

WATER PERMIT NO. 6939-3

Name of Applicant: **Tom & John Yaggie**

Address: **30848 444 Ave, Mission Hill SD 57046**

Phone: **605 665-8693**

Amount of Water Claimed: **2.22 cfs**

Total Acres: **198**

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

Water to be used for: **irrigation**

County: **Yankton**

Type of Waste Disposal System:

Location: **2 miles east of Yankton**

PRIORITY

Date Received: **1-14-08**

Application/License Fee: **\$325**

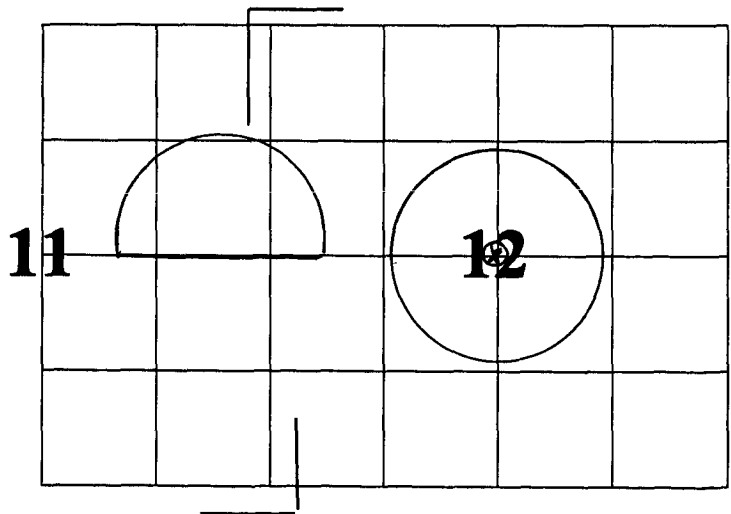
Corrected Application Received: **1-22-08**

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

Remarks:

Diversion Point: **Center of Sec 12-T93N-R55W**

Land to be Irrigated: **SE ¼ NW ¼ SW ¼ NE ¼,
NW ¼ SE ¼, NE ¼ SW ¼, SW ¼ NW ¼ Sec 12
and S ½ NE ¼ Sec 11; all in T93N-R55W**



Depth of Well: **110 feet dee**

Well Driller: :

Remarks:

Type of Map: **aerial**

Prepared by: **Steve Meyer, Yankton Co NRCS**

Reviewed and the Number Assigned on: **1-22-08**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>6939-3</u>	Hydrologic Unit <u>10/60011</u>
	Basin <u>James River</u>	
	Newspaper <u>PRESS & OREGON</u>	<u>PO Box 56</u> <u>605-665-7811</u> <u>Yankton 57078</u>

RECEIVED

JAN 14 2008

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 Tom + John YAGGIE Phone 665-8693
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 30848 444 Ave Mission Hill State SD 57046
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.22*CFS or 1000**GPM ***AF Total Acreage 200 198
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County YANKTON
SE1/4 NW1/4 + SW1/4 NE1/4 + NW1/4 SE1/4 + NE1/4 SW1/4 Sec 12
T-93-N R-55-W YANKTON County (Center Sec 12)
- County or counties where water will be used YANKTON
- Annual period during which water is to be used April 1 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	T-93-N R-55-W	Acres	Land Description	Acres
SE1/4 NW1/4 Sect 12		33.25	SW1/4 NW1/4 Sect 12 T-93-N	15
SW1/4 NE1/4 Sect 12	"	33.25	SE1/4 NE1/4 Sect 11 R-55-W	15
NW1/4 SE1/4 Sect 12	"	33.25	E1/2 SW1/4 NE1/4 Sect 11	15
NE1/4 SW1/4 Sect 12	"	33.25		

8. Give a description of the project. (Attach sheet if more space is needed)
Drilling well @ Pivot point, Pivot 1300' long making 100% circle. Piping water 3000' west of well to pivot, only making 1/2 circle @ 1300' long. If request pumping gallons is over the appropriated amount, The water demand of the west Semi-circle pivot is the reason.

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 Yaggie (partner), 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 YaggieSubscribed and sworn to before me this 11th day of January 20 08Notary Public signature Diane M. [Signature]

**SOUTH DAKOTA
WATER PERMIT NO. 6939-3**

Date of first receipt of application January 14, 2008.

Date of return to applicant for corrections, amendments or changes January 15, 2008.

Date of receipt of corrected application January 22, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6939-3 to Tom and John Yaggie, 30848 444th Ave, 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. 6939-3 appropriates 2.22 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 110 feet deep) located in center of Section 12 to irrigate 198 acres located in the SE 1/4 NW 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4, SW 1/4 NW 1/4 Section 12 and S 1/2 NE 1/4 Section 11; all in T93N-R55W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is January 14, 2008.
4. The date of approval of Permit No. 6939-3 is March 10, 2008.
5. One-fifth of the construction is to be completed on or before September 10, 2010.
6. All construction is to be completed on or before March 10, 2013.
7. Water is to be put to beneficial use on or before March 10, 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. 6939-3 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

MAR 17 2008
date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 28" Depth 110'
- b) Casing Type PUC Diameter 16" Thickness .616
- c) Screen Type PUC Diameter 16" Thickness .616
- d) Gravel Pack Road Length of Gravel Pack 20-110'
- e) Depth to Top of Water Bearing Material 20'
- f) Depth to Water (ground surface to water level) est 20'
- g) Distance to nearest existing domestic well:
- On applicants property 2,000' On property owned by others 4,000'

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

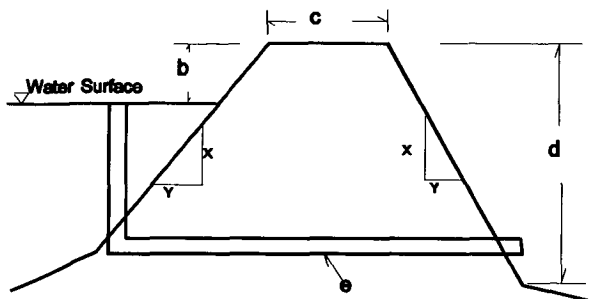
3. Dugout Information

- 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.

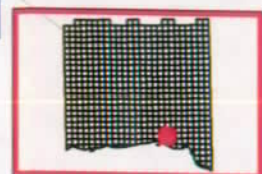
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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, SD

11-93N-55W

1:7,601

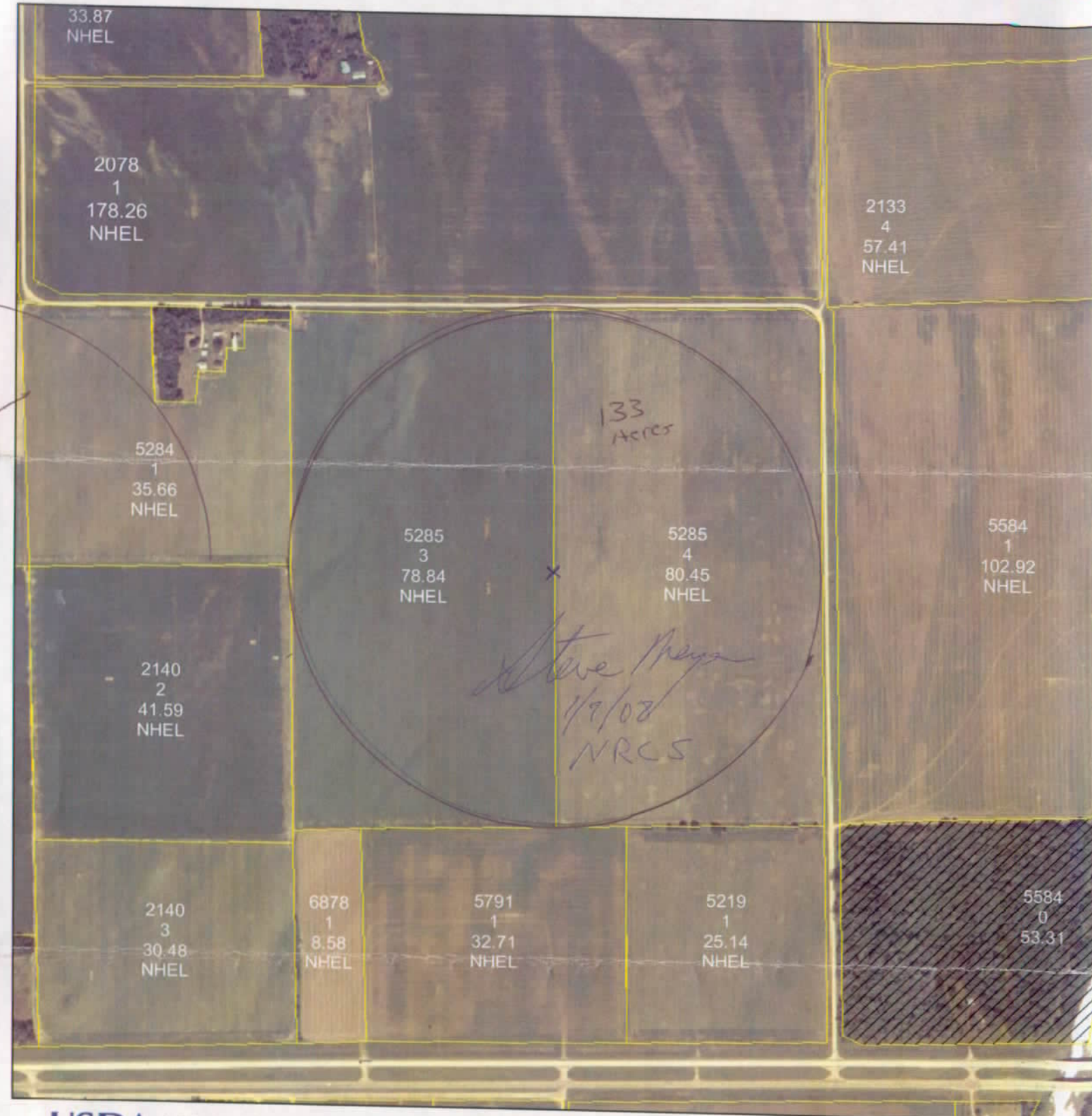
May 17, 2007

Legend

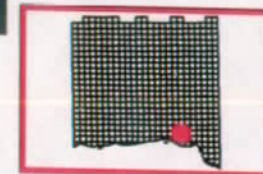
- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- Rangeland

Wetland Determination Identifiers

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



USDA - Farm Service Agency



Yankton County, SD

12-93N-55W

1:7,637

May 17, 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.

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 1/14, 20 08

RECEIVED OF Yaggle Farms RR 1 Bx 215 A Mission Hill SD 57046

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

Fee for Application for Permit No. <u>6939-3</u> to Appropriate Water, to construct and to put water to beneficial use	275	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>6939-3</u>	60	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	325 00

No.

0304

By

Leland Erbe 
Chief Engineer

1-10-08

ERIC,

Thank you for being so
helpfull on the phone by
helping me with questions on
my irrigation app. Sorry I'm
throwing this at you at such a
late date! Any Questions
please call me 665-8693 or
cell 661-2668

RECEIVED
JAN 14 2008
WATER RIGHTS
PROGRAM

Thanks

John Jaygo



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 15, 2007

Tom & John Yaggie
30848 444 Ave
Mission Hill SD 57046

Dear Sirs:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Yankton County. In order to complete the application the following is required.

Enclosed is the aerial photo map submitted with the application. Please outline the acres to be irrigated in Section 12. The application states in addition to the proposed irrigation of 133 acres in the center of Section 12 that 65 acres additional acres will be irrigated in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12 and SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11; T93N-R55W. It will be necessary to submit an aerial photo map for Section 11 with the proposed irrigation outlined.

If you have any questions, please contact me.

Sincerely,

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

enclosure

1-17-08

Reg, Irrigation Permit &

Well Approval
RECEIVED

JAN 22 2008

**WATER RIGHTS
PROGRAM**

KAREN,

I hope this outline
of the proposed irrigation
will explain my projects.
Please contact me with any
questions.

Thank you

John Yaggu
& Tom Vaggie



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6939-3, Tom & John Yaggie**

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. 6939-3, Tom & John Yaggie, 30848 444th Avenue, Mission Hill SD 57046.

The Chief Engineer is recommending APPROVAL of Application No. 6939-3 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. 6939-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 8, 2008

REPORT ON WATER PERMIT APPLICATION NO. 6939-3
For Tom & John Yaggie
February 5, 2008

Application No. 6939-3 proposes to appropriate 2.22 cfs (1,000 gpm) from one well approximately 110 feet deep located in the approximate center of section 12 to irrigate 198 acres located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 12 and the S $\frac{1}{2}$ NE $\frac{1}{4}$ of section 11; all in T93N R55W in Yankton County.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point aquifer is a surficial outwash (sand and gravel) that is under water table conditions in this portion of Yankton County. The aquifer underlies 45,000 acres and contains an estimated 675,000 acre-feet of recoverable water in storage in Yankton County (Hedges, 1982). The aquifer extends into Clay County to the east, blends into the Lower James Missouri aquifer to the north and is hydraulically connected to the James and Missouri Rivers 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 can be expected to be at least 500 gpm and may be more than 1,000 gpm (Bugliosi, 1986).

No test wells were drilled for this application. The estimate of 110 feet is not documented but certainly that should be sufficient to penetrate the entire aquifer. Test wells need 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).

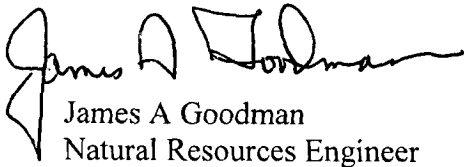
The Water Rights Program monitors observation well YA-57D located about three miles east of this proposed well site. Water levels for this well show good response to climatic conditions. The water levels rise during wet years (recharge) and gradually decline during dry years. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2007). A hydrograph for this observation well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water permit/right well is located about one-half mile to the southwest of this proposed well. That existing right is Water Right No. 127-3. Drawdown created by pumping at this distance is not expected to be significant. This is shown by the observation well hydrograph for YA-57D. Note that water levels this near the river appear to have declined over the years. This is probably because of entrenching of the Missouri River since the construction of the upstream dam. This phenomenon is apparent from all the observation well records that are located near the Missouri River from the Yankton area to the Sioux City area. Interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is under water table conditions in this area. Drawdown created by pumping 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

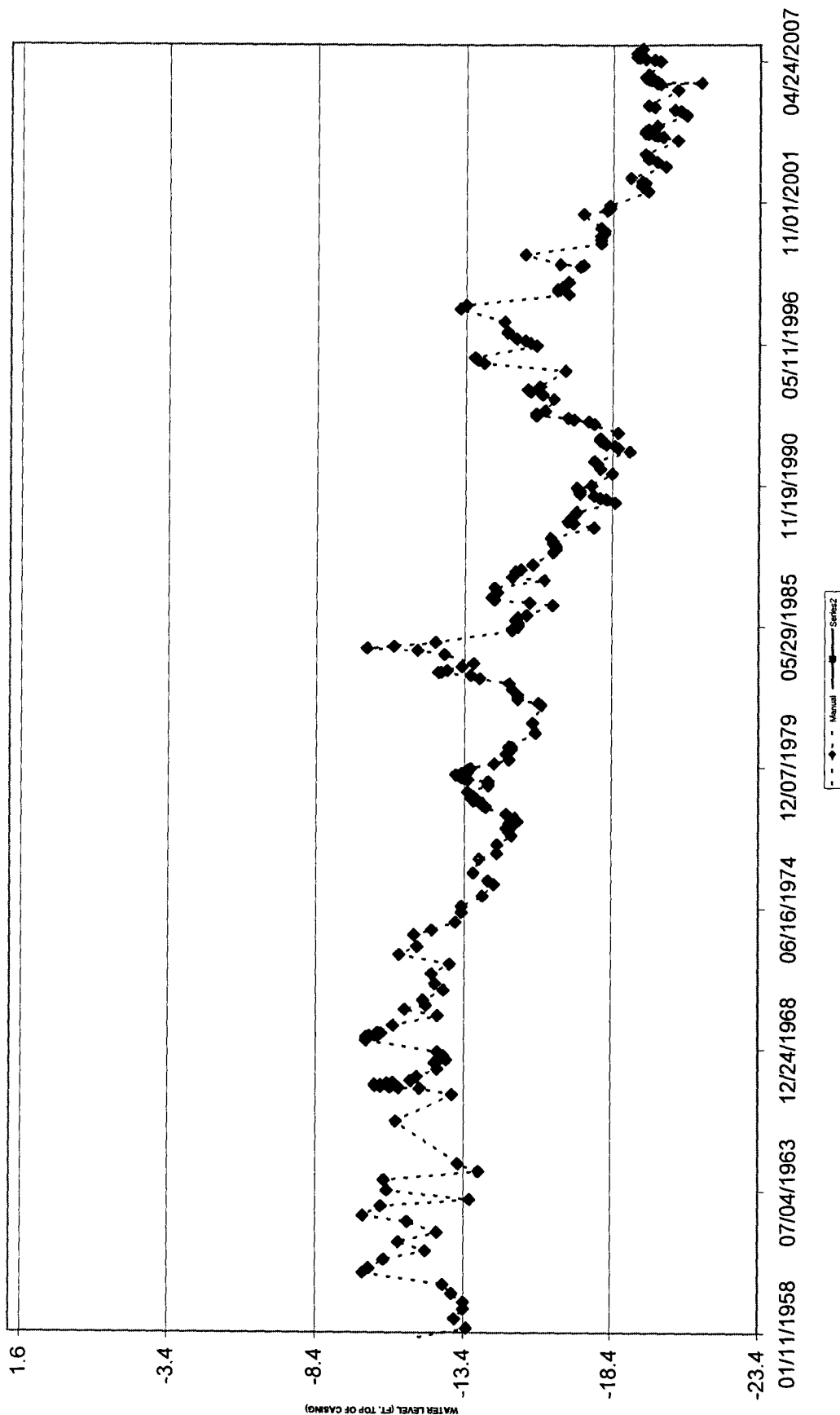
BIBLIOGRAPHY

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-57D**



RECEIVED

MAR - 3 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. 6939-3 to Appropriate Water

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON THE 28th DAY OF February 2008
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$40.57 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: 2/21, 2/28

FILED ON: 2/28/2008

SUBSCRIBED AND SWORN TO BEFORE ME THIS 28th DAY OF February, 2008

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

2+21+28

NOTICE OF APPLICATION NO.
6939-3 to Appropriate Water

Notice is given that Tom & John Yaggie, 30848 444 Ave, Mission Hill SD 57046 have filed an application for a water permit to appropriate 2.22 cubic feet of water per second from one well to be completed into the Missouri Elk Point Aquifer (approximately 110 feet deep) located in center of Section 12 to irrigate 198 acres located in the SE 1/4 NW 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4, SW 1/4 NW 1/4 Section 12 and S 1/2 NE 1/4 Section 11; all in T93N-R55W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6939-3 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 March 10, 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. Pimer, 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

February 11, 2008

Press & Dakotan
PO Box 56
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6939-3 to Appropriate Water to be published twice. Please publish the first notice on February 21, 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 Tom & John Yaggie, 30848 444th Ave, Mission Hill SD 57046 (Ph # 605-665-8693).

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. 6939-3

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

Date _____

We are in receipt of your letter of February 11, 2008 enclosing Notice to Appropriate Water by Application No. 6939-3 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.**

February 11, 2008

Tom & John Yaggie
30848 444th Ave
Mission Hill SD 57078

Dear Mssrs Yaggie:

Water Permit Application No. 6939-3 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 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 application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on February 21, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6939-3 to Appropriate Water

Notice is given that Tom & John Yaggie, 30848 444 Ave, Mission Hill SD 57046 have filed an application for a water permit to appropriate 2.22 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 110 feet deep) located in center of Section 12 to irrigate 198 acres located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12 and S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 11; all in T93N-R55W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6939-3 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 March 10, 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

MAR 17 2008

Tom & John Yaggie
30848 444th Ave
Mission Hill SD 57046

Dear Messrs. Yaggie:

Enclosed is Water Permit No. 6939-3 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

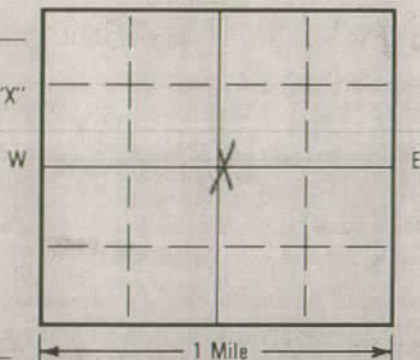
SOUTH DAKOTA WATER WELL COMPLETION REPORT

6939-3

07-92

Location SW 1/4 NE 1/4 Sec 12 Twp 93N Rg 55W
County granston North

Please mark well location with an "X"



Well Completion Date

5-5-08

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 2000 ft. from septic tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1160</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>70</u> FT	<u>28</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>	<u>12</u>	_____ lb./gal	<u>0</u> ft.	<u>20</u> ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure Pressure grouted cement
grout down hole w/ 1" pipeSCREEN: ☐ Perforated pipe ☐ ManufacturedDiameter 16 IN Length 40 FEETMaterial AUC
Slot Size .085 Set From 70 Feet to 110 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: chlorineLaboratory sent to for water quality analysis ☐ NO, Why Not? _____Well Owner: John Yaggie

Business Name: _____

Address: 30848 444th
Russian Hill, SD 57046

WELL LOG:

DEPTH

FORMATION	FROM	TO
<u>Brown clay</u>	<u>0</u>	<u>9</u>
<u>Coarse sand</u>	<u>9</u>	<u>30</u>
<u>med sand + gravel</u>	<u>30</u>	<u>108</u>
<u>ROCKS</u>	<u>108</u>	<u>110</u>

STATIC WATER LEVEL 20 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: Tested w/ turbine
☐ Bailed pump + engine
☐ Other _____

Pumping Level Below Land Surface

53 ft. After 2 Hrs. pumped 850 GPM60 ft. After 2 Hrs. pumped 1000 GPMIf pump installed, pump rate 1000 GPM GPM

REMARKS

RECEIVED

AUG - 7 2008

WATER RIGHTS
PROGRAMThis well was drilled under license # 444

And this report is true and accurate.

Drilling firm Christensen Well & PumpingSignature of License Representative: Code NO. Christensen

Signature of Well Owner or Equitable Property Holder: _____

Date: _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 4, 2012

6939-3

John Yaggie
30848 444th Ave
Mission Hill SD 57046

Dear Mr. Yaggie:

I am writing in follow up to our phone conversation concerning the irrigation questionnaires for Nos. 6939-3 and 7194-3. The forms have been received and as you requested, I am sending you a transfer of ownership form for Water Permit No. 6939-3.

Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

APR - 1 2013

WATER RIGHTS
PROGRAM

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 6939-3

Date: 3-25-13

I/We request that Water Permit No. 6939-3

formerly owned by: Tom and John Yaggie

be transferred to: (name & address) John G YAGGIE

30848 444th

mission Hill S.D. Telephone No. 605-661-2668

57046

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

198 acres - S 1/2 NW 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4 Section 12 and S 1/2 NE 1/4 Section 11

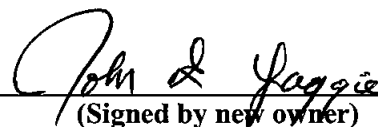
all in T93N, R55W

I/We understand that the validity of Water Permit No. 6939-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We John G. YAGGIE, the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

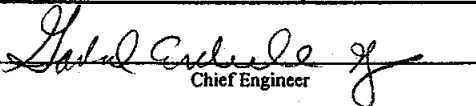
Date 4/1, 20 13

RECEIVED OF Yaggie Farms LLC 30848 444th Ave Mission Hill SD 57046

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>6939-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **06272**

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 3, 2013

6939-3

John G Yaggie
30848 444th Ave
Mission Hill SD 57046

Dear Mr. Yaggie:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Permit No. 6939-3.

The ownership change has been completed. Water Permit No. 6939-3 formerly listed in the names of Tom and John Yaggie is now listed solely in your name.

Enclosed for your records is Receipt No. 06272 in the amount of \$50. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure

6939-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 23, 2013

John G Yaggie
901 E 17th St
Yankton SD 57078 2430

RE: Water Permit Nos. 6939-3, 7194-3, 7416-3 & 7417-3

Dear Mr. Yaggie:

Enclosed is a "Notice" dated October 18, 2013 concerning the 2013 irrigation questionnaires.

The notice was originally mailed to 30848 444th Ave, Mission Hill SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



6939-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: JOHN G YAGGIE, 901 E 17TH ST, YANKTON, SD 57078 2430
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6939-3, 7194-3, 7416-3 & 7417-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6939-3, 7194-3, 7416-3 & 7417-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** 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) 6939-3, 7194-3, 7416-3 & 7417-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

6939-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 2015

John G Yaggie
901 E 17th St
Yankton SD 57078-2430

RE: Water Permit Nos. 6939-3, 7194-3, 7416-3 & 7417-3

Dear Mr. Yaggie:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit Nos. 6939-3, 7194-3, 7416-3 & 7417-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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



6939-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: JOHN G YAGGIE, 901 E 17TH ST, YANKTON, SD 57078 2430

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6939-3, 7194-3, 7416-3 & 7417-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6939-3, 7194-3, 7416-3 & 7417-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 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) 6939-3, 7194-3, 7416-3 & 7417-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 17, 2016

6939-3
7194-3
7416-3
7417-3

John G Yaggie
901 E 17th St
Yankton SD 57078-2430

Dear Mr. Yaggie:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Permit Nos. 6939-3, 7194-3, 7416-3 and 7417-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



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 20, 2017

NOTICE

TO: JOHN G YAGGIE, 901 E 17TH ST, YANKTON, SD 57078 2430

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6939-3, 7194-3, 7416-3 & 7417-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6939-3, 7194-3, 7416-3 & 7417-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 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) 6939-3, 7194-3, 7416-3 & 7417-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



6939-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 10, 2017

John G Yaggie
901 E 17th St
Yankton SD 57078 2430

RE: Water Permit Nos. 6939-3, 7194-3, 7416-3 & 7417-3

Dear Mr. Yaggie:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Permit Nos. 6939-3, 7194-3, 7416-3 & 7417-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

MAY 24 2023

John G Yaggie
901 E 17th St
Yankton SD 57078

Dear Mr. Yaggie:

Enclosed are Water Permit No. 8652-3 and Water License Nos. 7194-3 and 7417-3. These are the final water right documents completing the process of obtaining Water Rights. Included with the licenses are maps prepared by the staff engineer who conducted the field investigation.

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

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

Sincerely,

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

enclosures

NOTE: The applicable portions of Water Permit Nos. 6939-3 and 8652-3 are incorporated into Water License Nos. 7194-3 and 7417-3.