

WATER PERMIT NO. 8233-3

Name of Applicant: Randy & Valerie Svendsen

Address: 504 E 297th St, Yankton SD 57078 Phone: 605 661-8759

Amount of Water Claimed: no add'l Total Acres: 140 acres

Source of Water Supply: existing well authorized by Water Right No. 4867-3

Water to be used for: irrigation County: Yankton

Type of Waste Disposal System:

Location: 6 miles north of Yankton

PRIORITY Date Received: 7-1-16 Application/License Fee: \$ 1050

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

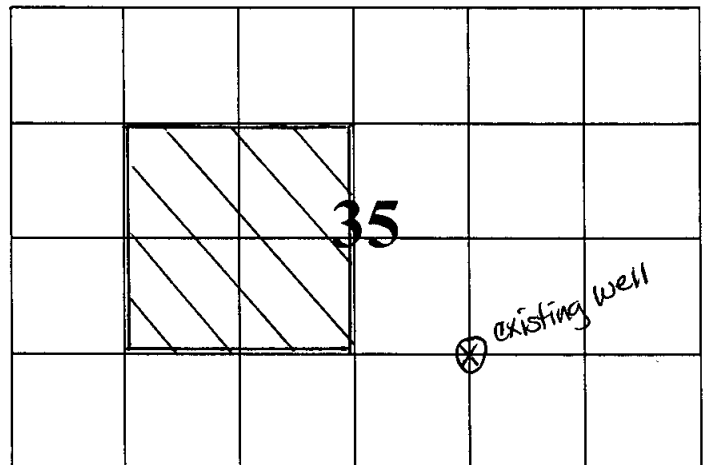
Remarks:

Diversion Point: approximate center of the SE 1/4

Sec 35-T95N-R55W

Land to be Irrigated: S 1/2 NW 1/4, N 1/2 SW 1/4

Sec 35-T95N-R55W



Depth of Well: 256 feet deep

Well Driller: Wetmore Drilling

Remarks:

Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 7-1-16

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8233-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Press & Dakotan - Yankton</u>
	<u>605-1665-2811</u>

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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 to Appear on Irrigation Permit Randy + Valerie Svendsen

Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.

Mailing Address 504 East 29th St Yankton SD 57078
(Address) (City) (State) (Zip Code)

Phone 605-260-3810 Mobile 605-661-8759 Email RVSVEN@gmail.com

2. Amount of water claimed No Additional 0 CFS or 0 GPM 0 AF Total Acreage 140
(*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 existing under permit 4867-3

4. Location of point of diversion well in SE 1/4 35-95-55 Yankton County
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Yankton

5. County or counties where water will be used Yankton County

6. Annual period during which water is to be used April 1 Through Oct 30

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
SE 1/4 - NW 1/4 Sec 35-95N-55W	35		
SW 1/4 - NW 1/4 Sec 35-95N-55W	35		
NW 1/4 - SW 1/4 Sec 35-95N-55W	35		
NE 1/4 - SW 1/4 Sec 35-95N-55W	35		

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

40 acre Tract to be irrigated with center pivot by piping water over to it from existing well. See permit 4867-3 - see map
120 acre Tract to be irrigated with center pivot by piping water over to it from existing well. See permit 4867-3 - see map

I, Randy Svendsen, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

**SOUTH DAKOTA
WATER PERMIT NO. 8233-3**

Date of first receipt of application July 1, 2016.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8233-3 to Randy & Valerie Svendsen, 504 E 29th St, 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. 8233-3 authorizes irrigation of 140 new acres. Water Right No. 4867-3 appropriates 1.78 cubic feet of water per second from one well completed into the Lower James:Missouri Aquifer (265 feet deep) located in the approximate center of the SE 1/4 Section 35 for irrigation of 140 acres located in the SE 1/4 Section 35; all in T95N-R55W. This permit authorizes irrigation of 140 new acres located in the S 1/2 NW 1/4 and the N 1/2 SW 1/4 Section 35-T95N-R55W. This permit does not authorize any increase in the developed diversion rate.
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 30.
3. The date from which applicant may claim right is July 1, 2016.
4. The date of approval of Permit No. 8233-3 is September 19, 2016.
5. One-fifth of the construction is to be completed on or before March 19, 2019.
6. All construction is to be completed on or before September 19, 2021.
7. Water is to be put to beneficial use on or before September 19, 2025.
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 Water Right No. 4867-3 and Water Permit No. 8233-3 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

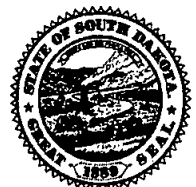
WATER MANAGEMENT BOARD

By: 

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

OCT 07 2016

date



Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☐ Drilling new well(s) ☒ Using existing well(s) permit 4867-3

a) If new wells, how many _____ Have test holes been drilled ☐ Yes ☐ No Drilled by _____
(if yes, please provide copies of logs)

b) If existing wells, how many 1 Provide copy of log(s), if available. Drilled by Wetmore drilling 1982

For either Existing or Proposed Wells:

c) Well Depth (required) 256 Depth to Top of Water Bearing Material 120 Depth to Water from Surface 124

d) Distance to nearest domestic well on applicant's property 1/4 mile Property owned by others 1/2 mile

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) _____

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System

3. Dugout Information

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

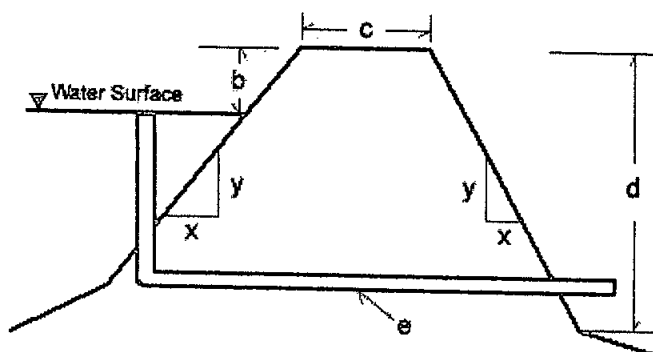
Upstream _____

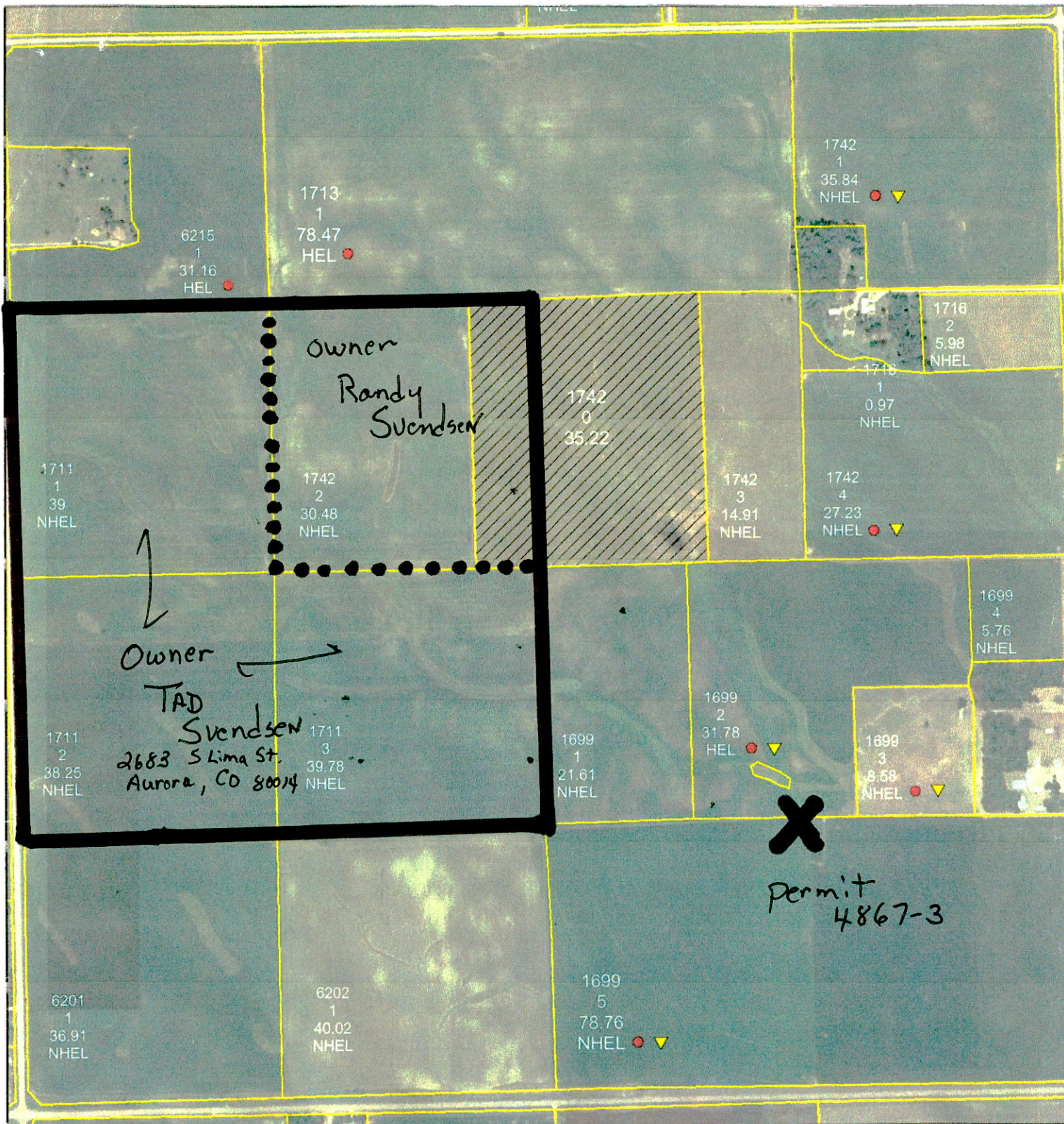
Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres





USDA - Farm Service Agency

Yankton County

35-95N-55W

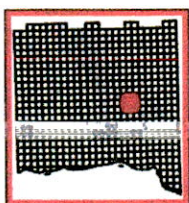
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April 18, 2008

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WATER RIGHTS PROGRAM



Legend

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

Wetland Determination Identifiers

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



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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/1, 20 16

RECEIVED OF Randy E Svendsen 504 E 29th St Yankton SD 57078

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

Fee for Application for Permit No. <u>8233-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	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>8233-3</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	1050 00

No. **07871**

By J. Michael Goodman
Chief Engineer

South Dakota Corn Growers Association

Eric,

Thanks for the
visit and help
last Friday!

Randy Arnold

Gronlund, Eric

From: Gronlund, Eric
Sent: Tuesday, July 05, 2016 11:48 AM
To: 'Randy Svendsen'
Subject: RE: water permit application

I am not aware of any form letter. What you need is some type of statement of authority for you to act on his behalf for the purpose of obtaining a water permit for irrigation of land that he owns. Eric

From: Randy Svendsen [<mailto:rvsven@gmail.com>]
Sent: Monday, July 04, 2016 10:59 PM
To: Gronlund, Eric
Subject: Re: water permit application

Hi Eric,

It was us who had that conversation. I am drafting a letter to send to Tad with a formal agreement for him to sign. I will send a copy to you as soon as I get everything in order. I wanted you to have the application in hand since we will be starting erection of the pivot soon. Would you have a form letter for that agreement on having me be a personal rep or do you have suggestions for wording. I was going to have an attorney do a simple paragraph but if you and I can put something together, I can save a couple of bucks maybe. Thanks for your assistance.

Randy Svendsen.

7/1/2016 4:44 PM, Gronlund, Eric wrote:

Randy

DENR received the water permit application for irrigation of the S ½ NW ¼ and N ½ SW ¼ of Section 35, T95N, R65W. I'm not sure if I'm mixing up our conversation with a discussion with someone else but I thought we talked about you getting an agreement with the other landowner (Tad Svendsen) for you to act as his representative for purposes of getting a water permit for the property he owned that would be part of this permit.

Eric Gronlund
Water Rights Program, DENR



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8233-3, Randy & Valerie Svendsen**

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. 8233-3, Randy & Valerie Svendsen, 504 E 29th St., Yankton SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 8233-3 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 Water Right No. 4867-3 and Water Permit No. 8233-3 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


Jeanne Goodman, Chief Engineer
August 29, 2016

Report to the Chief Engineer
Water Permit Application No. 8233-3
Randy & Valerie Svendsen
August 10, 2016

Water Permit Application 8233-3 proposes to irrigate 140 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 35-T95N-R55W in Yankton County from one existing well authorized under Water Right No. 4867-3. Water Right No. 4867-3 authorizes the a maximum diversion rate of 1.78 cubic feet per second (cfs) from one well (265 feet deep) completed into the Lower James Missouri aquifer located in the approximate center of the SE $\frac{1}{4}$ Section 35 for the irrigation of 140 acres in the SE $\frac{1}{4}$ Section 35; all in T95N-R55W. This application, if approved, would not authorize any increase in the licensed instantaneous diversion rate.

Aquifer: Lower James Missouri (LJM)

Aquifer Characteristics and Hydrogeology

The Lower James Missouri aquifer underlays about 191,700 acres of Hutchinson, Yankton, and Clay Counties and contains an estimated 2,795,400 acre-feet of water in storage (Hedges et al., 1982). The aquifer can be found under both water table and confined conditions; however, confined conditions dominate the aquifer (Bugliosi, 1986 and Lindgren, and Hansen, 1990). The aquifer is hydraulically connected to the Elk Point management unit of the Missouri aquifer, the Scotland management unit of the Lower James Missouri aquifer, the Choteau aquifer, the Niobrara aquifer, the Dakota aquifer, the Sioux Quartzite, the James River, and Missouri River (Bugliosi, 1986 and Lindgren, and Hansen, 1990). Groundwater movement is typically toward the James River and the south (Lindgren, and Hansen, 1990 and Hedges et al, 1982).

The well completion report for the well that this application proposes to utilize indicates that the aquifer is under buried unconfined conditions in this area. The well completion report identifies fine sand from 120 to 169 feet below grade and coarse sand and gravel from 169 to 250 feet below grade. At the time of completion (6/28/1982) the static water level was 124 feet below grade.

South Dakota Codified Law (SDCL) 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and existing rights from the aquifer that are pertinent to this application.

Water Availability

Water Permit Application No. 8233-3 proposes to appropriate water from the Lower James Missouri aquifer for irrigation use. Although this application does not seek an increased instantaneous diversion rate the irrigation of additional acreage will result in an increased annual diversion rate. The probability of unappropriated water being available from an aquifer can be evaluated by considering SDCL 46-6-3.1 which requires “No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.” If the source of the water is older or lower than the Greenhorn Formation and the application is for a water distribution system defined pursuant to SDCL 46-1-6 (17), the Board need not consider the recharge/withdrawal issue. Here, a water distribution system is not involved and the Lower James Missouri aquifer is not older or lower than the Greenhorn Formation, therefore the withdrawal/recharge issue must be considered.

Hydraulic Budget

Recharge

Recharge to the Lower James Missouri is from the infiltration of precipitation on the James River floodplain, leakage from the Dakota, Niobrara, and Sioux Quartzite, and inflow from hydraulically connected glacial aquifers (Bugliosi, 1986 and Lindgren, and Hansen, 1990). Recharge to the unconfined portion of the aquifer was estimated at 3.9 inches per year based on observation well analysis. Stonesifer (2014) estimated the unconfined portion of the aquifer to be about 82,200 acres. The application of the unconfined recharge rate to this area results in a recharge estimate of 26,715 acre-feet per year. Hedges et al. (1985) estimated recharge to the buried unconfined portion of the aquifer by regional flow-net analysis to be 1.50 inches per year; however the authors note a high level of uncertainty in recharge rates calculated with this methodology. Applying this rate to the unconfined area of the aquifer results in an estimated average annual recharge of 10,275 acre-feet.

Withdrawals

Discharge from the aquifer is from seepage to the James River, evapotranspiration from where the aquifer is near the ground surface, and withdrawals from wells (Bugliosi, 1986 and Lindgren, and Hansen, 1990).

There are eight water rights/permits for non-irrigation purposes currently authorized to appropriate water from the Lower James Missouri aquifer. Withdrawals from domestic wells are not considered a significant portion of the hydraulic budget for the management unit due to their relatively low diversion rates and the development of rural water systems in the area. All eight of these water rights/permits are limited by diversion rate only. Historically, average water use by non-irrigation appropriations limited by instantaneous diversion rate has been less than 60% of

full time pumping at the permitted diversion rate. Therefore water use from the aquifer for non-irrigation appropriations can be estimated at less than 1,243 acre-feet per year.

Water Rights Program collects and maintains irrigation water use information from across the state. The reported irrigation pumpage and appropriations for the Lower James Missouri aquifer are shown on an annual basis for the period of record in Figure 1. From Figure 1 it can be noted that irrigation appropriations have been increasing in recent years. Due to the increasing number of appropriations historical average use would not serve as a valid estimate of the average annual use of current irrigation appropriations. There are 127 water rights/permits for irrigation use currently authorized to appropriate water from the Lower James Missouri aquifer. These water rights/permits authorize the irrigation of 18,242 acres. From 1994 to 2015 the average application rate per permitted acre was 4.2 inches per acre, with application rates per permitted acre ranging from 0.65 inches per acre in 2010 to 11.48 inches per acre in 2012 (Water Rights, 1980-2016). By applying the average application rate per permitted acre to the number of permitted acres in the aquifer results in an estimated average annual irrigation withdrawal of about 6,385 acre-feet per year.

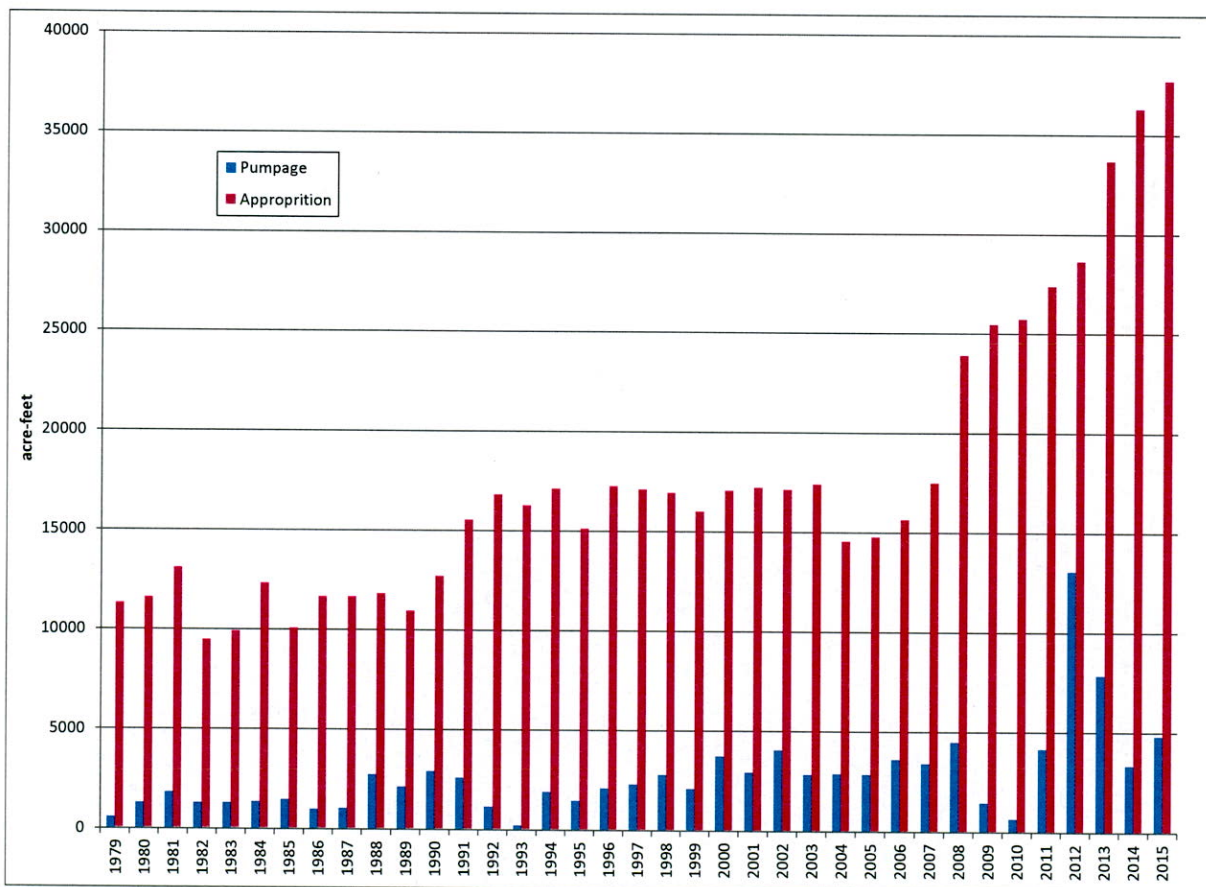


Figure 1: Annual Reported Irrigation Pumpage and Appropriations from the Lower James Missouri Aquifer (Water Rights, 1980-2016)

Balance

The average annual appropriative withdrawals for the aquifer are estimated at 7,628 acre-feet per year. Recharge estimates for the aquifer ranged from 10,275 acre-feet per year to 26,715 acre-feet per year. Estimated average annual appropriative withdrawals are below the low end of the recharge range. Therefore, there is a reasonable probability that unappropriated water is available. Average application rate per permitted acre; for Water Right No. 4867-3 from 1994 to 2015 was 7.21 inches per permitted acre, using this rate average annual water use associated with the irrigation of 140 additional acres can be estimated at about 84 acre-feet per year.

Observation Wells

In determining the availability of unappropriated water for a permit application Administrative Rule 74:02:05:07 requires the Water Management Board to rely on the record of observation well measurements, in addition to other data, to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated annual recharge.

The Water Rights Program monitors 33 observation wells completed in the Lower James Missouri aquifer. The nearest of these is observation well YA-80FA located approximately 0.35 miles to the southeast of the location for this well. Observation wells YA-80HA and YA-78E are located about 2.1 miles to the southwest and 2.2 miles to the south, respectively. The hydrographs for these observation wells are shown in Figures 2, 3, and 4. These observation wells are representative of wells in the southern portion of the aquifer.

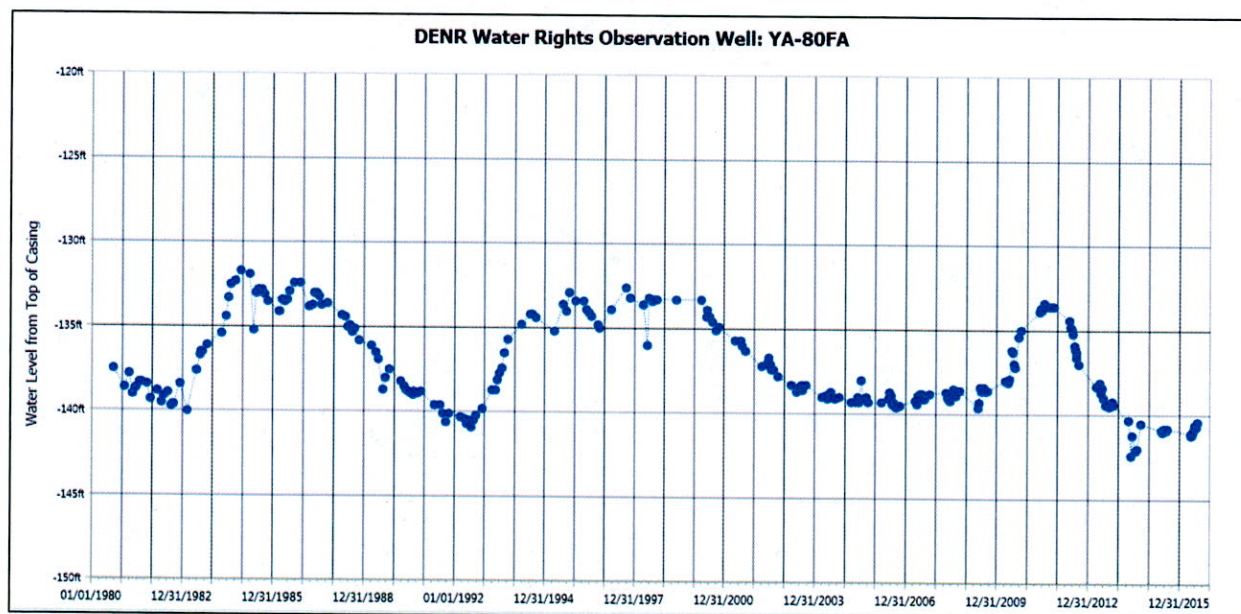


Figure 2: Hydrograph of Observation Well YA-80FA (Water Rights, 2016b)

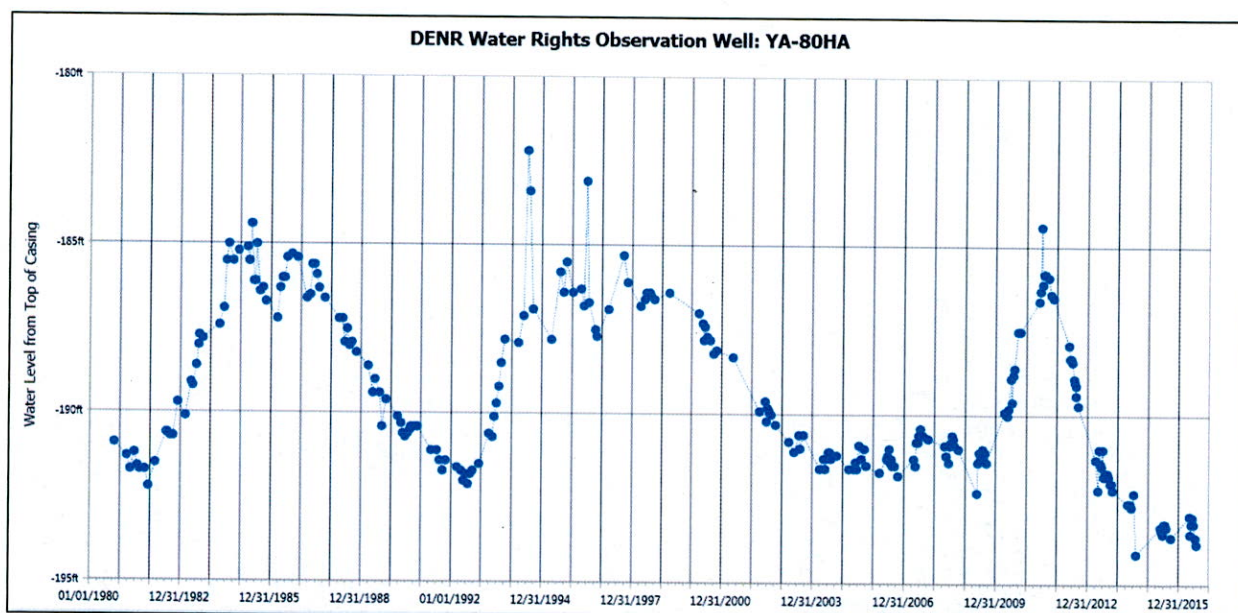


Figure 3: Hydrograph of Observation Well YA-80HA (Water Rights, 2016b)

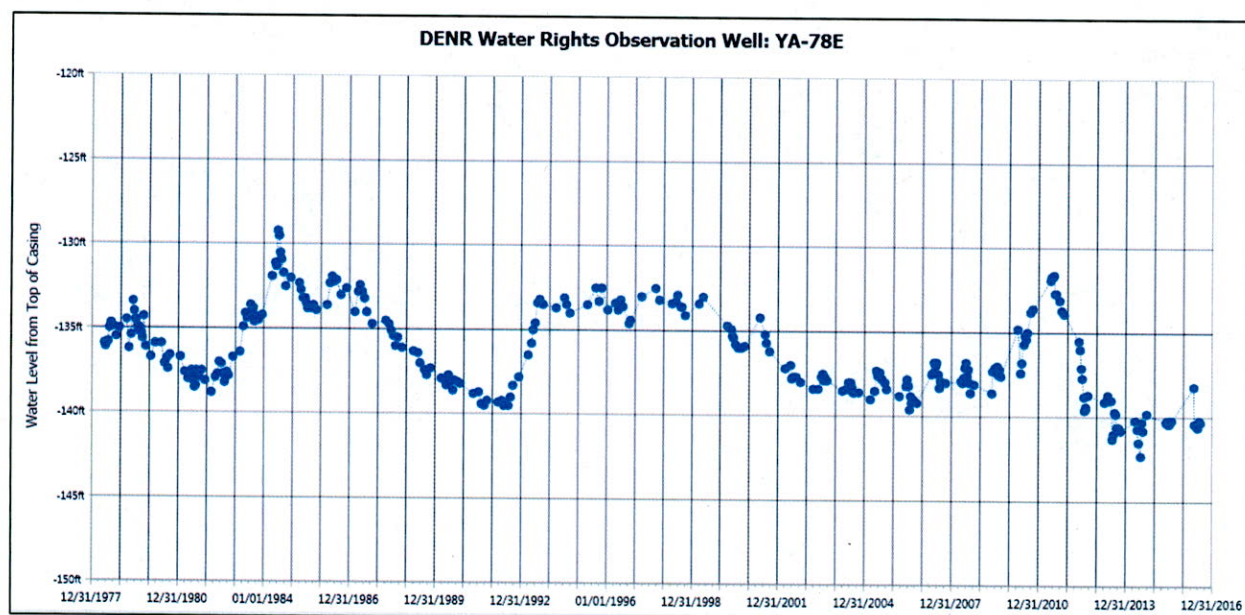


Figure 4: Hydrograph of Observation Well YA-78E (Water Rights, 2016b)

In examining these hydrographs the effects of climatic conditions can be observed to dominate the temporal impacts of pumping. Additionally, the impact of the Missouri River on the Elk Point management unit of the Missouri aquifer extends to the hydraulically connected Lower James Missouri aquifer. This impact is primarily noted in the observation wells in the southern portion of the aquifer, which is nearest to the area of hydraulic connection between the two aquifers. This is demonstrated by comparing the hydrograph for the Missouri River and the above observation wells, shown in Figure 5. One of the most notable aspects are the water level

spikes that occurred during the Missouri River flood event in 2011. Additionally, declining water levels in observation wells monitoring aquifers with a hydraulic connection to the Missouri River located downstream of Gavins Point Dam have been tied to the ongoing entrenchment of the Missouri River downstream of the dam (Stephens, 1967; Goodman, 2007; and Illes, 1979). Climatic conditions and the impact of the Missouri River on water levels in the aquifer mask the temporal impacts of well withdrawals. This indicates that water is available for capture. Therefore, there is a reasonable probability that unappropriated water is available for the appropriation proposed by this application.

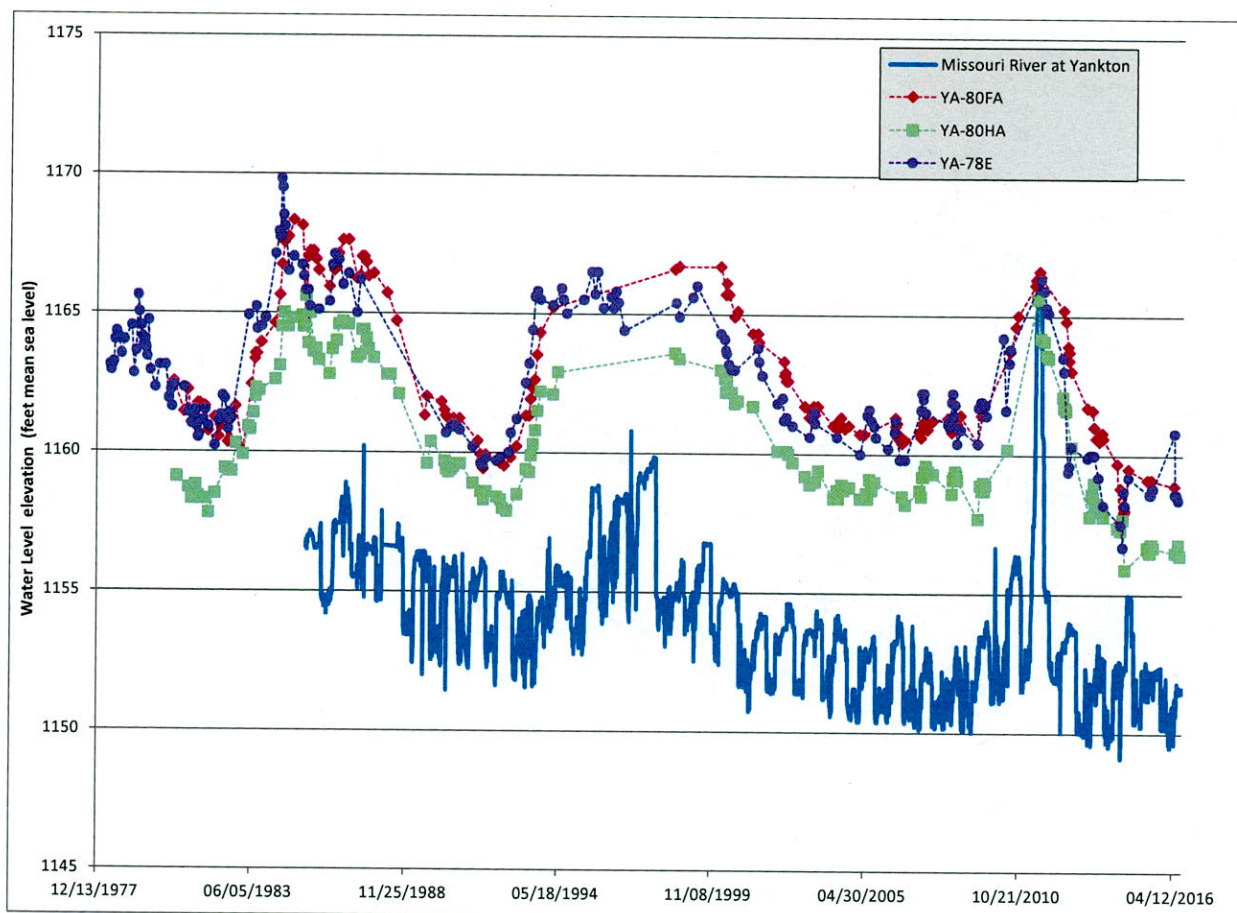


Figure 5: Missouri River hydrographs (USGS, 2016) and hydrographs for observation wells YA-80FA, YA-80HA, and YA-78E (Water Rights, 2016b)

Existing Water Rights

Area water rights/permits currently authorized to appropriate water from the Lower James Missouri are shown in Figure 6 and summarized in Table 1. The nearest water rights/permits are Water Right No. 4629-3 and Water Permit No. 7977-3 both located about 1.3 miles away from the location of the well for this application. There are well completion reports on file within two miles of this well location, most of which are likely completed into this aquifer (Water Rights Program, 2016).

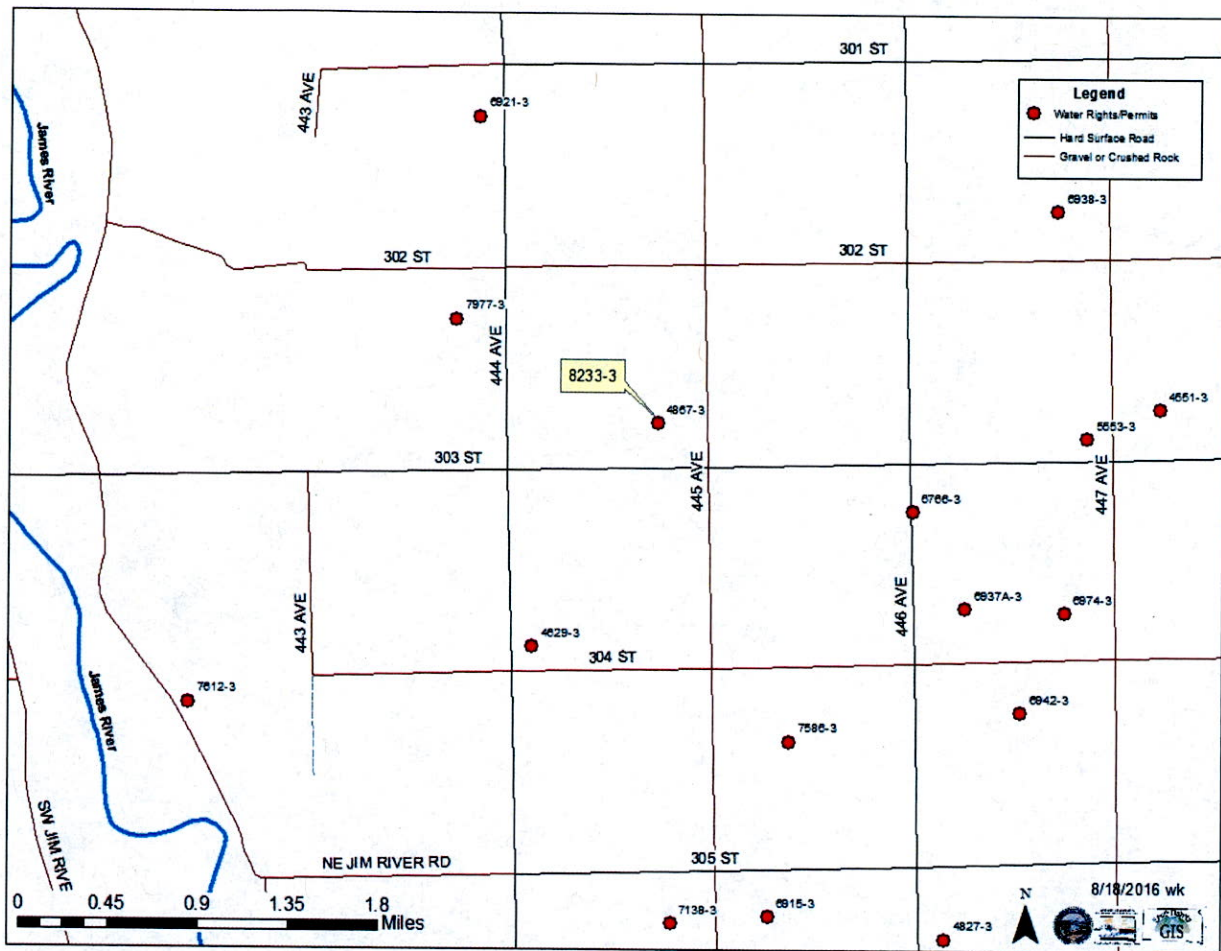


Figure 6: Water Rights/Permit in the Area of the Well that Water Permit Application 8233-3 Proposes to utilize currently authorized to appropriate water from the Lower James Missouri (Water Rights, 2016a)

Table 1: Summary of Water Rights/Permits Shown in Figure 6 (Water Rights, 2016a)

Permit No.	Name	Status	Use	Rate	Acres
4551-3	DENNIS/DARRELL NELSON	LC	IRR	1.78	140
4629-3	MARY ANNE BOYD	LC	IRR	1.78	154
4827-3	GARY SMITH	LC	IRR	1.83	128
4867-3	DORIS SVENDSEN & SON	LC	IRR	1.78	140
5553-3	LYLE STRATMAN	LC	IRR	2	211
6766-3	RANDY & VALERIE SVENDSEN	LC	IRR	1.94	136
6915-3	GARY SMITH	PE	IRR	1.78	70
6921-3	RANDY, VALERIE & DORIS SVENDSEN	PE	IRR	2.22	152
6938-3	DEAN R MORMAN	PE	IRR	1.78	140
6942-3	CRAIG L JOHNSON	PE	IRR	4.44	315
6974-3	PAUL GUSTAD	PE	IRR	1.56	140
7138-3	MORRIS NELSON FARMS INC	PE	IRR	2.22	240
7586-3	THREE SISTERS FARMS	PE	IRR	1.78	150
7612-3	DAN HACECKY	PE	IRR	2.22	153
7977-3	DAHLERUP FAMILY TRUST	PE	IRR	2.89	284
6937A-3	DEAN R MORMAN	PE	IRR	1.78	135

LC-Water Right, PE-Water Permit, IRR-irrigation

The exact amount of drawdown as a result of the additional annual volume of water requested by this application cannot be quantified without aquifer testing. However, since the well site is under water table conditions drawdown from a pumping well would not be expected to be significant far from the well site. Additionally, observation well YA-80FA is located approximately 0.35 miles to the southeast of the location for this well. In examining the hydrograph for observation well YA-80FA (Figure 2) very little to no drawdown can be observed at this distance from this well over the time period that Water Right No. 4867-3 has been actively pumping. The SD Well Construction Standards have defined an adversely impacted domestic well as “a well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner's needs.” Therefore this application, if approved, is not expected to adversely impact nearby adequate domestic wells.

Conclusions

1. Water Permit Application 8233-3 proposes to irrigate 140 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 35-T95N-R55W in Yankton County from one existing well authorized under Water Right No. 4867-3 with no increase in the maximum diversion rate of 1.78 cfs.
2. There is a reasonable probability that water is available in the aquifer.

3. There is a reasonable probability that diversions under this application, if approved, will not adversely impact existing water rights/permits.

Whitney Kilts
Whitney Kilts

SDDENR-Water Rights Program

Approved by

Ken Buhler

Ken Buhler

SDDENR-Water Rights Program

References

- Bugliosi, E. F. 1986. Water Resources of Yankton County, South Dakota. USGS Water-Resources Investigations Report 84-4241. USGS. Huron, SD.
- Goodman, J. A. 2007. Report on Water Permit Application No. 6869-3: For Lewis and Clark RWS. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Hedges, L.S., Burch, S. L., Iles, D. L., Barari, R. A., and Schoon, R. A. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota, and Iowa. Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
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AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

RECEIVED

SEP 14 2016

WATER RIGHTS
PROGRAM

RANDY/VAL SVENDSEN
504 E 29TH ST
YANKTON SD 57078

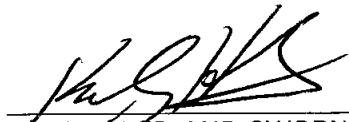
STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ, BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT (S)HE IS THE MANAGING EDITOR OF YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED 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
9+8 NOTICE OF APPLICATIO

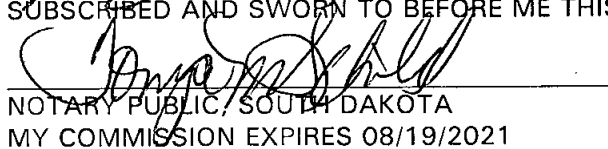
TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 8th DAY OF September, 2016
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$28.09 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE 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: 09/08/2016

FILED ON: 09/09/2016



SUBSCRIBED AND SWORN TO BEFORE ME THIS 9th DAY OF September, 2016



NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 08/19/2021

NOTICE OF APPLICATION NO. 8233-3 to Appropriate Water

RECEIVED
SEP 14 2016
WATER RIGHTS
PROGRAM

Notice is given that Randy & Valerie Svendsen, 504 E 29th St, Yankton SD 57078 has filed an application for a water permit to irrigate 140 new acres. Water Right No. 4867-3 appropriates 1.78 cubic feet of water per second from one well completed into the Lower James:Missouri Aquifer (265 feet deep) located in the approximate center of the SE 1/4 Section 35 for irrigation of 140 acres located in the SE 1/4 Section 35; all in T95N-R55W. This application is to irrigate 140 new acres located in the S 1/2 NW 1/4 and the N 1/2 SW 1/4 Section 35-T95N-R55W. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8233-3 with qualifications 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. The Chief Engineers recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605-773-3352) and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 19, 2016.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$28.09.

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, August 30, 2016 7:45 AM
To: 'Tera Schmidt'
Subject: 8233-3. Randy & Valerie Svendsen
Attachments: 8233-3publicnov2015.short1.docx; FORM8.FRM.doc

Attached is a notice to be published on September 8, 2016.

Randy & Valerie Svendsen, 504 E 29th St, Yankton SD 57078 (605 260-3810 or c 605 661-8759) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak

Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

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

August 29, 2016

Randy & Valerie Svendsen
504 E 29th St
Yankton SD 57078

Dear Sir:

Water Permit Application No. 8233-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. 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

cc: Tad Svendsen, 2683 S Lima St, Aurora CO 80014

enclosures

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

NOTICE OF APPLICATION NO. 8233-3 to Appropriate Water

Notice is given that Randy & Valerie Svendsen, 504 E 29th St, Yankton SD 57078 has filed an application for a water permit to irrigate 140 new acres. Water Right No. 4867-3 appropriates 1.78 cubic feet of water per second from one well completed into the Lower James:Missouri Aquifer (265 feet deep) located in the approximate center of the SE 1/4 Section 35 for irrigation of 140 acres located in the SE 1/4 Section 35; all in T95N-R55W. This application is to irrigate 140 new acres located in the S 1/2 NW 1/4 and the N 1/2 SW 1/4 Section 35-T95N-R55W. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8233-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 19, 2016.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

OCT 07 2016

Randy & Valerie Svendsen
504 E 29th St
Yankton SD 57078

Dear Sir:

Enclosed is Water Permit No. 8233-3 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

8233-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 5, 2018

Randy Svendsen
504 E 29th St
Yankton SD 57078

RE: Ownership changes for Water Right/Permit Nos. 4867-3, 6766-3, 6921-3, 7190-3 & 8233-3

Dear Mr. Svendsen:

Thank you for contacting us with regard to changing the names on the above listed water rights and water permits.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the changes. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (\$250 total). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please give me a call.

Sincerely,

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

enclosures

RECEIVED

NOV 15 2018

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

PAID

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

NOV 15 2018

Ck# 9753

No. 8233-3

Date: 11-11-2018

I/We request that Water Permit No. 8233-3

formerly owned by: Randy & Valerie Svendsen

be transferred to: (name & address)

Randy and Valerie Svendsen and Sons

504 East 29th St. Yankton SD. 57078

Telephone No. 605-661-8759

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

140 acres - S 1/2 NW 1/4 and N 1/2 SW 1/4 Section 35, T95N, R55W

I/We understand that the validity of Water Permit No. 8233-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Randy Svendsen, the new owner, certify that the above information is true and correct.

Randy Svendsen
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date **November 15**

20 **18**

Randy & Valerie Svendsen 504 E 29th St Yankton SD 57078

RECEIVED OF

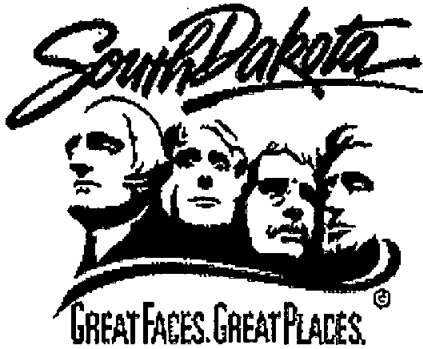
The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 8233-3		
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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08806**

By

Jeanne Goodman
Chief Engineer
cm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 28, 2018

Randy Svendsen
504 E 29th St
Yankton SD 57078

RE: Ownership changes for Water Permit/Right Nos. 4867-3, 6766-3, 6921-3 & 8233-3

Dear Mr. Svendsen:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on the above listed water rights and permits.

The ownership changes have been completed. Water Right Nos. 4867-3 & 6766-3 and Water Permit Nos. 6921-3 & 8233-3 are now listed under "**Randy & Valerie Svendsen and Sons**".

Water Permit No. 7190-3, listed under Randy, Valerie and Doris Svendsen, was not transferred. No. 7190-3 was for a Dakota Formation well (600 feet deep) to irrigate land in the E ½ NE ¼ Section 26 and W ½ NW ¼ Section 27, T95N, R55W. You have indicated the well was not put in and you no longer intend to develop the project. Water Permit No. 7190-3 will be scheduled for cancellation at an upcoming meeting. You will be notified of the time, date and place of the hearing once it is scheduled. As long as you agree with this procedure, you do not need to do anything. If you feel an error has been made, please let us know.

Enclosed for your records are receipts for the filing fees you paid for the ownership changes. If you have any questions, please contact me.

Sincerely,

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

enclosures

8233-3

Form 10

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date 9-30-21

MAIL TO: PMB 2020
DANR - Water Rights Program
523 E. Capitol Ave
Pierre, SD 57501-3182

Ph: (605) 773-3352

FROM: Randy & Valerie Svendsen and Sons
(name)

504 E. 29th St.
(address)

Yankton
(city)

SD
(state)

57078
(zip)

605-661-8759
(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 8233-3 states that the water use system is to be constructed by

September 19, 2021, and water is to be put to beneficial use by September 19, 2025.
(date) (date)

The water use system was completed on September 2017.
(date)

Applying the water to beneficial use was completed on September 2017.
(date)

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

Randy Svendsen
(signature)



**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 8233-3**

I have this day, September 30, 2021 made a thorough examination of the water use system owned by Randy and Valerie Svendsen and Sons, 504 East 29th St., Yankton, SD 57078, holder of Permit No. 8233-3, bearing the priority date of July 1, 2016, authorizing the diversion of 0.0 cu. ft. per second of the waters of groundwater (Lower James: Missouri Aquifer) for the irrigation of 140 acres, located in Yankton County.

Inspection contact: Randy Svendsen

A. Works used to divert the water:

Well Information: (from licensed Water Right No. 4867-3)

- 1) Well Drilling Firm: Wetmore Drilling
- 2) No. of Wells: 1
- 3) Depth(s): 256 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 16 inches
- 2) Length: 196 feet
- 3) Type: PVC

Screen:

- 1) Diameter: 16 inches
- 2) Length: 60 feet
- 3) Type: PVC
- 4) Static water level: 124 feet

Pump:

- 1) Make: Western Land roller
- 2) Model: 8MOL16
- 3) Capacity: 800 gpm

Motor:

- 1) Make: General Electric
- 2) Model No.: 5K265XM501C
- 3) Horsepower rating: 75 hp

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

- 1) Type: PVC
- 2) Size: 10 inches
- 3) Length: 3,060 feet

C. Works used to apply water to beneficial use:**Center Pivot:**

- 1) Make: Lockwood
- 2) Overall length: 1,278 feet
- 3) Number of towers: 9
- 4) End gun: Yes
- 5) Capacity: 800 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 1,320 feet west and 1,145 feet north of the southeast corner of Section 35-T95N-R55W (Latitude 42.99907, Longitude -97.30368 – S1/2 of the SE1/4).
- 2) The works are capable of diverting and conveying to the place of use 1.78 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-T95N-R55W

<u>SW1/4NW1/4</u>	<u>31 acres</u>
<u>SE1/4NW1/4</u>	<u>33 acres</u>
<u>NW1/4SW1/4</u>	<u>31 acres</u>
<u>NE1/4SW1/4</u>	<u>33 acres</u>

comprising a total of 128 acres of land and the license should be issued for 0.0 cfs.

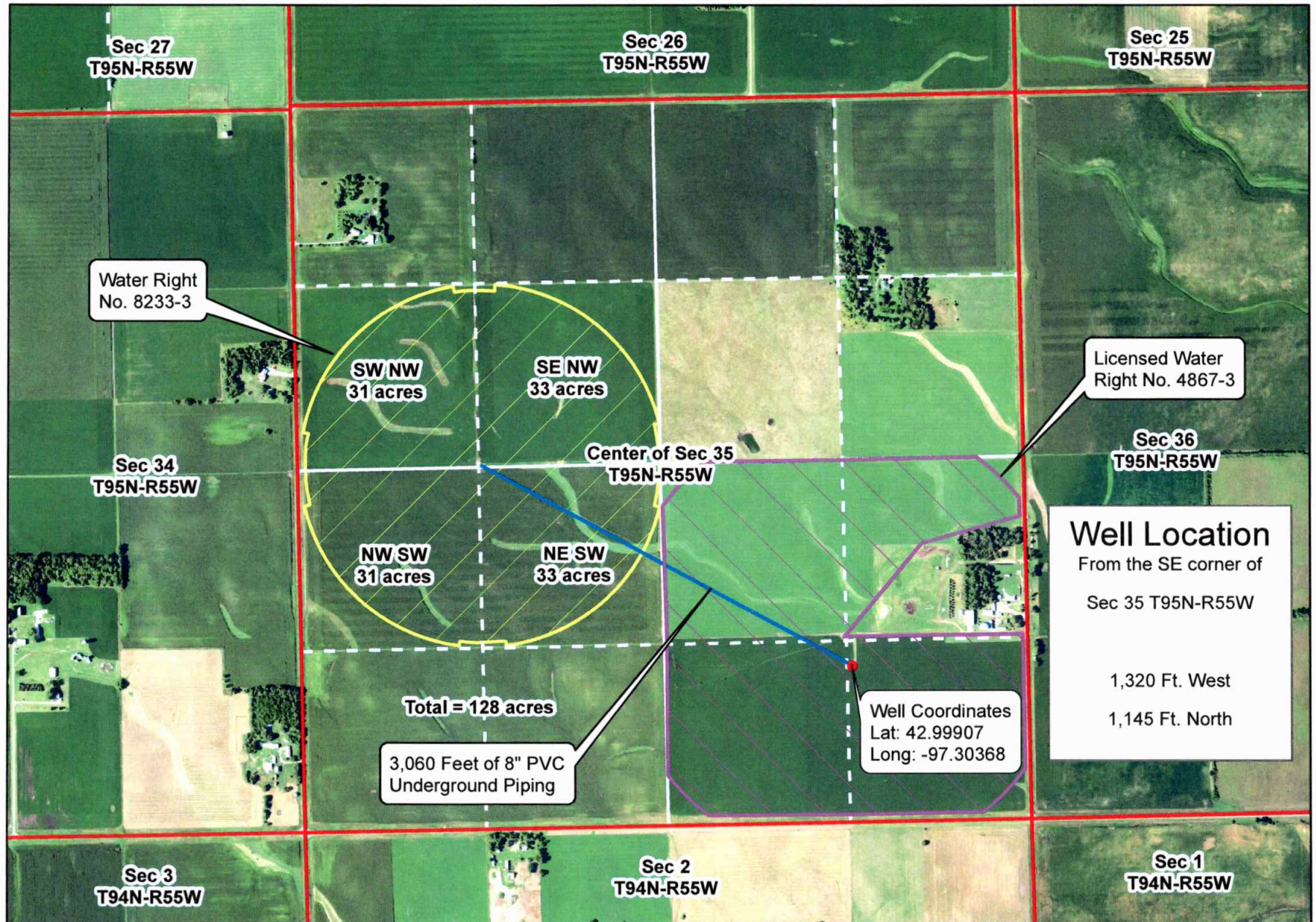
- 3) All structures, wells and lands on map Yes

F. Comments or other permit(s) associated with the project: Water Right No. 8233-3 authorized the irrigation of 140 new acres from the well authorized by licensed Water Right No. 4867-3. It may be appropriate to combine Water Right No. 8233-3 with licensed Water Right No. 4867-3.

Keith DeJong
Water Rights Inspector
DANR, Water Rights Program

Date report completed: October 8, 2021

Water Right No. 8233-3



Keith DeJong

Keith DeJong, PE
Staff Engineer
October 8, 2021



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

OCT 14 2021

4867-3
8233-3

Randy & Valerie Svendsen and Sons
504 E 29th St
Yankton SD 57078

Dear Mr. & Mrs. Svendsen and Sons:

Enclosed is Water License No. 8233-3. 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

Note: The applicable portions of Water Right No. 4867-3 were incorporated into Water License No. 8233-3.

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8233-3**

(1) Randy & Valerie Svendsen made Application No. 8233-3, July 1, 2016 for a water permit to add acreage to be irrigated with a well authorized under Water Right No. 4867-3. The project is located in Yankton County, South Dakota. Permit No. 8233-3, with a priority date of July 1, 2016 was approved September 19, 2016 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before September 19, 2021 and for the application to beneficial use of said water on or before September 19, 2025. Approval of No. 8233-3 did not authorize an increase in the developed diversion rate.

Water Right No. 4867-3, with a priority date of March 8, 1982, authorizes diversion of 1.78 cfs from one well to irrigate 140 acres in the SE ¼ Section 35, T95N, R55W. Water Permit No. 8233-3 adds acreage to the system utilizing the same well.

Water Permit Nos. 4867-3 and 8233-3 were transferred November 15, 2018 to Randy & Valerie Svendsen and Sons.

The applicable portions of Water Right No. 4867-3 are incorporated into this Water License No. 8233-3.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and are entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,320'W and 1,145'N of the SE corner of Section 35, T95N, R55W (S ½ SE ¼)
Latitude 42.99907, Longitude -97.30368

(3) The permit holders have 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, T95N, R55W			
Priority date: March 8, 1982		Priority date: July 1, 2016	
NW ¼ SE ¼	38 acres	SW ¼ NW ¼	31 acres
NE ¼ SE ¼	26 acres	SE ¼ NW ¼	33 acres
SE ¼ SE ¼	38 acres	NW ¼ SW ¼	31 acres
SW ¼ SE ¼	38 acres	NE ¼ SW ¼	33 acres
Total 268 acres			

Priority dates: **March 8, 1982 established under No. 4867-3**
 July 1, 2016 established under No. 8233-3

(4) Pursuant to South Dakota Water Law 46-5-30.1 Randy & Valerie Svendsen and Sons, 504 E 29th St., Yankton SD 57078 the holder and/or owner of Incorporated Water Right No. 8233-3 are issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water, one well (Lower James Missouri Aquifer) with priority dates of March 8, 1982 (1.78 cfs & 140 acres) and July 1, 2016 (128 acres) from the location specified in (2) of this license for irrigation purposes.

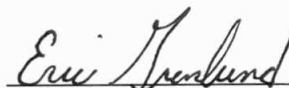
continued

Water License No. 8233-3

Page 2

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 8233-3 and subject to the following qualifications:

- The well approved under Nos. 4867-3 and 8233-3 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.
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.


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

OCT 14 2021
date





8233-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 27, 2022

6921-3
8233-3

Randy Svendsen
1505 Summit Ln Apt 203
Yankton SD 57078

Dear Mr. Svendsen:

Thank you for calling about the needed changes for the three water rights. I checked with the permitting administrator and was told you do need to file ownership changes in order to change the names.

With respect to the two water rights, you mentioned should be under "Randy Svendsen and Sons", I am enclosing two partially completed transfer forms. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

I went ahead and mailed a transfer form to Valerie for Water Right No. 6766-3. If I can answer any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

8233-3

RECEIPT

WATER RIGHTS PROGRAM
 South Dakota Department of Agriculture and Natural Resources

Date November 9, 2022RECEIVED OF Randy/Valerie Svendsen 1505 Summit Lane #303 Yankton SD 57078

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>8233-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
 Chief Engineer

vm

PAID

NOV 9 2022

Ck# 1761

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

NOV 09 2022

OFFICE OF
WATER

No. 8233-3

Date:

I/We request that Water Right No. 8233-3

formerly owned by: Randy & Valerie Svendsen and Sons

be transferred to: (name & address)

Randy Svendsen and Sons
1505 Summit Lane # 303
Yankton SD 57078 Telephone No. 605-661-8759

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

268 acres – SE ¼ and NW ¼ Section 35, T95N, R55W

I/We understand that the validity of Water Right No. 8233-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Randy Svendsen, the new owner, certify that the above information is true and correct.

Randy Svendsen
(Signed by new owner)

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

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

8233-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 21, 2022

6921-3
8233-3

Randy Svendsen & Sons
1505 Summit Lane #303
Yankton SD 57078

Dear Sirs:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for transferring Water Permit Nos. 6921-3 and 8233-3.

The ownership changes have been completed. Nos. 6921-3 and 8233-3 formerly held by Randy & Valerie Svendsen and Sons are now listed under Randy Svendsen & Sons.

Enclosed for your records are receipts for the filing fees you paid. If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures