

WATER PERMIT NO. 2693-2

Name of Applicant: **Brad and Marlene Pisha**

Address: **29209 242nd Ave, Tuthill SD 57574** Phone: **605 685-6030**

Amount of Water Claimed: **1.93 cfs** Total Acres: **150 acres**

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

Water to be used for: **irrigation** County: **Bennett**

Type of Waste Disposal System:

Location: **12 miles east of Tuthill**

PRIORITY Date Received: **9-27-12** Application/License Fee: **\$ 1050.00**

Corrected Application Received: Period of Annual Use: **May 1 – September 30**

Remarks:

Diversion Point: **center of NE 1/4 Sec 19-T37N-**
R33W

Land to be Irrigated: **NE 1/4, E 1/2 NW 1/4 Sec**
19-T37N-R33W

Depth of Well: **280 feet deep**

Well Driller: **Grosch Irrigation Co.**

Remarks:

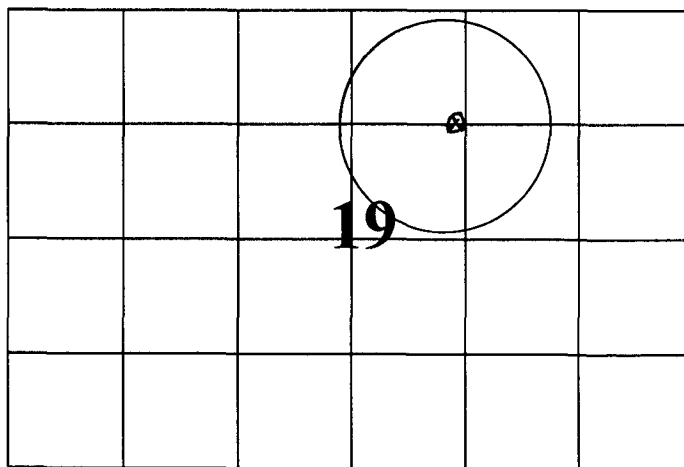
Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **9-27-2012**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only) No. <u>2693-2</u> Hydrologic Unit <u>10140203</u> Basin <u>White River</u> Newspaper <u>Bennett Co. Booster II, Martin</u> <u>Capital Journal, Pierre</u>
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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 Brad and Marlene Pisha Phone 605-685-6030 Home
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 292 09 242nd Ave. Tuthill State SD 57574
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed 1.93 *CFS or 870 *GPM ***AF Total Acreage 150
(*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) One well in the approximate center of the NE 1/4 of Section 19 37 N 33 W. From NE corner of section. Approx. 1400 ft. west and 1300 feet south County Bennett

5. County or counties where water will be used Bennett

6. Annual period during which water is to be used May through September

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
NW 1/4 of NE 1/4 Sec. 19 37N 33W	35	NE 1/4 of NW 1/4 Sec. 19 37N 33W	5
NE 1/4 of NE 1/4 Sec. 19 37N 33W	35	SE 1/4 of NW 1/4 Sec. 19 37N 33W	5
SW 1/4 of NE 1/4 Sec. 19 37N 33W	35		
SE 1/4 of NE 1/4 Sec. 19 37N 33W	35		

8. Give a description of the project. (Attach sheet if more space is needed) Center pivot irrigation system located 100 ft west of the center of the NE 1/4 of section 19 37N 33W. Irrigation well will be dug on east side of center pivot (adjacent to pivot point) Pivot will irrigate 140 to 150 acres.

STATE OF SOUTH DAKOTA)
County of Bennett) SS

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

I, Brad Pisha Marlene Pisha 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 Brad Pisha Marlene Pisha

Subscribed and sworn to before me this 21 day of September 20 12

Commission expires
12-27-2016

Trace Halim

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 2693-2**

Date of first receipt of application September 27, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2693-2 to Brad and Marlene Pisha, 29209 242nd Ave, Tuthill SD 57574 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. 2693-2 appropriates 1.93 cubic feet of water per second from one well to be completed into the Ogallala Aquifer (280 feet deep) located in the center of the NE 1/4 Section 19 for irrigation of 150 acres located in the NE 1/4, E 1/2 NW 1/4 Section 19; all in T37N-R33W.
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: May 1 – September 30.
3. The date from which applicant may claim right is September 27, 2012.
4. The date of approval of Permit No. 2693-2 is December 10, 2012.
5. One-fifth of the construction is to be completed on or before June 10, 2015.
6. All construction is to be completed on or before December 10, 2017.
7. Water is to be put to beneficial use on or before December 10, 2021.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 2693-2 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

DEC 27 2012

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 28 in. Depth 280 ft
- b) Casing Type PVC Diameter 16" Thickness SDR-26 .625
- c) Screen Type Slotted Diameter 16" Thickness .625
- d) Gravel Pack washed Length of Gravel Pack (260 ft) from Bottom of hole back up to 20 ft from top. Top 20 ft. will be concrete
- e) Depth to Top of Water Bearing Material 100 ft.
- f) Depth to Water (ground surface to water level) 72 ft
- g) Distance to nearest existing domestic well: approx 1/2 mile South East
On applicants property 3/4 mile west On property owned by others Dan O'Neill

2. Wastewater Disposal System Information

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

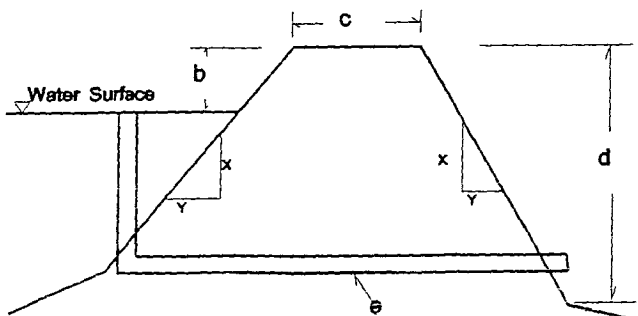
3. Dugout Information

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

4. Water Storage Dams

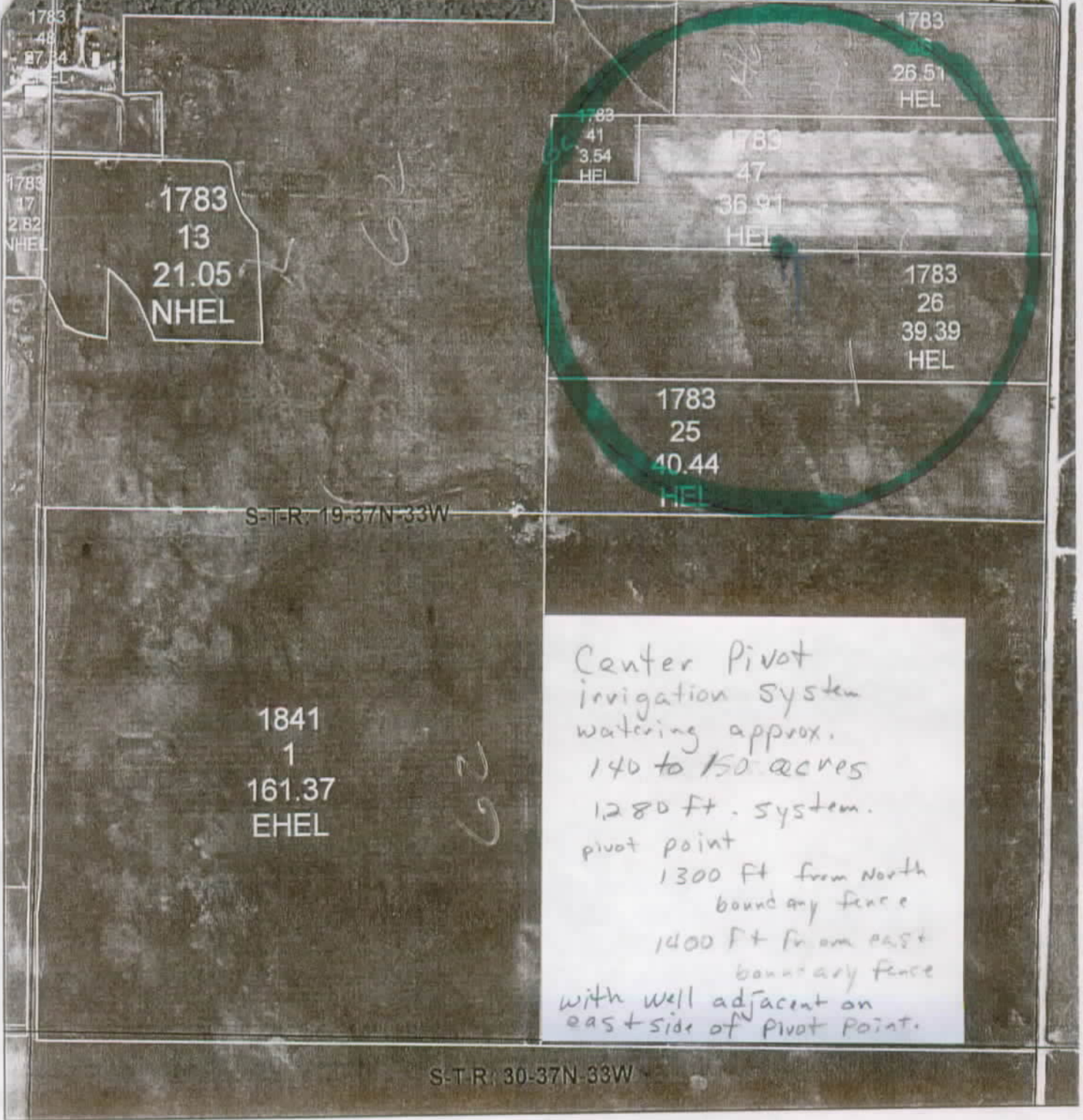
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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



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

S-T-R: 18-37N-33W



United States Department of Agriculture
Farm Service Agency

PLSS: 19_37N_33W
Farm: 1796

Bennett County, SD

1:8,696

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

Brad + Marlene Pisha
Brod Pisha

February 24, 2012



green dot in
center of circle
is proposed well
(diversion) location
Next to pivot point on
east side of pivot point.
green circle is proposed
irrigated area.

GROSCH IRRIGATION CO., INC.

GPS

43D / 10 / 03.9

101D / 15 / 43.2

Branch	O'Neill, NE
Date	October 03, 2006

1 - 06

Name BRAD PISHA

Address VETAL SD

NE 1/4 19 SEC 37 TN 33 RA

BENNETT CO

(LOCATE TEST WITH X)

FEET FROM	LINE
10	10
20	20
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FEET FROM	LINE
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TEST LOG

[illegible]

APPROX. SWL: 72'

well description
28 inch hole
280 feet deep
PVC casing

DRILLER
Thad Babutzke

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/27, 20 12

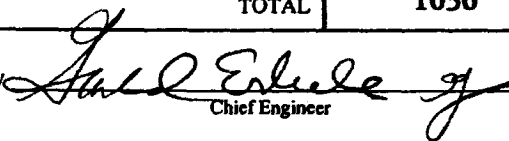
RECEIVED OF Brad Pisha 29209 242nd Ave Tuthill SD 57574

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

Fee for Application for Permit No. <u>2693-2</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>2693-2</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. **05593**

By


Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2693-2, Brad and Marlene Pisha**

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. 2693-2, Brad and Marlene Pisha, 29209 242nd Avenue, Tuthill SD 57574.

The Chief Engineer is recommending APPROVAL of Application No. 2693-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 2693-2 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
November 20, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 2693-2
BRAD AND MARLENE PISHA
NOVEMBER 20, 2012

Water Permit Application No. 2693-2 proposes to appropriate up to 300 acre-feet (ac-ft) annually at a maximum diversion rate of 1.93 cubic feet per second (cfs) from one well to be completed into the Ogallala aquifer. The well is expected to be approximately 280 feet deep and is to be located in the NE ¼ Section 19 for irrigation of 150 acres located in the NE ¼, E ½ NW ¼ Section 19; all in T37N-R33W in Bennett County.

AQUIFER: Ogallala aquifer (OGLL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Ogallala aquifer is part of the High Plains aquifer. The High Plains aquifer is a massive aquifer that underlies eight states from South Dakota to Texas. The Ogallala aquifer in Bennett County consists primarily of the Valentine and Ash Hollow Formations (Filipovic, 2011). The Valentine Formation consists of poorly consolidated, gray to olive-green, light-tan, fine to coarse sand and silt, with local lenses of olive to greenish silty clay (Filipovic, 2011). The Ash Hollow Formation consists of calcite-and silica-cemented, light-gray, fine sandstone, and siltstone (Filipovic, 2011). The Ogallala underlies approximately 280,960 acres and contains an estimated 2,809,600 ac-ft of recoverable water in storage in Bennett County (Allen et.al, 1985). Irrigation wells completed into the Ogallala aquifer can yield up to 1,000 gallons per minute from 200 feet of saturated thickness. A test hole log was submitted with this application. The test log indicated interbedded layers of limestone, sandstone, and "pepper" sand from ground surface to 273 feet below ground surface where "red rock" (Arikaree aquifer) was encountered.

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is 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.

WATER AVAILABILITY:

This application proposes to appropriate 300 ac-ft annually from the Ogallala aquifer. Although, actual water use if this application is approved will most likely be less than 300 ac-ft/yr. The probability of unappropriated water 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.

Recharge versus Discharge:*Recharge:*

Recharge to the aquifer occurs primarily through infiltration of precipitation. Kolm and Case (1983) estimated the recharge rate, 1.3 to 1.8 in/yr, to be approximately eight percent of the annual precipitation for the High Plains aquifer. The recharge to the Ogallala aquifer in Bennett County ranges from 30,437 to 42,144 ac-ft/yr.

Discharge:

Discharge from the Ogallala aquifer is due to seepage through springs and to streams, evapotranspiration, and well withdrawals. There are 44 water rights/permits appropriating water from the Ogallala aquifer in Bennett County (Water Rights, 2012b) and a number of domestic wells on file with the SD DENR-Water Rights Program (Water Rights, 2012c). There is one water right, Water Right No. 2455-2, designated for Fish and Wildlife Propagation, one water right, Water Right No. 2621-2, designated for institutional use, and the remainder of the water rights/permits are designated for irrigation purposes. The amount of water that can be expected to be withdrawn through water rights/permits authorizing water use for non-irrigation purposes at the current appropriation level can be estimated by assuming: 1) water rights/permits limited by an annual volume will pump the entire volume appropriated (4.7 ac-ft/yr), 2) water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time (8.7 ac-ft/yr), and 3) future use permits can be fully developed (0 ac-ft/yr). Water withdrawal from the Ogallala aquifer in Bennett County by irrigation from 1982 to 2011, as reported to the DENR-Water Rights Program through annual irrigation questionnaires, is shown in table 1. The estimated average annual withdrawal of water from the Ogallala aquifer in Bennett County is 6,944.3 ac-ft/yr. Therefore, there is a reasonable probability that unappropriated water is available from the Ogallala aquifer in Bennett County.

YEAR	NO. OF PERMITS REPORTING	APPROPRIATION (AC-FT/YR)	PUMPAGE REPORTED (AC-FT/YR)
2011	45	19489.9	6289.23
2010	45	19157.9	7347.36
2009	45	19267.9	8283.03
2008	45	19267.9	9976.89
2007	45	19245.9	10468.27
2006	43	19529.9	10838.95
2005	44	19925.9	8563.55
2004	44	19529.9	9067.61
2003	44	19604.9	7164.72
2002	42	18950.9	8321.28
2001	43	18950.9	7149.91
2000	44	19697	6812.18
1999	44	19697	5745.8
1998	44	19697	5805.38
1997	44	19677	7069
1996	44	20204	6430.94
1995	42	20218	5936.46
1994	44	20500	7448.54
1993	43	19248	4447.5
1992	43	19248	5629
1991	43	19248	6270.2
1990	43	19248	7169
1989	41	18730	10212.6
1988	39	18063	6366.5
1987	40	19663	5624
1986	41	19935	4359.6
1985	42	19778	8022
1984	44	22288.2	4816.4
1983	37	18134.3	4259.07
1982	35	17457.3	2032.77
Min	35	17457.3	2032.77
Max	45	22288.2	10838.95
Avg	42.7	19455.1	6930.92

Table 1- Water withdrawal by irrigation from the Ogallala aquifer in Bennett County (Water Rights, 1982-2012)

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that “the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.”

The DENR-Water Rights Program monitors 19 observation wells completed into the Ogallala aquifer in Bennett County (Water Rights, 2012a). The three nearest observation wells are BT-76C, 0.4 mile northeast, BT-801E, 1.8 miles south-southeast, and BT-78KR, 3.3 miles north-northwest. The water levels rise (recharge) during wet years and gradually decline during dry years. The observation wells show the seasonal effects of pumping, but it does not appear to be significant over the period of record. The temporal effects of pumping are minimal compared to the climatic conditions. Therefore, there is a reasonable probability that there is unappropriated water available from the Ogallala aquifer and that this appropriation can be made without adversely impacting existing water rights. Figures 1, 2, and 3 show the hydrographs for observation wells BT-76C, BT-80E, and BT-78KR, respectively.

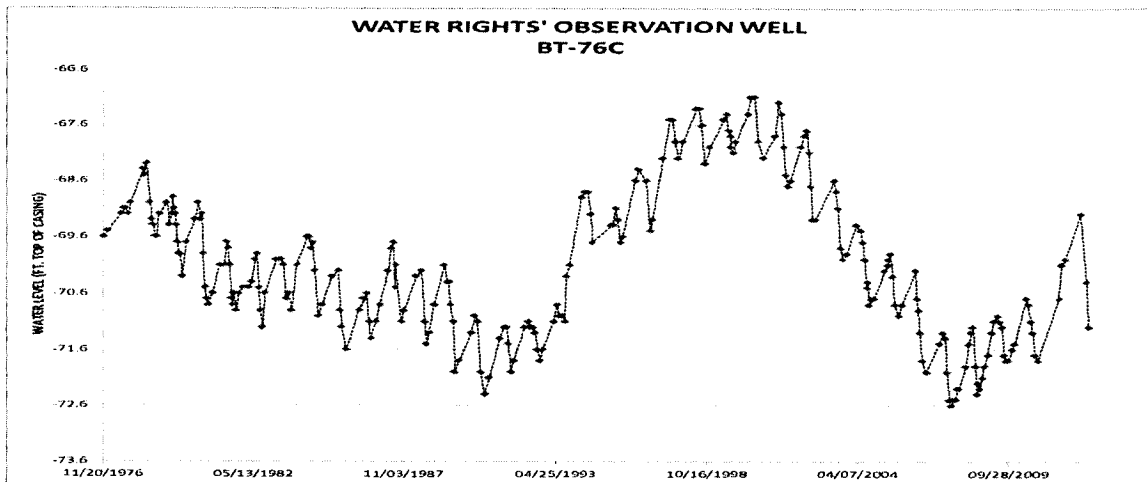


Figure 1- Hydrograph of DENR-Water Rights' observation well BT-76C, approximately 0.4 miles northeast of the proposed well location (Water Rights, 2012a)

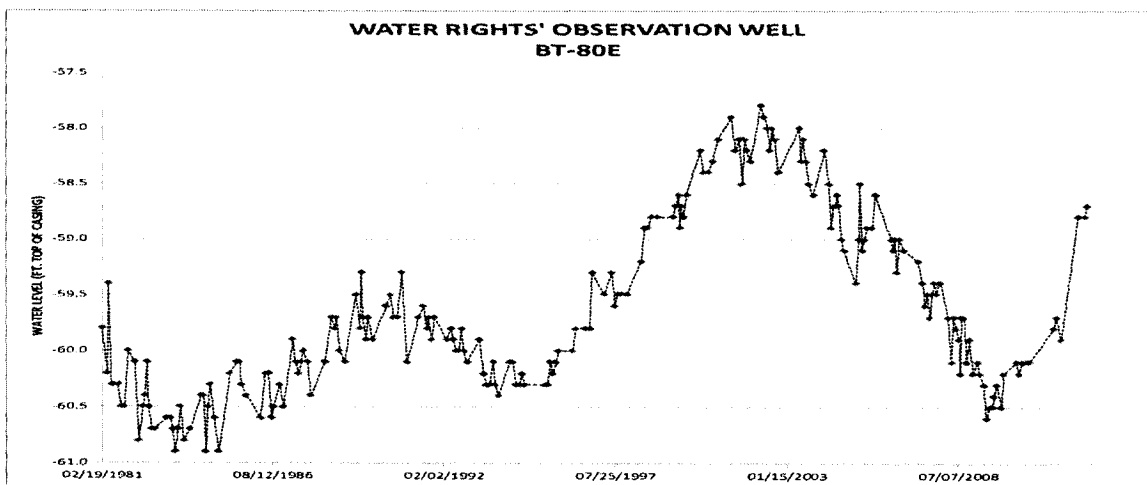


Figure 2- Hydrograph of DENR-Water Rights' observation well BT-80E, approximately 1.8 miles south-southeast of the proposed well location (Water Rights, 2012a).

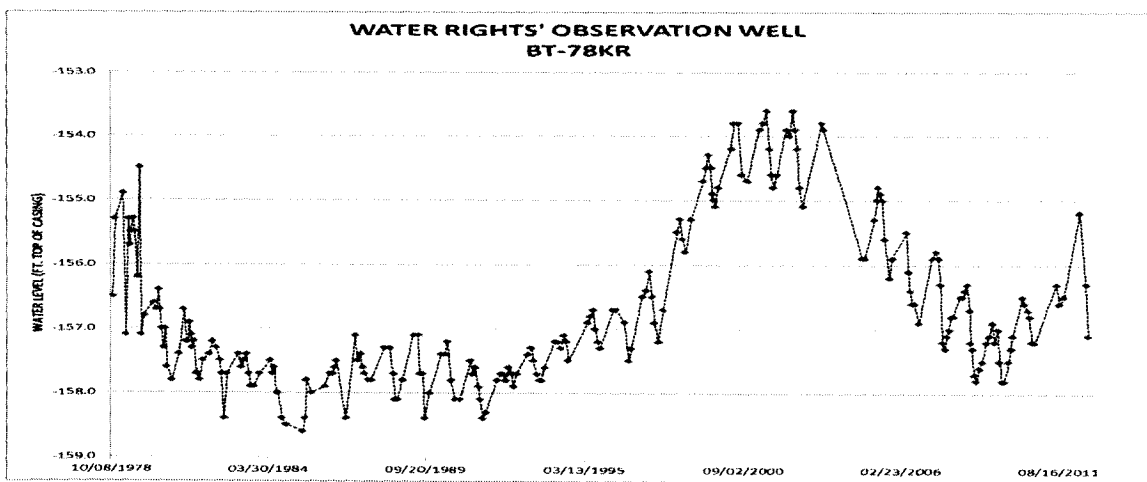


Figure 3- Hydrograph of DENR-Water Rights' observation well BT-78KR, approximately 3.3 miles north-northwest of the proposed well location (Water Rights, 2012a).

EXISTING WATER RIGHTS:

There are five water rights/permits authorizing wells and one domestic well, on file with the SD DENR-Water Rights Program, withdrawing water from the Ogallala aquifer within one mile of the proposed well location (Water Rights, 2012b). Drawdown is not significant, as evidenced by the hydrograph for observation well BT-76C. Observation well BT-76C is within one mile of five irrigation appropriators. The hydrograph does not show significant drawdown from the pumping of these nearby irrigation wells. Therefore, there is a reasonable probability that this appropriation can be made without adversely impacting existing appropriative or domestic water users. Table 2 shows the water rights/permits authorizing wells within one mile of the proposed well location.

PERMIT NO.	NAME	STATUS	TYPE	CFS	ACRES
1001-2	Jimmie O'Neill	LC	IRR	1.66	135
1208-2	Jimmie O'Neill	LC	IRR	1.66	135
1211-2	James A. O'Neill	LC	IRR	2	264
2521-2	O'Neill Farms Inc.	PE	IRR	3.56	130
2627-2	Daniel D. O'Neill	LC	IRR	2	236
LC= Water Right, PE = Water Permit, IRR = Irrigation					

Table 2- Water Rights/Permits authorizing wells within one mile of the proposed well location (Water Rights, 2012b)

CONCLUSIONS:

1. This application proposes to appropriate 300 acre-feet annually for the irrigation of 150 acres at a maximum diversion rate of 1.93 cfs from one well completed into the Ogallala aquifer in Bennett County.
2. There is a reasonable probability that unappropriated water is available from the Ogallala aquifer to supply this proposed diversion based on observation well data and estimated recharge rates.
3. There is a reasonable probability that the diversion rate requested by this application can be made without adversely impacting existing water rights or domestic wells.



Adam Mathiowetz
SD DENR-Water Rights Program

REFERENCES:

- Allen, J.C., D.L. Iles, and A.K. Petres. 1985. Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3A.B.C. and 4A.B.:Groundwater Resource Inventory: Final Report. U.S. Army Corp of Engineers Contract DAWC 45-82-C-015. SD DENR-Geological Survey. Vermillion, South Dakota.
- Filipovic, D. 2011. Hydrogeologic Assessment of the High Plains Aquifer in Bennett County, South Dakota. SD DENR-Geological Survey, Vermillion, South Dakota.
- Kolm, K.E. and H.L. Case III. 1983. A Two-Dimensional, Finite-Difference Model of the High Plains Aquifer in Southern South Dakota. Water-Resources Investigations Report 83-4175. U.S. Geological Survey. Lakewood, Colorado
- Water Rights. 1982-2012. "1982-2012 Irrigation Summaries by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2012a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

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

November 20, 2012

Brad or Marlene Pisha
29209 242nd Ave
Tuthill SD 57574

Dear Mr. or Mrs. Pisha:

Water Permit Application No. 2693-2 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 Bennett County Booster II printed at Martin SD (Ph # 605-685-6866) and the Capital Journal printed at Pierre SD (Ph # 605-224-7301). 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

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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

November 20, 2012

Bennett County Booster II
PO Box 610
Martin SD 57551

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2693-2 to Appropriate Water. Please publish the notice once on November 28, 2012. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Brad or Marlene Pisha, 29209 242nd Ave., Tuthill SD 57574 (Ph # 605-685-6030).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

November 20, 2012

Capital Journal
PO Box 878
Pierre SD 57501

ATTENTION: Legal Public Notice

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Instruction to Newspaper - Publish the Notice on November 28, 2012. 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 NO. 2693-2 to Appropriate Water

Notice is given that Brad and Marlene Pisha, 29209 242nd Ave, Tuthill SD 57574 has filed an application for a water permit to appropriate 1.93 cubic feet of water per second from one well to be completed into the Ogallala Aquifer (280 feet deep) located in the center of the NE 1/4 Section 19 for irrigation of 150 acres located in the NE 1/4, E 1/2 NW 1/4 Section 19; all in T37N-R33W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2693-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or 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 December 10, 2012.

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

Published once at the total approximate cost of_____.

RECEIVED

DEC - 3 2012

WATER RIGHTS
PROGRAM

Affidavit of Publication

State of South Dakota

County of Bennett

Jill Potter, being, first duly sworn, on oath, says: That he/she is an employee of Huether Publishing, Inc., and that the **Bennett County Booster** is, and during all the times hereinafter mentioned was, a weekly legal newspaper as defined in the SDCL 17-2-2.1 through the 17-2-2.4 inclusive; that said newspaper has been published within the said county of Bennett and State of South Dakota, for at least one year prior to the first publication of the attached public notice, and that the printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for **1** successive week(s) to wit:

November 28, 2012

That the full amount of the fee charged for the publication of the attached public notice, **27.20**, insures to the sole benefit of the publisher or publishers; that no agreement or 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; that the fees charged for the publication thereof are:

Signed: Jill Potter

Subscribed and sworn to before me this 28th day of November, 2012.

Mandy K. Scherer
Notary Public

My Commission Expires
December 9, 2015



Legal Notices

Notice of Application No. 2693-2 to Appropriate Water

Notice is given that Brad and Marlene Pisha, 29209 242nd Ave, Turhill SD 57574 has filed an application for a water permit to appropriate 1.93 cubic feet of water per second from one well to be completed into the Ogallala Aquifer (280 feet deep) located in the center of the NE 1/4 Section 19 for irrigation of 150 acres located in the NE 1/4, E 1/2 NW 1/4 Section 19; all in T37N-R33W.

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Published once at the total approximate cost of \$27.20
Published: November 28, 2012

Proceedings

Martin City Council
Regular Session

Wednesday November 14, 2012

The Martin City Council met in Regular Session on Wednesday, November 14, 2012 at 5:30 p.m. in the community room at 101 Main Street.

Mayor Gayle Kocer called the meeting to order with council members Tommie Moffitt, Jim Stephens, Noel Moffitt, Chuck Gotheridge present. Absent, Shirley McCue and Gregg Clausen.

Others present were, Marj Oleske, with the Bennett County Booster, Police Chief Medeiros, City Foreman Paul Noel, City Attorney Sara Frankenstein and Jean Kirk, Finance Officer.

Approval of Agenda: Motion was entered by Moffitt and seconded by Peck to approve the agenda with flexibility. All in favor, motion carried.

Minutes: A motion was entered by Noel to approve the minutes for the October 10th meeting. Moffitt seconded the motion, all voting aye, motion carried.

Finance Officer's Report: Peck entered a motion to approve the Finance officer's report as corrected for October. Seconded by Noel, all voting aye, motion carried.

Beginning Balance On Hand	\$1,156,254.39
September Receipts	178,701.80
Total to be accounted for	1,334,956.19
Transfer In	128,264.12
Transfer Out	70,000.00
Disbursements	267,718.33
Outstanding Warrants	1,086.77
CD & Petty Cash	16,586.18
Claims November 2012: The claims were reviewed by the council.	

Moffitt entered a motion with a second by Noel to approve payment of all claims. All voting aye, motion carried.

Nov-12
Oct wages, General Fund, \$22,596.62; Oct wages, enterprise fund, \$9,205.09; Oct withholdings, wage withholdings, \$9,078.16; Office of Child Support, child support, \$830.73; Affac, insurance, \$307.87; Assurity Life, insurance, \$45.28; Health Pool of South Dakota, health insurance, \$2,148.02; Debt Management Services with holdings, \$144.44; SD Retirement, retirement, \$5,303.64; Bair Ford, tire repair, \$28.73; Security First Bank, savings, \$11,119.49; Marco, copier leases, \$148.70; Butler Machine, repairs, \$33.12; Hawkins, cylinder rental & repairs, \$281.24; City of Martin, water bills, \$1,301.80; Kratoch's True Value, supplies, \$125.78; Dinosaur Exterminator, pest control, \$100.00; Drobnay Construction, highway light maintenance, \$5,385.60; Martin Auto Parts, parts & repairs, \$704.40; Lacreek Electric, electric bill, \$6,449.14; General Store, supplies for streets, water, sewer parks, etc, \$320.50; Bagley Express, tire repair, \$75.00; Great Western Tire, tires for bobcat, \$683.60; Jims Body Shop, repair dodge charger, \$4,612.78; Jenner Equipment, sweeper and filters for bobcat, \$497.61; Northwest Pipe Fittings, water, & sewer supplies, \$943.20; Post Office, postage for bills & billing, \$173.00; J & D Precast, rings for manhole, \$300.00; Bennett County Booster, publications, \$161.52; Special Account, reimbursement for meals, Halloween candy, \$226.54; United Systems Technology, bill cards, \$230.00; SD Dept of Revenue, garbage tax, \$649.87; SD Dept of Revenue, water tests, \$73.00; Sanitation Products, 10 garbage totes, \$978.00; Servall, mats & rugs for office, \$119.24; Golden West Telecommunications, phone bills, \$735.50; High Plains Animal Clinic, pound fees, \$50.00; GE Associates, barrel of oil, tire for irrigation system, \$1,361.30; Kadmas Lee & Jackson, engineering fees for airport, \$5,365.20; SD One Call, one calls, \$5.55; Lyle's Signs, street sign posts, \$329.00; Gunderson Palmer Goodsell & Nelson, attorney fees, \$1,648.30; Rapid Chevrolet, pickup up repairs, \$42.47; Northern Truck Equipment, repair snow truck, \$247.38; Dakota Backup, offsite backup, \$57.63; Voyager, fuel for vehicles, \$2,343.54; Best Western Ramkota, rooms for workshop, \$218.97; Salmon Sanitation, garbage service, \$10,234.10; Lynns Dakota mart, police open house, \$35.52; Kadoka Oil, diesel fuel, \$949.59; Card Services, airtel virus for computers, \$109.99; Pool & Spa Center, pool repairs, \$132.24; Martin Addiction Recovery, employee drug tests, \$100.00; Mathison's Graphics Plus, laser level, \$944.95; Rapid Tire & Alignment, 99 P105 repairs, \$1,565.05.
Total **\$113,176.28**

Donations: A motion was entered by Moffitt and seconded by Noel to donate \$200 to the Community Action to help with their Christmas activities. All voting aye, motion carried.

A motion was entered by Noel and seconded by Moffitt to approve the annual donation of \$5,000 to Martin Addiction Recovery Center. Voting aye, Noel, Moffitt, and Gotheridge. Abstaining was Peck. After a short discussion the council members present decided to table this till the next meeting when they had a full council present.

Home Address: Community Housing Initiative Kim Clausen with Wild Horse Butte Community Development Corporation, Jim Boddow and Joe Bartmann with the Home Address Initiative spoke to the council about the program. Home Address is a new housing initiative for rural communities in South Dakota. It chose four

communities in South Dakota through an application process. The Martin community was selected from an application submitted by the Wild Horse Butte Corporation. Home Address offers one on one assistance from rural housing coaches, access to a network of rural housing resource providers, assistance engaging the community to help identify and address the housing needs, a \$5,000 matching grant to help pay a local coordinator, and up to a \$5,000 match for a professional housing assessment. Kim Clausen will be the local housing coordinator and the two gentlemen will serve as her rural housing coaches. They were seeking the support of the council in the gathering of information for the assessment. A motion was entered by Noel and seconded by Gotheridge to provide a letter showing that the city council supports their effort in gathering information to complete a study of the housing needs in our community. All voting aye, motion carried.

Law: Chief Medeiros reported to the council that he was working on the curfew violation process. The police officers were going to start ticketing the parents or guardians of the curfew violators rather than the juvenile.

A motion to go into executive session concerning pending litigation SDCL 1-25-21 was entered by Noel and seconded by Peck. All voting aye, motion carried. Into executive session at 6:24. Out of executive session at 6:37. A motion was entered by Noel and seconded by Peck to proceed with small claims against Officer Matt Rolfe concerning the reimbursement agreement that he signed for expenses incurred while he was at training. All voting aye, motion carried.

Code Enforcement: Attorney Frankenstein updated the council on the Old Justice Video Building. There is around \$2,500 of taxes owed on the building. The county with the city's permission could abate the taxes on that property if they wanted to. Abating the taxes might help in selling the property.

Complaint: A complaint was received on the property at 303 First Ave. A motion was entered by Peck and seconded by Noel to have resolution for nuisance abatement for this property ready for the next meeting. All voting aye, motion carried.

Well building #4: The council reviewed the quote from the General Store for materials to rebuild well building #4. A motion was entered by Peck and seconded by Moffitt to have Foreman Noel order the materials and lock in that price. All voting aye, motion carried.

Confined Entry: Foreman Noel reported to the council that he is working on a confined space entry policy. This policy would state how the men should enter a confined space. To enter a confined space safely he would need to purchase an air monitor, body harness and tripod. He could purchase these items as a package for around \$3,000. A motion was entered by Peck and seconded by Moffitt to have Foreman Noel purchase a confined space entry package. All voting aye, motion carried.

Building Permits: One building permit was reviewed. Jean Bailey at 504 Main Street would like to replace the fence in the front yard with a six foot fence. A motion to approve the building permit was entered by Gotheridge and seconded by Moffitt. All voting aye, motion carried.

Playground Equipment: The broken slide at the park was discussed. Foreman Noel has tried everything he knows to fix the slide but the kids will not leave it alone. New playground equipment would cost \$30,000 to \$40,000. Finance Officer Kirk will try to contact Game Time and see if there are replacement parts or maybe replace the slide.

Irrigation System: A discussion was held on the city's irrigation system out at the south lagoon. The city has been paying 100 percent of the repair bills on the system. There use to be an agreement with the prior landowners that they would pay for the repairs. There is no such agreement with the present land owner. Mayor Kocer did not think that it was right that the city has to pay for all the repairs. Years ago when her and her husband owned the property there was a contract that stated that they were responsible for the maintenance and repairs on the system. The council will continue to look into this matter.

Adjournment: As there was no further business to come before the council at this time, Motion to adjourn was entered by Peck.

The next city council meeting will be held December 12th at 5:30 p.m. at the Library community room.
Dated this 14th day of November, 2012

Gayle Kocer, Mayor

ATTEST:

Jean Kirk, Finance Officer

Published once at the total approximate cost of \$106.02

Published: November 28, 2012

Valentine Livestock Auction Company
Valentine, Nebraska

Upcoming Sales

Nov. 29: Special Bred Female & Regular Sale
Dec. 6: Special Feeder Sale
Dec. 13: Special Bred Female Sale - also selling Bred Heifers, originally scheduled for Dec. 20
Dec. 17: Regular Sale
Dec. 20: Special Feeder Sale

Ph. 1-800-682-4874 or (402) 378-3611
Greg Arendt, Mgr. (402) 378-2722 • Greg Nielsen, Field. (402) 378-1924
Visit our Website at: <http://www.valentinelivestock.com>
Listen to KVSI (940 AM) on Thursdays. For live broadcast

Martin Area Chamber of Commerce

Invites Everyone To Martin for

Home for the Holidays

Christmas 2012

Saturday, December 1

Craft Show

10 a.m. - after parade

Parade of Lights - 5:30 p.m.

American Legion Auditorium, Martin

Santa will be at the Parade of Lights

and at the Legion after the parade.

Stop in and visit him!

Festival of Trees

Bennett County Courthouse

Public Welcome to View

Make your Christmas merry by shopping locally.

Sponsored by Martin Area Chamber of Commerce.

1000 Meals Served Nightly

1959

Schmuckfest

2013

Fiddler on the Roof

March 15-16 & 22-23, 2013 • Freeman, S.D.

Free Displays, Programs & Demonstrations Celebrating German-Irish-Tussock Traditions

Write Schmuckfest Box S Freeman SD 57029
Credit card orders at www.schmuckfest.com

RECEIVED

DEC 17 2012

Form 8 WATER RIGHTS PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hughes) SS

I, Marylin Baker

certify that the attached printed Notice was taken

from the Capital Journal

printed and published in Pierre

County of Hughes and

state of South Dakota. The notice was published

in the newspaper on the following date:

11/28/12

Cost of Printing \$28.91

Marylin Baker
(Signature)

Bartkeeper
(Title)

12-14-12
(Date Signed)

1tdly 11/28

NOTICE OF APPLICATION NO. 2693-2 to Appropriate Water

Notice is given that Brad and Marlene Pisha, 29209 242nd Ave, Tuthill SD 57574 has filed an application for a water permit to appropriate 1.93 cubic feet of water per second from one well to be completed into the Ogallala Aquifer (280 feet deep) located in the center of the NE 1/4 Section 19 for irrigation of 150 acres located in the NE 1/4, E 1/2 NW 1/4 Section 19; all in T37N-R33W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2693-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this ap-

plication. Notice of the hearing will be given to the applicant and any person filing a petition.

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dation. 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 December 10, 2012.

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

Published once at the total approximate cost of \$28.91.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

DEC 27 2012

Brad and Marlene Pisha
29209 242nd Ave
Tuthill SD 57574

Dear Mr. & Mrs. Pisha:

Enclosed is Water Permit No. 2693-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

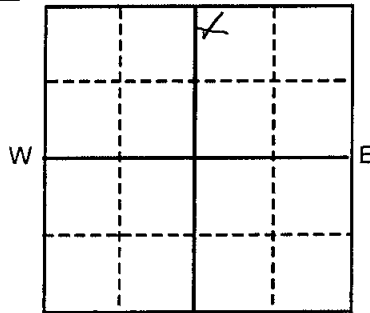
enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW 1/4 NE 1/4 Sec 19 Twp 37 Rg 33County BENNET

North

Please mark well
location with an "X"

Well Completion Date

June 18, 2013

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

REVERSE ROTARY

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
20.0 LB/FT	16.00 IN	1.0 FT	81.0 FT	28.00 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
CEMENT	50	15.5 Lb/gal	20.0 Ft	0.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

PUMPED TREMIE PIPE

SCREEN:

☒ Perforated pipe ☐ Manufactured
Diameter 16.00 Inches Length 200.0 FeetMaterial PVCSlot Size .080 Set From 81.0 Feet to 281.0 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
☐ No, Why Not? _____
 Lab to which water quality sample sent for analysis _____
Well Owner: BRAD PISHA

Business Name: _____

Address: 29209 - 242 AVENUECity, State, Zip: TUTHILL SD 57574

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
top soil	0	2
sand - sand w/ clay - sandstone layer	2	30
sand w/ clay - sandstone - limestone	30	66
sand - sand w/ clay - sandstone	66	126
sand - limestone layers - sand w/ clay	126	198
sand - clay layers	198	246
red rock	246	252
sand	252	270
red rock	270	280

STATIC WATER LEVEL 68.0 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

156.0 Ft. After 2.0 Hrs. pumped 1,250.0 GPM138.0 Ft. After 2.0 Hrs. pumped 1,100.0 GPMIf pump installed, pump rate: 900.0 GPM

REMARKS

RECEIVED

AUG 19 2013

WATER RIGHTS
PROGRAMThis well was drilled under license # 189 and this report is true and accurate.Drilling firm: GROSCH IRRIGATION CO., INC.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

Permit No. 2693-2
Bennett County

Report of Examination of Works and/or Application of Water to Beneficial Use

To: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, November 23, 2015 made a thorough examination of the water system used by Brad and Marlene Pisha, 29209 242nd Ave., Tuthill, SD 57574, holder of Water Permit No. 2693-2, bearing the priority date of September 27, 2012. Water Permit No. 2693-2 authorizes the diversion of 1.93 cubic feet per second (cfs) or 870 gallons per minute (gpm) from one well completed into the Ogallala aquifer for the purpose of irrigating 150 acres in Bennett County as follows: 35 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, 35 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, 35 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, 35 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, 5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, 5 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, all in T37N-R33W.

I have the following conditions to report for the system in question:

- 1) Works used to divert water:
One submersible pump, manufactured by Grosch.
- 2) Works used to transport water to a place of use:
Above ground pipes, 8 inch diameter.
- 3) Works used to apply water to beneficial use:
One Valley Pivot.

The system is in the following condition: well maintained. The well associated with Water Permit No. 2693-2 is located in the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16, T37N-R33W. The exact location of the well is as follows:

- 1) **1,320 feet south and 1,450 feet west of the northeast corner of Section 19, T37N-R33W.**
Lat 43.16778N Lon 101.26210W.

The lands irrigated by the fore mentioned well are as follows:

- 1) 35 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, T37N-R33W.
- 2) 32 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, T37N-R33W.
- 3) 32 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, T37N-R33W.
- 4) 35 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, T37N-R33W.
- 5) 3 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, T37N-R33W.
- 6) 3 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, T37N-R33W.

For a total of 140 acres.

License should be issued for the developed diversion rates of: **1.93 cfs or 870 gpm.**

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: **None**

Date Report Completed: **December 10, 2015**



Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR WATER PERMIT NO. 2693-2

DATE OF INVESTIGATION:	November 23, 2015
NAME & ADDRESS OF PERMIT HOLDER	Brad and Marlene Pisha 29209 242nd Ave. Tuthill, SD 57574
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Brad Pisha
DIVERSION POINT LEGAL LOCATIONS	1,320 feet south and 1,450 feet west of the northeast corner of Section 19, T37N-R33W. Lat 43.16778N Lon 101.26210W.

WELL INFORMATION:

- 1) Well Drilling Firm:
Grosch Irrigation Co., Inc.
- 2) Number of Wells: **1**
- 3) Depth: **281 feet**
- 4) Well Log Available: **Yes**
- 5) Comment:

Pumps

- 1) Make: **Grosch**
- 2) Model:
- 3) Size:
- 4) Capacity: **900 gpm (2.0 cfs)**

Casing

- 1) Diameter: **16 inches**
- 2) Length: **81 feet**
- 3) Type: **Plastic**

Screen

- 1) Type: **Perforated Pipe**
- 2) Length: **200 feet**
- 3) Static Water Level: **68 feet**

Motor

- 1) Make: **North American Electric**
- 2) Model No:
- 3) Power: **75 hp**

System Type

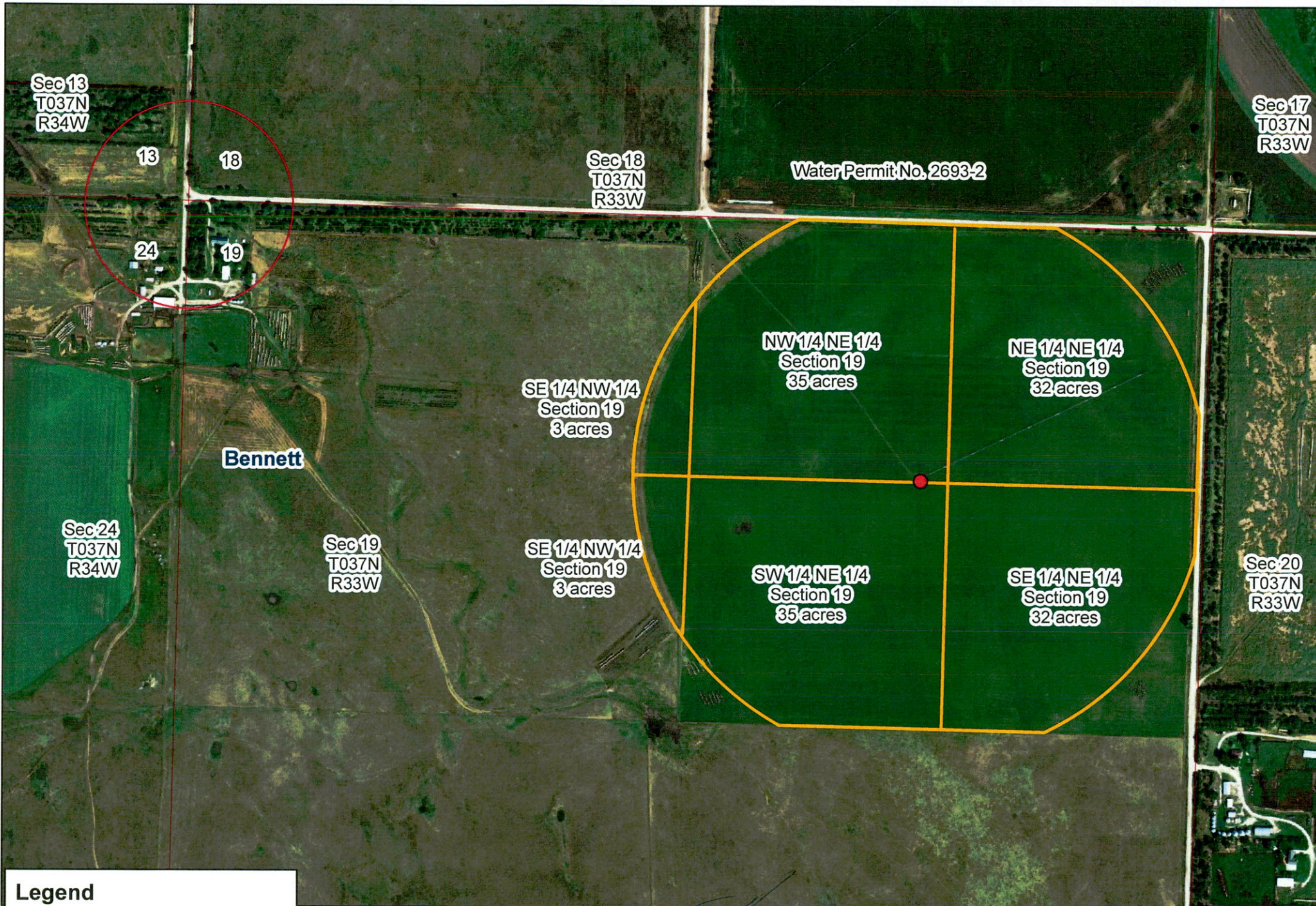
- 1) Make: **Valley Pivot**
- 2) Overall length: **1,300 feet**
- 3) Number of Towers: **8 towers**
- 4) Distance Between Towers:
- 5) End Gun: **Yes**
- 6) Pressure:
- 7) Capacity: **870 gpm**

CHEMIGATION EQUIPMENT: **Yes**

- 1) Mainline Check Valve: **Yes**
- 2) Low Pressure Drain: **Yes**
- 3) Inspection Port/Air Relief: **Yes**
- 4) Discharge 20 Feet Away: **Yes**
- 5) Injection Line Check Valve or Positive
Displacement Pump: **Injection Line
Check Valve**
- 6) Injection Check Valve: **Yes**
- 7) Properly Installed: **Yes**

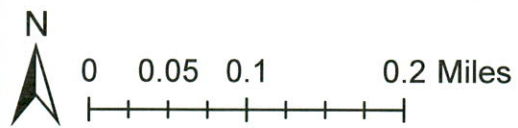
PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by: **N/A**
- 2) All structures, wells, and lands on map: **Yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period: **Yes, irrigated from 2013 to present.**



Legend

-  Irrigated_Acres
-  Section Boundaries - PLSS
-  Well Location



Prepared by Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program



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

MAIL TO: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182
ph. (605) 773-3352

Date

11/23/15

FROM:

BRAD PISHA

(name)

29209 242nd Ave

(address)

Tuohill

(city)

SD

(state)

57574

(zip)

605-685-6030

(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. 2693-2 states that the water use system is to be constructed by

9-27-17

(date)

, and water is to be put to beneficial use by

9-27-21

(date)

The water use system was completed on

July 1, 2013

(date)

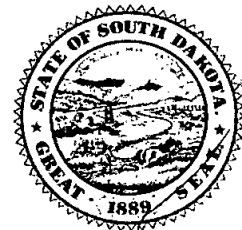
Applying the water to beneficial use was completed on

July 1, 2013

(date)

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

Brad Pisha
BRAD PISHA





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

DEC 22 2015

2693-2

Brad & Marlene Pisha
29209 242nd Ave
Tuthill SD 57574

Dear Mr. & Mrs. Pisha:

Enclosed is Water License No. 2693-2. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2693-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

A handwritten signature in cursive script that reads "Jeanne Goodman".

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2693-2**

(1) Brad & Marlene Pisha, 29209 242nd Ave, Tuthill SD 57574 made Application No. 2693-2, September 27, 2012 for a water permit to divert 1.93 cubic feet of water per second from ground water (one well, Ogallala aquifer), Bennett County, South Dakota for irrigation purposes. Permit No. 2693-2, with a priority date of September 27, 2012 was approved December 10, 2012 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before December 10, 2017 and for the application to beneficial use of water on or before December 10, 2021.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" indicating the water use system was completed the water placed to beneficial use in July, 2013.

(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 1.93 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,320 feet south and 1,450 feet west of the NE corner of Section 19, T37N, R33W (NW ¼ NE ¼ - close to the center of the NE ¼).

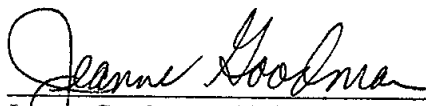
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T37N, R33W Section 19	NW ¼ NE ¼	35 acres	NE ¼ NW ¼	3 acres
	NE ¼ NE ¼	32 acres	SE ¼ NW ¼	3 acres
	SE ¼ NE ¼	32 acres		
	SW ¼ NE ¼	35 acres	Total	140 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Brad & Marlene Pisha, 29209 242nd Ave, Tuthill SD 57574 the holders and/or owners of Water Right No. 2693-2 are issued a license to appropriate water, the right to use 1.93 cubic feet of water per second from ground water (one well, Ogallala Aquifer) with a priority date of September 27, 2012 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2693-2 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 2693-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *The well was drilled by Grosch Irrigation Company in June, 2013. A copy of the well log is on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.


Jeanne Goodman, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

DEC 22 2015

date

