

WATER PERMIT NO. 6917-3

Name of Applicant: **Karl Schenk**

Address: **44352 308th St, Mission Hill SD 57046**

Phone: **605 665-6113**

Amount of Water Claimed: **1.78**

Total Acres: **140**

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

Water to be used for: **irrigation**

County: **Yankton**

Type of Waste Disposal System:

Location: **1 miles west of Mission Hill**

PRIORITY

Date Received: **12-7-07**

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

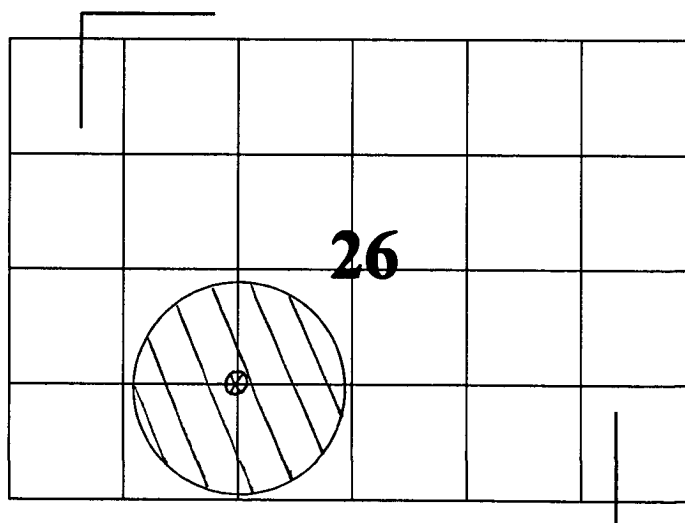
Corrected Application Received:

Period of Annual Use: **May 1 – September 30**

Remarks:

Diversion Point: **center of SW ¼ Sec 26-T94N-R55W**

Land to be Irrigated: **SW ¼ Sec 26-T94N-R55W**



Depth of Well: **180 feet deep**

Well Driller: :

Remarks:

Type of Map: **aerial**

Prepared by: **Marty Bertsch, Yankton Co NRCS**

Reviewed and the Number Assigned on: **12-10-07**

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>6917-3</u>	(office use only) Hydrologic Unit <u>10160011</u>
	Basin <u>James River</u>	
	Newspaper <u>Daily Press & Dakotan</u>	
	<u>Yankton</u>	

substn -
RECEIVED
DEC - 7 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 Schenk, Karl Phone 605-665-6113
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 44352 308th St Mission Hill State SD
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 140
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply ground water well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Yankton
one well in the center point of the SW1/4 section 26
T94N R55W
- County or counties where water will be used Yankton
- Annual period during which water is to be used may to september 30
- 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
NW 1/4 SW 1/4	35	Sec 26 T94N R55W	
SW 1/4 SW 1/4	35		
NE 1/4 SW 1/4	35		
SE 1/4 SW 1/4	35		

- Give a description of the project. (Attach sheet if more space is needed)
1300' 8 tower center pivot low pressure w/ drops
water provided by an electric submersible pump.

STATE OF SOUTH DAKOTA) SS
County of YANKTON)

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

I, KARL M. SCHENK, 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 Karl M. Schenk

Subscribed and sworn to before me this 4th day of DECEMBER 20 07

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6917-3**

Date of first receipt of application December 7, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6917-3 to Karl Schenk, 44352 308th St, Mission Hill SD 57046 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. 6917-3 appropriates 1.78 cubic feet of water per second (cfs) from one well to be completed into the Lower James:Missouri Aquifer (approximate 180 feet deep) located in the approximate center of the SW 1/4 Section 26 to irrigate 140 acres located in the SW 1/4 Section 26; all in T94N-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: May 1 – September 30.
3. The date from which applicant may claim right is December 7, 2007.
4. The date of approval of Permit No. 6917-3 is February 4, 2008.
5. One-fifth of the construction is to be completed on or before August 4, 2010.
6. All construction is to be completed on or before February 4, 2013.
7. Water is to be put to beneficial use on or before February 4, 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. 6917-3 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 04 2008
date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22 Depth 180'
- b) Casing Type Plastic Diameter 16" Thickness 4"
- c) Screen Type Plastic Diameter 16" Thickness 4"
- d) Gravel Pack 6" Length of Gravel Pack 160
- e) Depth to Top of Water Bearing Material ~~90'~~ 180'
- f) Depth to Water (ground surface to water level) 90'
- g) Distance to nearest existing domestic well:

On applicants property 1/4 mile

On property owned by others 1400'

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

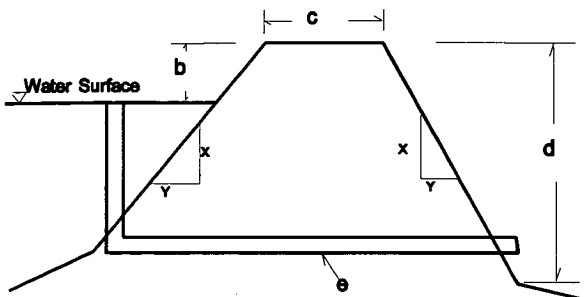
3. Dugout Information

- 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.

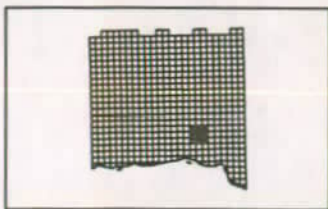
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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

26-94N-55W

Legend

- Wetlands
- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- Rangeland

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.

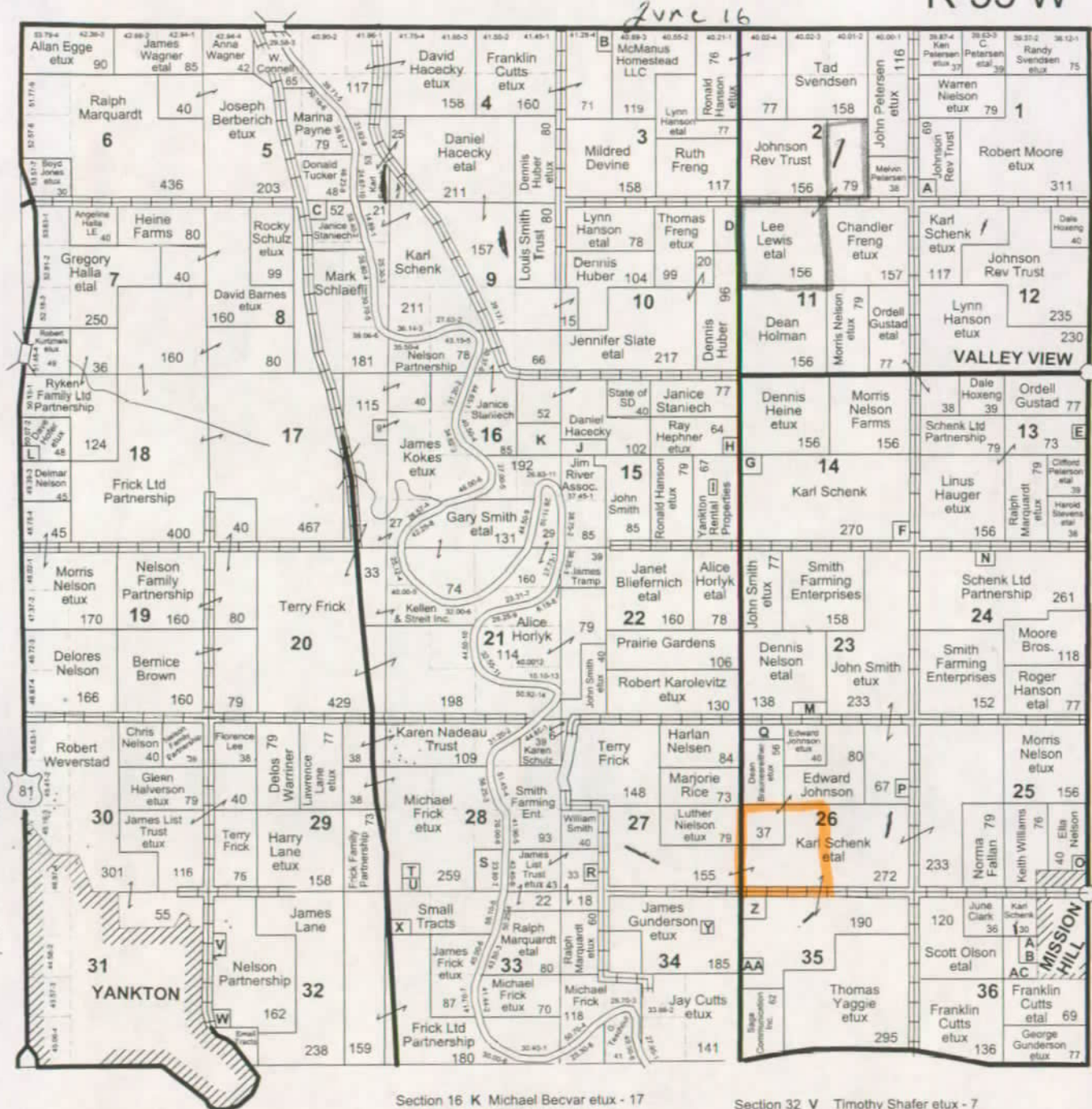
April 17, 2006

"NORTH" MISSION HILL TWP.

T 94 N

Land Owner

R 55 W



Section 1 A Myler Holmgren et ux - 10
Section 3 B Dale Knode et ux - 8
Section 8 C Pamela Fritz et ux - 18
Section 10 D Randy Freng et ux - 19
Section 13 E Todd Quatler et ux - 6
Section 14 F David Helgersen - 27
Section 14 G Scott Rembold et ux - 15
Section 15 H Elwyn Aase et ux - 15
Section 15 I James Williams et ux - 11
Section 15 J Michael Becvar et ux - 17

Section 16 K Michael Becvar et ux - 17
Section 18 L Michael Andrews - 14
Section 23 M Dean Braunesreither et ux - 18
Section 24 N Richard Adams et ux - 9
Section 25 O Elmer Hasker - 12
Section 26 P Margaret Sarringer - 10
Section 27 Q Daniel Dolejsi - 21
Section 27 R Gordon Olson et ux - 6
Section 28 S Velma Lane et ux - 24
Section 28 T Terry Stucky et ux - 5
Section 28 U Pierre Montagne et ux - 5

Section 32 V Timothy Shafer et ux - 7
Section 33 W Myron Weinandt et ux - 19
Section 33 X Joe Christensen et ux - 7
Section 34 Y David Aune - 11
Section 35 Z Harlan Nelsen et ux - 25
Section 36 AA John Yaggie et ux - 7
Section 36 AB Karl Schenk - 8
Section 36 AC Jay Cutts et ux - 19

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/10, 2007

RECEIVED OF Karl M Schenk 44352 308th St Mission Hill SD 57046

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

Fee for Application for Permit No. <u>6917-3</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>6917-3</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.

3235

By

Guland Erbe

Chief Engineer

12/04/2007

State of South Dakota
Department of Environment & Natural Resources
Water Rights Division
Joe Foss Building
Pierre, SD 57501-3181

Karl Schenk
44352 308th Street
Mission Hill, SD 57046
605-665-6113
605-660-0933 cell
Schenk@cedarwb.net

2 checks
\$1175.00 - \$200.00

RECEIVED

DEC - 7 2007

**WATER RIGHTS
PROGRAM**

To Whom it may concern:

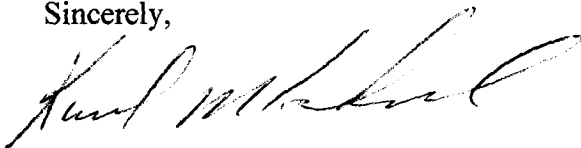
Enclosed please find five irrigation permit applications.

The Clay County irrigation application is on property that was once irrigated. It's permit number was 3036-3. Most of the particulars shall remain the same. The only difference shall be a submersible pump instead of a turbine drive pump. The pivot will be a 7 tower Valley instead of the 10 tower Lockwood. The same well is being utilized.

Most of the applications are for half circle center pivot fields. So, if the amount of water requested exceeds the allowable amount; the reason for the extra water requirement is so the center pivot will function properly.

Please contact me with any questions.

Sincerely,



Karl M. Schenk



**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. 6917-3, Karl Schenk**

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. 6917-3, Karl Schenk, 44352 308th Street, Mission Hill SD 57046.

The Chief Engineer is recommending APPROVAL of Application No. 6917-3 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. 6917-3 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
January 10, 2008

REPORT ON WATER PERMIT APPLICATION NO. 6917-3

For Karl Schenk

January 8, 2008

Application No. 6917-3 proposes to appropriate 1.78 cfs from one well approximately 180 feet deep located in the approximate center of the SW ¼ of section 26 to irrigate 140 acres located in the SW ¼ of section 26, all in T94N R55W in Yankton County.

AQUIFER – LOWER JAMES MISSOURI (LJM)

The Lower James Missouri is a buried outwash (sand and gravel) that can be encountered either under artesian or water table conditions in Yankton County. Even though technically the aquifer may be considered under artesian conditions the behavior of the water levels mimics water table conditions in this area. The aquifer underlies 92,500 acres and contains an estimated 2.08 million acre-feet of recoverable water in storage in Yankton County (Hedges, 1982). The aquifer extends into Hutchinson County to the north, blends into the Missouri Elk Point aquifer to the south and blends into the Lower James Missouri Scotland aquifer to the west (also extending into Bon Homme County). The aquifer appears to be hydraulically connected to the James River over portions of Yankton County. Bugliosi in the Yankton County Study divided the Lower James Missouri aquifer into the northern and southern areas which roughly coincide with the Lower James Missouri and Missouri Elk Point aquifer as mapped by Hedges. The aquifer is prolific and well yields from the Lower James Missouri aquifer can be expected to be at least 500 gpm (Bugliosi, 1986).

No test wells were drilled for this application. The estimate of 180 feet should be sufficient to get into the aquifer but may not penetrate the entire thickness of the aquifer. In order to develop a prolific irrigation well in this area more than likely the entire thickness of sand and gravel would need to be penetrated. A test well needs to be drilled to determine if the site chosen has sufficient water for development for irrigation. The county study, other irrigation and domestic wells and observation wells all indicate irrigation potential. Also this area should have about 100 feet of saturated thickness in the aquifer (Bugliosi, 1986).

The Water Rights Program monitors two observation wells within two miles of this site. These are observation wells YA-78I (located about two miles northeast) and YA-79H (located about two miles southeast) from this proposed application. Water levels for these wells show good response to climatic conditions. The water levels rise during wet years (recharge) and gradually decline during dry years. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2007). Hydrographs for these two observation wells are included with this report.

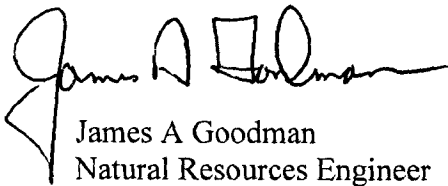
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing Water Permit is No. 6838-3 (2.22 cfs, 120 acres) with the well for that application located about three fourths mile to the east. Drawdown created by

pumping at this distance is not expected to be significant. This is shown by the observation well hydrographs for YA-78I and YA-79H. These observation wells are located within one mile of other existing irrigation wells. Interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Lower James Missouri aquifer.
2. Drawdown created by pumping is not expected to be significant. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

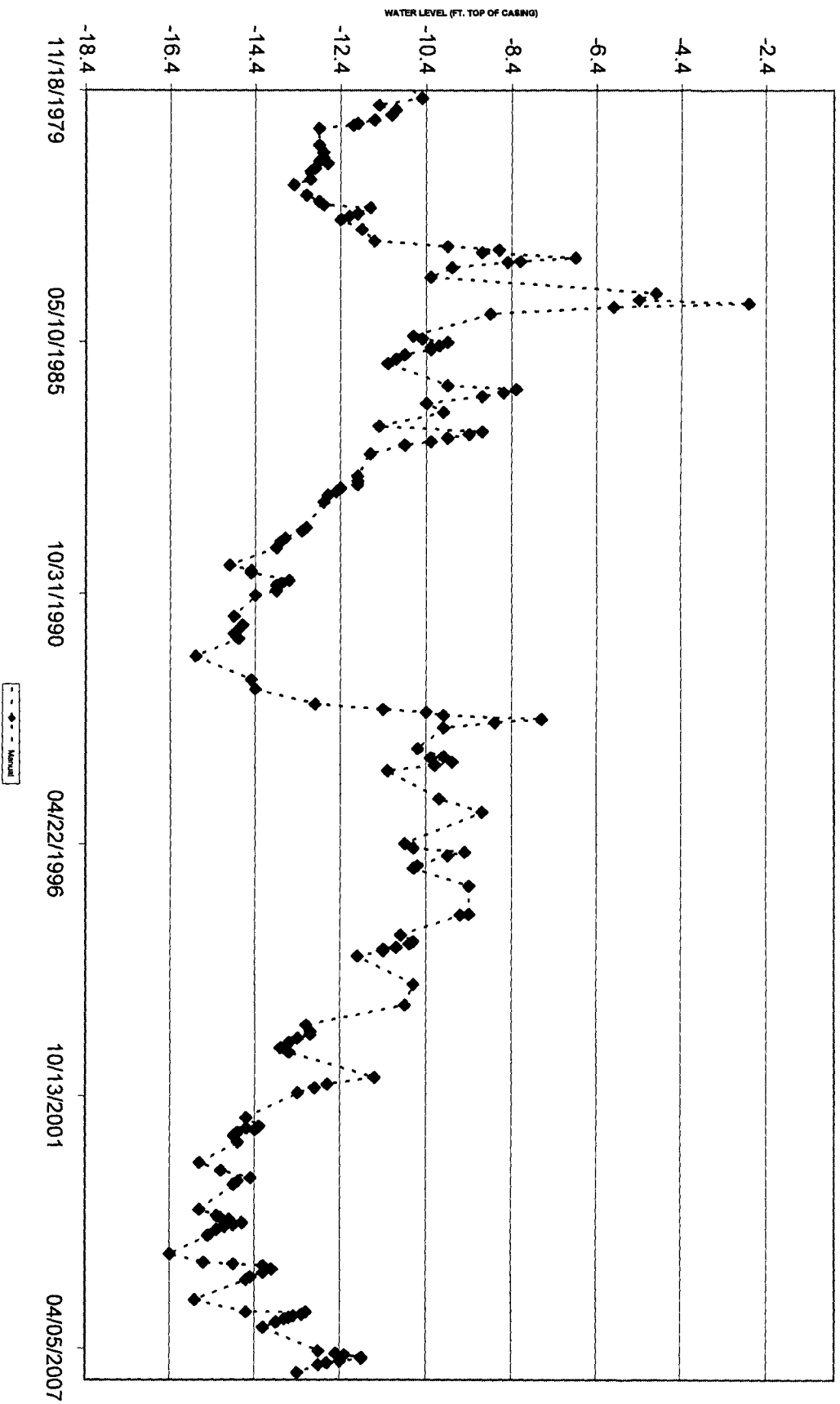
BIBLIOGRAPHY

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

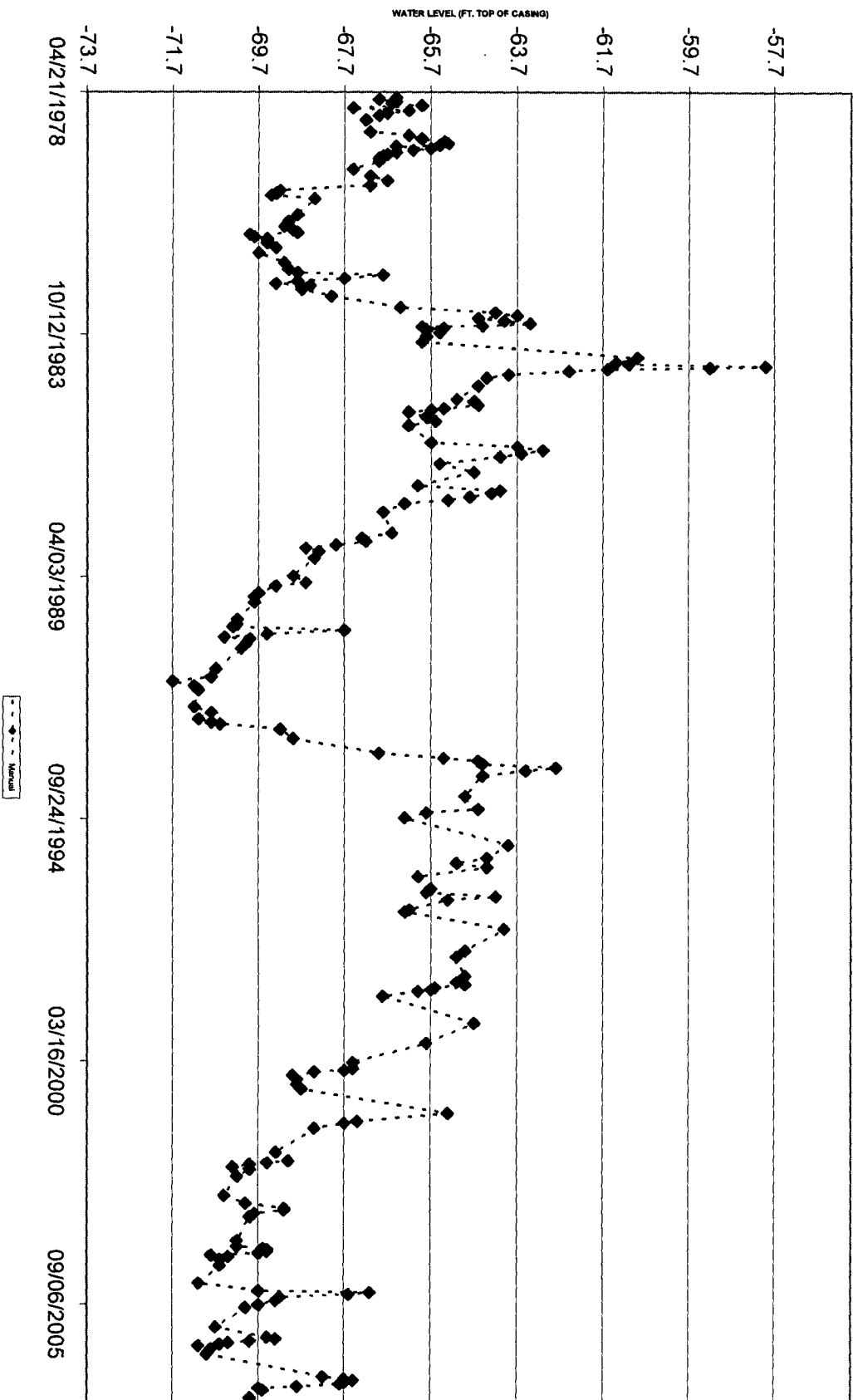
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

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

**WATER RIGHTS' OBSERVATION WELL
YA-79H**



WATER RIGHTS' OBSERVATION WELL YA-781



AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

RECEIVED

JAN 28 2008

**WATER RIGHTS
PROGRAM**

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 Application Nos. 6915-3 thru 6918-3

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON THE 24th DAY OF January 2008
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$61.99 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: 1/17, 1/24

FILED ON: 1/24/2008

SUBSCRIBED AND SWORN TO BEFORE ME THIS 24th DAY OF January, 2008

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2009

1+17+24

NOTICE OF APPLICATION
NOS. 6915-3 thru 6918-3 to
Appropriate Water

Notice is given that Karl Schenk,
44352 308th St, Mission Hill SD
57046 has filed the following
applications for a water permit.

Application No. 6915-3 proposes
to appropriate 1.78 cubic feet of
water per second (cfs) from one
well to be completed into the
Lower James:Missouri Aquifer
(approximately 180 feet deep)
located in approximate center of
the NW 1/4 Section 13 to irrigate
70 acres located in the S 1/2 NW
1/4 Section 13; all in T94N-R55W.
The applicant is requesting a
diversion rate greater than the
statutory limit of 1 cfs per 70
acres.

Application No. 6916-3 proposes
to appropriate 1.78 cfs from one
well to be completed into the
Missouri:Elk Point Aquifer
(approximately 80-100 feet deep)
located in the approximate center
of the SE 1/4 Section 17 to irrigate
70 acres located in the N 1/2 SE
1/4 Section 17; all in T94N-R54W.
The applicant is requesting a
diversion rate greater than the
statutory limit of 1 cfs per 70
acres.

Application No. 6917-3 proposes
to appropriate 1.78 cfs from one
well to be completed into the
Lower James:Missouri Aquifer
(approximate 180 feet deep) locat-
ed in the approximate center of the
SW 1/4 Section 26 to irrigate 140
acres located in the SW 1/4
Section 26; all in T94N-R55W.

Application No. 6918-3 proposes
to appropriate 1.33 cfs from one
well to be completed into the
Missouri:Elk Point Aquifer
(approximately 80-100 feet deep)
located in the approximate center
of the SW 1/4 Section 27 to irri-
gate 55 acres located in the E 1/2
SW 1/4 Section 27; all in T94N-
R55W. The applicant is requesting
a diversion rate greater than the
statutory limit of 1 cfs per 70
acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6915-3, 6916-3, 6917-3 and 6918-3 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 recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the 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 February 4, 2008.

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 counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to the 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

January 10, 2008

Daily Press & Dakotan
PO Box 56
Yankton SD 57078

ATTENTION: Legal Public Notice

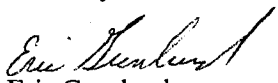
Enclosed is a Notice on Application Nos. 6915-3 thru 6918-3 to Appropriate Water to be published twice. Please publish the first notice on January 17, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Karl Schenk, 44352 308th St, Mission Hill SD 57046 (Ph # 605-665-6113).

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-----

Nos. 6915-3 thru 6918-3

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

Date _____

We are in receipt of your letter of January 10, 2008 enclosing Notice to Appropriate Water by Application Nos. 6915-3 thru 6918-3 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

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

January 10, 2008

Karl Schenk
44352 308th St
Mission Hill SD 57078

Dear Mr. Schenk:

Water Permit Application Nos. 6915-3 thru 6918-3 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 & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the 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 January 17, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 6915-3 thru 6918-3 to Appropriate Water

Notice is given that Karl Schenk, 44352 308th St, Mission Hill SD 57046 has filed the following applications for a water permit.

Application No. 6915-3 proposes to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Lower James:Missouri Aquifer (approximately 180 feet deep) located in approximate center of the NW $\frac{1}{4}$ Section 13 to irrigate 70 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 13; all in T94N-R55W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6916-3 proposes to appropriate 1.78 cfs from one well to be completed into the Missouri:Elk Point Aquifer (approximately 80-100 feet deep) located in the approximate center of the SE $\frac{1}{4}$ Section 17 to irrigate 70 acres located in the N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 17; all in T94N-R54W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6917-3 proposes to appropriate 1.78 cfs from one well to be completed into the Lower James:Missouri Aquifer (approximate 180 feet deep) located in the approximate center of the SW $\frac{1}{4}$ Section 26 to irrigate 140 acres located in the SW $\frac{1}{4}$ Section 26; all in T94N-R55W.

Application No. 6918-3 proposes to appropriate 1.33 cfs from one well to be completed into the Missouri:Elk Point Aquifer (approximately 80-100 feet deep) located in the approximate center of the SW $\frac{1}{4}$ Section 27 to irrigate 55 acres located in the E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 27; all in T94N-R55W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6915-3, 6916-3, 6917-3 and 6918-3 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 recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the 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 February 4, 2008.

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 counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to the 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 04 2008

Karl Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

Enclosed are Water Permit Nos. 6915-3, 6916-3, 6917-3 & 6923-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10's, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses 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,

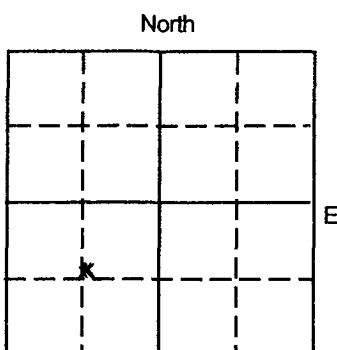
Garland Erbe, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

6917-3

11-02

Location ne $\frac{1}{4}$ sw $\frac{1}{4}$ Sec 26 Twp 94n Rg 55wCounty
YanktonPlease mark well
location with an "X"

Well Completion Date

5/3/2008

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

? 1,600.0 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

bucket

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	92.0 FT	24.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Went grt	35	9.5 Lb/gal	0.0 Ft	85.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 20.0 FeetMaterial pvcSlot Size 0.060 Set From 92.0 Feet to 112.0 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 analysisWell Owner: Karl Schenk

Business Name:

Address: 44352 308th StreetCity, State, Zip: Mission Hill SD 57046

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Clay, brown silty,	0	17
silt, gray, sandy	17	86
gravel, coarse, sub angular sandy	86	114

STATIC WATER LEVEL 70.0 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

81.0 Ft. After 1.0 Hrs. pumped 600.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 650.0 GPM

REMARKS

RECEIVED

FEB - 2 2009

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:

12/10/08WATER RIGHTS
PROGRAM

Permit No. 6917-3
Clay County

Report of Examination of Works and/or Application of Water to Beneficial Use

To: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, September 22, 2014 made a thorough examination of the water system used by the Karl M Schenk, 44352 308th St., Mission Hill, SD 57046, holder of Water Permit No. 6917-3, bearing the priority date of December 7, 2007. Water Permit No. 6917-3 authorizes the diversion of 1.78 cubic feet per second (cfs) from one well completed into the Lower James Missouri aquifer at approximately 180 feet below ground surface for the purposes of irrigating 140 acres in Yankton County as follows: 35 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, 35 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, 35 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, 35 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, all in T94N-R55W.

I have the following conditions to report for the system in question:

- 1) Works used to divert water:
One irrigation pump, manufactured by Kroy-Midwest
- 2) Works used to transport water to a place of use:
Underground pipes, 8 inch diameter.
- 3) Works used to apply water to beneficial use:
One Lockwood Pivot

The system is in the following condition: well maintained. The exact location the well is as follows:

- 1) **1,300 feet north and 1,300 feet east of the southwest corner of Section 26, T94N-R55W.**
Lat 42.92723N Lon 97.31325W.

The lands irrigated by the fore mentioned well are as follows:

- 1) 35 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T94N-R55W.
- 2) 35 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T94N-R55W.
- 3) 35 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T94N-R55W.
- 4) 35 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T94N-R55W.

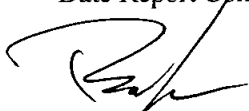
For a total of 140 acres.

License should be issued for the developed diversion rate of: **1.78 cfs or 800 gpm**

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: **None**

Date Report Completed: **June 4, 2015**



Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR WATER PERMIT NO. 6917-3

DATE OF INVESTIGATION:	September 22, 2014
NAME & ADDRESS OF PERMIT HOLDER	Karl M Schenk 44352 308th St. Mission Hill, SD 57046
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Karl M Schenk
DIVERSION POINT LEGAL LOCATIONS	1,300 feet north and 1,300 feet east of the southwest corner of Section 26, T94N-R55W. Lat 42.92723N Lon 97.31325W.

WELL INFORMATION:

- 1) Well Drilling Firm:
Hammond Wetmore Drilling
- 2) Number of Wells: **1**
- 3) Depth: **114 feet**
- 4) Well Log Available: **Yes**
- 5) Comment:

Motor

- 1) Make: **Kroy Midwest**
- 2) Model No:
- 3) Power: **50 hp**

System Type

- 1) Make: **1 Lockwood Pivot**
- 2) Overall length: **1,300 feet**
- 3) Number of Towers: **7 towers**
- 4) End Gun: **Yes**
- 5) Pressure:
- 6) Capacity: **800 gpm**

Pumps

- 1) Make: **Kroy Midwest**
- 2) Model:
- 3) Size:
- 4) Capacity: **800 gpm**

Casing

- 1) Diameter: **16 inches**
- 2) Length: **92 feet**
- 3) Type: **Plastic**

Screen

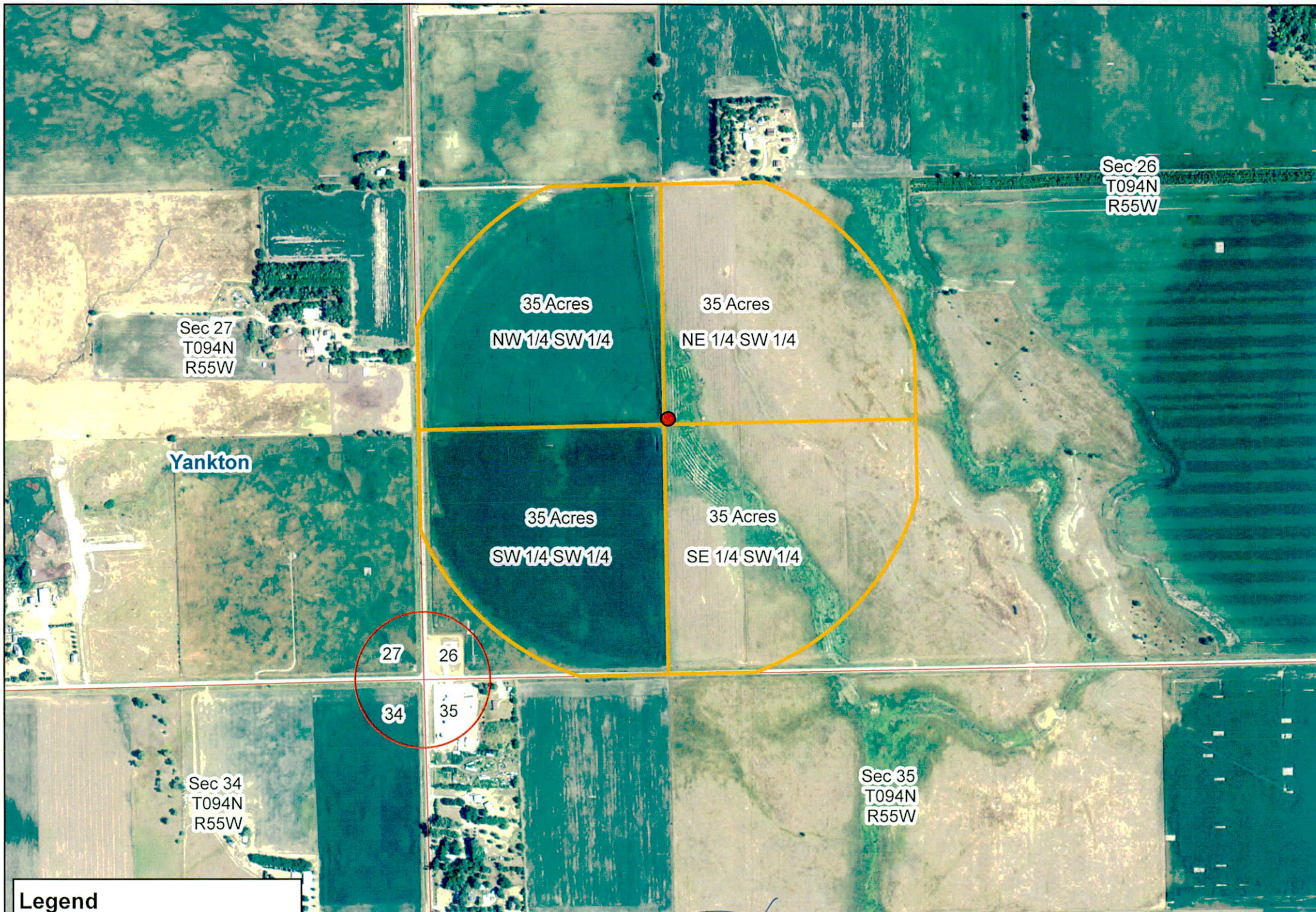
- 1) Type: **Manufactured**
- 2) Length: **20 feet**
- 3) Static Water Level: **70 feet**

CHEMIGATION EQUIPMENT: No

- 1) Mainline Check Valve:
- 2) Low Pressure Drain:
- 3) Inspection Port/Air Relief:
- 4) Discharge 20 Feet Away:
- 5) Injection Line Check Valve or Positive
Displacement Pump:
- 6) Injection Check Valve:
- 7) Properly Installed:

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by: **N/A**
- 2) All structures, wells, and lands on map: **Yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period: **Yes, irrigation from 2009 to present.**



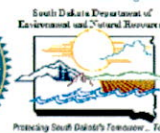
Legend

- Irrigated_Acres
- Section Boundaries - PLSS
- Well Location



0 0.05 0.1 0.2 Miles

Prepared by Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

JUN 18 2015

Karl M Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

Enclosed are Water License Nos. 6838-3, 6917-3, 6918-3, 6939-3, 7240-3, 7241-3, 7670-3, 7819-3 and 7842-3. These are the final water right documents completing your process of obtaining a Water Right. Also, included with each license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by these water rights, 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 Licenses, 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. 6916-3 are incorporated into Water License No. 7670-3.
The applicable portions of No. 7669-3 are incorporated into Water License No. 7842-3.

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6917-3

(1) Karl M Schenk, 44352 308th St, Mission Hill SD 57046 made Application No. 6917-3, December 7, 2007 for a water permit to divert 1.78 cubic feet of water per second (cfs) from one well (Lower James:Missouri Aquifer), Yankton County, South Dakota for irrigation purposes. Permit No. 6917-3, with a priority date of December 7, 2007 was approved February 4, 2008 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 4, 2013 and for the application to beneficial use of water on or before February 4, 2017.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6917-3 is issued a license, bearing a priority date of December 7, 2007 to appropriate 1.78 cubic feet of water per second from one well (Lower James:Missouri Aquifer) to irrigate 140 acres.

The diversion point is located: 1,300 feet north and 1,300 feet east of the SW corner of Section 26-T94N-R55W (approximate center of SW 1/4). The acres authorized for irrigation are as follows:

Section 26-T94N-R55W	SW1/4 SW 1/4	35 acres
	SE 1/4 SW 1/4	35 acres
	NE 1/4 SW 1/4	35 acres
	NW 1/4 SW 1/4	<u>35 acres</u>
	Total	140 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6917-3 including the following qualifications:

- 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.
- The well authorized by Permit No. 6917-3 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.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 18 2015

date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: KARL M SCHENK, 44352 308TH ST, MISSION HILL, SD 57046

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4506-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4855-3, 6838-3, 6839-3, 6917-3, 6918-3, 7017-3, 7667-3, 7668-3, 7670-3, 7819-3, 7842-3, 7939-3, 7955-3 & 8816-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** 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) 4855-3, 6838-3, 6839-3, 6917-3, 6918-3, 7017-3, 7667-3, 7668-3, 7670-3, 7819-3, 7842-3, 7939-3, 7955-3 & 8816-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4506-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: **ESGTCO****

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 AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 17, 2025

4506-3, 4855-3, 6838-3, 6839-3
6917-3, 6918-3, 7017-3, 7667-3
7668-3, 7670-3, 7819-3, 7842-3
7939-3, 7955-3, 8192-3 & 8816-3

Karl Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 4506-3, 4855-3, 6838-3, 6839-3, 6917-3, 6918-3, 7017-3, 7667-3, 7668-3, 7670-3, 7819-3, 7842-3, 7939-3, 7955-3 & 8816-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda. However, the 2024 reporting has not been completed for 8192-3, held by Stop Lock Drop Inc.

Please contact our office to report 2024 irrigation water use for Water Right No. 8192-3, prior to March 5, 2025.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us