

WATER PERMIT NO. 6919-3

Name of Applicant: **John & Jacqueline Smith**

Address: **2204 Valley Rd, Yankton SD 57078**

Phone: **605 665-4439**

Amount of Water Claimed: **2.0 cfs**

Total Acres: **327**

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

Water to be used for: **irrigation**

County: **Yankton**

Type of Waste Disposal System:

Location: **2 miles northwest of Mission Hill**

PRIORITY

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

Application/License Fee: **\$375**

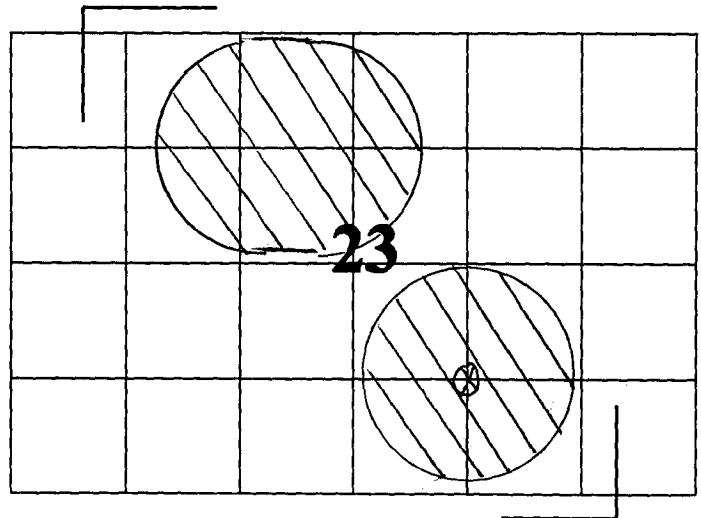
Corrected Application Received: _____

Period of Annual Use: **April 1 – October 31**

Remarks:

Diversion Point: **center of the SE ¼ Section 23-
T94N-R55W**

Land to be Irrigated: **SE ¼, NW ¼, W ½ NE ¼ Sec
23-T94N-R55W**



Depth of Well: **90 -120 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by:

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

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6919-3</u>	(office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Daily Press & Democrat</u>	<u>PO Box 56</u>
	<u>605-665-0781</u>	<u>Yankton 57028</u>

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.)

1. Name of Applicant John & Jacqueline Smith Phone cell 605-660-0242
(check one) ☒ Owner ☐ Tenant/leasee
- Mailing Address 2204 Valley Rd. Yankton State SD 57078
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 2.0*CFS or 900**GPM ***AF Total Acreage 327
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply ground water
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Yankton SD
One well in middle of SE 1/4 of section 23 94-55 to
supply water for two pivots.
5. County or counties where water will be used Yankton
6. Annual period during which water is to be used April thru October 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
South Pivot (Attach sheet if more space is needed) North Pivot

Land Description	Acres	Land Description	Acres
NW 1/4 of SE 1/4 Sec. 23 94-55	34.25	NW 1/4 of NW 1/4 Sec. 23 94-55	27.5
NE 1/4 of SE 1/4 Sec. 23 "	34.25	NE 1/4 of NW 1/4 " "	40.0
SW 1/4 of SE 1/4 Sec. 23 "	34.25	NW 1/4 of NE 1/4 " "	27.5
SE 1/4 of SE 1/4 Sec. 23 "	34.25	SW 1/4 of NW 1/4 " "	27.5

8. Give a description of the project. (Attach sheet if more space is needed) Drill new well in middle
of SE 1/4 Section 23 94-55 to supply water for two pivots. South
pivot to cover 137 acres of crop ground in full circle. North Pivot to
cover 190 acres of crop ground in full circle. One pivot running at
a time. North Pivot has swing arm.

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, John C. Smith, 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 John C. Smith

Subscribed and sworn to before me this 5th day of December 2007

Notary Public signature Deborah Dangel

Expires 3-21-08

John + Jacqueline Smith

<u>Land Description</u>	<u>Acres</u>
-------------------------	--------------

SE $\frac{1}{4}$ of NW $\frac{1}{4}$	40.0
--------------------------------------	------

SW $\frac{1}{4}$ of NE $\frac{1}{4}$	27.5
--------------------------------------	------

All land is in Section
23 T-94-N R-55-W
Mission Hill North Township
Yankton County

327 Total Irrigated
Acres

Would like to drill well
in December 2007, or
January 2008.

Thank You!

John C. Smith

John Smith is President
+ Jacqueline Smith is
Treasurer of Smith Farming
Ent. Inc.

**SOUTH DAKOTA
WATER PERMIT NO. 6919-3**

Date of first receipt of application December 7, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6919-3 to John & Jacqueline Smith, 2507 Valley Rd, 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. 6919-3 appropriates 2.0 cubic feet of water per second from one well to be completed into the Lower James:Missouri Aquifer (approximately 200-240 feet deep) located in approximate center of the SE 1/4 Section 23 to irrigate 327 acres located in the SE 1/4, NW 1/4, W 1/2 NE 1/4 Section 23; 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: April 1 – October 31.
3. The date from which applicant may claim right is December 7, 2007.
4. The date of approval of Permit No. 6919-3 is February 11, 2008.
5. One-fifth of the construction is to be completed on or before August 11, 2010.
6. All construction is to be completed on or before February 11, 2013.
7. Water is to be put to beneficial use on or before February 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. 6919-3 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 07 2008
date



(type or print in ink)

1. Well Information - Proposed Construction No well or Test hole

- a) Drill Hole Diameter 24 inch Depth 90-120 ft.
- b) Casing Type PVC Diameter 16 inch Thickness 3/4 inch
- c) Screen Type PVC slotted Diameter 16 inch Thickness 3/4 inch
- d) Gravel Pack 1/2-3/8 inch Pear rock Length of Gravel Pack 60 ft.
- e) Depth to Top of Water Bearing Material 60 ft.
- f) Depth to Water (ground surface to water level) 20 ft.
- g) Distance to nearest existing domestic well:
- On applicants property None On property owned by others 1/2 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

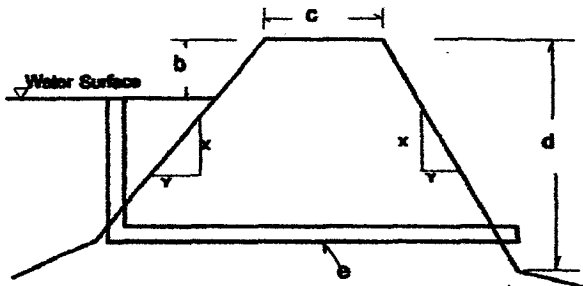
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

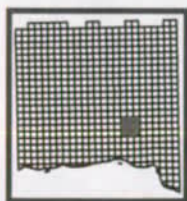
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



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



USDA - Farm Service Agency



Yankton County

23-94N-55W

1:7,675

May 17, 2007

2007

Legend

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

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions



USDA FSA maps are for FSA Program administration only. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability. FSA MAPS DO NOT REPRESENT A LEGAL SURVEY. The user accepts the data "as is" and assumes all risks associated with its use. Wetland points reflect records available with NRCS and may or may not constitute a full inventory of the property. 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. Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

RECEIPT
WATER RIGHTS PROGRAM
South Dakota Department of Environment and Natural Resources

Date 12/10, 20 07

RECEIVED OF John C. Smith 2204 Valley Rd Yankton SD 57078

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

Fee for Application for Permit No. <u>6919-3</u> to Appropriate Water, to construct and to put water to beneficial use	325	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>6919-3</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	375 00

No.

03240

By Gardner Erbe
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

December 10, 2007

John Smith
2204 Valley Rd.
Yankton, SD 57078

Dear Mr. Smith:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well in the Section 23, T94N-R55W prior to approval of a water permit. The well will be completed into the Lower James Missouri aquifer. The test well must be constructed by a water well driller licensed in the State of South Dakota, in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Authorization must be obtained before water from the well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for GARLAND ERBELE, Chief Engineer
Water Rights Program
(605) 773-3352

Water Rights Program - File Documentation

NAME: John Smith

ADDRESS: Yankton

DATE: 12-19-07 **COUNTY:** Yankton **TELEPHONE:** cell #660-0848

RE: pending application

COMMENTS:

John Smith called regarding the well depths on his pending application. Mr. Smith indicated he had talked with Jim Goodman yesterday. After considering Jim's comments on the aquifer depths in the area of his application, Mr. Smith indicated that he would like to change the proposed depths of the wells to 200-240 feet deep since that appeared to be more accurate.

Goodman indicated that 90-120 feet or 200-240 feet wells would still all be from the same aquifer.



Karen Schlaak
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6919-3, John and Jacqueline Smith**

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. 6919-3, John and Jacqueline Smith, 2204 Valley Road, Yankton SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 6919-3 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. 6919-3 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 16, 2008

REPORT ON WATER PERMIT APPLICATION NO. 6919-3
For John and Jacqueline Smith
January 9, 2008

Application No. 6919-3 proposes to appropriate 2.0 cfs from one well approximately 200 to 240 feet deep located in the approximate center of the SE $\frac{1}{4}$ of section 23 to irrigate 327 acres located in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ of section 23, 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 200 to 240 feet should be sufficient to 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 for this area. Also this area should have about 100 feet of saturated thickness in the aquifer (Bugliosi, 1986).

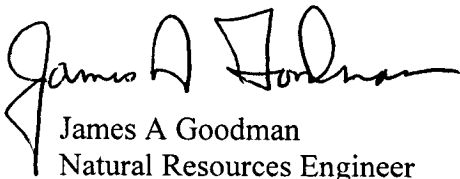
The Water Rights Program monitors two observation wells within two miles of this application. These are observation well YA-80IA which is located about one mile northeast and observation well YA-78I which is located about one and one-half miles to the east both from this proposed well site. Water levels 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 observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing Water Right is No. 4443-3 (1.78 cfs, irrigation of 148 acres, 236 feet deep well) with the well located about one-half mile to the west of this proposed site. 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-80IA. 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.
4. The applicant was authorized to construct a test well at this site on December 10, 2007. The status of this construction is not known at this time.



James A Goodman
Natural Resources Engineer

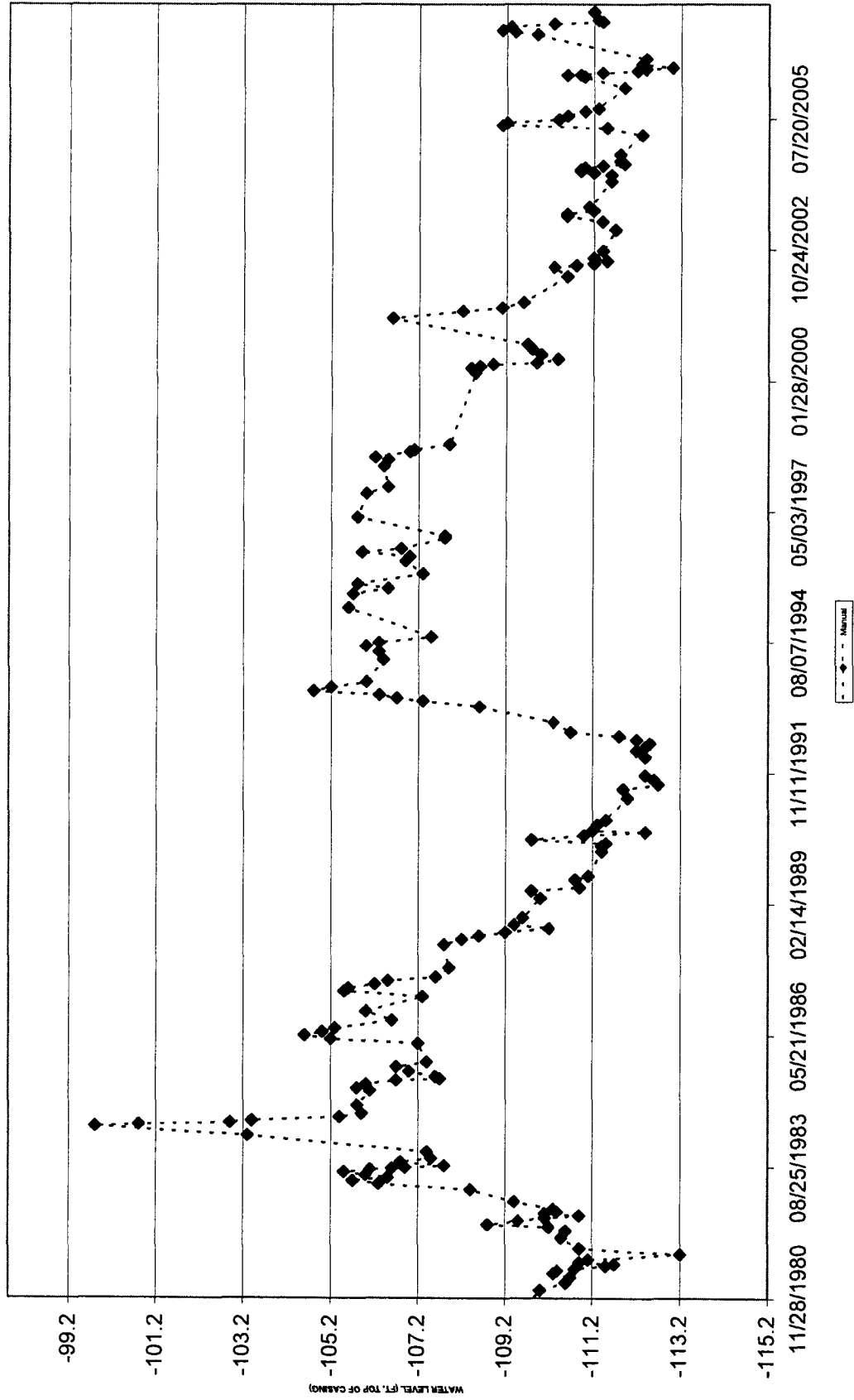
BIBLIOGRAPHY

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

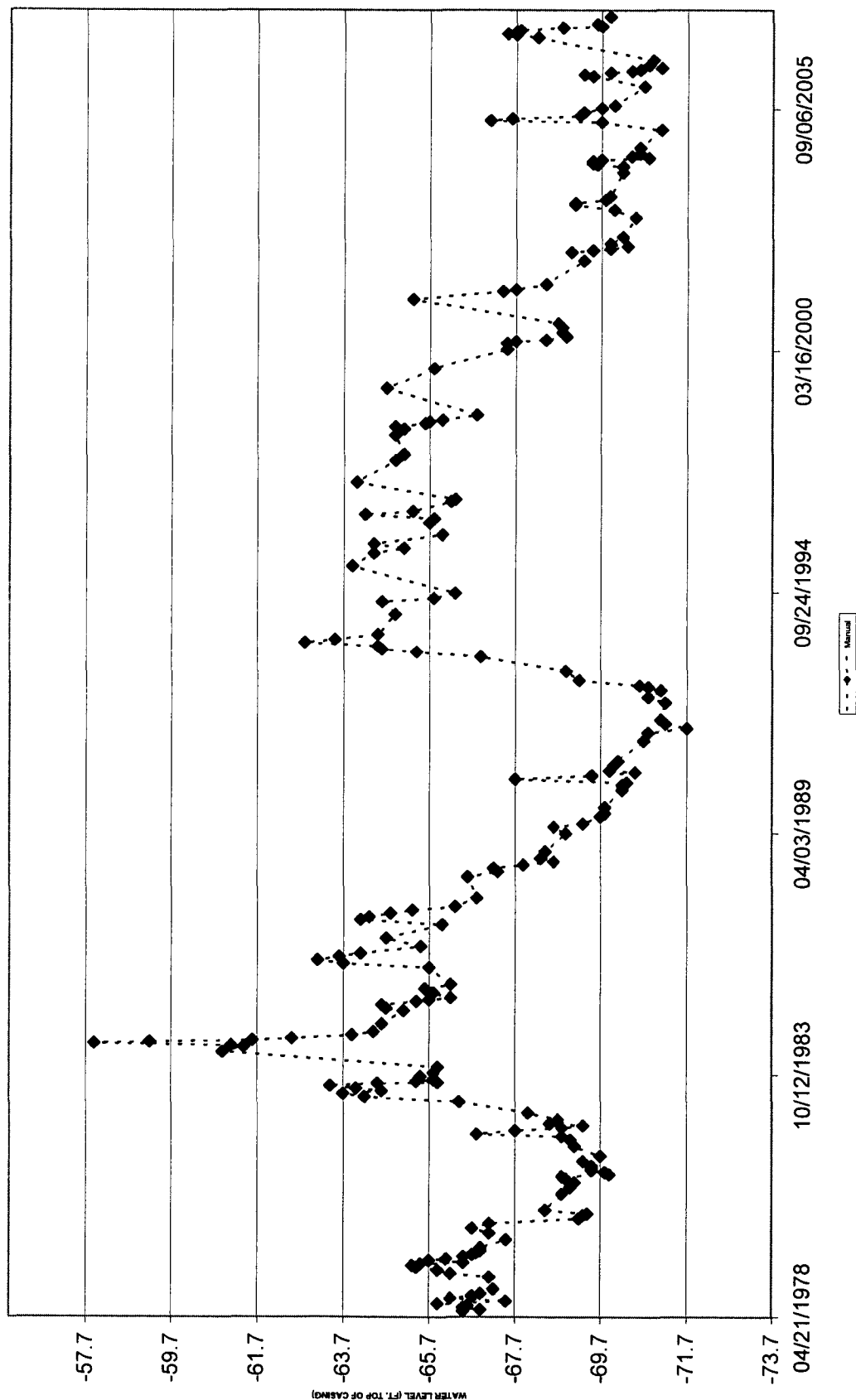
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

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

WATER RIGHTS' OBSERVATION WELL YA-801A



**WATER RIGHTS' OBSERVATION WELL
YA-78I**



RECEIVED
FEB - 4 2008
WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

DENR
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 No. 6919-3 To Appropriate Water

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON THE 31st DAY OF January 2008
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$39.56 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: 1/24, 1/31

FILED ON: 1/31/2008

SUBSCRIBED AND SWORN TO BEFORE ME THIS 31st DAY OF January, 2008

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

1+24+31

NOTICE OF APPLICATION NO.
6919-3 to Appropriate Water

Notice is given that John & Jacqueline Smith, 2204 Valley Rd, Yankton SD 57078 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Lower James:Missouri Aquifer (approximately 200-240 feet deep) located in approximate center of the SE 1/4 Section 23 to irrigate 327 acres located in the SE 1/4, NW 1/4, W 1/2 NE 1/4 Section 23; all in T94N-R55W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6919-3 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 February 11, 2008.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2008

Daily Press & Dakotan
PO Box 56
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6919-3 to Appropriate Water to be published twice. Please publish the first notice on January 24, 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 John & Jacqueline Smith, 2204 Valley Rd, Yankton SD 57078 (Ph # 605-665-4439).

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. 6919-3

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

Date _____

We are in receipt of your letter of January 17, 2008 enclosing Notice to Appropriate Water by Application No. 6919-3 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 17, 2008

John & Jacqueline Smith
2204 Valley Rd
Yankton SD 57078

Dear Mr. and Mrs. Smith

Water Permit Application No. 6919-3 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 recommendation of the Chief Engineer and report 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 Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on January 24, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6919-3 to Appropriate Water

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 07 2003

John & Jacqueline Smith
2507 Valley Rd
Yankton SD 57078

Dear Mr. & Mrs. Smith:

Enclosed is Water Permit No. 6919-3 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

6919-3

RECEIVED

DEC - 5 2008

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 12-2-08

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

FROM: John + Jacqueline Smith
(name)

2507 Valley Rd.
(address)

Yankton SD 57078
(city, state, zip)

605-665-4439 ^{CP 11} 605-660-0444
(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.

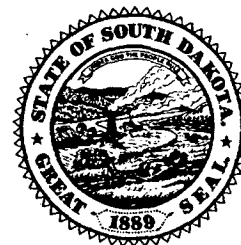
Water Permit No. 6919-3 states that the water use system is to be constructed by 2-11-13, and water is to be put to beneficial use by 2-11-17.
(date) (date)

The water use system was completed on 7-15-08.
(date)

Applying the water to beneficial use was completed on 7-22-08.
(date)

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

John C. Smith
(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

January 2, 2009

6897-3
6919-3

John & Jacqueline Smith
2507 Valley Rd
Yankton SD 57078

Dear Mr. & Mrs. Smith:

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

The systems are 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 completion of the projects and the staff inspection has no bearing on your water permits.

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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location nw $\frac{1}{4}$ se $\frac{1}{4}$ Sec 23 Twp 94n Rg 55w

County

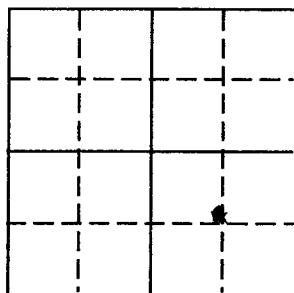
Yankton

North

Please mark well
location with an "X"

W

E



Well Completion Date

7/8/2008

1 Mile

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

? 1,500.0 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	135.0 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 grout	25	9.4 Lb/gal	0.0 Ft	127.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 60.0 FeetMaterial PVCSlot Size .080 Set From 135.0 Feet to 195.0 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: John Smith

Business Name:

Address: 2507 Valley RoadCity, State, Zip: Yankton SD 57078

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Silt, brown, clayey, loess	0	2
Clay, yellow brn, pebbly till	2	40
Clay, gray, pebbly, till	40	128
Sand, gray, med to coarse, pebbly	128	200

STATIC WATER LEVEL 91.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

FEB - 2 2009

WATER RIGHTS
PROGRAM
666

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:

12/08/08

Permit No. 6919-3
Missouri River - Water District

Contact Person & Address: **John Smith**

Report Of Examination Of Works

On, **September 21, 2009**, I made a thorough examination of the water use system constructed by **John and Jacqueline Smith, 2507 Valley Rd, Yankton SD 57078** holder of Permit No. **6919-3**, bearing the priority of **December 7, 2007** authorizing the diversion of **2.0** cu. ft. per second of the waters of **ground water (Lower James: Missouri Aquifer)** for **irrigation** purposes, in **Yankton** County.

The system is in the following condition **good**. The point of diversion is located **from the SE corner of Section 23 T94N-R55W, 1310 feet north and 1310 feet west** with a longitude of **-97.30345** and a latitude of **42.94162** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **2.0** cu. ft. per second of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

All land is located in **Sec 23, T94N-R55W**

<u>NW ¼ NW ¼ - 27.5 ac</u>	<u>NE ¼ NW ¼ - 40 ac</u>	<u>NW ¼ NE ¼ - 27.5 ac</u>	<u>SW ¼ NW ¼ - 27.5 ac</u>
<u>SE ¼ NW ¼ - 40 ac</u>	<u>SW ¼ NE ¼ - 27.5 ac</u>	<u>NW ¼ SE ¼ - 34.25 ac</u>	<u>NE ¼ SE ¼ - 34.25 ac</u>
<u>SW ¼ SE ¼ - 34.25 ac</u>	<u>SE ¼ SE ¼ - 34.25 ac</u>		

comprising a total of **327** acres of land and the license should be issued for **2.0** cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **yes**.
- 4) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- | | |
|--|--|
| 1) Well Drilling Firm: <u>Hammond Wetmore</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>195</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|-------------------------------------|----------------------------------|
| 1) Diameter <u>16</u> inches | 2) Length <u>135</u> feet |
| 3) Type <u>pvc</u> | |

Screen:

- | | |
|---------------------------|---------------------------------|
| 1) Type <u>pvc</u> | 2) Length <u>60</u> feet |
|---------------------------|---------------------------------|

3) Static water level 91 feet

Pump:

1) Make Grundfos

2) Model 800S500

3) Size 8

4) Capacity 900 GPM

Motor:

1) Make Grundfos

2) Model No. MS6000

3) Horsepower rating 30 hp

DISTRIBUTION LINES OR CANALS:

1) Type pvc 2) Size 8 inches 3) Length 3000 feet

SYSTEM TYPE:

Center pivot: NW

1) Make Valley

2) Overall length 1820 feet

3) Number of towers 8 with corner unit

4) End gun yes

5) High or low pressure lo

6) Capacity 900 GPM

Center pivot: SE

1) Make Valley

2) Overall length 1300 feet

3) Number of towers 7

4) End gun yes

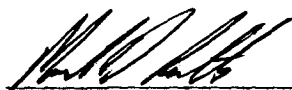
5) High or low pressure lo

6) Capacity 900 GPM

CHEMIGATION EQUIPMENT:

1) Does chemigate no

Comments : none



Mark D. Rath

Natural Resources Engineering Specialist
DENR, Water Rights Program

4-22-10

Date



Mark D. Rath

Mark D. Rath
Natural Resources Engineering Specialist
4/05/2010

0 0.1 0.2 0.4 Miles



6919-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 28 2010

6919-3

John & Jacqueline Smith
2507 Valley Rd
Yankton SD 57078

Dear Mr. & Mrs. Smith:

Enclosed is Water License No. 6919-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6919-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Garland Erbele".

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6919-3

(1) John & Jacqueline Smith, 2507 Valley Rd, Yankton SD 57078 made Application No. 6919-3, December 7, 2007 for a water permit to divert 2.00 cubic feet of water per second from ground water, one well – Lower James Missouri Aquifer, Yankton County, South Dakota for irrigation purposes. Permit No. 6919-3, with a priority date of December 7, 2007 was approved February 11, 2008 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before February 11, 2013 and for the application to beneficial use of said water on or before February 11, 2017.

The Permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" on December 5, 2008. The "Notice" stated the water use system was completed on July 15, 2008 and the water placed to beneficial use on July 22, 2008.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.00 cubic feet of water per second for beneficial use. The location of the diversion point is 1,310 feet north and 1,310 feet west of the SE corner of Section 23, T94N, R55W (approximate center of the SE ¼).

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

Section 23, T94N, R55W			
NW ¼ NW ¼	27.5 acres	NW ¼ SE ¼	34.25 acres
NE ¼ NW ¼	40.0 acres	NE ¼ SE ¼	34.25 acres
SW ¼ NW ¼	27.5 acres	SW ¼ SE ¼	34.25 acres
SE ¼ NW ¼	40.0 acres	SE ¼ SE ¼	34.25 acres
NW ¼ NE ¼	27.5 acres	Total acres irrigated 327	
SW ¼ NE ¼	27.5 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 John & Jacqueline Smith, 2507 Valley Rd, Yankton SD 57078 the holders and/or owners of Water Right No. 6919-3 are issued a license to appropriate water, the right to use 2.00 cubic feet of water per second from ground water, one well – Lower James Missouri Aquifer with a priority date of December 7, 2007 from the location specified in (2) of this license for irrigation of the above described land.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6919-3 and subject to 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. 6919-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28 (*the well was drilled in June, 2008 by Hammond-Wetmore Drilling – a copy of the log is on file with the Water Rights Program*).
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Garland Erbele

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

APR 28 2010

date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 29th, 2026

6919-3

Brett Petersen, OP
PBP Farms
45656 US HWY 18
Hurley, SD 57036

Dear Mr. Petersen,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). The information was received in our office prior to the Water Management Board meeting, and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us