

WATER PERMIT NO. 6979-3

Name of Applicant: Marquardt Farms

Address: PO Box 1098, Yankton SD 57078 Phone: 605 660-6969

Amount of Water Claimed: 1.78 Total Acres: 138 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Yankton

Type of Waste Disposal System:

Location: 4 south of Gayville

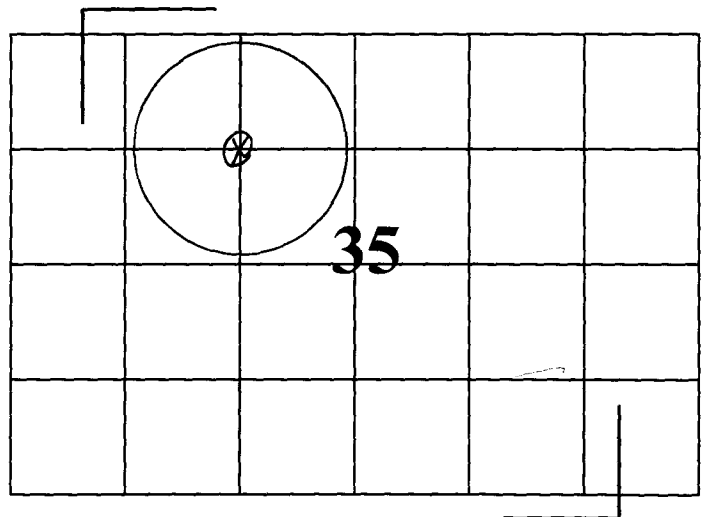
PRIORITY Date Received: 2-19-08 Application/License Fee: \$300

Corrected Application Received: Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: center of NW ¼ Sec 35-T93N-
R54W

Land to be Irrigated: NW ¼ Sec 35-T93N-R54W



Depth of Well: 120 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Valorie Scherschlight, YA Co FSA

Reviewed and the Number Assigned on: 2-20-08

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6979-3</u>	(office use only) Hydrologic Unit <u>16170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Press & Dakotan</u>	<u>PO Box 56</u>
	<u>605-665-7811</u>	<u>Yankton 57028</u>

RECEIVED
FEB 19 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 MARQUARDT FARM Phone 605-660-6969
(check one) ☐ Owner ☒ Tenant/lessee
Mailing Address PO BOX 1098 YANKTON State SD 57078
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 138
(*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
1 WELL - CENTER OF NW 1/4 OF SEC 35-T93N-R54W
SE 1/4
- County or counties where water will be used YANKTON
- Annual period during which water is to be used APRIL 1 - OCTOBER 31
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NE 1/4 NW 1/4 SEC 35-T93N-R54W	34.5		
NW 1/4 NW 1/4 SEC 35-T93N-R54W	34.5		
SE 1/4 NW 1/4 SEC 35-T93N-R54W	34.5		
SW 1/4 NW 1/4 SEC 35-T93N-R54W	34.5		

- Give a description of the project. (Attach sheet if more space is needed)
PLAN TO INSTALL CENTER PIVOT SYSTEM IN NW 1/4 SEC 35-T93N-R54W

STATE OF SOUTH DAKOTA) SS
County of Yankton)

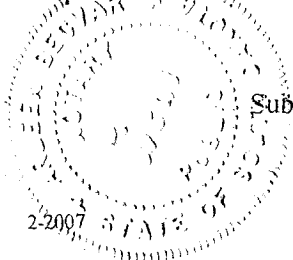
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, JASON MARQUARDT, 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 Jason Marquardt

Subscribed and sworn to before me this 14th day of February 20 08

Aileen Bevan
Notary Public signature
my commission expires 3-23-12



**SOUTH DAKOTA
WATER PERMIT NO. 6979-3**

Date of first receipt of application February 19, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6979-3 to Marquardt Farms, PO Box 1098, 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. 6979-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 120 feet deep) located in the SE 1/4 NW 1/4 Section 35 to irrigate 138 acres located in the NW 1/4 Section 35; all in T93N-R54W.
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 February 19, 2008.
4. The date of approval of Permit No. 6979-3 is April 28, 2008.
5. One-fifth of the construction is to be completed on or before October 28, 2010.
6. All construction is to be completed on or before April 28, 2013.
7. Water is to be put to beneficial use on or before April 28, 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. 6979-3 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

MAY 01 2008

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22" Depth 120"
- b) Casing Type PVC Diameter 16" Thickness 3/4
- c) Screen Type PVC Diameter 16" Thickness 3/4
- d) Gravel Pack 1/8-3/8 PEE ROCK Length of Gravel Pack 65'
- e) Depth to Top of Water Bearing Material 55'
- f) Depth to Water (ground surface to water level) 22'
- g) Distance to nearest existing domestic well:

On applicants property Ø

On property owned by others 3/8 MILE TO NEAREST FARM

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

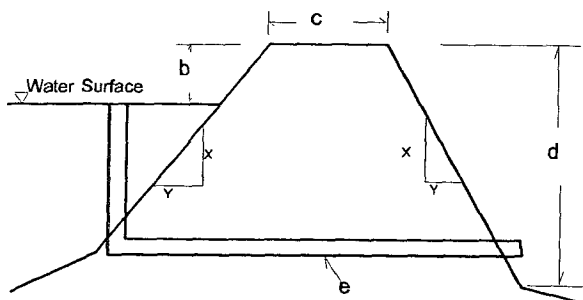
3. Dugout Information

- 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

NW CORNER SEC 35-93N-54W

WELL + PIVOT

W 1/2 NW 1/4 SEC 35-95N-54W
OWNED BY RALPH
MARQUARDT

E 1/2 NW 1/4 SEC 35-95N-54W
OWNED BY DOUG + JASON
MARQUARDT

138
78.7
NHSL

6623
1
79.84
NHSL

6936
5
35.02
NHSL

6936
4
16.48
NHSL

6937
9
12.4

6937
7
22.89
NHSL

6624
2
56.84
NHSL

6624
3
13.77
NHSL

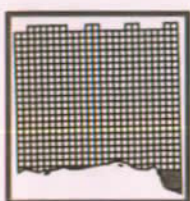
6214
1
37.97
NHSL

6937
6
80.21
NHSL

6624
1
41.55
NHSL

6624
4
39.22
NHSL

USDA USDA - Farm Service Agency



Yankton County

35-93N-54W

1:7,847

February 05, 2008

Legend

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

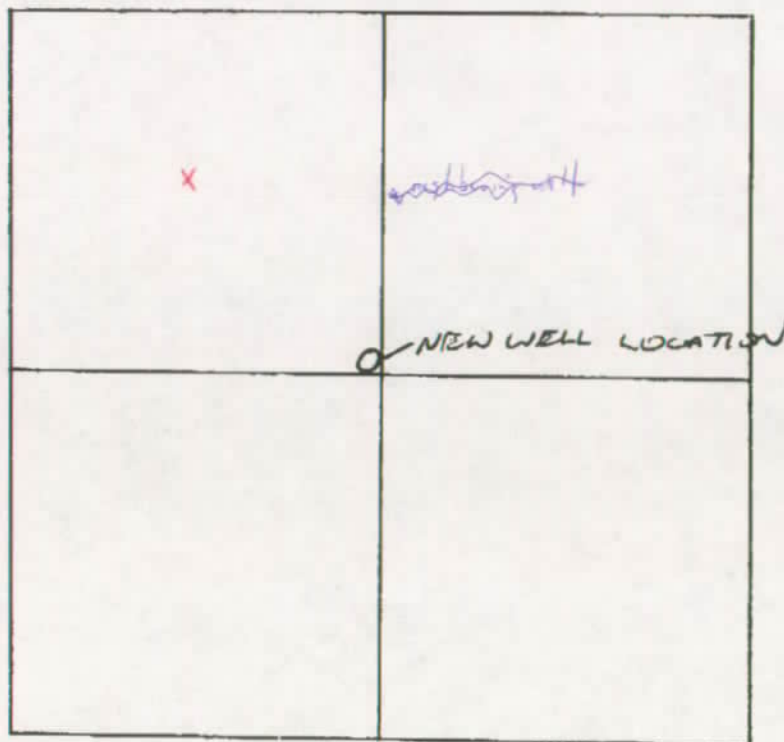
Wetland Determination Identifiers

- 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.

APPLICATION # 6979-3



SECTION 35
T-93N R 54W
YANKTON COUNTY

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Feb 19, 20 08

RECEIVED OF Marquardt Farms, PO Box 1040, Yankton SD 57078

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

Fee for Application for Permit No. <u>10979-3</u> to Appropriate Water, to construct and to put water to beneficial use	250	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>10979-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300.00

No.

03536

By

Garland Eskela

Chief Engineer

(KS)

6979-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 6979-3, Marquardt Farms

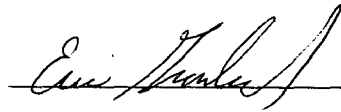
ADDRESS: PO Box 1098, Yankton SD COUNTY: Yankton County

DATE: April 3, 2008 TELEPHONE:

RE: change in diversion point location

COMMENTS:

Jason Marquardt called. He received the packet of information for publishing the notice on Water Permit Application Nos. 6979-3 and 6980-3. He indicated they wanted to move the location of the well proposed by No. 6979-3 from the center of the NW $\frac{1}{4}$ Section 35, T93N, R54W to the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of the section. Mr. Marquardt faxed me a map showing the new location for the proposed well. I consulted with Jim Goodman and he didn't have any concern with moving the well location. I then revised his report accordingly and faxed an amended publication to the Yankton Press and Dakotan.

NAME: 



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6979-3, Marquardt Farms**

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. 6979-3, Marquardt Farms, c/o Jason Marquardt, PO Box 1098, Yankton SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 6979-3 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. 6979-3 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
March 28, 2008

REPORT ON WATER PERMIT APPLICATION NO. 6979-3
For Marquardt Farms
March 26, 2008

Application No. 6979-3 proposes to appropriate 1.78 cfs from one well approximately 120 feet deep located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 35 to irrigate 138 acres located in the NW $\frac{1}{4}$ of section 35; all in T93N R54W 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 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).

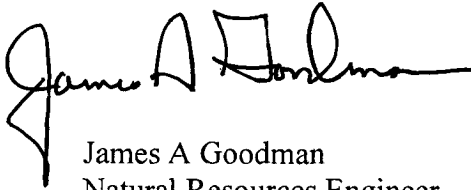
The Water Rights Program monitors observation well YA-80KA located about one-half mile east of this proposed well site. Water levels for this well show good response to climatic conditions. The water levels rise during wet years (recharge) and gradually decline during dry years. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2008). A hydrograph for this observation well is included with this report. Note the general decline of water levels for the aquifer at this site. This can be accounted for by the gradual entrenching of the Missouri River since the Missouri River dams were built. This results in a gradual loss of ground water into the Missouri River as the "head" of the river declines. This phenomenon is also shown by other observation wells located near the Missouri River.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing irrigation well is well #1 for Water Right No. 6458-3 (located about one mile east of the well for this application). Also Water Permit No. 6960-3 proposes to place the irrigation well about one mile northeast of this proposed well site. At this distance drawdown created by pumping is not expected to be significant. This is shown by the observation well hydrograph for YA-78KA. That observation well is located about one-half mile east of the proposed irrigation well. 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.

A handwritten signature in black ink, appearing to read "James A. Goodman". The signature is stylized with a large, looped "J" and a cursive "Goodman".

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, 2008, Unpublished Observation Well Records for Yankton County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER LEVEL (FT. TOP OF CASING)

Legend: Manual (dashed line with diamond markers), Sonnet2 (solid line with square markers)

Date	Manual (ft. top of casing)	Sonnet2 (ft. top of casing)
11/28/1980	-17.5	-17.5
08/25/1983	-12.5	-12.5
05/21/1986	-17.5	-17.5
02/14/1989	-17.5	-17.5
11/11/1991	-17.5	-17.5
08/07/1994	-17.5	-17.5
05/03/1997	-17.5	-17.5
01/28/2000	-17.5	-17.5
10/24/2002	-21.5	-21.5
07/20/2005	-21.5	-21.5

Manual Series2

RECEIVED

APR 21 2008

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

4+10+17

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

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

NOTICE OF APPLICATION NO.
6979-3 and 6980-3 to
Appropriate Water

Notice is given that Marquardt Farms, c/o Jason Marquardt, PO Box 1098, Yankton SD 57078 has filed the following applications for a water permit.

Application No. 6979-3 proposes to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Missouri Elk Point Aquifer (approximately 120 feet deep) located in the SE 1/4 NW 1/4 Section 35 to irrigate 138 acres located in the NW 1/4 Section 35; all in T93N-R54W.

Application No. 6980-3 proposes to appropriate 2.22 cfs from two wells to be completed into the Lesterville

Aquifer (approximately 120 feet deep) located in the centers of the NW 1/4 and SW 1/4 Section 28 to irrigate 271.5 acres located in the W 1/2 Section 28; all in T95N-R57W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6979-3 and 6980-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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. 6979-3 and 6980-3 to

Appropriate Water

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE NEWSPAPER ON THE 17th DAY OF April 2008 THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION OF SAID NOTICE TO WIT \$47.38 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: 4/10, 4/17

FILED ON: 4/17/2008

SUBSCRIBED AND SWORN TO BEFORE ME THIS 17th DAY OF April, 2008

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2009

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 28, 2008.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 31, 2008

Press & Dakotan
PO Box 56
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 6979-3 & 6980-3 to Appropriate Water to be published twice. Please publish the first notice on April 10, 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 Marquardt Farms, Jason Marquardt, PO Box 1098, Yankton SD 57078 (Ph # 605-660-6969).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

Nos. 6979-3 & 6980-3

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

Date _____

We are in receipt of your letter of March 31, 2008 enclosing Notice to Appropriate Water by Application Nos. 6979-3 & 6980-3 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.

March 31, 2008

Marquardt Farms
Jason Marquardt
PO Box 1098
Yankton SD 57078

Dear Mr. Marquardt:

Water Permit Application Nos. 6979-3 and 6980-3 for irrigation use have 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 recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your 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 recommendations, 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 April 10, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6979-3 and 6980-3 to Appropriate Water

Notice is given that Marquardt Farms, c/o Jason Marquardt, PO Box 1098, Yankton SD 57078 has filed the following applications for a water permit.

Application No. 6979-3 proposes to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (approximately 120 feet deep) located in the SE 1/4 NW 1/4 Section 35 to irrigate 138 acres located in the NW 1/4 Section 35; all in T93N-R54W.

Application No. 6980-3 proposes to appropriate 2.22 cfs from two wells to be completed into the Lesterville Aquifer (approximately 120 feet deep) located in the centers of the NW 1/4 and SW 1/4 Section 28 to irrigate 271.5 acres located in the W 1/2 Section 28; all in T95N-R57W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6979-3 and 6980-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 28, 2008.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 01 2000

Marquardt Farms
c/o Jason Marquardt
PO Box 1098
Yankton SD 57078

Dear Mr. Marquardt:

Enclosed are Water Permit Nos. 6978-3, 6979-3 and 6980-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

These applications were submitted with application/license filing fees in the amount of \$975.00. The correct fee for the three applications was \$950.00. Therefore, a refund of \$25.00 is due to you. You should be receiving the refund check within the next two weeks.

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

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

Sincerely,

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

enclosures

05/01/2008

PAYMENT REQUEST FORM

PAYEE: Marquardt Farms
Jason Marquardt
PO Box 1098
Yankton SD 57078

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund on 6978-3 thru 6980-3

AMOUNT: \$25.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Debrah E. Eide 5/1/08

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

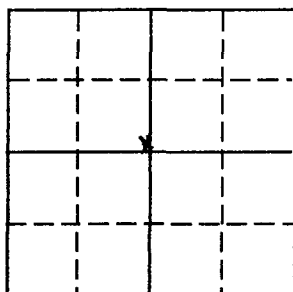
11-02

Location se ¼ nw ¼ Sec 35 Twp 93n Rg 54w

County

Yankton

North



Please mark well location with an "X"

Well Completion Date

4/13/2008

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

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

PROPOSED USE:

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

METHOD OF DRILLING:

Direct rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	85.0 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	27	9.4 Lb/gal	0.0 Ft	78.0 Ft

Describe grouting procedure
tremie

SCREEN:

☒ Perforated pipe ☐ Manufactured
Diameter 16.00 Inches Length 40.0 FeetMaterial PVCSlot Size .080 Set From 85.0 Feet to 125.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

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

Lab sample sent to for water quality analysis

Well Owner: Ralph Marquardt

Business Name:

Address: 1317 Golf View LaneCity, State, Zip: Yankton SD 57078

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Clay, dk brn, silty	0	5
sand, fine, silty	5	51
silt, gray, clayey	51	81
Gravel, coarse, sandy	81	127

STATIC WATER LEVEL 16.0 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:

12/10/08



DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: MARQUARDT FARMS, JASON MARQUARDT, PO BOX 1098, YANKTON, SD 57078

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6978-3, 6979-3 & 6980-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6978-3, 6979-3 & 6980-3 qualification:

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

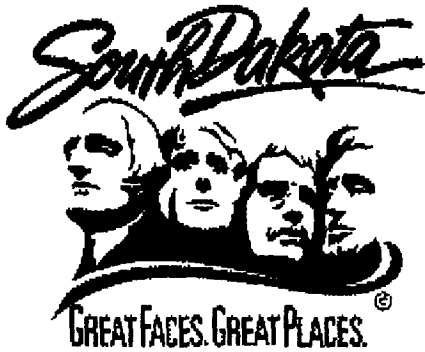
The hearing will be held at **10:00 am, March 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According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

1. Suspend or cancel Permit No(s) 6978-3, 6979-3 & 6980-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
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www.state.sd.us/denr

February 9, 2010

6978-3
6979-3
6980-3

Jason Marquardt
Marquardt Farms
PO Box 1098
Yankton SD 57078

Dear Mr. Marquardt:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Permit Nos. 6978-3, 6979-3 and 6980-3.

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



6979-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2011

NOTICE

TO: MARQUARDT FARMS, JASON MARQUARDT, PO BOX 1098, YANKTON, SD 57078

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6978-3, 6979-3 & 6980-3. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 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) 6978-3, 6979-3 & 6980-3 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 9, 2011** 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) 6978-3, 6979-3 & 6980-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, 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.

6979-3

McMath, Genny

From: Carie [cariel@marquardttrans.com]
Sent: Wednesday, January 26, 2011 11:33 AM
To: McMath, Genny
Subject: RE: Reporting Requirement for 2010 Irrigation Questionnaire
Send them all to 1040, please.

From: Genny.McMath@state.sd.us [mailto:Genny.McMath@state.sd.us]
Sent: Wednesday, January 26, 2011 11:29 AM
To: cariel@marquardttrans.com
Subject: RE: Reporting Requirement for 2010 Irrigation Questionnaire

Yep, they most likely crossed in the mail. The secretary handed the forms to me this morning. The matter is all taken care of and I am in the process of writing a follow-up letter indicating we have now received all the forms.

I do have a question though - for future mailings should all the forms go to PO Box 1040? Two of them I have listed in the name of Ralph and Lucille with a PO Box of 1040. The remaining three (6978-3, 6979-3 and 6980-3 we have listed in the name of Marquardt Farms with a PO Box of 1098.

We can definitely put them all to one box if you wish. This doesn't change ownership, just where things are mailed.

-----Original Message-----

From: Carie [mailto:cariel@marquardttrans.com]
Sent: Wednesday, January 26, 2011 11:20 AM
To: McMath, Genny
Subject: Reporting Requirement for 2010 Irrigation Questionnaire

Genny,

We received notice dated 1/21/11 that you had not received the 2010 Irrigation Questionnaire(s) for Permit No.s 6978-3, 6979-3, 6980-3, 277-3 and 1919-3.
We mailed those last week. Can you verify whether you have received the questionnaires? I am thinking they crossed in the mail.

Carie LaBrie
MARQUARDT FARMS
PO Box 1040
Yankton, SD 57078
Phone: 605-665-1053
Fax: 605-665-5697
cariel@marquardttrans.com



**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 26, 2011

Carie LaBrie
Marquardt Farms
PO Box 1040
Yankton SD 57078

RE: Water Permit or Right Nos. 277-3, 1919-3, 6978-3, 6979-3 & 6980-3

Dear Ms. LaBrie:

I am writing to acknowledge receipt of the 2010 irrigation questionnaires for Marquardt Farms.

Please disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Permit or Right Nos. 277-3, 1919-3, 6978-3, 6979-3 & 6980-3. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

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



6 979-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 25, 2019

NOTICE

TO: MARQUARDT FAMILY LTD PARTNERSHIP, PO BOX 1040, YANKTON, SD 57078
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5391A-3, 5658A-3, 6978-3, 6979-3, 6980-3, 7152-3, 7213-3, 7214-3 & 7800-3, 7801-3, 7802-3 & 7803-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 5391A-3, 5658A-3, 6978-3, 6979-3, 6980-3, 7152-3, 7213-3, 7214-3 & 7800-3, 7801-3, 7802-3 & 7803-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 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) 5391A-3, 5658A-3, 6978-3, 6979-3, 6980-3, 7152-3, 7213-3, 7214-3 & 7800-3, 7801-3, 7802-3 & 7803-3 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 6, 2019** 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.



6979-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 6, 2019

Marquardt Family Ltd Partnership
PO Box 1040
Yankton SD 57078

RE: Water Permit/Right Nos. 5391A-3, 5658A-3, 6978-3, 6979-3, 6980-3, 7152-3, 7213-3,
7214-3 & 7800-3, 7801-3, 7802-3 & 7803-3

Dear Sir:

I am writing to acknowledge receipt of your 2018 irrigation questionnaires.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Permit or Right Nos. 5391A-3, 5658A-3, 6978-3, 6979-3, 6980-3, 7152-3, 7213-3, 7214-3 & 7800-3, 7801-3, 7802-3 & 7803-3. 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

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 6979-3**

I have this day, March 17, 2022, made a thorough examination of the water use system constructed by Marquardt Farms, PO Box 1040, Yankton, SD 57078, holder of Permit No. 6979-3, bearing the priority of February 19, 2008, authorizing the diversion of 1.78 cu. ft. per second of the waters of groundwater (Missouri: Elk Point Aquifer) for the irrigation of 138 acres located in Yankton County.

Inspection contacts: Dave Husby and Breyton Nelson

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hammond Wetmore Drilling
- 2) No. of Wells: 1
- 3) Depth(s): 127 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 16 inches
- 2) Length: 85 feet
- 3) Type: Plastic

Screen:

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

Pump:

- 1) Make: Grundfos
- 2) Model: Unknown
- 3) Capacity: 700 GPM

Motor:

- 1) Make: Grundfos
- 2) Model No.: MS6000
- 3) Horsepower rating: 30 hp

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

- 1) Type: PVC
- 2) Size: 8 inches
- 3) Length: 1,810 feet

C. Works used to apply water to beneficial use:

Center Pivot:

- 1) Make: Valley
- 2) Overall length: 1,298 feet
- 3) Number of towers: 7
- 4) End gun: Yes
- 5) Capacity: 700 GPM

Chemigation Equipment:

- 1) Does chemigate: No

D. Compliance with Permit Requirements:

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

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows:
The well is 2,630 feet east and 2,580 feet south of the northwest corner of Section 35-T93N-R54W (Latitude 42.83029, Longitude -97.19012 – SE1/4 of the NW1/4).
2. The works are capable of diverting and conveying to the place of use 1.56 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

All in Section 35-T93N-R54W

NW1/4NW1/4 33 acres

NE1/4NW1/4 33 acres

SW1/4NW1/4 33 acres

SE1/4NW1/4 33 acres

comprising a total of 132 acres of land and the license should be issued for 1.56 cfs.

3. All structures, wells and lands on map: Yes

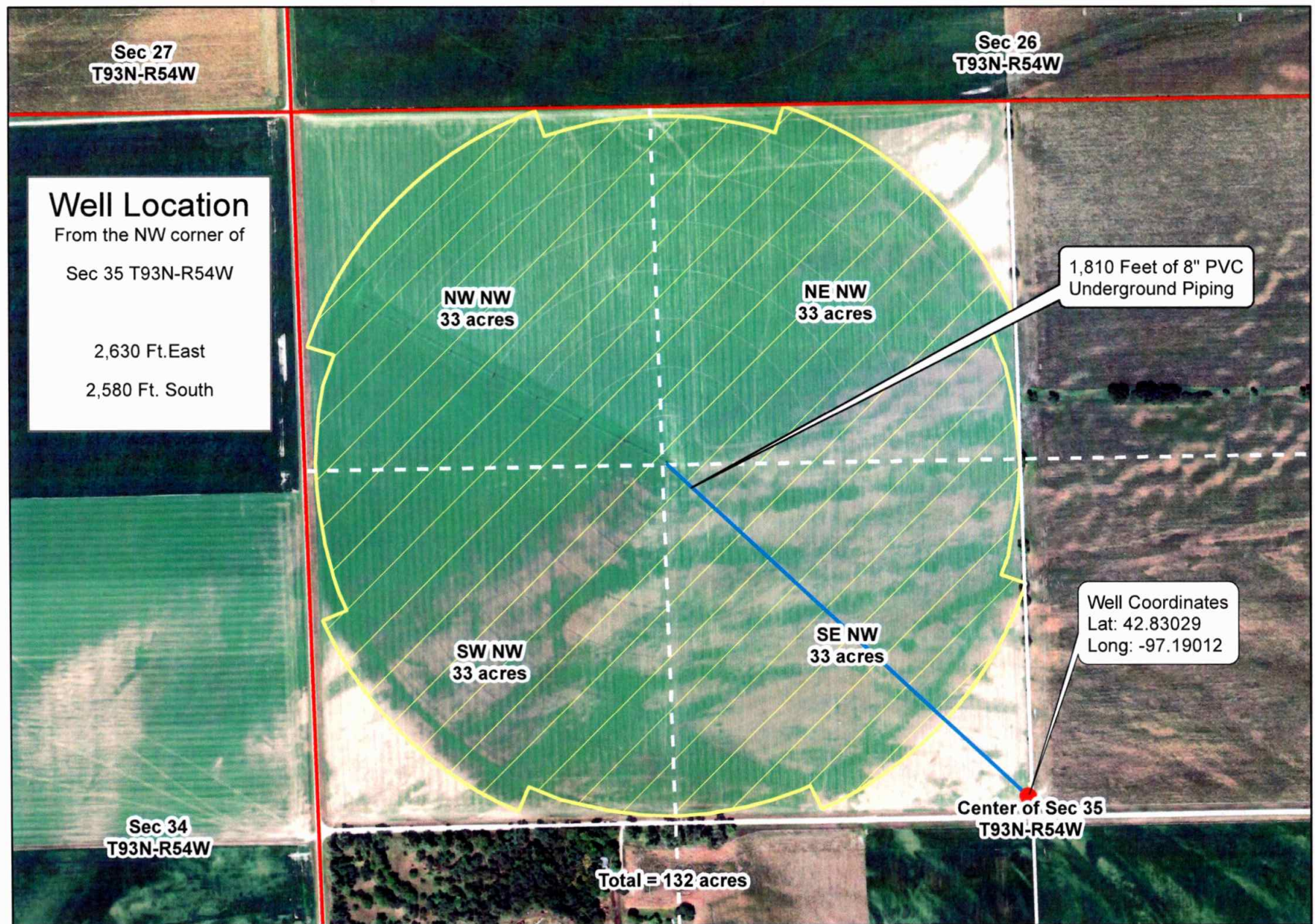
F. Comments or other permit(s) associated with the project: None

Keith DeJong

Keith DeJong, PE Ret.
Water Rights Inspector
DANR, Water Rights Program

Date report completed: April 21, 2022

Water Right No. 6979-3



Keith DeJong
Keith DeJong, PE Ret.
Staff Engineer
April 21, 2022



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

6979-3

APR 26 2022

Ralph Marquardt
Marquardt Farms
PO Box 1040
Yankton SD 57078

Dear Mr. Marquardt:

Enclosed is Water License No. 6979-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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

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

Sincerely,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6979-3**

(1) Marquardt Farms, PO Box 1040, Yankton SD 57078 made Application No. 6979-3, February 19, 2008, for a water permit to divert 1.78 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer), Yankton County, South Dakota for irrigation purposes. Permit No. 6979-3, with a priority date of February 19, 2008, was approved April 28, 2008, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 28, 2013, and for the application to beneficial use of said water on or before April 28, 2017.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to construction of the water supply system and is entitled to divert 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 2,630' E and 2,580' S of the NW corner of Section 35, T93N, R54W (SE ¼ NW ¼)
Latitude 42.83029, Longitude -97.19012

(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 35, T93N, R54W	NW ¼ NW ¼	33 acres	
	NE ¼ NW ¼	33 acres	
	SW ¼ NW ¼	33 acres	Total of 132 acres
	SE ¼ NW ¼	33 acres	

(4) Pursuant to South Dakota Water Law 46-5-30.1 Marquardt Farms, PO Box 1040, Yankton SD 57078 the holder and/or owner of Water Right No. 6979-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer) with a priority date of February 19, 2008, from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6979-3 and subject to the following qualifications:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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. 6979-3 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 April 2008 by Hammond-Wetmore Drilling. A copy of the well completion report is on file with the Water Rights Program.***
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

Eric Gronlund

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

APR 26 2022
date

