

WATER PERMIT NO. 7213-3

Name of Applicant: Marquardt Farms

Address: PO Box 1078, Yankton SD 57078

Phone: 605 555-1053

Amount of Water Claimed: 2.44 cfs

Total Acres: 360 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Yankton

Type of Waste Disposal System: NA

Location: 6 miles north of Yankton

PRIORITY

Date Received: 9-30-10

Application/License Fee: \$1,350.00

Corrected Application Received:

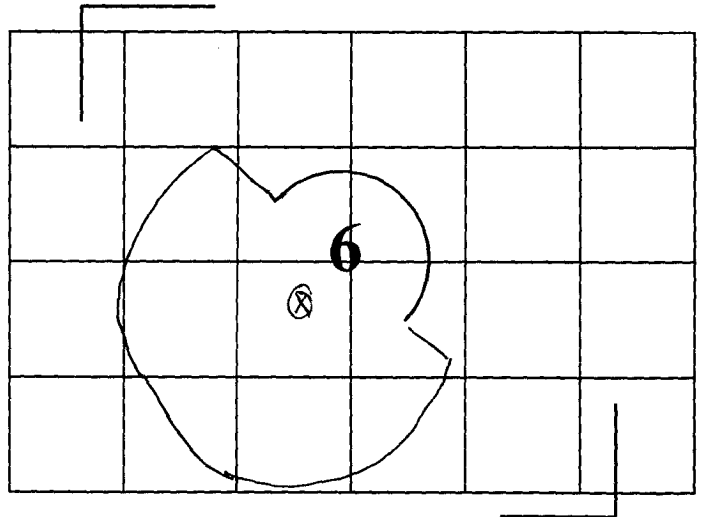
Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: NE ¼ SW ¼ Sec 6-T94N-R55W

Land to be Irrigated: S ½, S ½ NE ¼, S ½ NW ¼

Sec 6-T94N-R55W



Depth of Well: 240 feet deep

Well Driller: Hammond Wetmore Drilling

Remarks:

Type of Map: aerial

Prepared by: Richard Schwartz, YA Co FAS

Reviewed and the Number Assigned on: 9-30-10

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7213-3</u>	(office use only) Hydrologic Unit <u>10160010</u>
	Basin <u>James River</u>	
	Newspaper <u>Daily Press & Dakotan PO Box 56</u>	
	<u>605-665-7811</u> <u>Yankton 57078</u>	

RECEIVED
SEP 30 2010
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

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

1. Name of Applicant MARQUARDT FARMS Phone 605-665-1053
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO BOX 1098 YANKTON SD 57078
(Address) (City) (State) (Zip Code)
2. Amount of water claimed 2.44*CFS or 1100**GPM ***AF Total Acreage 360
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply WELL
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County YANKTON
ONE WELL IN NE 1/4 OF SW 1/4 SEC 6 94N 55W
5. County or counties where water will be used YANKTON
6. Annual period during which water is to be used APRIL 1 - OCTOBER 31
7. 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
SW 1/4 SEC 6 94N 55W	125		
SE 1/4 SEC 6 94N 55W	115		
NE 1/4 SEC 6 94N 55W	60		
NW 1/4 SEC 6 94N 55W	60		

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

WELL FOR IRRIGATION - WINDSHIELD WIPE ON SOUTH SIDE OF
POWER LINES AND WINDSHIELD WIPE ON NORTH SIDE OF
POWER LINES

STATE OF SOUTH DAKOTA)
County of Yankton) SS

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

I, Ralph 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 Ralph Marquardt

Subscribed and sworn to before me this 29th day of September 20 10

Aileen Bevan
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7213-3**

Date of first receipt of application September 30, 2010.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7213-3 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. 7213-3 appropriates 2.44 cubic feet of water per second from one well to be completed into the Lower James:Missouri Aquifer (approximately 240 feet deep) located in NE 1/4 SW 1/4 Section 6 for irrigation of 360 acres located in the S 1/2, S 1/2 NE 1/4, S 1/2 NW 1/4 Section 6; all in T94N-R55W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is September 30, 2010.
4. The date of approval of Permit No. 7213-3 is November 22, 2010.
5. One-fifth of the construction is to be completed on or before May 22, 2013.
6. All construction is to be completed on or before November 22, 2015.
7. Water is to be put to beneficial use on or before November 22, 2019.
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 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. 7213-3 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

JAN - 7 2011

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 240'
- b) Casing Type PVC Diameter 16" Thickness 1/2"
- c) Screen Type PVC Diameter 16" Thickness 1/2"
- d) Gravel Pack 1/2 - 3/4 PEARL Length of Gravel Pack 50'
- e) Depth to Top of Water Bearing Material 175'
- f) Depth to Water (ground surface to water level) 162'
- g) Distance to nearest existing domestic well:

On applicant's property NONE

On property owned by others > 3000'

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

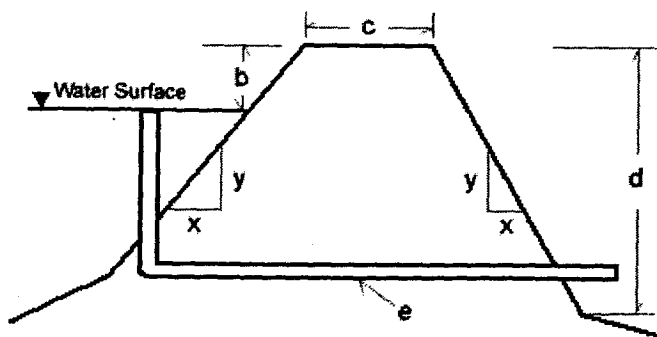
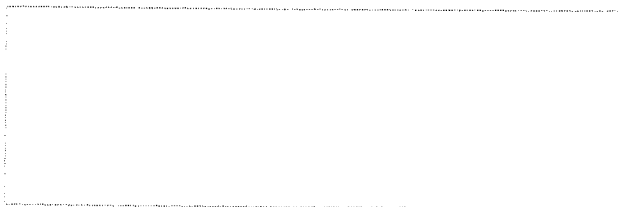
3. Dugout Information

- 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 (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



United States Department of Agriculture
Farm Service Agency

June 30, 2010

PLSS: 6_94N_55W
Farm: 6188

Yankton County, SD
1:8,975

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SEP 30 2010

Crawley

2010

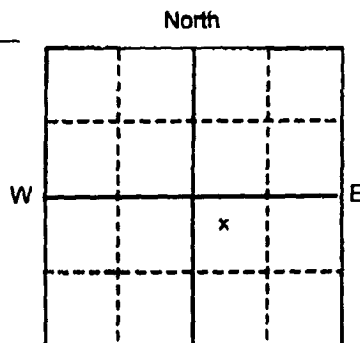
Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

WATER RIGHTS PROGRAM

WELL IS LOCATED 2600' E AND 2400' N OF SOUTHWEST CORNER OF SECTION 6 94N 55W

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location nw 1/4 se 1/4 Sec 6 Twp 94n Rg 55wCounty YanktonPlease mark well
location with an "X"

Well Completion Date

June 5, 2010

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
3,000.0 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other
 If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>508.26</u> LB/FT	<u>16.00</u> IN	<u>0.0</u> FT	<u>200.0</u> FT	<u>22.00</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>bent grt</u>	<u>30</u>	<u>9.5</u> Lb/gal	<u>0.0</u> Ft	<u>190.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 40.0 Feet
Material PVCSlot Size .080 Set From 200.0 Feet to 240.0 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?
☒ No, Why Not? NA
 Lab to which water quality sample sent for analysis
Well Owner: Ralph Marquardt

Business Name:

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

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Clay, brown, pebbly (till)	0	62
Clay, gray, pebbly (till)	62	75
Sand, coarse	75	152
Silt, gray,	152	195
gravel, fine to coarse	195	240
Silt, gray,	240	255

STATIC WATER LEVEL 162.0 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

180.0 Ft. After 5.0 Hrs. pumped 800.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 666 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:

9/15/2010
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South Dakota Department of Environment and Natural Resources

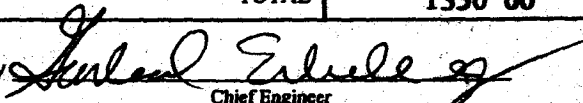
Date 9/30, 2010

RECEIVED OF Ralph Marquardt PO Box 1098 Yankton SD 57078

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

Fee for Application for Permit No. <u>7213-3</u> to Appropriate Water, to construct and to put water to beneficial use	1150	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>7213-3</u>	200	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	1350 00

No. 04623

By 
Chief Engineer



**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. 7213-3, 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. 7213-3, Marquardt Farms, c/o Ralph Marquardt, PO Box 1098, Yankton SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 7213-3 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 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. 7213-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 25 2010

**Report on Water Permit Application No. 7213-3 & 7214-3
for Marquardt Farms, C/O Ralph Marquardt
October 4, 2010**

Application No. 7213-3 proposes to appropriate 1,100 gallons per minute (2.44 cfs) from one well approximately 240 feet deep to be completed into the Lower James Missouri aquifer located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6 to irrigate 360 acres in the S $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 6; all in T94N-R55W in Yankton County. The annual period during which water will be used is April 1 through October 31.

Application No. 7214-3 proposes to appropriate 900 gallons per minute (2.0 cfs) from one well approximately 175 feet deep to be completed into the Lower James Missouri aquifer located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3 to irrigate 350 acres in the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 3; all in T94N-R56W in Yankton County. The annual period during which water will be used is April 1 through October 31.

AQUIFER: Lower James Missouri

This report will address the availability of unappropriated water from the Lower James Missouri aquifer.

WATER AVAILABILITY

Aquifer Characteristics:

The Lower James Missouri is a buried outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 238 square miles of Yankton County and extends into Clay County to the east, into Hutchinson County to the north and into Bon Homme County to the west (Bugliosi, 1986). The aquifer is hydraulically connected to the James and Missouri Rivers. Bugliosi divided the Lower James Missouri into the northern and southern areas because of different depositional episodes. These areas roughly coincide with the Lower James Missouri and the Missouri Elk Point as described by Hedges. The Lower James Missouri aquifer underlies 92,500 acres and contains an estimated 2.08 million acre-feet of recoverable water in storage in Yankton County (Hedges, 1982).

Observation Well Data:

The Water Rights Program monitors five observation wells within two miles of these application locations. The hydrographs for three of the nearest of these observation wells are included with this report. YA-80K is approximately one mile south of YA-80W and both are approximately half way between these application locations. The two permit application locations are separated by approximately three miles. YA-80M is located just

over one mile northeast of the location of permit application 7213-3. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years due to natural discharge and to pumping. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2010).

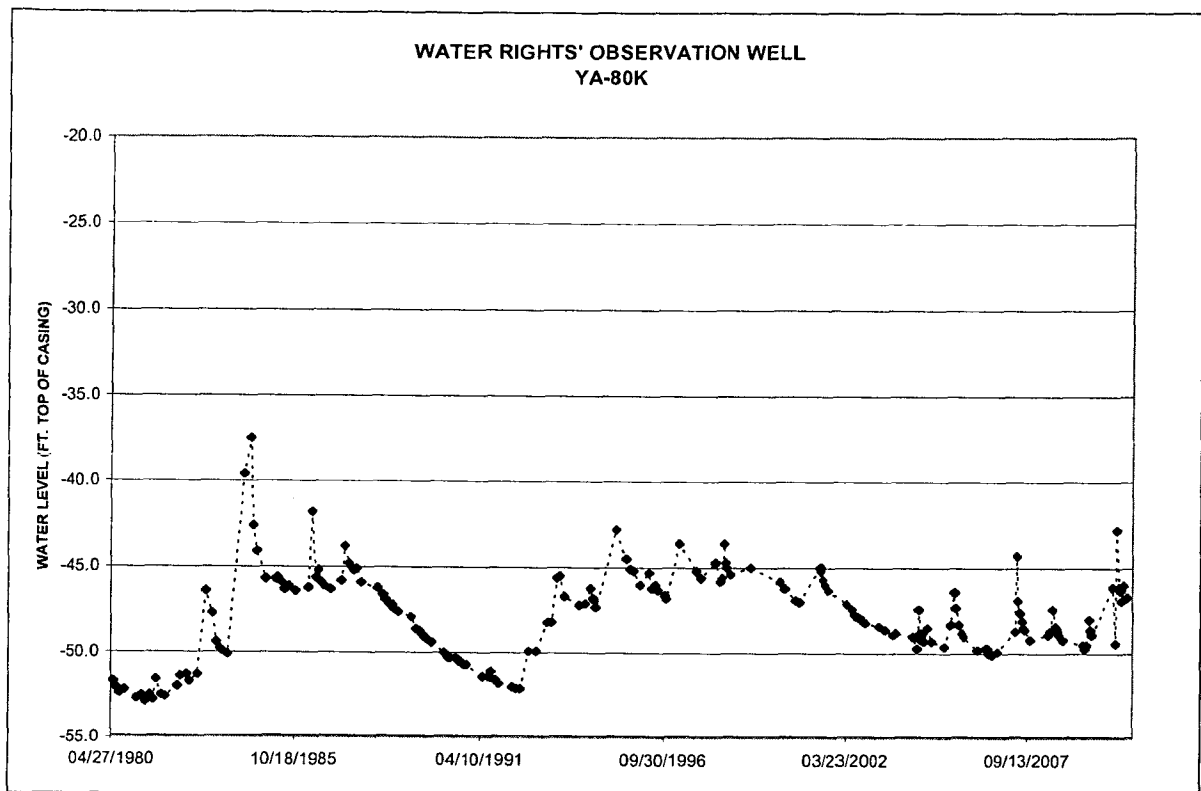


Figure 1. Hydrograph for Water Rights Observation Well YA-80K, completed into the Lower James Missouri Aquifer within two miles of 7213-3 and 7214-3

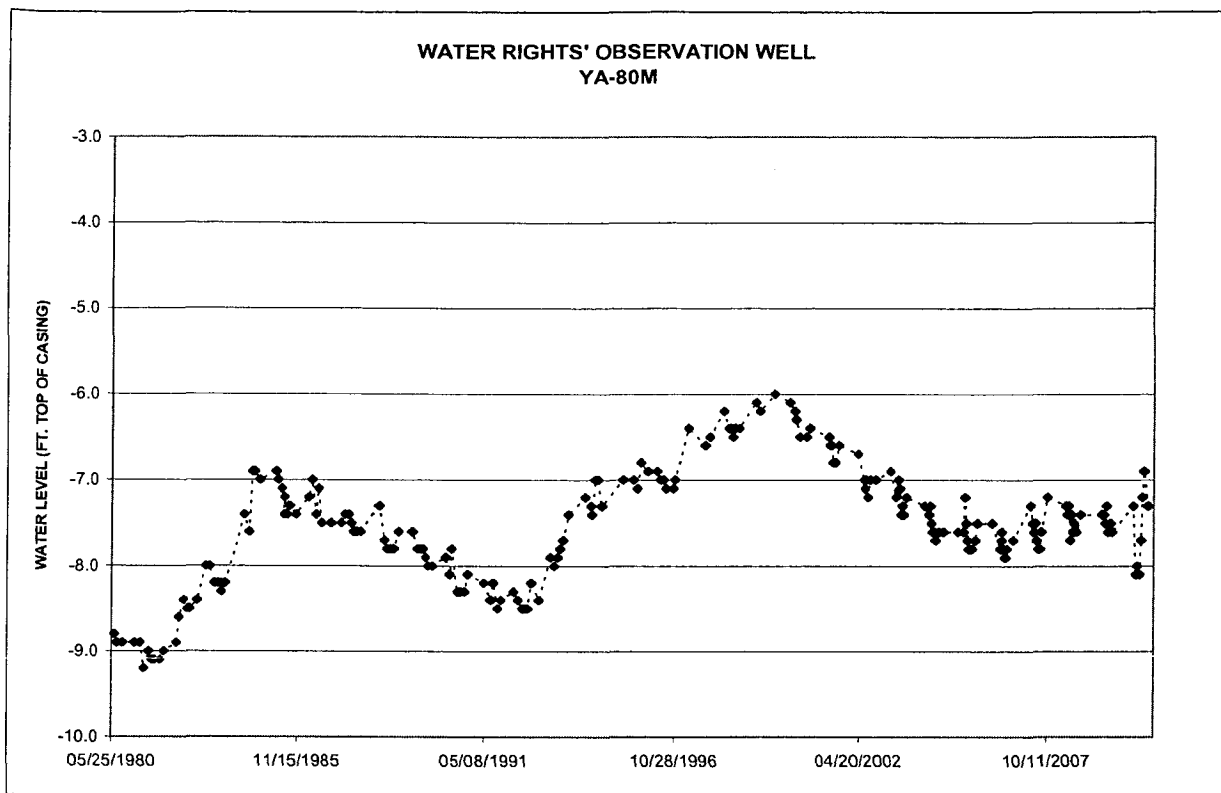


Figure 2. Hydrograph for Water Rights Observation Well YA-80M, completed into the Lower James Missouri Aquifer approximately one mile northeast of 7213-3

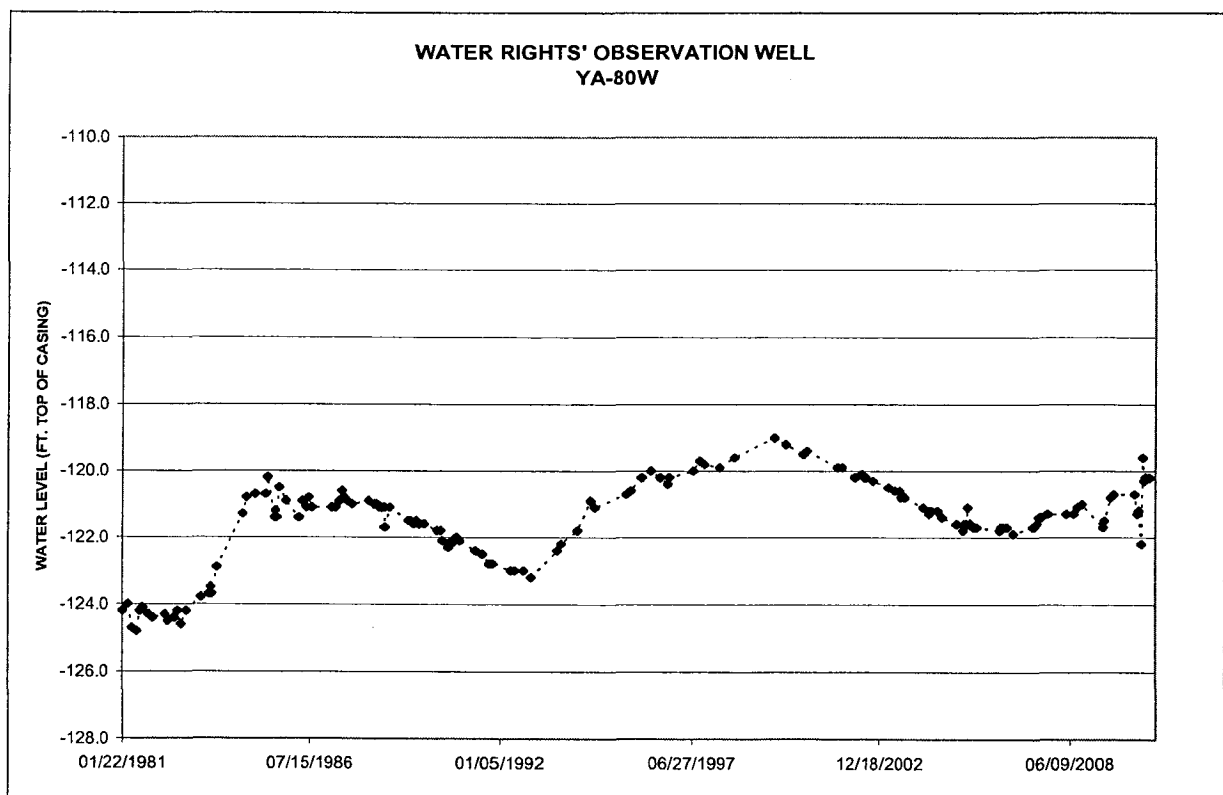


Figure 3. Hydrograph for Water Rights Observation Well YA-80W, completed into the Lower James Missouri Aquifer within two miles of 7213-3 and 7214-3

In general, the hydrographs show that over the period of record, withdrawals have not exceeded recharge.

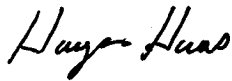
Review of Existing Water Permits/Rights/Water Use:

In 2007 there were sixty three (63), permits to withdraw water from the Lower James Missouri aquifer. These permits appropriated 20,963 acre-feet of water from the aquifer and reportedly used 3,638 acre-feet of water, totals which are far below the estimated 2.08 million acre-feet in storage (Hedges, 1982).

There is one existing water permit/right located within a mile of 7213-3 and it is for surface water in the James River. There is one existing water permit/right less than a mile to the northwest of 7214-3, which uses the Lower James Missouri as a water source. Interference is not expected to be a problem.

Conclusions:

1. Water is available from the Lower James Missouri aquifer.
2. The aquifer appears to be under water table conditions at this location. Drawdown will result from pumping. Interference could occur but is not expected to be an issue.
3. If the wells covered by these Permits deplete the domestic supplies or interfere with prior water rights, restrictions or other arrangements may be required to protect these water supplies.
4. These wells must be constructed in accordance with SD Well Construction Standards.



Hayes Haas
Natural Resources Engineer

Bibliography:

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

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

Water Rights, 2008, Irrigation Records for the Missouri Elk Point Aquifer, SD DENR, Division of Water Rights, Pierre, SD, 57501

RECEIVED

NOV 15 2010

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

**NOTICE OF APPLICATION
NOS. 7213-3 and 7214-3
to Appropriate Water**

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

Application No. 7213-3 proposes to appropriate 2.44 cubic feet of water per second (cfs) from one well to be completed into the Lower James:Missouri Aquifer (approximately 240 feet deep) located in NE 1/4 SW 1/4 Section 6 for irrigation of 360 acres located in the S 1/2, S 1/2 NE 1/4, S 1/2 NW 1/4 Section 6; all in T94N-R55W.

Application No. 7214-3 proposes to appropriate 2.0 cfs from one well to be completed into the Lower James:Missouri Aquifer (approximately 175 feet deep) located in the SE 1/4 NW 1/4 Section 3 to irrigate 350 acres located in the NW 1/4, W 1/2 NE 1/4, NE 1/4 SE 1/4, N 1/2 SW 1/4 Section 3; all in T94N-R56W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7213-3 & 7214-3 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 these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's 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 November 22, 2010.

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

Department of Environment and Natural Resources
PMB 2020
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES AND SAYS THAT HE IS THE MANAGING EDITOR OF THE YANKTON PRINTING COMPANY, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER PRINTED AND PUBLISHED IN THE CITY OF YANKTON, SAID COUNTY AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED Notice of Application Nos 7213-3 & 7214-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE NEWSPAPER ON THE 10th DAY OF November 2010 THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION OF SAID NOTICE TO WIT \$54.22 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: 11/3/2010 & 11/10/2010

FILED ON: 11/10/2010

SUBSCRIBED AND SWORN TO BEFORE ME THIS 10th DAY OF November 2010

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

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.

Published twice at the total approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 25, 2010

Daily Press & Dakotan
PO Box 56
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7213-3 & 7214-3 to Appropriate Water to be published twice. Please publish the first notice on November 3 2010 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 c/o Ralph Marquardt, PO Box 1098, Yankton SD 57078 (Ph # 605-665-1053).

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. 7213-3 & 7214-3

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

Date _____

We are in receipt of your letter of October 25, 2010 enclosing Notice to Appropriate Water by Application Nos. 7213-3 & 7214-3 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.

October 25 2010

Marquardt Farms
Ralph Marquardt
PO Box 1098
Yankton SD 57078

Dear Mr. Marquardt:

Water Permit Application Nos. 7213-3 & 7214-3 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 Daily Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the 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
eric.gronlund@state.sd.us

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 applications.

Instruction to Newspaper - Publish first Notice on November 3, 2010 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NOS. 7213-3 and 7214-3 to Appropriate Water

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

Application No. 7213-3 proposes to appropriate 2.44 cubic feet of water per second (cfs) from one well to be completed into the Lower James:Missouri Aquifer (approximately 240 feet deep) located in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6 for irrigation of 360 acres located in the S $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 6; all in T94N-R55W.

Application No. 7214-3 proposes to appropriate 2.0 cfs from one well to be completed into the Lower James:Missouri Aquifer (approximately 175 feet deep) located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3 to irrigate 350 acres located in the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 3; all in T94N-R56W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7213-3 & 7214-3 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 these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's 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 November 22, 2010.

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.

Published twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN - 7 2011

Marquardt Farms
PO Box 1098
Yankton SD 57078

Dear Mr. Marquardt:

Enclosed are Water Permit Nos. 7213-3 and 7214-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

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

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

Sincerely,

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

enclosures

7213-3

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

RECEIVED
MAY - 8 2014
WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only)
	No. _____ Hydrologic Unit _____
	Basin _____
	Newspaper _____

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 7213-3
(Use predates Mar 2, 1955)

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

Add a diversion point approximately 2300' southeast of existing well (drilled in 2010)

1. Name to Appear on Irrigation Permit Marquardt Farms

(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

Mailing Address PO box 1040 Yankton SD 57078
(Address) (City) (State) (Zip Code)

Home Phone 605-665-1053 Cell 605-660-4609 Email carie@marquardtfarms.com

2. Amount of water claimed _____ *CFS or 2.44 **GPM 4 ***AF Total Acreage 360
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply groundwater from 1 additional well to the Lower James-Missouri Aquifer

4. Location of point of diversion additional well at sw 1/4 of se 1/4, Section 6, T94N, R55W
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Yankton

5. County or counties where water will be used Yankton

6. Annual period during which water is to be used April-October

7. 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

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

This application is to add the above described well to this permit. No additional water claimed, diversion rate, or acres are being requested.

I, [Signature], the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

2012-09

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

Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☒ Drilling new well(s) ☐ Using existing well(s)

- a) If new wells, how many 1 Have test holes been drilled ☒ Yes ☐ No Drilled by R Hammond
(if yes, please provide copies of logs)
- b) If existing wells, how many 1 Provide copy of log(s), if available. Drilled by R Hammond
- c) Well Depth 240 Depth to Top of Water Bearing Material 78 Depth to Water from Surface 140
- d) Distance to nearest existing domestic well:

On applicant's property NA On property owned by others 4100'

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

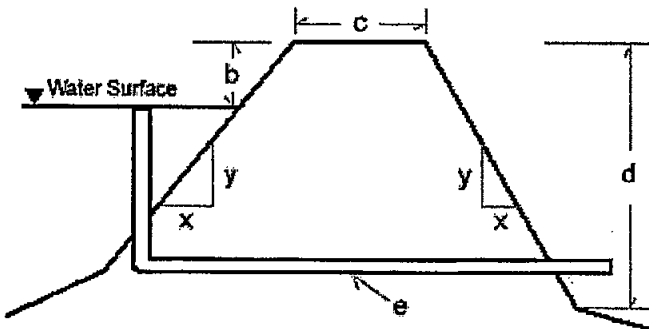
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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 (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

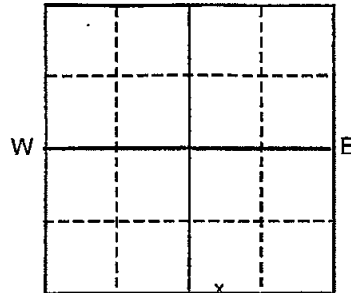


SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location sw 1/4 se 1/4 Sec 6 Twp 94n Rg 55wCounty Yankton

North

Please mark well
location with an "X"

Well Completion Date

5/1/2014

1 Mile

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

2,600.0 ft. from septic tank

(identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary method

CASING DATA:

☐ Steel ☐ Plastic ☐ Other
If other describe none

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	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>bentonite</u>	<u>12</u>	<u>Lb/gal</u>	<u>0.0</u> Ft	<u>220.0</u> Ft
		<u>Lb/gal</u>	<u></u> Ft	<u></u> Ft

Describe grouting procedure
thru drill rods

SCREEN:

☐ Perforated pipe ☐ Manufactured
Diameter Inches Length FeetMaterial Slot Size Set From Feet to FeetOther 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?
☐ No, Why Not?
Lab to which water
quality sample sent for analysis Well Owner: Ralph MarquardtBusiness Name: Address: 1317 Golf View Lane, PO Box 1040City, State, Zip: Yankton sd 57078

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
topsoil, dk brown	0	2
Clay, brown, silty, pebbly	2	14
Gravel, brown, sandy	14	28
clay, gray, silty, sandy	28	78
gravel, medium to coarse, sandy	78	220

STATIC WATER LEVEL

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 GPMIf pump installed, pump rate: GPM

REMARKS

estimated Static Water Level 140'

RECEIVED

MAY - 8 2014

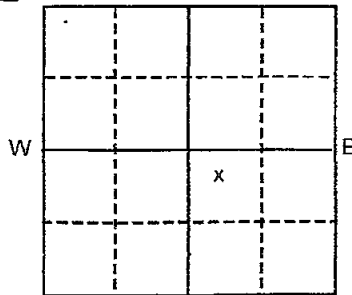
WATER RIGHTS
PROGRAMThis well was drilled under license # 666 and this
report is true and accurate.Drilling firm: Hammond Wetmore DrillingSignature of License Representative: Signature of Well Owner or Equitable Property Holder: Date: 5/5/2014

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location nw 1/4 se 1/4 Sec 6 Twp 94n Rg 55wCounty Yankton

North

Please mark well
location with an "X"

Well Completion Date

June 5, 2010

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
3,000.0 ft from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>0.21</u> LB/FT	<u>16.00</u> IN	<u>0.0</u> FT	<u>200.0</u> FT	<u>22.00</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>bent grt</u>	<u>30</u>	<u>9.5</u> Lb/gal	<u>0.0</u> Ft	<u>190.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 40.0 FeetMaterial PVCSlot Size .080 Set From 200.0 Feet to 240.0 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?

☒ No, Why Not? NA

Lab to which water

quality sample sent for analysis

Well Owner: Ralph Marquardt

Business Name:

Address: 1317 Golf View Lane, PO Box 1040City, State, Zip: Yankton sd 57078

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Clay, brown, pebbly (till)	0	62
Clay, gray, pebbly (till)	62	75
Sand, coarse	75	152
Silt, gray,	152	195
gravel, fine to coarse	195	240
Silt, gray,	240	255

STATIC WATER LEVEL 162.0 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

180.0 Ft. After 5.0 Hrs. pumped 800.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

MAY - 8 2014

WATER RIGHTS
PROGRAMThis well was drilled under license # 666 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: 9/15/2010

NW Can Nor, Sect. 6 T94^N R55^W



Google earth

miles 1
km 1



Richard H Hammond CPG 8272

RECEIVED

MAY - 8 2014

WATER RIGHTS
PROGRAM

File No. 7213-3

Approval of Additional Diversion Point

NAME: Marquardt Farms

ADDRESS: PO Box 1098, Yankton SD 57078

DATE: May 29, 2014

COUNTY: Yankton

TELEPHONE: (605) 555 1053

BACKGROUND:

Water Permit No. 7213-3 appropriates 2.44 cubic foot per second (cfs) from one well completed into the Lower James Missouri aquifer at a depth of approximately 240 feet below ground surface. This well, located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T94N-R55W is intended to supply water to irrigate 360 acres in the SW $\frac{1}{4}$ (125 acres), SE $\frac{1}{4}$ (115 acres), S $\frac{1}{2}$ NE $\frac{1}{4}$ (60), S $\frac{1}{2}$ NW $\frac{1}{4}$ (60 acres) of Section 6, T94N-R55W. The original permit was conditioned with standard well interference, well construction and irrigation questionnaire qualifications.

Marquardt Farms submitted a request to add a second well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T94N-R55W. The basis behind this request is that the existing well is not always capable of providing the 2.44 cfs that has been permitted. The new well is expected to be completed to a similar depth as the existing well and will divert water from the same source, the Lower James Missouri aquifer.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional points may be licensed provided the following conditions are met and the potential for interference with other existing diversion points is not increased.

- **Developed water source is the same as licensed source and no additional water is appropriated.**

The water source authorized by Water Permit No. 7213-3 is the Lower James Missouri aquifer. Both the existing and new diversion locations will be drawing water from the Lower James Missouri aquifer.

No additional appropriation of water is authorized. Water Right No. 7213-3 appropriates 2.44 cfs and no additional diversion rate authority is being requested.

Review of Existing Diversions

The well completion report and water rights databases were reviewed for the nearest domestic wells and water rights/permits on file. The nearest water right (4619-3) to the new well site is located approximately 1.2 miles to the west. Given that this distance is slightly greater than the distance between this water right and the existing well used for Water Permit No. 7213-3, and that no additional diversion rate authority is being requested, the potential for interference due to construction of the additional well is not expected to increase. Therefore, water rights/permits in

the area owned by other entities are not expected to be impacted by this additional well. The nearest domestic well is located approximately 1,500 feet to the southwest. Calculations show that if this new well is used to pump the entire 2.44 cfs appropriated under Water Permit No. 7213-3 continuously for seven days, the drawdown in the nearby domestic well would equal approximately five feet. Given that this domestic well extends over 100 feet into the water bearing formation, interference is not expected to occur.

Observation Well Data

The Water Rights Program monitors a series of observation wells completed into the Lower James Missouri aquifer. The closest observation well (YA-80N) is located approximately one mile to the southwest of the new well site in Section 6. This well has been in place since 1980 and shows static water level fluctuations of 20 to 37 feet below the top of the casing. Historic water levels in YA-80N show that aquifer levels are primarily climatically controlled with some visible effects of pumping.

CONCLUSION:

- The additional diversion point does not propose to appropriate additional water.
- The additional diversion point will be pumping water out of the same source, the Lower James Missouri aquifer.
- Unlawful impairment of existing water rights/permits and domestic wells is not expected to occur.

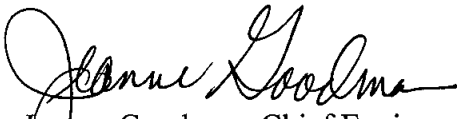
RECOMMENDED ACTION:

Based on the above criteria, it is recommended that the request for an additional diversion point in the SW ¼ SE ¼ of Section 6, T94N-R55W be approved.



Bracken Capen
Natural Resources Engineer

The Chief Engineer makes a finding pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14:01 that: The additional diversion point does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



May 29, 2014

7213-3

Ralph Marquardt
PO Box 1098
Yankton, SD 57078

Dear Mr. Marquardt:

Water Permit No. 7213-3 appropriates 2.44 cubic feet per second (cfs) of water from one well completed into the Lower James Missouri aquifer at a depth of approximately 240 feet below ground surface. This well is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T94N-R55W and supplies water to irrigate 360 acres in the SW $\frac{1}{4}$ (125 acres), SE $\frac{1}{4}$ (115 acres), S $\frac{1}{2}$ NE $\frac{1}{4}$ (60 acres), S $\frac{1}{2}$ NW $\frac{1}{4}$ (60 acres) of Section 6, T94N-R55W.

You have submitted a request for an additional well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T94N-R55W. The basis of this request is that the current well is incapable at times of supplying the entire 2.44 cfs. The new well is located approximately 1,300 feet to the south of the existing well.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional well location is authorized without application or publication of a notice of hearing pursuant to SDCL 45-2A-4. No increase in the authorized diversion rate of 2.44 cfs or the number of irrigated acres (360 acres) under Water Permit No. 7213-3 has been requested or approved. If the total diversion rate or the number of acres irrigated increases, a new water permit will need to be obtained from the SD DENR Water Rights Program.

If you have any questions, please contact Bracken Capen at (605) 773-3352.

Sincerely,

Jeanne Goodman
Chief Engineer
Water Rights Program

SOUTH DAKOTA WATER WELL COMPLETION REPORT

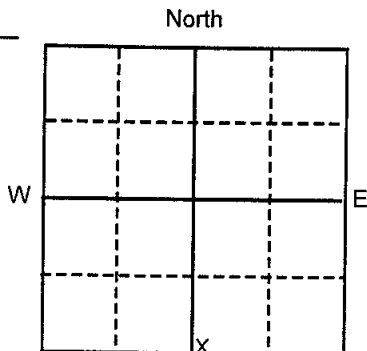
7213-3 SD FORM - 1021LD V1

11-02

Location SW 1/4 SE 1/4 Sec 6 Twp 94N Rg 55W

County Yankton

Please mark well location with an "X"



Well Completion Date

April 13, 2016

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
3,090.0 ft. from Septic Tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

If other describe ☐ Steel ☒ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
	<u>16.00</u>	<u>0.0</u>	<u>160.0</u>	<u>22.00</u>
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	<u>26</u>	<u>9.5</u> Lb/gal	<u>0.0</u> Ft	<u>140.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Tremie Method

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 16.00 Inches Length 55.0 Feet

Material PVC

Slot Size .085 Set From 160.0 Feet to 215.0 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

Lab to which water ☐ No, Why Not?

quality sample sent for analysis

Well Owner: Ralph Marquardt

Business Name:

Address: POB 1040

City, State, Zip: Yankton SD 57078

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	3
Brown Silty Clay	3	14
Sand Gravel	14	28
Sandy Blue Clay	28	80
Fine - Medium Gravel	80	120
Medium Gravel	120	140
Gravel w/ Clay Layers	140	160
Medium Gravel	160	215

STATIC WATER LEVEL 150.0 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

157.0 Ft. After 0.5 Hrs. pumped 1,100.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

Elev: 1207'

42.98147

-97.38463

RECEIVED

JAN 17 2017

Lower James Missouri K3

WATER RIGHTS PROGRAM

This well was drilled under license # 810 and this report is true and accurate.

Drilling firm: Heine Electric & Irrigation, Inc.

Signature of License Representative:

[Signature]

Signature of Well Owner or Equitable Property Holder:

Date: 1-5-17



7213-3
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 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.



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,

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