

**WATER PERMIT NO. 6886-3**

Name of Applicant: **Jerome Poeschl**

Address: **213 Katherine Way, Yankton SD 57078**

Phone: **605 665-3882**

Amount of Water Claimed: **1.78 cfs** Total Acres: **134 acres**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **irrigation** County: **Clay**

Type of Waste Disposal System:

Location: **10 miles northwest of Vermillion**

**PRIORITY**

Date Received: **9-4-07**

Application/License Fee: **\$300**

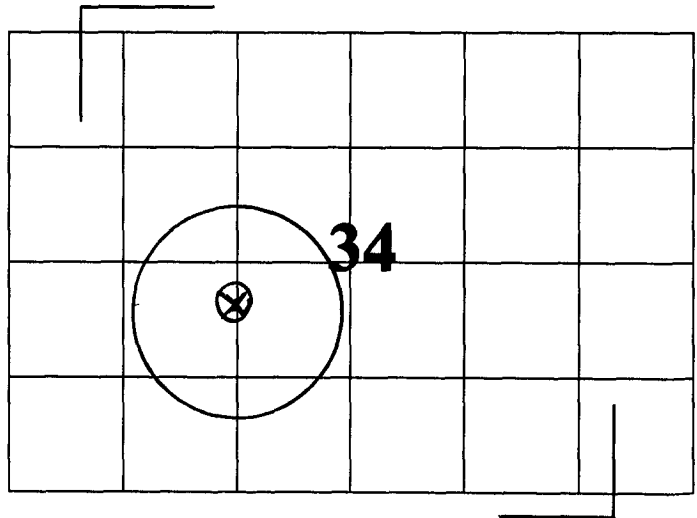
Corrected Application Received:

Period of Annual Use: **May 1 – August 31**

Remarks:

Diversion Point: **N ½ SW ¼ Sec 34-T94N-R53W**

Land to be Irrigated: **SW ¼ Sec 34-T94N-R53W**



Depth of Well: **110 feet deep**

Well Driller: **Christensen Well Co.**

Remarks:

Type of Map: **aerial**

Prepared by: **Richard Schwartz, FSA**

Reviewed and the Number Assigned on: **9-4-07**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: \_\_\_\_\_

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

|                                                                                                                    |                               |                                                      |
|--------------------------------------------------------------------------------------------------------------------|-------------------------------|------------------------------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>6886-3</u>             | (office use only)<br>Hydrologic Unit <u>10170102</u> |
|                                                                                                                    | Basin <u>Vermillion River</u> |                                                      |
|                                                                                                                    | Newspaper <u>Plain Talk</u>   | <u>P.O. Box 2561 Vermillion</u>                      |
|                                                                                                                    | <u>605-624-2695 (Fax)</u>     | <u>57069</u>                                         |

RECEIVED  
SEP 04 2007  
WATER RIGHTS  
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. \_\_\_\_\_

(Use predates Mar 2, 1955)

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

- Name of Applicant Jerome Poeschl Phone 605-665-3882  
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 213 Katherine Way Yankton State SD 57078  
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.78\*CFS or 800\*\*GPM \*\*\*AF Total Acreage 134  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply 1 well SW 1/4 34-94N-53W
- Location of point of diversion (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W) County Clay  
N 1/2 SW 1/4 S 34 T 94N R 53W
- County or counties where water will be used Clay
- Annual period during which water is to be used May 1 June - July - August 31
- 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         |
|--------------------------|-------|-------------------------------------|---------------|
| <del>NW 1/4 SW 1/4</del> |       | <del>SE 1/4 SW 1/4 34-94N-53W</del> | <del>17</del> |
| NW 1/4 SW 1/4 34-94N-53W | 34    | SW 1/4 NW 1/4 34-94N-53W            | 16            |
| NE 1/4 SW 1/4 34-94N-53W | 34    | SE 1/4 NW 1/4 34-94N-53W            | 16            |
| SW 1/4 SW 1/4 34-94N-53W | 17    |                                     |               |

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

crop irrigation on above land

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, Jerome Poeschl, 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 Jerome Poeschl

Subscribed and sworn to before me this 30 day of August 20 07

Wm. A. Pomeroy

Notary Public signature

**SOUTH DAKOTA  
WATER PERMIT NO. 6886-3**

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Date of first receipt of application September 4, 2007.

The Water Management Board approved Water Permit No. 6886-3 on March 11, 2008 for Jerome Poeschl, 213 Katherine Way, 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. 6886-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Lower James:Missouri Aquifer (approximately 110 feet deep) located in N 1/2 SW 1/4 Section 34 to irrigate 134 acres located in the SW 1/4, S 1/2 NW 1/4 Section 34; all in T94N-R53W.
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: May 1 – August 31.
3. The date from which applicant may claim right is September 4, 2007.
4. The date of approval of Permit No. 6886-3 is March 11, 2008.
5. One-fifth of the construction is to be completed on or before September 11, 2010.
6. All construction is to be completed on or before March 11, 2013.
7. Water is to be put to beneficial use on or before March 11, 2017.
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. 6886-3 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 08 2008

date



(type or print in ink)

**1. Well Information - Proposed Construction**

- a) Drill Hole Diameter 24" Depth 110'
- b) Casing Type PVC Diameter 16" Thickness 3/4"
- c) Screen Type PVC Diameter 16" Thickness 3/4"
- d) Gravel Pack 1/8-3/8" Pea rock Length of Gravel Pack 60'
- e) Depth to Top of Water Bearing Material 50'
- f) Depth to Water (ground surface to water level) 25'
- g) Distance to nearest existing domestic well:  
On applicants property N/A On property owned by others 2500'

**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

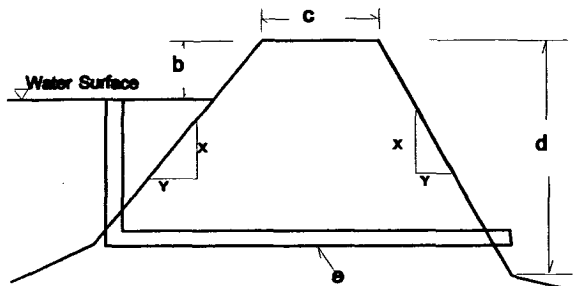
**3. Dugout Information**

- 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.

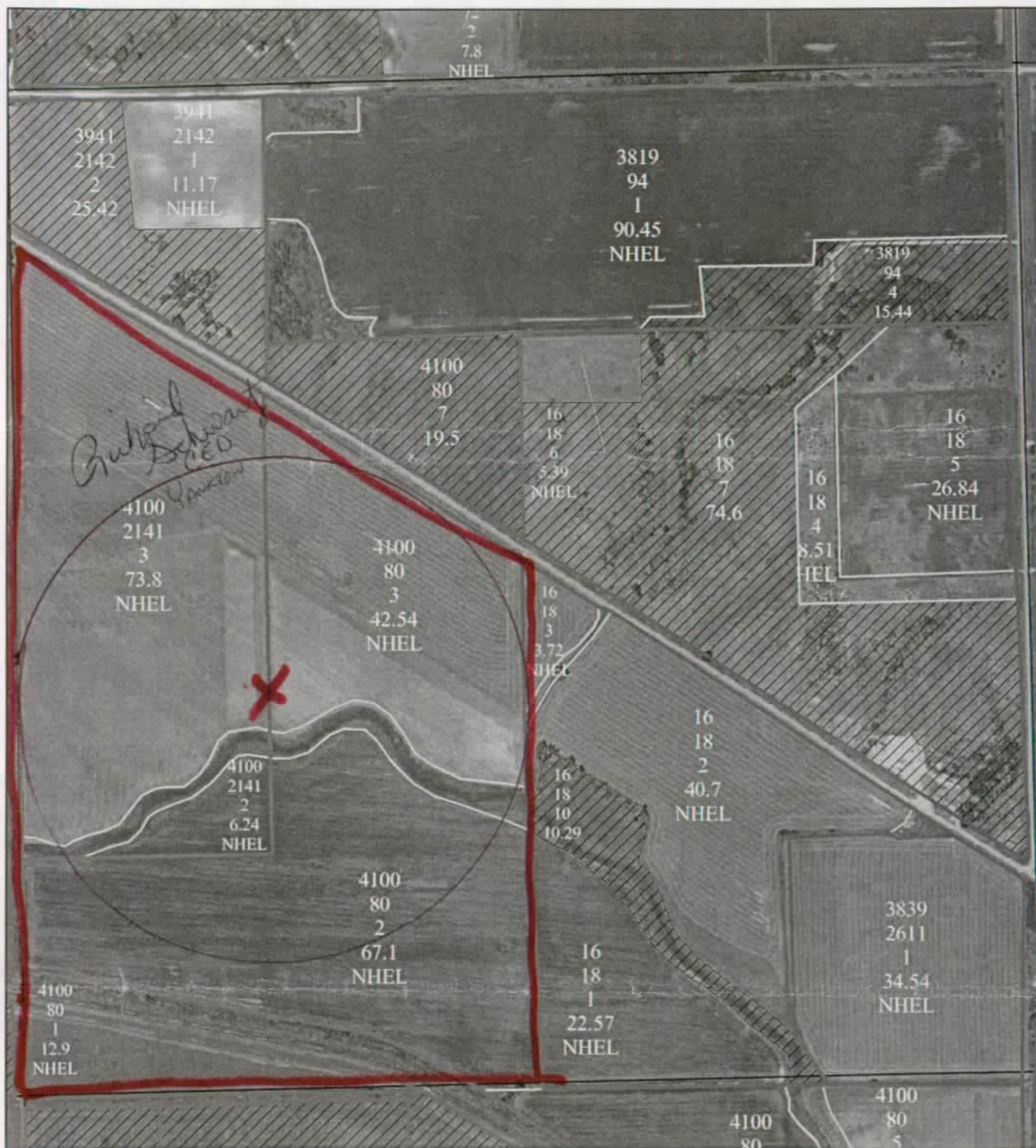
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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

**10-85**

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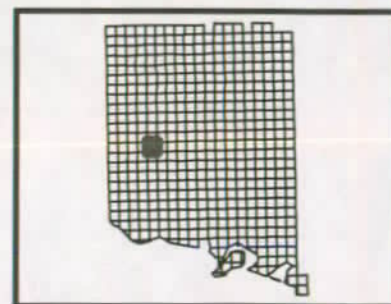


United States Department of Agriculture  
Farm Service Agency



**South Dakota**  
**Clay County**  
**34-94N-53W**

1:8,644



February 28, 2007

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/4, 2007

RECEIVED OF Jerome Poeschl 213 Katherine Way Yankton SD 57078

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

|                                                                                                                        |       |        |
|------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>6886-3</u> to Appropriate Water, to construct and to put water to beneficial use | 250   | 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>6886-3</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 | 300 00 |

No.

03151

By

Harold Evers

Chief Engineer

[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](http://www.state.sd.us/denr)

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 6886-3, Jerome Poeschl**

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. 6886-3, Jerome Poeschl, 213 Katherine Way, Yankton SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 6886-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6886-3 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  
October 26, 2007

## REPORT ON WATER PERMIT APPLICATION NO. 6886-3

For Jerome Poeschl

October 11, 2007

Application No. 6886-3 proposes to appropriate 1.78 cfs (800 gpm) from one well approximately 110 feet deep located in the N  $\frac{1}{2}$  SW  $\frac{1}{4}$  of section 34 to irrigate 134 acres located in the SW  $\frac{1}{4}$ , S  $\frac{1}{2}$  NW  $\frac{1}{4}$  of section 34; all in T94N R53W in Clay County.

### AQUIFER –LOWER JAMES MISSOURI (LJM)

The Lower James Missouri is a buried outwash (sand and gravel) that is under predominantly water table conditions in this area. The aquifer underlies 5,400 acres and contains an estimated 81,000 acre-feet of recoverable water in storage in Clay County (Hedges, 1982). The aquifer extends into Yankton County to the west and blends into the much larger Missouri Elk Point aquifer just to the south. For all practical purposes the two aquifers could be considered the same in Clay County. Ground water movement is from northwest to southeast in the area of this application (Christensen, 1967). The hydrogeologic map in the Christensen report indicates the aquifer should be 75 to 100 feet thick in this area. Christensen described the aquifer as follows "On the floodplains of the Missouri and Vermillion Rivers the outwash is overlain by alluvium--gravel, sand, silt, and clay that was transported by the rivers and deposited at places where the velocity of the water was insufficient to maintain the materials in motion. Much of the floodplain alluvium is permeable and forms a single aquifer with the underlying outwash" (Christensen, 1967).

No test well was drilled for this application. The information available from the county study, area domestic and irrigation wells and the observation wells all indicates the aquifer is present at this site and should be capable of producing the amount of water requested. A nearby domestic well indicates topsoil and clay from the surface to 10 feet, sandy clay from 10 to 20 feet and sand and gravel from 20 to 100 feet all below land surface. This well had a static water level of 25 feet below land surface.

The Water Rights Program monitors an observation well CL-80A that is located about four miles southeast of this application. Water level records for this observation well go back in time to 1958. Water level records for this well show good response to climatic conditions that is rising water levels during wet periods (recharge) and gradually declining water levels during dry years. The water level record indicates the aquifer is capable of sustaining additional withdrawals (Water Rights, 2007). A hydrograph for this observation well is included with this report.

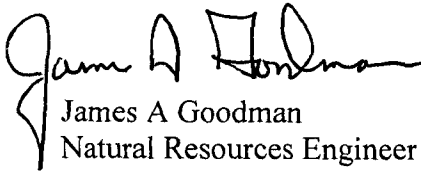
### REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing permitted user is Water Right No. 5524-3. This existing well is located about one mile to the southeast of the well proposed for this application. Interference is not a concern. Drawdown created by pumping will not be significant at this distance. This is also shown by the observation well record. Also there have never

been any reported water availability problems for the Missouri Elk Point or Lower James Missouri aquifers in Clay County.

## CONCLUSIONS

1. Water is available from the Lower James Missouri aquifer.
2. The aquifer appears to behave like it is under water table conditions. Until a test well is drilled it can not be determined if a well would be water table or artesian at this site. It is not anticipated that drawdown created by pumping will be significant nor cause any adverse effect. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



James A Goodman  
Natural Resources Engineer

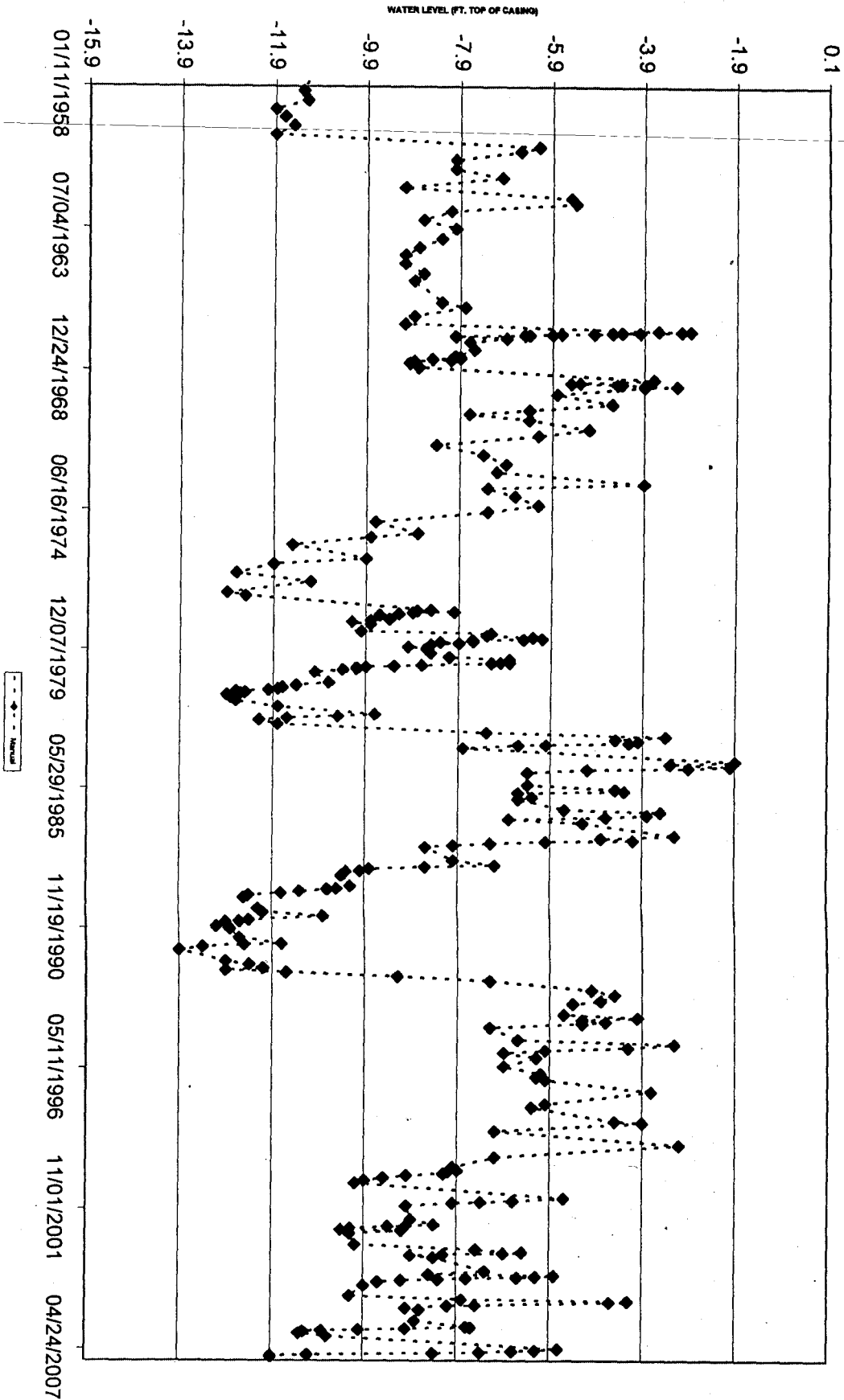
## BIBLIOGRAPHY

Christensen, C.M., J.C. Stephens, 1967, Geology and Hydrogeology of Clay County, South Dakota, Part II Water Resources, Bulletin 19, SD DENR, SDGS, Vermillion, SD, 57069.

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, 2005, Unpublished Observation Well Data for Clay County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

# WATER RIGHTS' OBSERVATION WELL CL-80A





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

October 26, 2007

Plain Talk  
PO Box 256  
Vermillion SD 57069

ATTENTION: Legal Public Notice

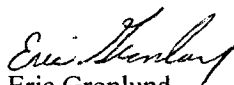
Enclosed is a Notice on Application No. 6886-3 to Appropriate Water to be published twice. Please publish the first notice on November 2, 2007 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Jerome Poeschl, 213 Katherine Way, Yankton SD 57078 (Ph # 605-665-3882).

**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. 6886-3

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

Date \_\_\_\_\_

We are in receipt of your letter of October 26, 2007 enclosing Notice to Appropriate Water by Application No. 6886-3 which was first published in our issue of \_\_\_\_\_. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

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

October 26, 2007

Jerome Poeschl  
213 Katherine Way  
Yankton SD 57078

Dear Mr. Poeschl:

Water Permit Application No. 6886-3 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 Plain Talk printed at Vermillion SD (Ph # 605-624-2695). 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 report on the application is 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 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 November 2, 2007 with the second publication 7 days later. The applicant is responsible for payment.

---

NOTICE OF APPLICATION NO. 6886-3 to Appropriate Water

Notice is given that Jerome Poeschl, 213 Katherine Way, Yankton SD 57078 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Lower James:Missouri Aquifer (approximately 110 feet deep) located in N ½ SW ¼ Section 34 to irrigate 134 acres located in the SW ¼, S ½ NW ¼ Section 34; all in T94N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6886-3 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 this 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 this 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 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 November 19, 2007.

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

# AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Penny Tucker

Being first duly sworn, deposes and says: That he/she is a resident of the County of Clay and State of South Dakota; that

## THE PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Broadcaster Press, Inc., and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit; and that the notice and advertisement headed:

NOTICE OF APPLICATION NO. 6886-3

TO APPROPRIATE WATER

JEROME POESCHL

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as aforesaid

was on Friday, the 2nd day of November, 20 07, and that the succeeding publications were severally

on Friday, the 9th day of November, 20 07,

on Friday, the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_,

on Friday, the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_,

on Friday, the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_,

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforesaid were

Forty \_\_\_\_\_ dollars and 52 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, that no agreement or 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 other person whomsoever.

*Penny Tucker*

Subscribed and sworn to before me

this 9th day of November, 2007

*Diane J. Savic*  
Exp. 9-5-2013

Notary Public

VED

NOV 13 2007

WATER RIGHTS  
PROGRAM

## NOTICE OF APPLICATION

NO. 6886-3 to

### Appropriate Water

Notice is given that Jerome Poeschl, 213 Katherine Way, Yankton SD 57078 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Lower James/Missouri Aquifer (approximately 110 feet deep) located in N 1/2 SW 1/4 Section 34 to irrigate 134 acres located in the SW 1/4, S 1/2 NW 1/4 Section 34; all in T94N-R53W.

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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.

Publish: November 2 & 9, 2007

November 19, 2007

RECEIVED

NOV 21 2007

WATER RIGHTS  
PROGRAM

Chief Engineer  
Water Rights Program  
Foss Building  
Attn: Garland Erbele  
523 E. Capital  
Pierre, SD 57501

Re: Notice of Application No. 6886-3 to Appropriate Water

Dear Mr. Erbele:

Please accept this as my notice of objection to the above referenced application to appropriate water.

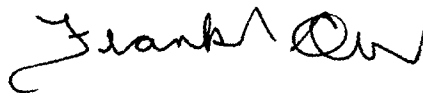
I own the East Half of Section 33, Township 94 North, Range 53, Clay County, South Dakota. My land is immediately west of the land to be irrigated in this application. There is a substantial watershed which commences approximately 5 miles north of my land and Mr. Poeschl's land. That watershed dumps into a drainage system which crosses Mr. Poeschl's land.

Mr. Poeschl intends to build a number of roadways over the drainage ditch to permit his irrigator to cross that ditch. It appears that he has installed at least one 24 inch pipe to allow for the flow of water. I am not certain how many of these pipes he will install as that may be dependent on the number of wheels and the size of his irrigator. However, a 24 inch pipe, no matter how many are installed, is insufficient to provide adequate drainage and will very likely result in the flooding of my land during wet years.

Please note my objection and advise me of any further proceedings in this matter, such as hearing dates, etc.

Thank you for your consideration.

Sincerely,



Frank Orr  
30804 Bluff Road  
Volin, SD 57072  
Ph: 605-267-2182

Pc: Jerome Poeschl

P.S. I am enclosing herein a page from Bethel Township Plat map which highlights the drainage situation I am referring to.

## Two Antique Tractor Publications for \$32.45

[Savings of \$17.45 off Cover Price]



This collage of antique tractor stories and pictures will bring a smile to your face and perhaps even an occasional tear to your eye.

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Specifications, serial numbers and current auction pricing for over 65 Antique Tractor Manufacturers.



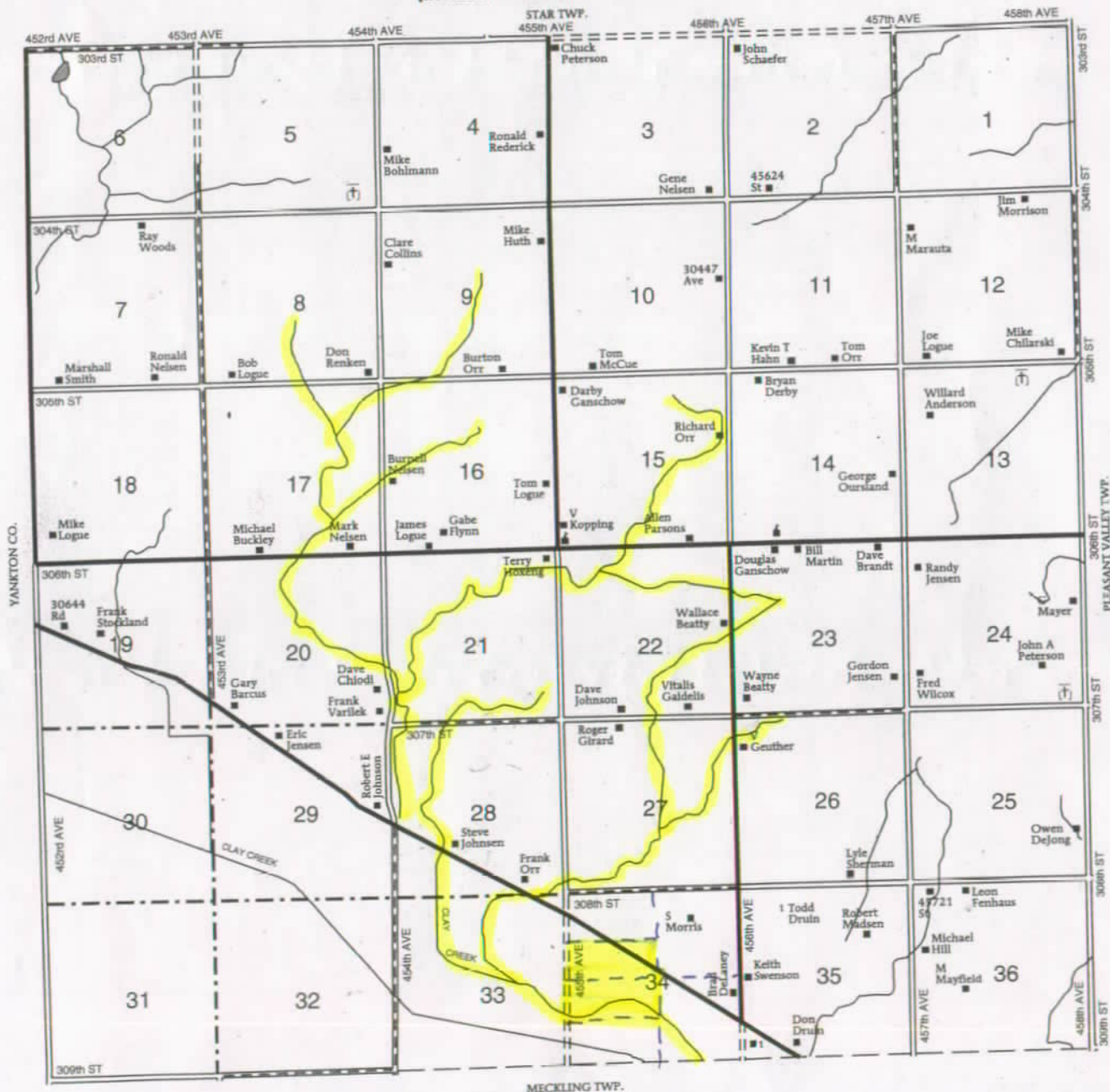
100064

### T-94-N

## BETHEL DIRECTORY

(Residents - Owners or Renters)

### R-53-W



**Gronlund, Eric**

---

**From:** John A. Gors [jagors@qwest.net]

**Sent:** Monday, November 19, 2007 3:35 PM

**To:** Gronlund, Eric

**Subject:** FW: Notice of Application No. 6886-3 to Appopriate Water

---

**From:** John A. Gors [mailto:jagors@qwest.net]

**Sent:** Monday, November 19, 2007 3:34 PM

**To:** 'eric.gronlund@state.sd.us'

**Subject:** Notice of Application No. 6886-3 to Appopriate Water

Mr. Gronlund:

By this email, I am making my objection to the above referenced application to appropriate water. The basis of my objection is that it appears that Mr. Poeschl has installed or will install a number of drainage pipes to allow him to pass his irrigation system over a drainage ditch on his property. The drainage pipes that he has installed to date are 24 inches and are insufficient to properly drain the watershed. A substantial drainage system runs over and across my land and onto Mr. Poeschl's land. If drainage on Mr. Poeschl's land is inadequate to handle the water flow, it could cause substantial flooding on my land. I own the East Half of Section 33, Township 94 North, Range 53 Clay County, South Dakota. I have sent a formal letter of objection to Mr. Garland Erbele and a copy to Jerome Poeschl. Please advise me of any hearing date which will be sent in this matter.

Sincerely,

Frank Orr  
30804 Bluff Road  
Volin, SD 57072  
Ph: 605-267-2182

11/19/2007



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

November 26, 2007

**NOTICE**

TO: Jerome Poeschl  
213 Katherine Way  
Yankton SD 57078

Frank Orr  
30804 Bluff Road  
Volin SD 57072

FROM: Garland Erbele, Chief Engineer  
Water Rights Program

SUBJECT: Notice of Hearing on Water Permit Application No. 6886-3, Jerome Poeschl

A petition to intervene has been filed in response to the public notice of Water Permit Application No. 6886-3 filed by Jerome Poeschl. This notice schedules a hearing before the Water Management Board to consider Application No. 6886-3. Enclosed is a copy of the staff report, recommendation and the petition to intervene.

As specified in the publication notice, Application No. 6886-3 proposes to appropriate 1.78 cubic feet of water per second from one well to be completed into the Lower James:Missouri Aquifer (approximately 110 feet deep) located in N 1/2 SW 1/4 Section 34 to irrigate 134 acres located in the SW 1/4, S 1/2 NW 1/4 Section 34; all in T94N-R53W.

The Water Management Board will conduct a hearing to consider Application No. 6886-3 at 10:30 AM on Tuesday, March 11, 2008 in the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Avenue, Pierre SD. Pursuant to SDCL 46-2-9, 46-2-11, and 46-2A-23, the Board has legal authority and jurisdiction to conduct this hearing. The hearing time is an estimate and may be delayed due to prior agenda items. Notice will be provided to all parties of record of any change in the hearing time or date.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6886-3 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. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the evidence presented at the public hearing.

The March 11, 2008, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any party who timely filed a petition opposing the application. The request for an automatic delay must be filed by February 29, 2008.

This hearing may be an adversarial proceeding. Any party of record and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Notice is further given to individual with disabilities that this hearing is being held in a physically accessible facility. Please notify Eric Gronlund at (605) 773-3352 by February 29, 2008, if you have any questions about the hearing process or have special needs for which the department will make arrangements.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-23; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

enclosures

c: Diane Best, Assistant Attorney General  
John A. Gors, Attorney, PO Box 396, Vermillion SD 57069

NOTE: Since this matter does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case need not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by February 29, 2008.

## CERTIFICATION

I hereby certify that on November 26, 2007, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated November 26, 2007, regarding scheduling of hearing for Water Right Permit Application No. 6886-3, Jerome Poeschl, as addressed below and on the attached parties of record.

Jerome Poeschl  
213 Katherine Way  
Yankton SD 57078

Frank Orr  
30804 Bluff Road  
Volin SD 57072

John A. Gors, Attorney  
PO Box 396  
Vermillion SD 57069

**A copy of the above described Notice was sent Inter-office to:**

Diane Best, Assistant Attorney General, 1302 E. Hwy 14, Suite 1, Pierre SD 57501-8501

Hail Jacobson

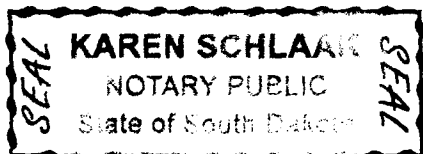
Gail Jacobson, Secretary  
Water Rights Program, DENR

[illegible]

Sworn to, before me, this 26<sup>th</sup> day of November, 2007.

Karen Arlaak

Karen Schlaak  
Notary Public  
My Commission expires April 1, 2013



January 30, 2008

Chief Engineer  
Water Rights Program  
Foss Building  
Attn: Garland Erbele  
523 E. Capital  
Pierre, SD 57501

RECEIVED  
FEB - 1 2008  
WATER RIGHTS  
PROGRAM

RE: Notice of Application No. 6886-3 to Appropriate Water

Dear Mr. Erbele:

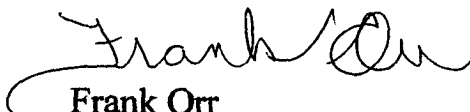
I own the east Half of Section 33, Township 94 North, Range 53 in Clay County, South Dakota.

I would like to withdraw my objection to the above water permit submitted 11/19/2007.

Mr. Poeschl has agreed to dig in a rock base that would not obstruct the flow of water for his irrigator to cross the drainage ditch. He has also taken out the 24" tube that would have obstructed the flow of water and agreed not to install any of these tubes on the drainage ditch.

I am not planning to attend the March 11<sup>th</sup> hearing since Mr. Poeschl and I have come to an agreement regarding the drainage ditch.

Sincerely,



Frank Orr  
30804 Bluff Rd.  
Volin, SD 57072  
Ph: 605-267-2182

Pc: Jerome Poeschl

PS: I am enclosing herein a page from Bethel Township Plat Map, which highlights the drainage situation I am referring to.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

February 14, 2008

**NOTICE**

TO: Jerome Poeschl  
213 Katherine Way  
Yankton SD 57078

Frank Orr  
30804 Bluff Road  
Volin SD 57072

FROM: Garland Erbele, Chief Engineer  
Water Rights Program

SUBJECT: Hearing on Water Permit Application No. 6886-3, Jerome Poeschl

Application No. 6886-3 proposes to appropriate 1.78 cubic feet of water per second from one well to be completed into the Lower James:Missouri Aquifer (approximately 110 feet deep) located in N 1/2 SW 1/4 Section 34 to irrigate 134 acres located in the SW 1/4, S 1/2 NW 1/4 Section 34; all in T94N-R53W.

Frank Orr originally petitioned in opposition to this application. On February 1<sup>st</sup>, the Water Rights Program received a letter from Mr. Orr withdrawing his opposition to the application. However, the March 11<sup>th</sup> hearing before the Board will still take place.

The Water Management Board will conduct a hearing to consider Application No. 6883-3 at 10:30 AM on Tuesday, March 11, 2008, in the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Avenue, Pierre SD.

Applicable provisions of the public notice published in the Plain Talk and the notice dated November 26, 2007 will still apply. Any party of record has the right to be present and 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 State Supreme Court as provided by law.

Enclosed is a copy of the report, recommendation, petition and withdrawal of opposition in the matter of Water Permit Application No. 6886-3. State law directs the Chief Engineer to provide Water Management Board members with a copy of all pleadings including petitions for each proceeding. This same information will be sent to the Board members in advance of the hearing. In addition, enclosed are two documents intended to acquaint parties with the hearing process entitled "Procedure for Hearings before the Water Management Board" and "Summary of South Dakota Water Laws and Rules". You are encouraged to review these documents prior to the hearing.

Please contact Eric Gronlund at (605) 773-3352 if you have questions regarding the upcoming hearing before the Board.

enclosures

c: Diane Best, Assistant Attorney General  
John A. Gors, Attorney, PO Box 396, Vermillion SD 57069

CERTIFICATION

I hereby certify that on February 15, 2008, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated February 15, 2008, regarding hearing for Water Right Permit Application No. 6886-3, Jerome Poeschl, as addressed below and on the attached parties of record.

Jerome Poeschl  
213 Katherine Way  
Yankton SD 57078

Frank Orr  
30804 Bluff Road  
Volin SD 57072

John A. Gors, Attorney  
PO Box 396  
Vermillion SD 57069

**A copy of the above described Notice was sent Inter-office to:**

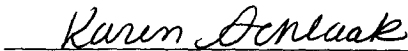
Diane Best, Assistant Attorney General, 1302 E. Hwy 14, Suite 1, Pierre SD 57501-8501



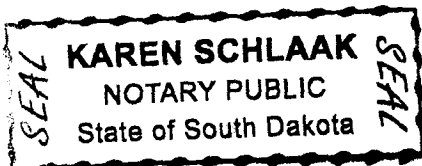
Eric Gronlund  
Water Rights Program, DENR

STATE OF SOUTH DAKOTA     )  
                                          ) SS  
COUNTY OF HUGHES         )

Sworn to, before me, this 15<sup>th</sup> day of February 2008.



Karen Schlaak  
Notary Public  
My Commission expires April 1, 2013





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

APR 08 2008

Jerome Poeschl  
213 Katherine Way  
Yankton SD 57078

Dear Mr. Poeschl:

Enclosed is Water Permit No. 6886-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet ? *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer  
Water Rights Program  
(605) 773-3352

enclosures

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

RECEIVED

SEP - 5 2008

WATER RIGHTS  
PROGRAMDate Sept 2, 2008

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

FROM:

Jerome Poeschl  
(name)213 Katherine Way  
(address)Yankton SD 57078  
(city, state, zip)605-665-3882  
(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. 6886-3 states that the water use system is to be constructed by

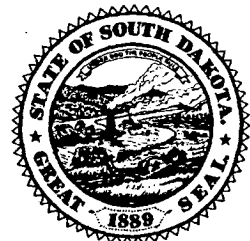
3-11-2013, and water is to be put to beneficial use by 3-11-2017  
(date) (date)

The water use system was completed on 7-8-2008.  
(date)

Applying the water to beneficial use was completed on 7-10-2008.  
(date)

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

Poeschl  
(signature)





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

September 5, 2008

6886-3

Jerome Poeschl  
213 Katherine Way  
Yankton SD 57078

Dear Mr. Poeschl:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system.

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.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

## SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

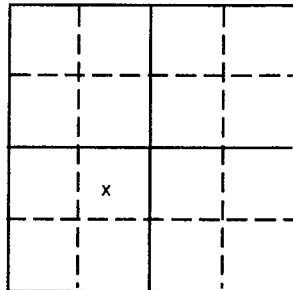
6886-3

Location ne 1/4 sw 1/4 Sec 34 Twp 94n Rg 53w

County

Clay

North



Please mark well location with an "X"

Well Completion Date

7/15/2008

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

? 2,100.0 ft. from septic tank (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 | 55.0 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   | 19           | 9.5 Lb/gal   | 0.0 Ft | 50.0 Ft |
|            |              | Lb/gal       | Ft     | Ft      |

Describe grouting procedure  
tremie

## SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 40.0 FeetMaterial pvcSlot Size 0.080 Set From 55.0 Feet to 95.0 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: Jerry Poeschl

Business Name:

Address: 213 Katherine WayCity, State, Zip: Yankton SD 57078

## WELL LOG:

DEPTH

| FORMATION                    | FROM | TO |
|------------------------------|------|----|
| Clay, brown silty            | 0    | 14 |
| Sand, brown fine, silty      | 14   | 47 |
| Clay, gray, silty,           | 47   | 52 |
| Gravel, med to coarse, sandy | 52   | 98 |
|                              |      |    |
|                              |      |    |
|                              |      |    |
|                              |      |    |
|                              |      |    |

STATIC WATER LEVEL 12.0 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

27.0 Ft. After 1.0 Hrs. pumped 900.0 GPM

\_\_\_\_\_ Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate: 800.0 GPM

## REMARKS

RECEIVED  
FEB - 2 2009  
WATER RIGHTS  
PROGRAM  
600 AM

This well was drilled under license # \_\_\_\_\_

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: 12/10/08

RECEIVED

JAN 17 2018

WATER RIGHTS  
PROGRAM

SD EForm - 0495LD V2

## NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 6886-3Date: 1-11-18I/We request that Water Right/Permit No. 6886-3 formerly owned by:Jerome Poeschl be transferred to:

New Owner Name: Weeg Family Farms LLLP  
Address: 4504 WEST 12TH STREET  
City, State, Zip: SIOUX FALLS SD 57107 Telephone No. 605 338 1249

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

|                                  |      |
|----------------------------------|------|
| sec 34-T094N-R53W, NW 1/4 SW 1/4 | 34 A |
| sec 34-T094N-R53W, NE 1/4 SW 1/4 | 34 A |
| sec 34-T094N-R53W, SW 1/4 SW 1/4 | 17 A |
| sec 34-T094N-R53W, SE 1/4 SW 1/4 | 17 A |
| sec 34-T094N-R53W, SW 1/4 NW 1/4 | 16 A |
| sec 34-T094N-R53W, SE 1/4 NW 1/4 | 16 A |
| 134 AC                           |      |

☐ I understand that the validity of Water Right/Permit No. \_\_\_\_\_ 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, Weeg Family Farms LLLP, the new owner, certify that the above information is true and correct.

Don Weeg  
(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 January 17, 20 18

RECEIVED OF Weeg Family Farms LLP 4504 W 12th St Sioux Falls, SD 57107

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

|                                                                                                                |       |       |
|----------------------------------------------------------------------------------------------------------------|-------|-------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use |       |       |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   |       |       |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                         |       |       |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____            |       |       |
| Fee for Filing Transfer Form <u>6886-3</u>                                                                     | 50    | 00    |
| 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. **08504**

By

Jeanne Goodman  
Chief Engineer

2711



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

January 18, 2018

6886-3

Don Weeg  
Weeg Family Farms LLLP  
4504 W 12<sup>th</sup> St  
Sioux Falls SD 57107

Dear Mr. Weeg:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for filing an ownership change on Water Permit No. 6886-3.

The ownership change has been completed. Water Permit No. 6886-3 formerly held by Jerome Poeschl is now listed in the name of Weeg Family Farms LLLP.

Enclosed for your records is Receipt No. 08504 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" and last name "McMath" clearly distinguishable.

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

enclosure



6886-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

JUL 06 2018

8342-3

Weeg Family Farms LLLP  
c/o Don Weeg  
4504 W 12<sup>th</sup> St  
Sioux Falls SD 57107

Dear Mr. Weeg:

Enclosed are Water Permit and License No. 8342-3. These are the final water right documents completing your process of obtaining a Water Right. Also, included with the 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. 6886-3 are incorporated into Water License No. 8342-3.

enclosures