

WATER PERMIT NO. 2696-2

Name of Applicant: Jeff Johnson

Address: 24178 290th St, Tuthill SD 57574 Phone: 605 685-6913

Amount of Water Claimed: 2.0 cfs Total Acres: 151 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Bennett

Type of Waste Disposal System:

Location: about 25 miles east of Martin

PRIORITY Date Received: 9-4-12 Application/License Fee: \$1050

Corrected Application Received: 10/22/12 Period of Annual Use: April 1- October 15

Remarks:

Diversion Point: NE 1/4 NW 1/4 Sec 12-T37N-
R34W

Land to be Irrigated: NE 1/4 Sec 12 and W 1/2 SE
1/4, E 1/2 SW 1/4 Sec 1; all in T37N-R34W

Depth of Well: 300 feet deep

Well Driller: Grosch Irrigation Co

Remarks:

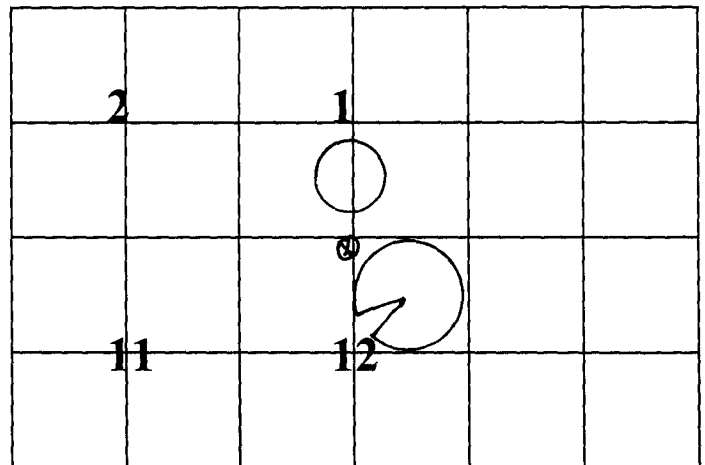
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 10-23-12

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>2629-2</u> (office use only)	<u>10140203</u>
	Basin <u>White River</u>	<u>605-685-6866/57551</u>
	Newspaper <u>Bennett Co. Booster II</u>	<u>Po Box 610 Martin</u>
	<u>Capital Journal Po Box 878 Pierre 57501-605-224-7301</u>	

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Application For Permit To Appropriate Water For Irrigation

Type of Application: X 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 Jeff Johnson Phone (605) 685-6913
(check one) X Owner Tenant/lessee
- Mailing Address 24178 290th St Tuthill State SD 57574
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 2.0 *CFS or 900 **GPM ***AF Total Acreage 151
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Ground
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 new well in NE 1/4
Section 12 37N - 34W (NE 1/4 NW 1/4) County Bennett
5. County or counties where water will be used Bennett
6. Annual period during which water is to be used Apr. 1 - Oct. 15
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
NE 1/4 of NE 1/4 Sec. 12-37N-34W	20	NW 1/4 of SE 1/4 Sec. 1-37N-34W	9
NW 1/4 of NE 1/4 Sec. 12-37N-34W	20	SW 1/4 of SE 1/4 Sec. 1-37N-34W	14
SW 1/4 of NE 1/4 Sec. 12-37N-34W	27	SE 1/4 of SW 1/4 Sec. 1-37N-34W	14
SE 1/4 of NE 1/4 Sec. 12-37N-34W	38	NE 1/4 of SW 1/4 Sec. 1-37N-34W	9

8. Give a description of the project. (Attach sheet if more space is needed) I would like to drill a new well in Sec. 12-37N-34W and pipe water SE to a pivot covering approximately 105 acres. From the same well I would like to pipe water NW to a pivot covering approximately 46 acres.

STATE OF SOUTH DAKOTA) SS
County of BENNETT

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, JEFF JOHNSON, 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 Jeff Johnson

Subscribed and sworn to before me this 28th day of AUGUST 20 12

Cynthia M. Coon
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 2696-2**

Date of first receipt of application September 4, 2012.

Date of return to applicant for corrections, amendments or changes September 6, 2012.

Date of receipt of corrected application October 22, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2696-2 to Jeff Johnson, 24178 290th St, 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. 2696-2 appropriates 2.0 cubic feet of water per second from one well to be completed into the Ogallala Aquifer (300 feet deep) located in NE 1/4 NW 1/4 Section 12 for irrigation of 151 acres located in the NE 1/4 Section 12 and W 1/2 SE 1/4, E 1/2 SW 1/4 Section 1; all in T37N-R34W.
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 15.
3. The date from which applicant may claim right is September 4, 2012.
4. The date of approval of Permit No. 2696-2 is January 14, 2013.
5. One-fifth of the construction is to be completed on or before July 14, 2015.
6. All construction is to be completed on or before January 14, 2018.
7. Water is to be put to beneficial use on or before January 14, 2022.
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. 2696-2 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

FEB 08 2013
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 28" Depth 300'
- b) Casing Type 16" Diameter PVC Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 80'
- f) Depth to Water (ground surface to water level) 80'
- g) Distance to nearest existing domestic well: 1200'
- On applicants property yes On property owned by others _____

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 _____

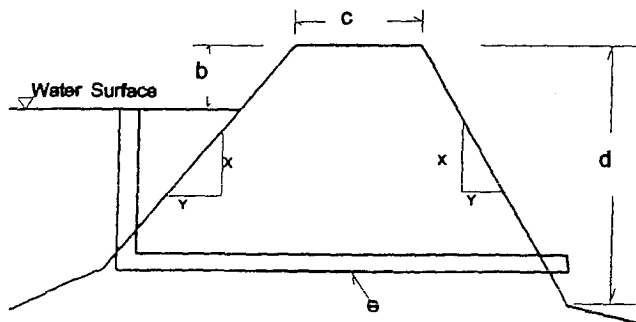
3. Dugout Information

- 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: 36-38N-34W

1973
8
77.25
EHEL

1973
7
2.02
HEL

1973
11
3.01
HEL

S-T-R: 1-37N-34W

2202
27
9.83
HEL

2202
17
61.08
HEL

2202
12
7.43
EHEL

2202
21
26.98
HEL

2202
23
26.68
HEL

2202
22
1.54
HEL

2202
6
50.69
HEL

2202
24
4.49
HEL

2202
16
15.3
HEL

2202
43
30.21
HEL

2202
20
2.07
HEL

2202
41
11.72
EHEL

S-T-R: 1-37N-34W

2202
25
11.83
HEL

2202
33
6.8
HEL

Handwritten: Well Site

2202
31
50.91
HEL

2202
32
14.71
HEL

1973
13
6.01
HEL

2202
4
66.95
HEL

2202
37
53.57
HEL

2202
30
10.89
HEL

2202
1
31.89
HEL

2202
34
3.5
HEL

2202
39
16.97
EHEL

2202
35
4.07
EHEL

2202
8
45.94
HEL

S-T-R: 12-37N-34W

S-T-R: 13-37N-34W



United States Department of Agriculture
Farm Service Agency

PLSS: 12_37N_34W **Bennett County, SD**
Farm: 2451 1:8,791

September 10, 2012



Handwritten: SD
PT Bennett/Strain

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.

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GPS
43D / 12 / 00.5
101D / 17 / 11.3

FEET FROM _____
FEET FROM _____

ELEVATION

NRD **NE NW 1/4 12 SEC 37 TN 34 RA**

[illegible]

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DRILLER
Thad Babutzke

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South Dakota Department of Environment and Natural Resources

Date 9/5, 20 12

RECEIVED OF Jeff Johnson 24178 290th St Tuthill SD 57574

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

Fee for Application for Permit No. <u>26962</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>26962</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. **05564**

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

September 6, 2012

Jeff Johnson
24178 290th St
Tuthill SD 57574

Dear Mr. Johnson:

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

- Enclosed is the map submitted with the application. The map needs to reference a section corner, township and range.
- If available, please submit a well log or test hole log signed by a licensed South Dakota well driller.

If you have any questions, please contact me.

Sincerely,

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

enclosure

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Dear Karen,

Enclosed is the modified map with the section, township and range for my recent water rights application. Also I sent along the log for the test hole drilled on Sept. 19th 2012. If there is any more information you need let me know. My phone number is (605) 685-6913. Thank you.

Sincerely

Jeff Johnson



**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. 2696-2, Jeff Johnson**

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. 2696-2, Jeff Johnson, 24178 290th Street, Tuthill SD 57574.

The Chief Engineer is recommending APPROVAL of Application No. 2696-2 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. 2696-2 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
December 19, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 2696-2
JEFF JOHNSON
DECEMBER 13, 2012

Water Permit Application No. 2696-2 proposes to appropriate 302 acre-feet per year (ac-ft/yr) at a maximum diversion rate of 2.00 cubic feet of water per second (cfs) from one well to be completed into the Ogallala aquifer. The well is expected to be 300 feet deep and is to be located in the NE¼ NW¼ of Section 12, T37N-R34W. This permit application proposes to irrigate 151 acres located in the NE¼ of Section 12 and W½ SE¼, E½ SW¼ of Section 1, all in T37N-R34W in Bennett County.

AQUIFER: Ogallala (OGLL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Ogallala aquifer is part of the High Plains aquifer that underlies 174,000 square miles of the United States, spanning eight states from Texas to South Dakota (Filipovic, 2011). In South Dakota, the High Plains aquifer underlies 4,750 square miles and contains an estimated 700 million acre feet (ac-ft) of water in storage (Gutentag and others, 1984). Ground water in the High Plains aquifer is generally under water table conditions (Gutentag and others, 1984).

All of Bennett County is underlain by the High Plains aquifer, which consists of the hydraulically connected Arikaree Group, Batesland Formation, and Ogallala Group, and overlying alluvial and eolian deposits (Filipovic, 2011). The Ogallala Formation consists of clays, silts, sands, and surface gravel deposits, and is the most productive part of the High Plains aquifer (Filipovic, 2011; Gutentag and others, 1984). The Ogallala Formation is estimated to underlie 280,960 acres and contain 2,809,600 ac-ft of recoverable water in Bennett County (Allen and others, 1985). Saturated thickness ranges from 100 feet in the northwest portion of the county to 1,100 feet in the southwest portion of the county (Filipovic, 2011). The saturated thickness can be expected to be 200 to 400 feet in the area of the proposed well site (Kolm and Case, 1983).

The well log submitted with this application documents layers of sand from below the top soil to 266 feet below ground surface, with layers of sandstone from 46 to 56 feet and 112 to 126 feet below ground surface. Below 266 feet red rock was encountered, which is probably the Arikaree Group. The static water level was 102 feet below ground surface at this location, indicating that currently there is a 164 feet of saturated aquifer materials.

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 from the aquifer and the potential for impairment of existing rights.

WATER AVAILABILITY:

This application proposes to appropriate 302 ac-ft/yr from the Ogallala aquifer. If this application is approved, the actual water use will likely be less than the appropriation. 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 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.”

HYDROLOGIC BUDGET:

Recharge to the Ogallala aquifer occurs mainly to infiltration of precipitation and inflow from the aquifer outside the county (Filipovic, 2011). Kolm and Case (1983) estimated recharge to be 1.3 to 1.8 inches per year (in/yr) using a digital model. Hedges and Burch (1985) estimated recharge to be 2.2 to 3.4 in/yr using observation well data and 1.88 in/yr using a baseflow recession analysis. Using this range of recharge rates and the area of the aquifer, recharge to the Ogallala aquifer in Bennett County is estimated to be 30,437 to 79,605 ac-ft/yr.

Discharge from the Ogallala aquifer occurs due to evapotranspiration, seepage through springs and to streams and rivers such as the Niobrara and the Little White, outflow to aquifer outside the county, and well withdrawals (Filipovic, 2011). Currently there are 44 water rights/permits appropriating water from the Ogallala aquifer in Bennett County. One water right authorizes fish and wildlife protection use, one water right authorizes institutional use, and 40 water rights and two permits authorize irrigation use (Water Rights, 2012b).

Figure 1 shows the Ogallala aquifer’s historic irrigation data for Bennett County. The development of the aquifer has remained relatively constant over the period of record. Pumpage increases and decreases for periods of time, which is probably dependent on climatic conditions. The average pumpage reported equals 6,931 ac-ft/yr. The maximum pumpage reported was in 2006 equaling 10,839 ac-ft/yr. (Water Rights, 1982-2012).

Water rights for non-irrigation use from the Ogallala aquifer in Bennett County that are limited only by diversion rate currently appropriate a total of 0.065 cfs. The amount of water that can be expected to be withdrawn by the non-irrigation use water rights/permits at the current appropriation amount can be estimated by assuming water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time. Therefore, the total annual withdrawal from the Ogallala aquifer in Bennett County by non-irrigation use is expected to total less than 29 ac-ft/yr (Water Rights, 2012b).

There are many completion reports on file with the SD DENR-Water Rights Program for domestic wells that appear to be completed into the Ogallala aquifer (Water Rights, 2012c). The annual withdrawal due to domestic use is not significant to the hydrologic budget of the aquifer.

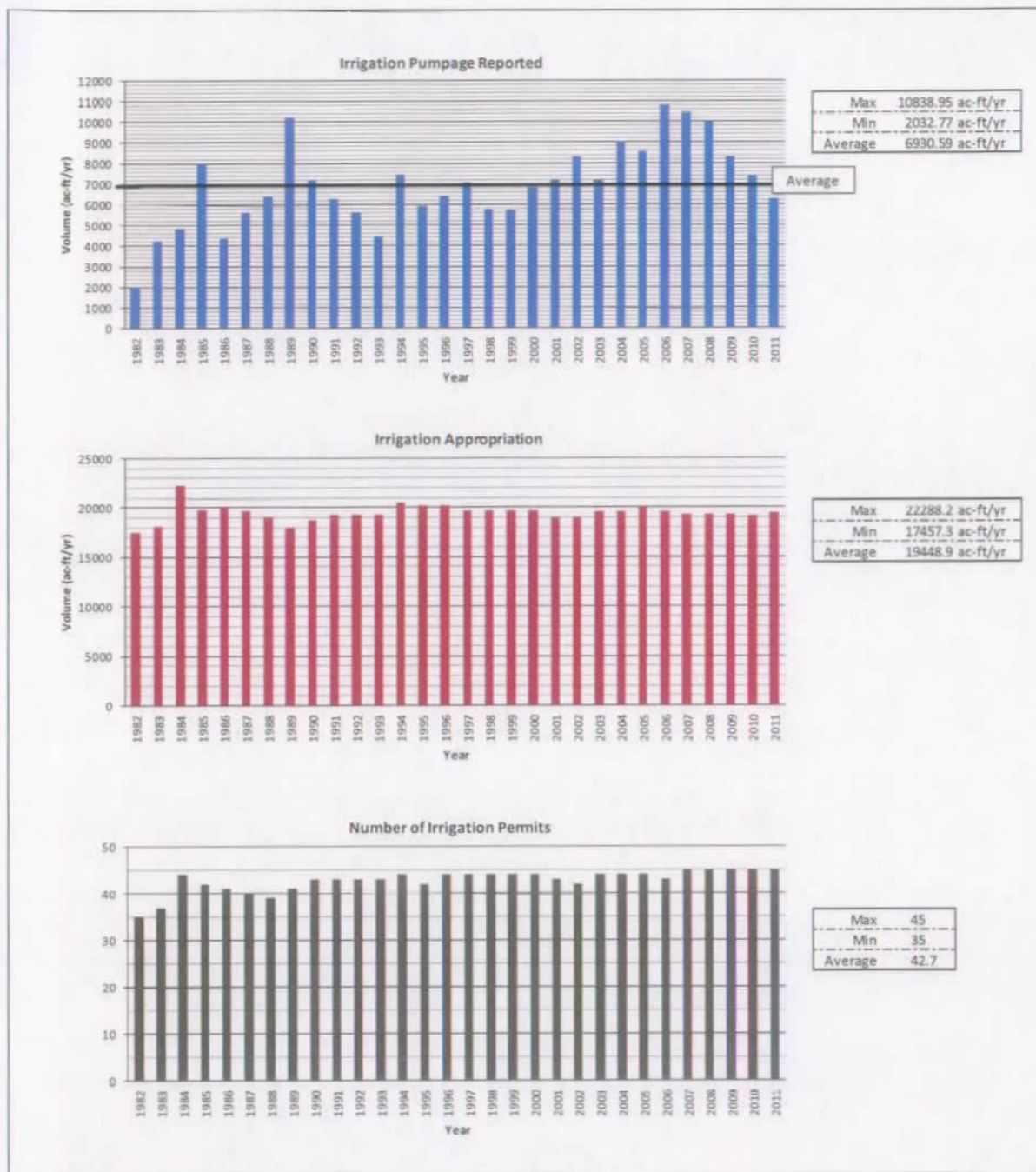


Figure 1: Historic irrigation water use from the Ogallala aquifer in Bennett County (Water Rights, 1983-2011)

Water Balance:

Currently, discharge from the Ogallala aquifer in Bennett County due to well withdrawal is estimated to be at maximum 10,868 ac-ft/yr, but the actual annual pumpage will often be much less. To balance the hydrologic budget, recharge must equal withdrawal. At the maximum expected annual withdrawal plus the maximum annual withdrawal proposed by this application, recharge must equal 0.49 inches per year to balance this hydrologic budget. This required

recharge rate is much lower than the range estimates by Hedges and Burch (1985) and Kolm and Case (1983) Therefore, there is a reasonable probability that unappropriated water is available from the Ogallala aquifer for this proposed appropriation of 302 ac-ft/yr.

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 78 observation wells completed into the Ogallala aquifer, 19 of these in Bennett County (Water Rights, 2012a). Of these, the nearest observation wells are BT-76A, BT-76B, and BT-76C, located approximately three and a half miles west northwest, two and a half miles west south west, and two and a half miles southeast of the proposed well site, respectively. The hydrographs of these observation wells are shown in Figures 2, 3, and 4.

The observation well data documents cyclic conditions of water levels, rising during wet years and declining during dry years. The hydrographs also show the effects of nearby pumping on the aquifer. Observation well data indicates that temporal well withdrawal is masked by climatic conditions. Recharge to and natural discharge from the Ogallala aquifer greatly exceeds well withdrawal. Therefore, unappropriated water is available from the Ogallala aquifer to support this proposed appropriation of 302 ac-ft/yr.

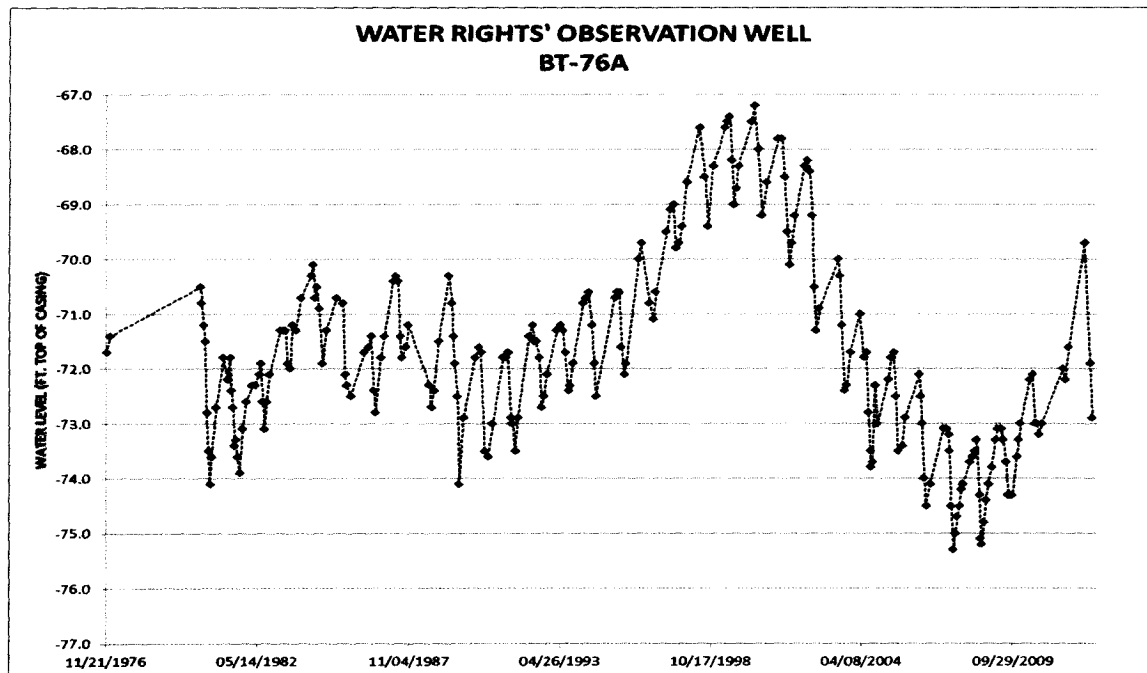


Figure 2: Hydrograph for DENR-Water Rights' observation well BT-76A (Water Rights, 2012a)

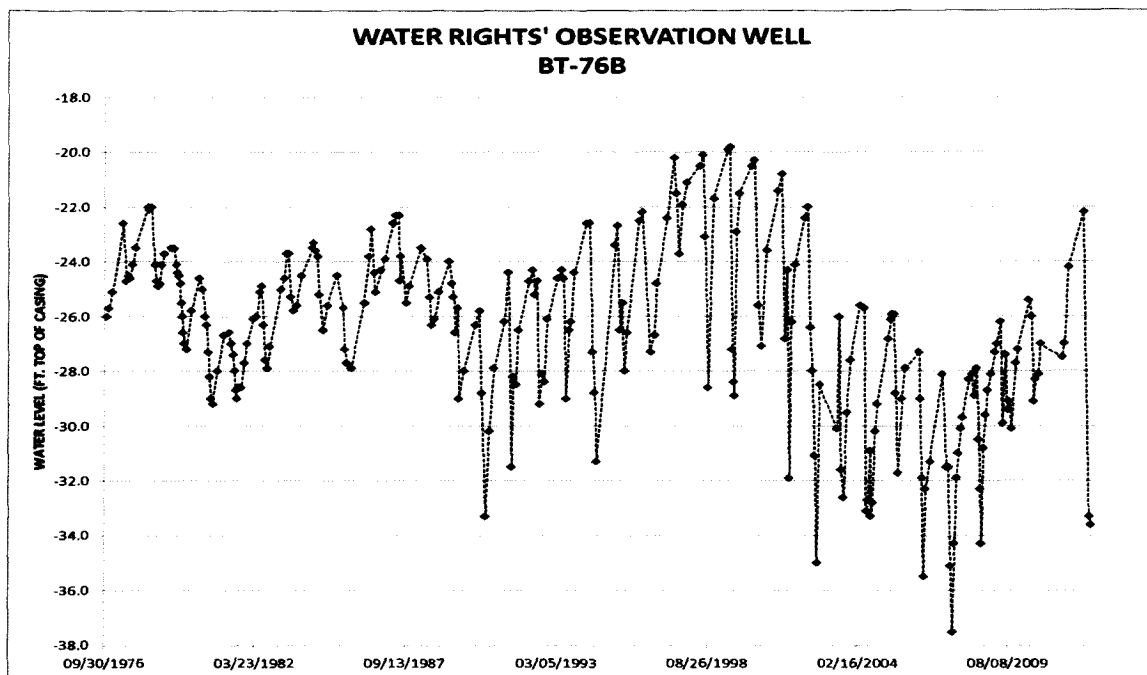


Figure 3: Hydrograph for DENR-Water Rights' observation well BT-76B (Water Rights, 2012a)

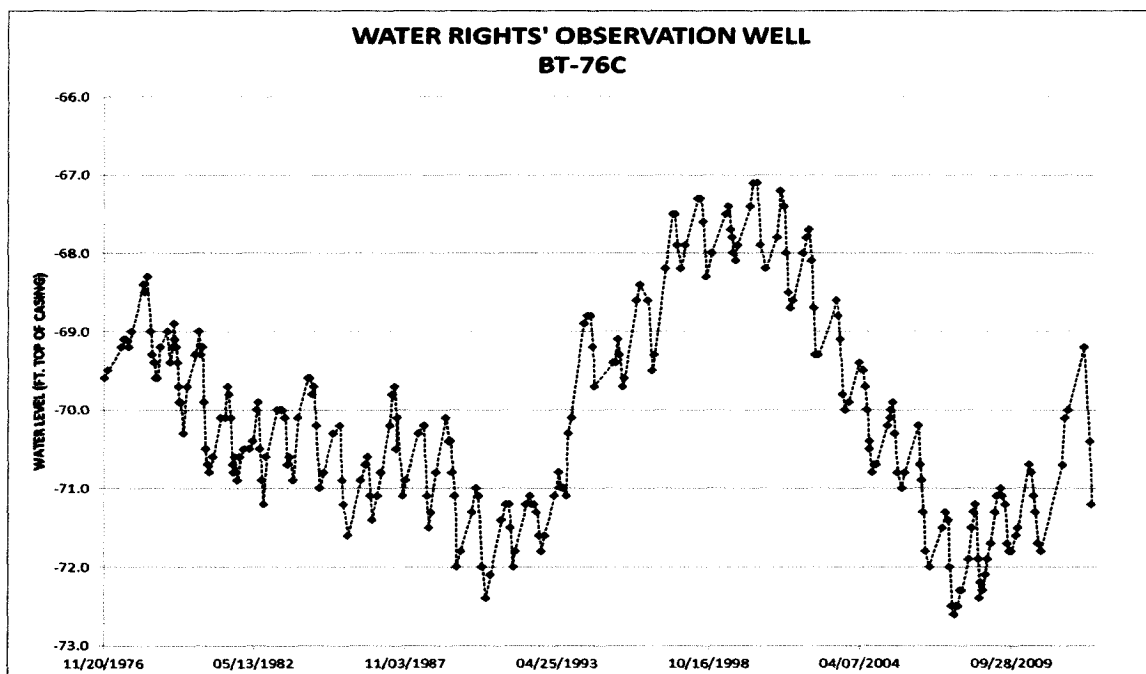


Figure 4: Hydrograph for DENR-Water Rights' observation well BT-76C (Water Rights, 2012a)

EXISTING WATER RIGHTS:

Currently there are nine water rights/permits appropriating water from the Ogallala aquifer within two miles of proposed well site (Water Rights, 2012b). There are also eight domestic or stock wells that appear to be completed in the Ogallala aquifer within two miles of the proposed well site (Water Rights, 2012c). These are shown in Table 1. The wells nearest the proposed well site are issued to Jeff Johnson.

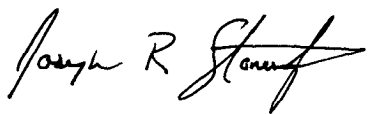
Table 1: Water rights/permits and domestic/stock wells completed into the Ogallala aquifer within two miles of the proposed well site (Water Rights, 2012b; Water Rights, 2012c)

Permit No.	Name	Status	Type	CFS	Acres
1207-2	William Donovan	LC	IRR	1.78	132
1211-2	James A (Tony) O'Neill	LC	IRR	2	264
1637-2	Tony & Rick O'Neill	LC	IRR	5.35	384
1674-2	Wayne Johnson	LC	IRR	2.45	180
2354-2	Wayne Johnson	LC	IRR	2.56	232
2398-2	Jeff Johnson	LC	IRR	2.22	272
2509-2	Brad & Marlene Pisha	LC	IRR	2	270
2599-2	Jeff Johnson	PE	IRR	3	82
2609-2	Jeff Johnson	LC	IRR	2	188
	Tony O'Neill		STK		
	R'Lou Pisha		STK		
	Wayne Johnson		DOM		
	R'Lou Pisha		STK		
	R'Lou Pisha		STK		
	Brad Pisha		STK		
	Brad Pisha		DOM		
	Jim O'Neill		STK		
LC = Water Right, PE = Water Permit, IRR = Irrigation, STK = Stock, DOM = Domestic					

As previously discussed, the hydrographs for nearby observation wells document the effects of pumping, however, these are minimal relative to climatic conditions. The water table conditions of the aquifer dictates that any drawdown due to pumping would probably not extend far from the proposed well site (i.e. less than half a mile). Drawdown will not be significant considering that there is over 150 feet of saturated aquifer materials available at the proposed well site. For these reasons, there is a reasonable probability that well inference will not be a concern due to the addition of the proposed well.

CONCLUSIONS:

1. The application proposes to appropriate 302 ac-ft/yr for irrigation; however, the actual water used will likely be much less.
2. From observation well data, and the estimated hydrologic budget, there is a reasonable probability that unappropriated water is available from the Ogallala aquifer to supply the proposed appropriation.
3. There is a reasonable probability that this proposed well will not cause interference in existing nearby wells.



Joseph R Stonesifer
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Allen, J.C., Iles, D.L., and Peters, A.K. 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. Hydrologic Assessment of the High Plains Aquifer in Bennett County, South Dakota. Open-File Report 92-UR. SD DENR-Geological Survey Program, Vermillion, SD.
- Gutentag, E.D., Hiemes, F.J., Krothe, N.C., Luckey, R.R., Weeks, J.B. 1984. Geohydrology of the High Plains Aquifer in Parts of Colorado, Kansas, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, and Wyoming: U.S. Geological Survey Professional Paper 1400-B, 63 p.
- Hedges, L.S., and Burch, S.L. 1985. Analysis of Ground-Water and Streamflow Data Western Dakota Region of South Dakota, Task 3.D and 4.C: Ground-Water Recharge: SD DENR
- 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, CO.
- 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. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

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Affidavit of Publication

State of South Dakota

County of Bennett

JAN - 7 2013

**WATER RIGHTS
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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:

January 2, 2013

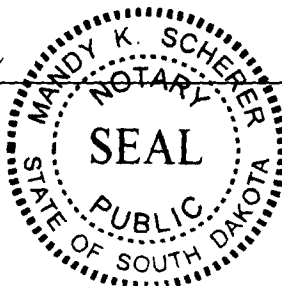
That the full amount of the fee charged for the publication of the attached public notice, **\$27.20**, insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Signed: _____

Subscribed and sworn to before me this 2nd day of January, 2013.

Mandy K. Scherer
Notary Public

My Commission Expires
December 9, 2015





'In Days Gone By'

A look back at events that occurred as far back as 70 years ago.

Compiled by Shirley Hahn

70 Years Ago

Martin Messenger, Dec. 31, 1942:

An interesting fact (among others), which we overlooked during the past couple of weeks is that the entire graduating class of 1942 of the Ogilala community high school at the Ridge agency has joined the navy. Seth Iron Cloud was the 10th and last man to enlist from the 1942 class at the Pine Ridge Indian School, the other nine having already joined and are now in active service in the navy.

60 Years Ago

Martin Messenger, Jan. 1, 1953:

Jay Portice announced this week that his new motel is open for business. The new business concern is located just across the street south of the Bennett County Co-op and construction of the establishment has recently been completed. Five single units and two double units are included with three more units yet to be completed. Each unit is modern with private baths.

50 Years Ago

Bennett Co. Booster, Jan. 3, 1963:

Martin volunteer firemen were called shortly before 5 p.m. Saturday to a fire on a hay sled belonging to Ed Wallingford. The hay caught fire as Wallingford was on road one mile north and one mile west of Patricia. The hay was completely burned, the rear tires of the hay sled were burned and the sled platform was scorched. Wallingford said he thought the blaze was caused by a bearing in one of the rear wheels of the sled becoming hot and igniting the hay.

40 Years Ago

Bennett Co. Booster, Dec. 28, 1972:

John DeYoung has resigned his position as office manager at Larcree Electric and he and his family moved Wednesday to Milbank where he will assume duties with an electric coop there beginning January 2.

30 Years Ago

Bennett Co. Booster, Dec. 30, 1982:

R. Lou Pisha has decided not to seek a third term on the Bennett County school district board. Pisha, who lives near Vetal, is serving his sixth year on the district's governing board. Her term will expire in July. A replacement will be elected April 12 and several people have mentioned an interest in seeking the position.

20 Years Ago

Bennett Co. Booster, Dec. 30, 1992:

Local television viewers will soon be able to receive a broad selection of cable channels over an affordable satellite antenna dish the size of a large pizza. The Direct Broadcast Satellite service is being made possible by Hughes Communications and the National Rural Telecommunications Cooperative and, providing all project requirements are met, will be offered locally in several western South Dakota counties by Golden West Telecommunications of Wall.

10 Years Ago

Bennett Co. Booster, Dec. 25, 2000:

Jim Byrne was the Grand Prize Winner in the Bennett County Booster's Gift Giveaway winning \$500 to be spent at participating businesses.

Legal Notices

Request for Proposal

The Martin Housing Authority will be receiving bids until January 8, 2013 for an exterior, 3668 primed metal auto-open door with a 6 x 27 - 1/4" tempered glass window, along with a side light glass panel - 9 1/2" x 79 3/4" - 1/4" frosted safety glass.

This will include all electrical, labor and material needed to remove the existing door and install the frame, door, power-operator with exterior lever, two wireless actuators, and side window at the Martin Housing Authority Office.

Specifications and packets may be picked up at the Martin Housing Authority Office. A copy of the HUD forms 5369, Instructions to Bidders and 5369A, Representations, Certifications and Other Statements of Bidders and Davis Bacon wage rates are enclosed.

Project should be completed no later than February 28, 2013.

Please contact the Martin Housing Authority at 817 Second Avenue, Monday-Thursday from 8 a.m. - 3 p.m. to set up an appointment for a site visit.

Bids may be deposited at the Office, or mailed to the Martin Housing Authority, PO Box 149, Martin, S.D. 57551-0149.

The MHA Board of Directors reserves the right to reject any and all bids.

Published twice at the total approximate cost of \$30.75

Published: December 26, 2012 and January 2, 2013

Notice of Application No. 2696-2 to Appropriates Water

Notice is given that Jeff Johnson, 24178 290th St. Tuthill SD 57574 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Ogallala Aquifer (300 feet deep) located in NE 1/4 NW 1/4 Section 12 for irrigation of 151 acres located in the NE 1/4 Section 12 and W 1/2 SE 1/4, E 1/2 SW 1/4 Section 1; all in T37N-R34W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2696-2 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 60723 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, Ross Building, 523 E Capitol, Pierre SD 57501 (605-773-3522)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 14, 2013.

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. Pirmer, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$27.20

Published: January 2, 2013

Legal Ad Deadline, Fridays 5 p.m. - email: booster@gwct.net

Legal Notices

Proceedings

Martin City Council
Special Session
Thursday December 27, 2012

The Martin City Council met in Special Session on Thursday, December 27, 2012 at 5:30 p.m. in the city office at 101 Main Street.

Mayor, Gayle Kocer, called the meeting to order with council members Gregg Clausen, Chuck Gemberidge, Tootie Moffitt, and Shirley McCue, Sherry Peck and Stephanie Noel present. Absent none.

Others present Fire Chief Chris O'Bryan and Firemen Walter York and Stuart Buchols, Mary Oleksie with the Bennett County Booster, and Jean Kirk, Finance Officer.

Approval of Agenda: Motion was entered by Clausen and seconded by Noel to approve the agenda. All in favor, motion carried.

Fire Department Street Dance: A lengthy discussion was held on the fire department's street dance. The fire department would like to have the street dance again next summer and would like the City to help pay for the band. After more discussion a motion was entered by Clausen and seconded by Peck to donate a \$1,000 from BBB funds to the Fire Department. All voting aye, motion carried.

Bills: A motion was entered by Noel and seconded by McCue to approve paying the following bill. All voting aye, motion carried.

Dec 27 2012 bills
Bennett County Treasurer, 911 administration fee, \$2,000.00;
Advanced Engineering, engineering fees for lagoons and manhole projects, \$3,330.44; AT&T Mobility, 4 months of cell phone bills, \$539.25.

Second reading of Supplemental Budget Ordinance #188: The second reading of Supplemental Budget Ordinance #188 was held.

ORDINANCE # 188
SUPPLEMENTAL APPROPRIATION ORDINANCE FOR THE CITY OF MARTIN, SOUTH DAKOTA, FOR THE FISCAL YEAR 2012
WHEREAS, in the 2012 Appropriation Ordinance # 172, there was not sufficient appropriation to conduct the indispensable functions of the government in certain of the City Departments, and, there was insufficient money appropriated to discharge certain duties of the City; and

WHEREAS, there is sufficient money from various sources for this Supplemental Budget.

SECTION 1. That there is appropriated by the City Council of the City of Martin, South Dakota, for the balance of the fiscal year 2012, the following sums of money for the following purposes, which are deemed necessary to defray the lawful duties of the City of Martin for the balance of the year 2012.

General Fund/Airport	\$22,000
Enterprise Fund/Liquor	6,500
Enterprise Fund/Water	20,000
Enterprise Fund/Sewer	70,000
General Fund/Heritage Center	700
General Fund/Capital Street Improvements	24,000
General Fund/Parks	2,000
General Fund/Law	13,480
General Fund/Streets	10,000
General Fund/Street Lights	1,000
Special Revenue Fund/Martina Golf	6,000

SECTION 2. That there is hereby authorized to be generated from various organizations and other revenue sources the amounts as set out below.

State & Federal Funds	\$34,250
Liquor Revenue	11,500
Water Revenue	20,000
Savings	37,000
Sewer SRP Savings	70,000
City Sales Tax	10,080
Insurance Reimbursement	4,650
BBB Savings	1,000

SECTION 3. That this Ordinance shall be in force from and after its passage and publication as required by law.

Dated this 27th day of December, 2012.

City of Martin, A Municipal Corporation

Gayle Kocer, Mayor

ATTEST:

Jean Kirk, Finance Officer

1st Reading 12/12/12

2nd Reading 12/27/12

Published 1/2/13

Effective 1/22/13

Fireworks: A motion was entered by McCue and seconded by Peck to pay \$3,000 for the 4th of July fireworks out of the BBB fund. All voting aye, motion carried.

2012 Audit: A motion was entered by Clausen and seconded by McCue to have Fred A Lockwood and Company do the 2012 audit. All voting aye, motion carried.

Personnel: A lengthy discussion was held on the City's procedure for giving employees raises after their probation and the annual raises for the upcoming year. Mayor Kocer suggested that the employee personnel policy be updated so that there would be no question as how to handle employee raises in the future.

A motion was entered by McCue and seconded by Clausen to give all permanent employees who are not on probation a three percent raise effective for the New Year. All voting aye, motion carried.

Adjustments: Motion was entered by Clausen and seconded by Noel to adjourn. All voting aye, motion carried.

The next regular city council meeting will be held January 9th at 5:30 p.m. at the Library community room.

Dated this 27th day of December, 2012

Gayle Kocer, Mayor

ATTEST:

Jean Kirk, Finance Officer

Published once at the total approximate cost of \$71.30

Published: January 2, 2013

Classified and thank you ad Deadline

Monday, 5 p.m.

Bennett County Booster

605-685-6866

STEAK NIGHT

AMERICAN LEGION POST 240

Saturday, Jan. 12 5:30-8:00 p.m.

Steak, Potato, Salad,

Roll and Dessert!

\$17.00/person

Chef

Stephanie Noel

and Martin Fire Dept. at your service!

Volunteers needed, call Harold at 685-6992.

Donations of salad or cake appreciated.

We ask that the helpers please arrive by 4 p.m.

For Rent

1-bedroom Senior apartment; all utilities, range and refrigerator furnished. Applicant must be 62 or older, and meet low income requirements. Apply at Martin Housing Authority Office, 817 Second Avenue, Monday through Wednesday, 8 a.m. to 3 p.m., phone 685-6334 or 685-6095.



BUSINESS OPPORTUNITY

NOW IS THE chance to buy a well established & successful business in the State Capital of S.D. The Longbranch is for SALE (serious inquiries only). Call Russell Spaid 605-280-1067.

LOG HOMES

DAKOTA LOG HOME Builders representing Golden Eagle Log Homes, building in eastern, central, northwestern South & North Dakota. Scott Connell, 605-530-2672, Craig Connell, 605-264-5650, www.goldenagleloghomes.com.

OTR & DRIVER

OPPORTUNITY

SEEKING CLASS A CDL drivers to run 14 central states. 2 years over the road experience required. Excellent benefit package. Call 701-221-2465 or 877-472-9534. www.pdntransportation.com.

VACATION/TIMESHARE

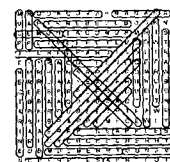
HART RANCH MEMBERSHIP For Sale. Beautiful Hart Ranch Camping Resort is located just outside of Rapid City. Purchase NOW before transfer fees increase! Call 605-939-3112.

WANTED

ANTLERS, ELK IVORIES, pheasant skins, rattlesnakes and porcupines. Ph. 605-673-4345 or email at cawalterhide@hotmail.com.

MISCELLANEOUS

SAWMILLS from only



The hidden message is: HONEYDEW MELON

7	3	2	5	6	4	8	1	9
5	8	6	1	9	2	3	4	7
4	1	9	3	8	7	2	5	6
8	7	5	9	1	6	4	3	2
9	2	1	4	3	8	6	7	5
6	4	3	2	7	5	9	8	1
1	5	4	6	2	3	7	9	8
2	9	8	7	4	1	5	6	3
3	6	7	8	5	9	1	2	4

\$3997.00 - MAKE & SAVE

MONEY with your own hand-

mill. Cut lumber any dimension.

In stock ready to ship. FREE Info/

DVD: www.NorwoodSawmills.

com 1-800-578-1363 Ext. 300N.

Brad Otter
and Livestock
Local & Professional
Service Real Estate Broker
FARM - RANCH -
COMMERCIAL - RESIDENTIAL

Real Estate For Sale

Working Gravel Pit - on 200

acres.

2 Bedroom - 1 bath home in

Tuthill, recently remodeled with a

big garage.

2 Bedroom - 1 bath home,

all appliances, privacy fence,

covered deck.

3 Lots, various sizes, two with

highway frontage.

605-685-1207 or 6716

PO Box 127

Martin, SD 57551

www.martinweststock.com

www.northwest-national.com

EMT CLASS

Interested parties contact Alfred Riggs.

H 685-6237 C 685-8048 W 685-6622 ext. 131

All Locations at the Martin Fire Hall

Jan. 2, 6 p.m., Class Orientation

Jan. 8 and 10, 9 a.m. and 2 p.m.,

Both days, CPR Classes

Jan. 17, 6 p.m., Class Starts

Stop in and see what's new
for the New Year!

Winter
Clearance Sale!

40% off!

All Sales Final.

Begins FRIDAY, Jan. 4

**Martin Drug
& Mercantile**

685-6200 • Martin

Check Our Everyday Low Prices on Health and Beauty Aids

RECEIVED

JAN - 9 2013

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Hughes) SS

I, Marylinn 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:

January 2, 2013

Cost of Printing \$28.91

Marylinn Baker
(Signature)

Bookkeeper
(Title)

1-7-13
(Date Signed)

Friday, January 2, 2013

Public Notice
PROVAL of Application No. 2696-2 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, Fore Building, 523 E Capitol, Pierre SD 57501 (805 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 14, 2013. 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 petitioner's signature and mailing address of the petitioner or legal counsel, if legal counsel is obtained. Contact and from one well into the Ogallala Aquifer (300 feet deep) located in Section 12 to 151 this application. NE 1/4 NW 1/4 Section 12 and W 1/2 NE 1/4, E 1/2 SW 1/4 Section 1; all Resources. Pursuant to SDCL 46-2A-2, the total approximate cost of the Chief Engineer's recommendation is \$28.91.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

December 20, 2012

Bennett County Booster II
PO Box 610
Martin SD 57551

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2696-2 to Appropriate Water. Please publish the notice once on January 2, 2013. 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 Jeff Johnson, 24178 290th St., Tuthill SD 57574 (Ph # 605-685-6913).

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

December 20, 2012

Capital Journal
PO Box 878
Pierre SD 57501

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2696-2 to Appropriate Water. Please publish the notice once on January 2, 2013. 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 Jeff Johnson, 24178 290th St., Tuthill SD 57574 (Ph # 605-685-6913).

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

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

December 20, 2012

Jeff Johnson
24178 290th St
Tuthill SD 57574

Dear Mr. Johnson:

Water Permit Application No. 2696-2 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.

Instruction to Newspaper - Publish the Notice on January 2, 2013. 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. 2696-2 to Appropriate Water

Notice is given that Jeff Johnson, 24178 290th St, Tuthill SD 57574 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Ogallala Aquifer (300 feet deep) located in NE 1/4 NW 1/4 Section 12 for irrigation of 151 acres located in the NE 1/4 Section 12 and W 1/2 SE 1/4, E 1/2 SW 1/4 Section 1; all in T37N-R34W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2696-2 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 January 14, 2013.

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 _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 08 2013

Jeff Johnson
24178 290th St
Tuthill SD 57574

Dear Mr. Johnson:

Enclosed is Water Permit No. 2696-2 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

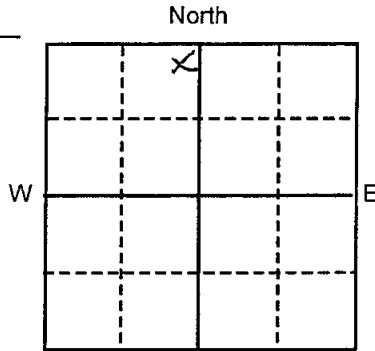
2696-2 SD EForm - 1621LD V1

11-02

Location NE 1/4 NW 1/4 Sec 12 Twp 37 Rg 34

County BENNETT

Please mark well location with an "X"



Well Completion Date

June 19, 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	115.0 FT	28.00 IN

GROUTING DATA:

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

Describe grouting procedure

PUMPED TREMIE PIPE

SCREEN:

☒ Perforated pipe ☐ Manufactured

Diameter 16.00 Inches Length 160.0 Feet

Material PVC

Slot Size .080 Set From 115.0 Feet to 275.0 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: JEFF JOHNSON

Business Name: _____

Address: 24178 - 290 STREET

City, State, Zip: TUTHILL SD 57574

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
top soil	0	2
fine sand , sandstone	2	24
sand - sandstone w/ clay - limestone	24	68
sand - sand w / clay- sandstone	68	112
sandstone w/ clay - limestone - sand	112	144
sand w / clay - sand - sandstone	144	206
sand - fine to med (some coarse	206	254
sand w/ clay - sandstone layers	254	266
red rock	266	280

STATIC WATER LEVEL 98.0 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

166.0 Ft. After 2.0 Hrs. pumped 1,250.0 GPM

158.0 Ft. After 2.0 Hrs. pumped 1,100.0 GPM

If pump installed, pump rate: 900.0 GPM

REMARKS

RECEIVED

AUG 19 2013

WATER RIGHTS PROGRAM

This 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. 2696-2
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, December 7, 2015 made a thorough examination of the water system used by Jeff Johnson, 24178 290th St., Tuthill, SD 57574, holder of Water Permit No. 2696-2, bearing the priority date of September 4, 2012. Water Permit No. 2696-2 authorizes the diversion of 2.0 cubic feet per second (cfs) or 900 gallons per minute (gpm) from one well completed into the Ogallala aquifer for the purpose of irrigating 151 acres in Bennett County as follows: 20 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, 20 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, 27 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, 38 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, 9 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, 14 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, 14 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, 9 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, all in T37N-R34W.

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:
Two Valley Pivots.

The system is in the following condition: well maintained. The well associated with Water Permit No. 2696-2 is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T37N-R34W. The exact location of the well is as follows:

- 1) **20 feet south and 2,750 feet west of the northeast corner of Section 12, T37N-R34W. Lat 43.20021N Lon 101.28655W.**

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

- 1) 26 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T37N-R34W.
- 2) 30 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T37N-R34W.
- 3) 22 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T37N-R34W.
- 4) 29 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T37N-R34W.
- 5) 9 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T37N-R34W.
- 6) 12 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T37N-R34W.
- 7) 13 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T37N-R34W.
- 8) 10 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T37N-R34W.

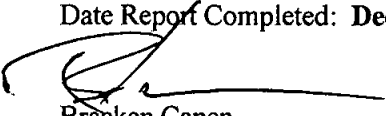
For a total of 151 acres.

License should be issued for the developed diversion rates of: **2.0 cfs or 900 gpm.**

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

Exceptions to compliance are: **None**

Date Report Completed: **December 11, 2015**


Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR WATER PERMIT NO. 2696-2

DATE OF INVESTIGATION:	December 7, 2015
NAME & ADDRESS OF PERMIT HOLDER	Jeff Johnson 24178 290th St. Tuthill, SD 57574
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Jeff Johnson
DIVERSION POINT LEGAL LOCATIONS	20 feet south and 2,750 feet west of the northeast corner of Section 12, T37N-R34W. Lat 43.20021N Lon 101.28655W.

WELL INFORMATION:

- 1) Well Drilling Firm: **Grosch Irrigation Co., Inc.**
- 2) Number of Wells: **1**
- 3) Depth: **275 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: **115 feet**
- 3) Type: **Plastic**

Screen

- 1) Type: **Perforated Pipe**
- 2) Length: **160 feet**
- 3) Static Water Level: **98 feet**

Motor

- 1) Make: **North American Electric**
- 2) Model No: **NAE-VHS-75-4-PWS**
- 3) Power: **75 hp**

System Type

- 1) Make: **Valley Pivot (x2)**
- 2) Overall length: **1,300 feet, 800 feet**
- 3) Number of Towers: **8 towers, 5 towers**
- 4) Distance Between Towers:
- 5) End Gun: **Yes (x2)**
- 6) Pressure:
- 7) Capacity: **900 gpm (x2)**

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.**

**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 12-7-15

FROM: Jeff Johnson
(name)

24178 290th St
(address)

Tuthill SD 57574 (605) 685-6913
(city) (state) (zip) (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.

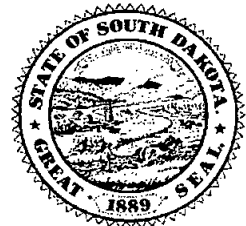
Water Permit No. 2696-2 states that the water use system is to be constructed by
9-4-17, and water is to be put to beneficial use by 9-4-21
(date) (date)

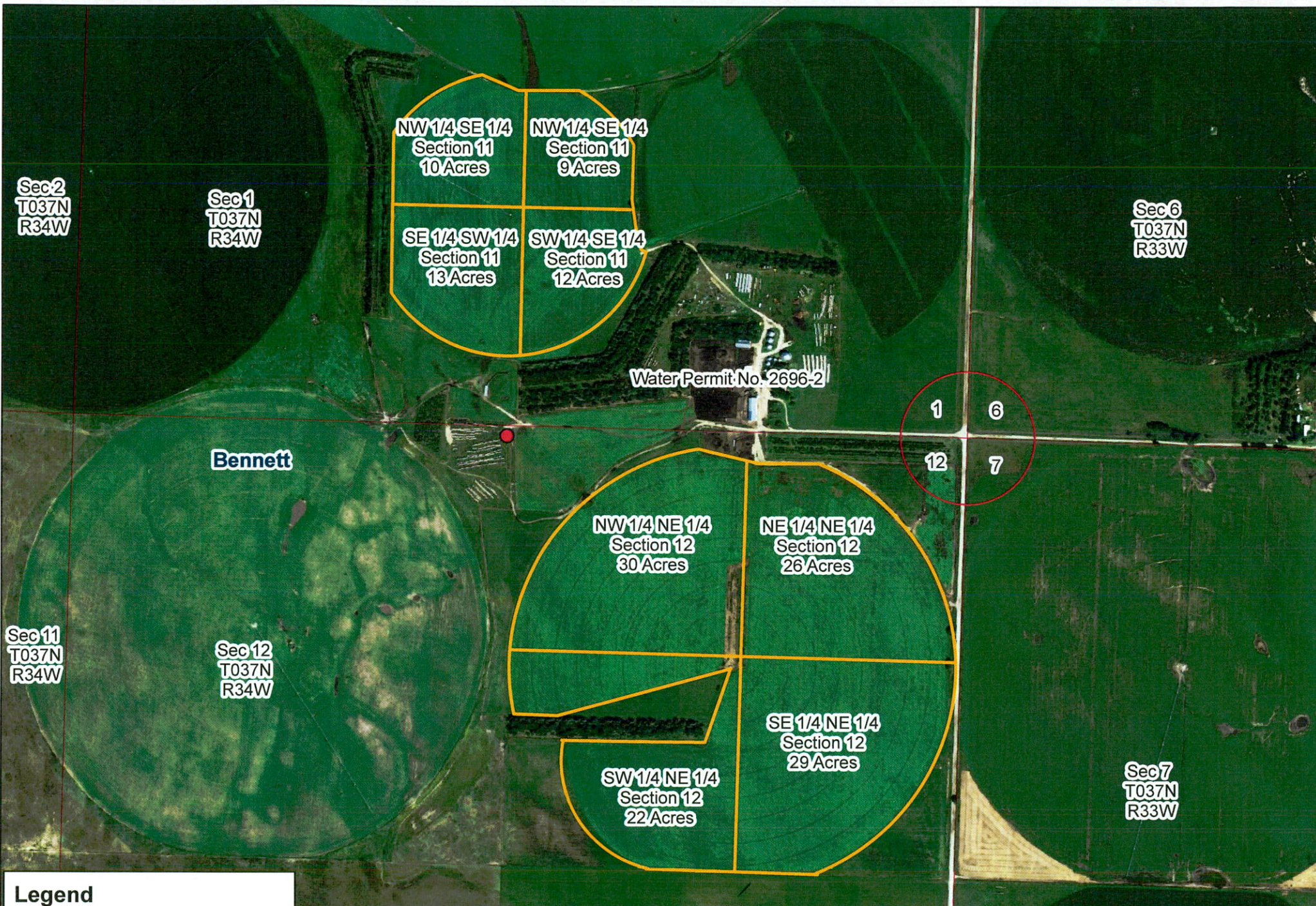
The water use system was completed on June 1, 2013
(date)

Applying the water to beneficial use was completed on June 1, 2013
(date)

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

Jeff Johnson
Jeff Johnson





Legend

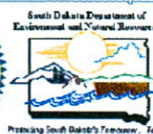
-  Irrigated_Acres
-  Section Boundaries - PLSS
-  Well Location



0 0.05 0.1 0.2 Miles



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





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

FEB 24 2016

2696-2

Jeff Johnson
24178 290th St
Tuthill SD 57574

Dear Mr. Johnson:

Enclosed is Water License No. 2696-2. 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. 2696-2, 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,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2696-2

(1) Jeff Johnson, 24178 290th St, Tuthill SD 57574 made Application No. 2696-2, September 4, 2012 for a water permit to divert 2.00 cubic feet of water per second from ground water (one well – Ogallala Aquifer), Bennett County, South Dakota for irrigation purposes. Permit No. 2696-2, with a priority date of September 4, 2012 was approved January 14, 2013 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 14, 2018 and for the application to beneficial use of said water on or before January 14, 2022.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on December 7, 2015. The "*Notice*" stated the water use system was completed and the water placed to beneficial use on June 1, 2013.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.00 cubic feet of water per second for beneficial use. The location of the diversion point is 20 feet south and 2,750 feet west of the NE corner of Section 12, T37N, R34W (NE ¼ NW 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:

Section 12, T37N, R34W		Section 1, T37N, R34W	
NE ¼ NE ¼	26 acres	NW ¼ SE ¼	9 acres
NW ¼ NE ¼	30 acres	SW ¼ SE ¼	12 acres
SW ¼ NE ¼	22 acres		
SE ¼ NE ¼	29 acres	SE ¼ SW ¼	13 acres
		NE ¼ SW ¼	10 acres

Total 151 acres

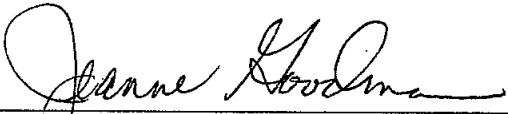
(4) Pursuant to South Dakota Water Law 46-5-30.1 Jeff Johnson, 24178 290th St, Tuthill SD 57574 the holder and/or owner of Water Right No. 2696-2 is issued a license to appropriate water, the right to use 2.00 cubic feet of water per second from ground water (one well – Ogallala Aquifer) with a priority date of September 4, 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. 2696-2 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.

continued

- The well authorized by Permit No. 2696-2 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 completed in June, 2013 by Grosch Irrigation Company Inc. 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

FEB 24 2016

date

