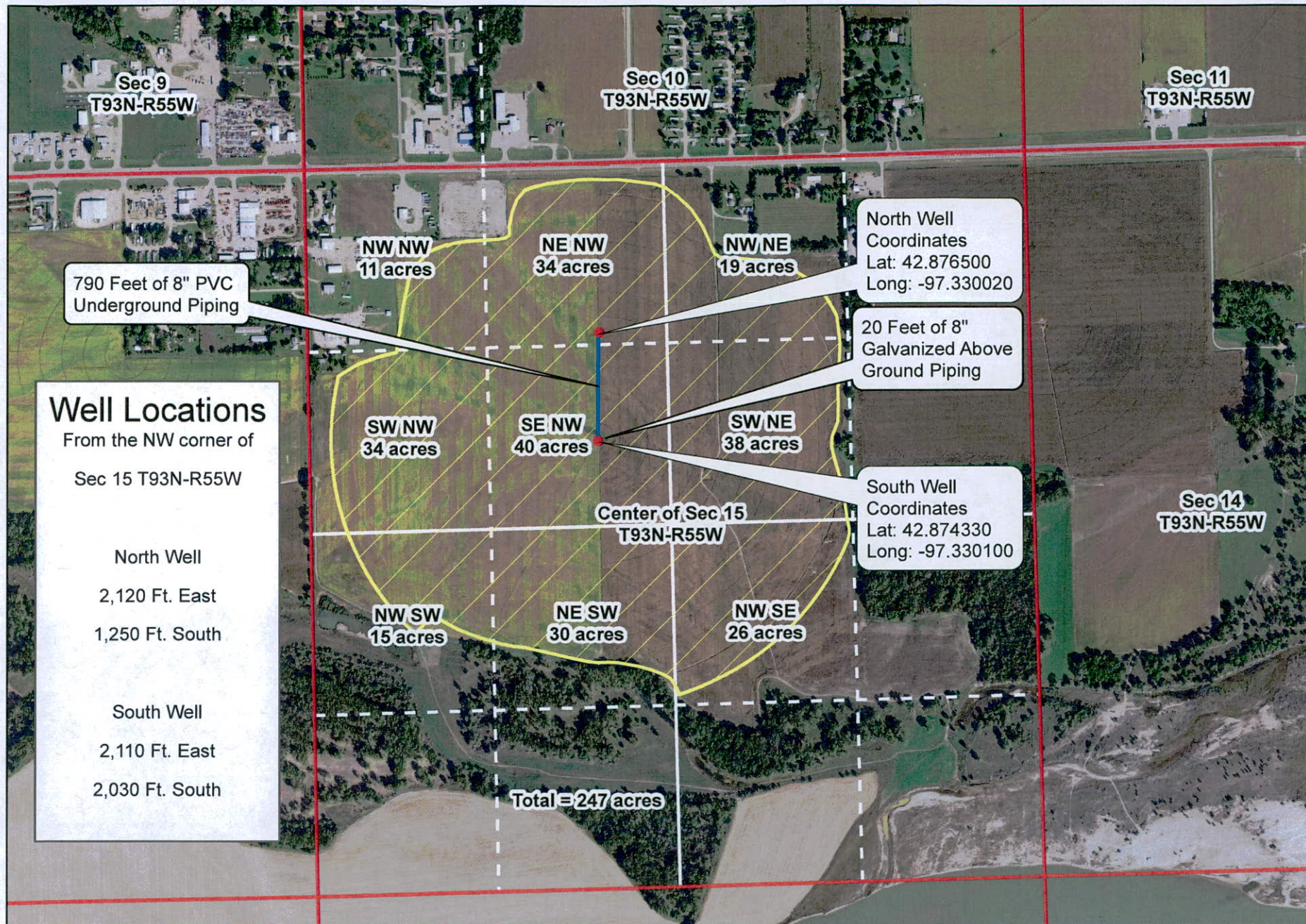
F. Comments or other permit(s) associated with the project: None

Keith DeJong

Keith DeJong
Water Rights Inspector
DENR, Water Rights Program

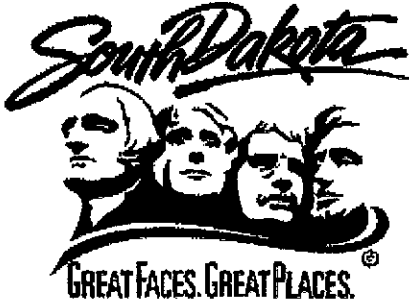
Date report completed: March 11, 2020

Water Right No. 6793-3



Keith DeJong

Keith DeJong, PE
Staff Engineer
March 11, 2020



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

May 1, 2020

6793-3

Eagle Venture
PO Box 711
Yankton SD 57078

Dear Sir:

Enclosed is Water License No. 6793-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6793-3

(1) Eagle Venture, PO Box 711, Yankton SD 57078 made Application No. 6793-3, January 3, 2007 for a water permit to divert 2.89 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer) Yankton County, South Dakota for irrigation purposes. Permit No. 6793-3, with a priority date of January 3, 2007 was approved March 26, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 26, 2012 and for the application to beneficial use of water on or before March 26, 2016.

In May 2008 the permit holder requested an additional well to be able to obtain the diversion rate necessary to operate the system. The Chief Engineer made a finding pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that the additional diversion point did not increase the potential for adverse effects to existing diversions.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 2.89 cubic feet of water per second for beneficial use. The location of the diversion points are as follows:

North well: 2,120 feet E and 1,250 feet S of the NW corner of Section 15, T93N, R55W (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
Latitude 42.876500, Longitude -97.330020

South well: 2,110 feet E and 2,030 feet S of the NW corner of Section 15, T93N, R55W (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
Latitude 42.874330, Longitude -97.330100

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 15, T93N, R55W	NW $\frac{1}{4}$ NW $\frac{1}{4}$	11 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$	38 acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	34 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$	15 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	34 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$	30 acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$	26 acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	19 acres		

Total 247 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Eagle Venture, PO Box 711, Yankton SD 57078 the holder and/or owner of Water Right No. 6793-3 is issued a license to appropriate water, the right to use 2.89 cubic feet of water per second from ground water, two wells (Missouri Elk Point Aquifer) with a priority date of January 3, 2007 from the locations specified in (2) of this license for irrigation purposes.

continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6793-3 and subject to the following qualifications:

- The wells approved under this Water Right 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.
- The wells authorized by No. 6793-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. ***Both wells were drilled by Hammond-Wetmore Drilling in May, 2007. Copies of the well completion reports are on file with the Water Rights Program.***
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

Eric S. Gronlund

April 30, 2020

Eric Gronlund, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

date

