

WATER PERMIT NO. 2699-2

Name of Applicant: **Platte Hutterian Brethren**

Address: **35271 270th St, Platte SD 57369** Phone: **605 680-2608**

Amount of Water Claimed: **2.12 cfs** Total Acres: **197 acres**

Source of Water Supply: **groundwater (1 add'l well)**

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

Type of Waste Disposal System:

Location: **16 miles east of Martin**

PRIORITY Date Received: **11-15-12** Application/License Fee: **\$ 1150**

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

Remarks: **additional well and new acres to Water Right Nos. 1195-2, 2076-2, 2077-2 and 2321-2**

Diversion Point: **SE 1/4 SE 1/4 Sec 31-T37N-R34W**

Land to be Irrigated: **Sec 32 and E 1/3 Sec 31; all in T37N-R34W**

Depth of Well: **200 feet deep**

Well Driller:

Remarks:

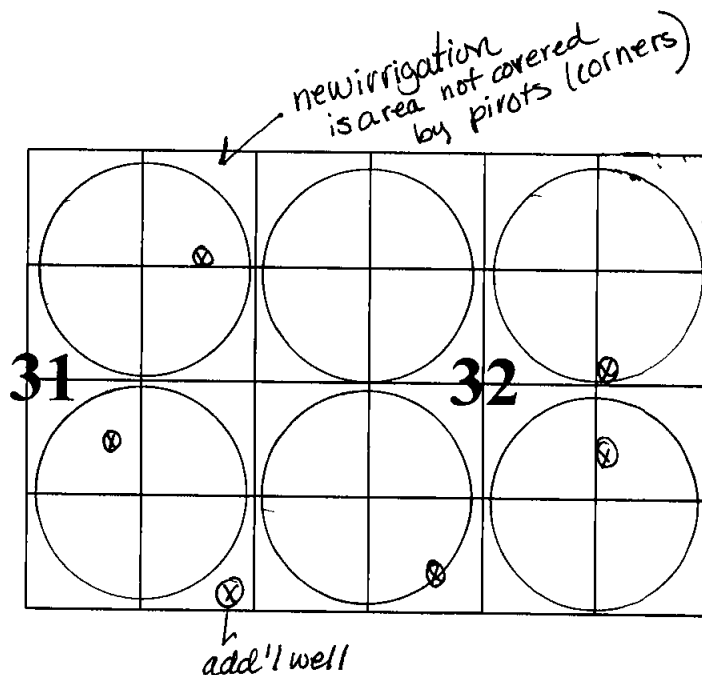
Type of Map: **aerial**

Prepared by: **Eric Gronlund**

Reviewed and the Number Assigned on: **11-19-12**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>2699-2</u>	(office use only) Hydrologic Unit <u>10140203</u>
	Basin <u>White River</u>	<u>605-685-6866</u>
	Newspaper <u>Bennett Co Boute II Box 610 Martin</u>	<u>605-224-7301</u> <u>57551</u>
	<u>Capitol Journal Box 878 Pierre 57501</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.)
additional well and new acres to Water Right Nos. 1195-2, 2076-2, 2077-2 and 2321-2

1. Name to Appear on Irrigation Permit Platte Hutterian Brethren

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

(name and complete address if different than above name)

Mailing Address 35271 270th Street Platte SD 57369
(Address) (City) (State) (Zip Code)

Home Phone 605 726-3142 Cell 605 680-2608 Email snakcreek@midstatesd.net

2. Amount of water claimed 2.12 *CFS or ***GPM ***AF Total Acreage 197
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply one new well and five existing wells

4. Location of point of diversion new diversion point - SE 1/4 SE 1/4 Section 31, T37N, R34W. Other wells
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

described on existing water rights County Bennett

5. County or counties where water will be used Bennett

6. Annual period during which water is to be used April 1 - October 31

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 Section 32, T37N, R34W	57	NE 1/4 Section 31, T37N, R34W	28
NE 1/4 Section 32, T37N, R34W	28	SE 1/4 Section 31, T37N, R34W	28
SW 1/4 Section 32, T37N, R34W	28		
SE1/4 Section 32, T37N, R34W	28		

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

Applying for an additional well in the SE 1/4 SE 1/4 Section 31 in order that all pivot may be operated independently. Requesting an additional 950 gpm of diversion rate authority. In addition, the application proposes to irrigate the corners of each quarter section. We are planning to test whether the corners can be irrigate by drip tape.

I, Dale Stahl, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

2012-09

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

**SOUTH DAKOTA
WATER PERMIT NO. 2699-2**

Date of first receipt of application November 15, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2699-2 to Platte Hutterian Brethren, 35271 270th St, Platte SD 57369 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. 2699-2 authorizes an additional well, increases the diversion rate authority and authorizes irrigation of additional acreage. Water Right Nos. 1195-2, 2076-2, 2077-2 and 2321-2, combined, authorize a total of 9.58 cubic feet of water per second (cfs) from five wells to irrigate 866 acres located the E 1/2 Section 31 and Section 32; all in T37N-R34W. This permit appropriates 2.12 cfs from one well to be completed into the Ogallala Aquifer (200 feet deep) located in the SE 1/4 SE 1/4 Section 31-T37N-R34W. The addition of this well will allow the six pivots to run independently. This permit authorizes irrigation of an additional 197 acres which includes all the corners of the E 1/2 Section 31 and Section 32 not currently covered by the center pivots. Water Right Nos. 1195-2, 2076-2, 2077-2, 2321-2 and Permit No. 2699-2 combined, authorize a total of 11.70 cfs from 6 wells to irrigate 1063 acres.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is November 15, 2012.
4. The date of approval of Permit No. 2699-2 is January 28, 2013.
5. One-fifth of the construction is to be completed on or before July 28, 2015.
6. All construction is to be completed on or before January 28, 2018.
7. Water is to be put to beneficial use on or before January 28, 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

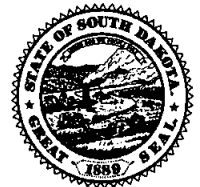
1. The wells approved under Water Right Nos. 1195-2, 2076-2, 2077-2 and 2321-2 and Permit No. 2699-2 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The new well authorized by Permit No. 2699-2 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 19 2013

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 28" Depth 200
- b) Casing Type SDR26 PVC Diameter 16" OD Thickness .625
- c) Screen Type Slotted SDR-26 PVC Diameter 16" OD Thickness .625
- d) Gravel Pack Washed Gravel Length of Gravel Pack 180'
- e) Depth to Top of Water Bearing Material 35'
- f) Depth to Water (ground surface to water level) 35'
- g) Distance to nearest existing domestic well:
- On applicant's property 1320' On property owned by others 2640'

2. Wastewater Disposal System Information

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

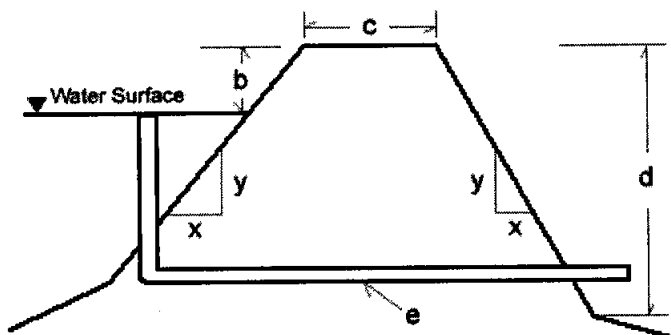
3. Dugout Information

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

4. Water Storage Dams

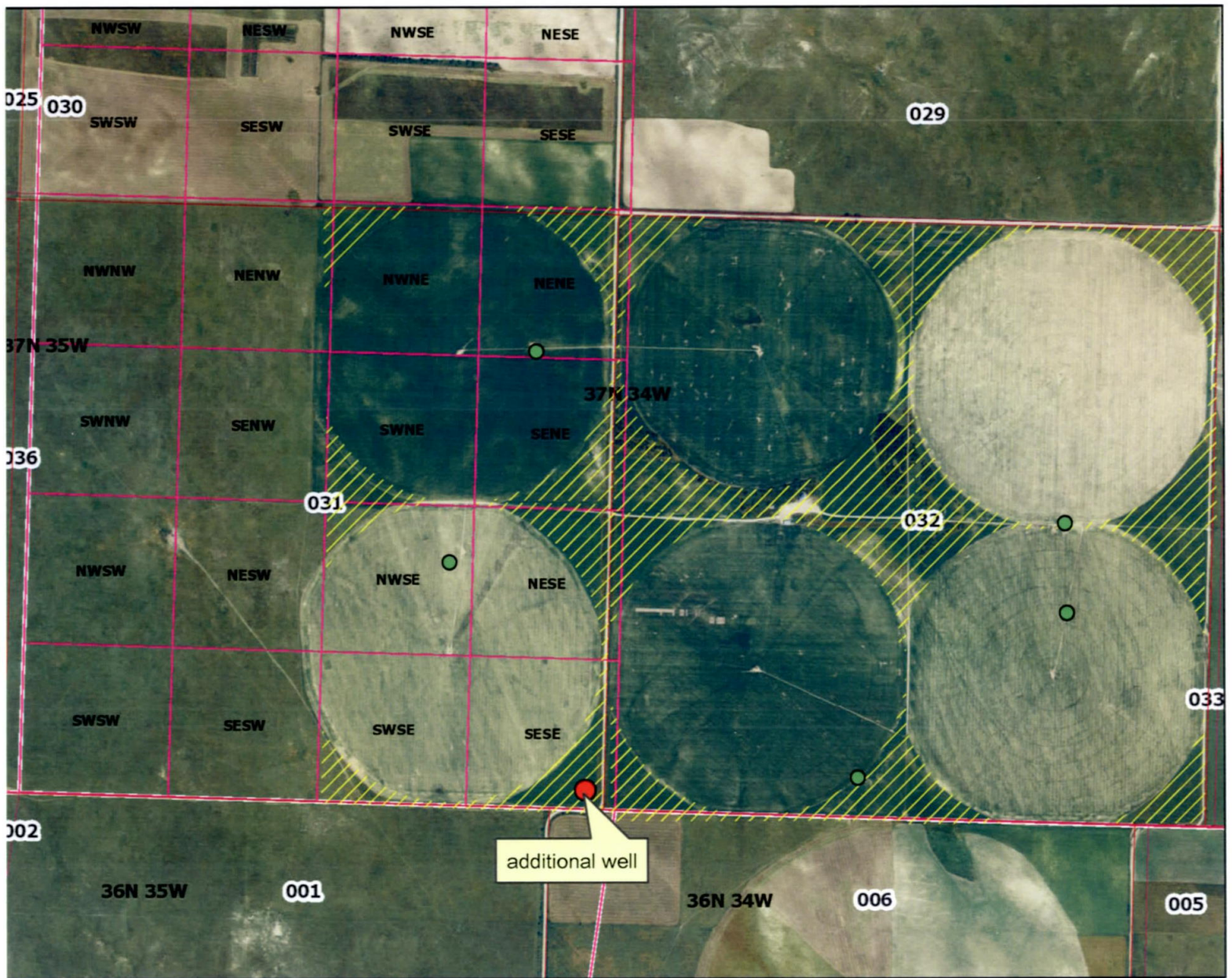
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

Platte Hutterian Brethren Water Permit Application



0 650 1,300 2,600 3,900 5,200 Feet



new irrigated acres



new well



existing well



Eric Gronlund

Eric Gronlund
Water Rights Program, DENR
based on representation by Dale
Stale

Aerial Map

Dale



Maps provided by:



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www.AgriDataInc.com

32-37N-34W
Bennett County
South Dakota

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map center: 43.135290, -101.369363

scale: 15224



3/15/2012

Field borders provided by Farm Service Agency as of 5/21/2008. Aerial photography provided by Aerial Photography Field Office.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/19, 20 12

RECEIVED OF Platte Hutterian Brethren 35271 270th St Platte SD 57369

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

Fee for Application for Permit No. <u>2699-2</u> to Appropriate Water, to construct and to put water to beneficial use	950	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>2699-2</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	1150 00

No. **05705**

By [Signature]
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. 2699-2, Platte Hutterian Brethren**

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. 2699-2, Platte Hutterian Brethren, c/o Dale Stahl, 35271 270th Street, Platte SD 57369.

The Chief Engineer is recommending APPROVAL of Application No. 2699-2 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 wells approved under this Water Rights Nos. 1195-2, 2076-2, 2077-2 and 2321-2 and Permit No. 2699-2 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 new well authorized by Permit No. 2699-2 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
January 9, 2013

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 2699-2
PLATTE HUTTERIAN BRETHREN
C/O DALE STAHL
JANUARY 10, 2013

Water Permit Application No. 2699-2 proposes to appropriate up to 394 acre-feet (ac-ft) annually at a maximum diversion rate of 2.12 cubic feet per second (cfs) from one well to be completed into the Ogallala aquifer. The well proposed by this application is expected to be approximately 200 feet deep and be located in SE ¼ SE ¼ Section 31 T37N-R34W. The addition of the proposed well will allow the six pivots authorized under existing water rights held by the applicant to be run independently. Water Right Nos. 1195-2, 2076-2, 2077-2, and 2321-2, combined, authorize a total of 9.58 cfs from five wells completed into the Ogallala aquifer to irrigate 866 acres located in the E ½ Section 31 and Section 32; all in T37N-R34W in Bennett County. The additional 197 acres to be irrigated include all of the corners of the E ½ Section 31 and Section 32 not currently covered by the existing water rights. If approved, this application and Water Right Nos. 1195-2, 2076-2, 2077-2, and 2321-2, combined, will authorize the irrigation of 1,063 acres at a maximum diversion rate of 11.7 cfs.

AQUIFER: Ogallala aquifer (OGLL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

Test hole information was not submitted with this permit application. However, sufficient data is available through well completion reports (Water Rights, 2013c), water right/permit files (Water Rights, 2013b), and SD DENR-Geological Survey test hole logs (SDGS, 2013) to evaluate this application. 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 Bennett County and contains an estimated 2,809,600 ac-ft of recoverable water in storage in the county and is under water table conditions (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.

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 394 ac-ft annually from the Ogallala aquifer. Although, actual water use if this application is approved will most likely be less than 394 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. Allen and others (1985) estimated a recharge rate to the aquifer to range from 1.88 to 3.04 inches per year. The recharge to the Ogallala aquifer in Bennett County could range from 30,437 to 42,144 ac-ft/yr according to Kolm and Case (1983), and 44,018 to 71,177 ac-ft/yr according to Allen and others (1985).

Discharge:

Discharge from the Ogallala aquifer is due to seepage through springs and to streams, evapotranspiration, and well withdrawals. There are 45 water rights/permits appropriating water from the Ogallala aquifer in Bennett County (Water Rights, 2013b) and a number of domestic wells on file with the SD DENR-Water Rights Program (Water Rights, 2013c). 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 maximum annual withdrawal of water from the Ogallala aquifer in Bennett County is 10,852 ac-ft/yr. Average annual recharge greatly exceeds average annual discharge. Therefore, there is a reasonable probability that unappropriated water is available from the Ogallala aquifer in Bennett County for this proposed appropriation of 394 ac-ft/yr.

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, 2013a). The nearest observation wells are BT-83G, 0.1 mile southwest, BT-83F, 1.4 miles northeast, BT-83I, 1.86 miles southwest, and BT-83H, 2.1 miles northwest of the proposed well site. The water levels rise (recharge) during wet years and gradually decline during dry years. The water levels in the observation wells barely show the effects of pumping, and it is not 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, 3,

and 4 show the hydrographs for observation wells BT-83G, BT-83F, BT-83I, and BT-83H, respectively.

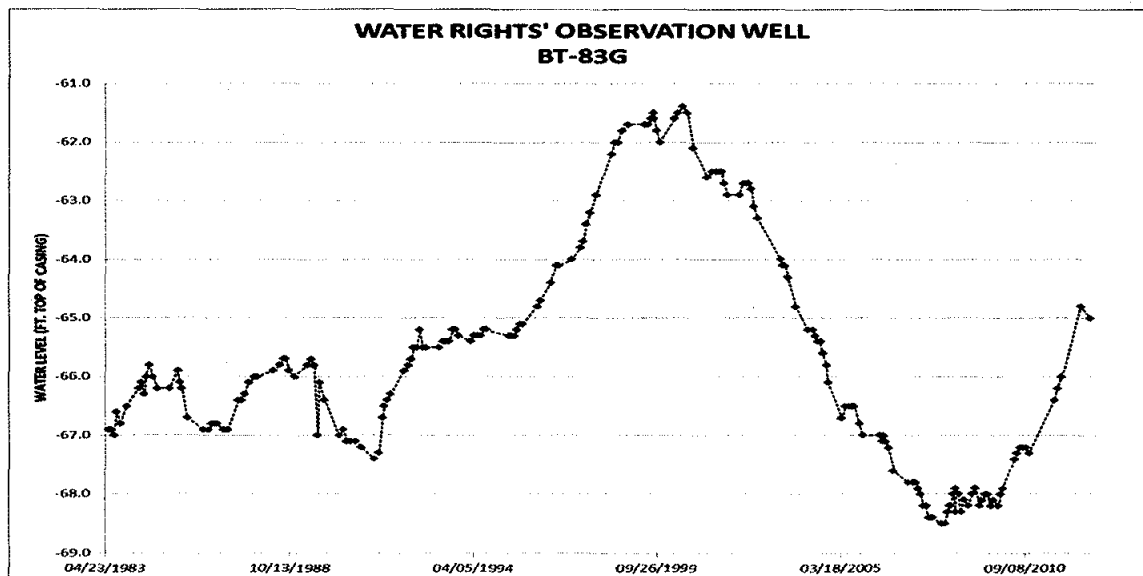


Figure 1- Hydrograph of DENR-Water Rights' observation well BT-83G, approximately 0.1 miles southwest of the proposed well location (Water Rights, 2013a)

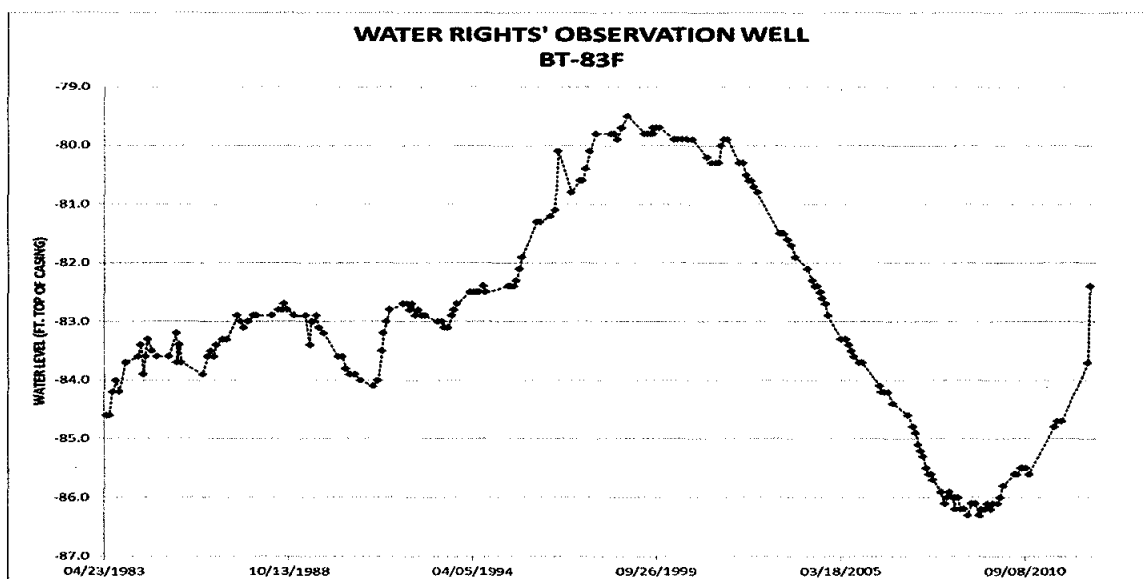


Figure 2- Hydrograph of DENR-Water Rights' observation well BT-83F, approximately 1.4 miles northeast of the proposed well location (Water Rights, 2013a).

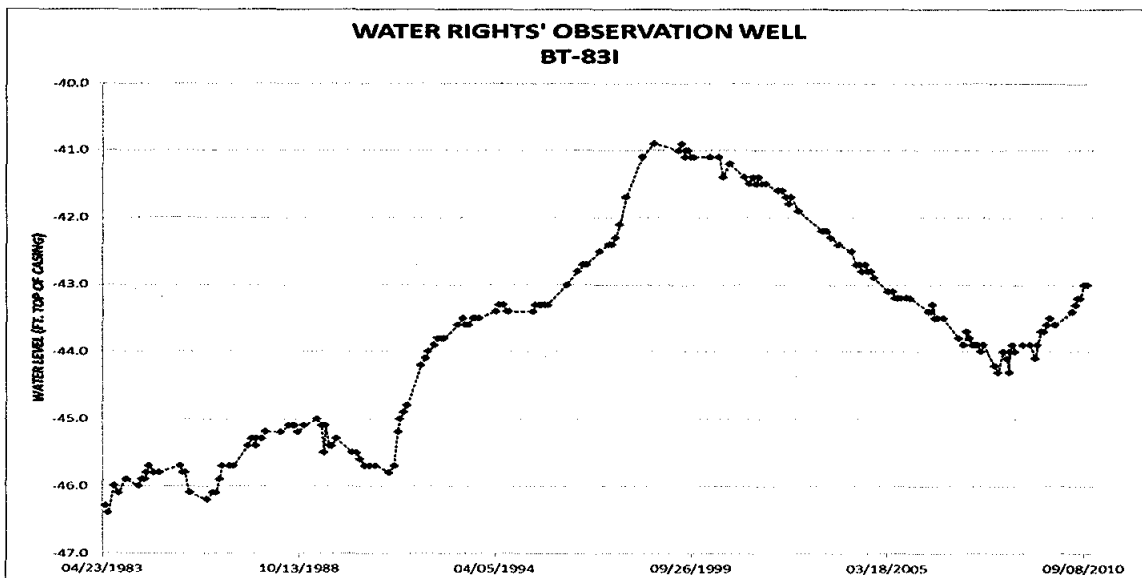


Figure 3- Hydrograph of DENR-Water Rights' observation well BT-83I, approximately 1.9 miles southwest of the proposed well location (Water Rights, 2013a).

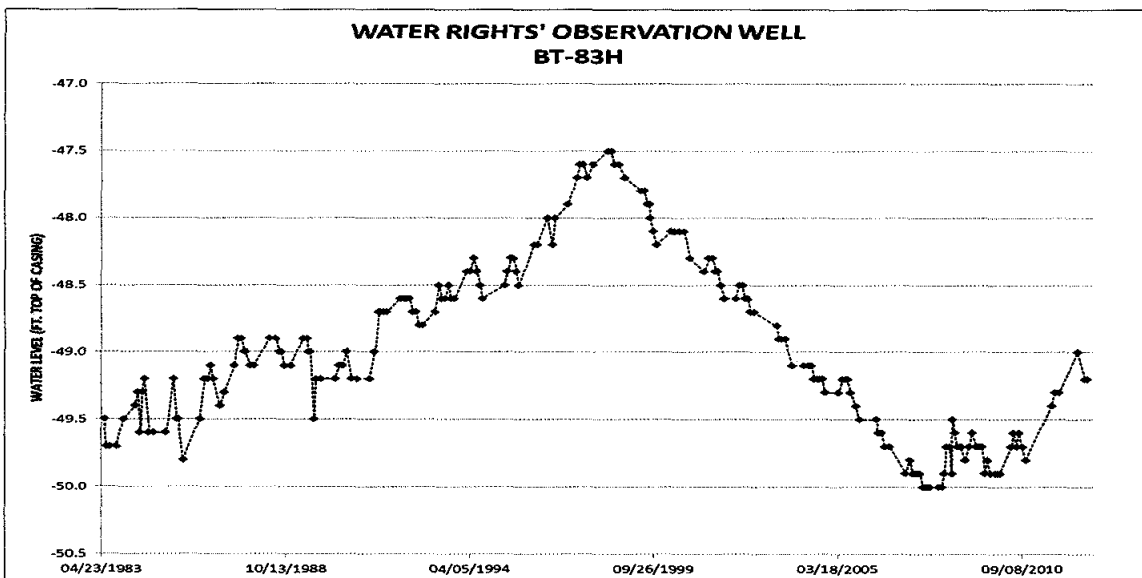


Figure 4- Hydrograph of DENR-Water Rights' observation well BT-83H, approximately 2.1 miles northwest of the proposed well location (Water Rights, 2013a).

EXISTING WATER RIGHTS:

There are seven water rights authorizing wells and two domestic wells, on file with the SD DENR-Water Rights Program, withdrawing water from the Ogallala aquifer within approximately two miles of the proposed well site (Water Rights, 2013b). The nearest of the domestic wells is approximately one mile northwest, and the nearest well authorized by a water right not held by the applicant is approximately 0.7 miles southeast. Drawdown from pumping is not significant, as evidenced by the hydrographs for the observation wells. Observation wells BT-83G and BT-83F are each within one mile of six irrigation wells. The hydrographs do not show drawdown from the pumping of those 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 approximately two miles of the proposed well location. Figure 5 is a map of the area near Water Permit Application No. 2699-2.

PERMIT NO.	NAME	STATUS	TYPE	CFS	ACRES
1125-2	Mark/Ila Mae Walker	LC	IRR	2.67	246
1195-2	Platte Httrn Brth	LC	IRR	1.44	132
2076-2	Platte Httrn Brth	LC	IRR	1.78	132
2077-2	Platte Httrn Brth	LC	IRR	1.78	132
2321-2	Platte Httrn Brth	LC	IRR	3.22	367
2321-2	Platte Httrn Brth	LC	IRR	3.22	367
2605-2	Paul Fanning	LC	IRR	1.56	124

LC= Water Right, IRR = Irrigation

Table 2- Water Rights/Permits authorizing wells within approximately two miles of the proposed well site (Water Rights, 2013b)

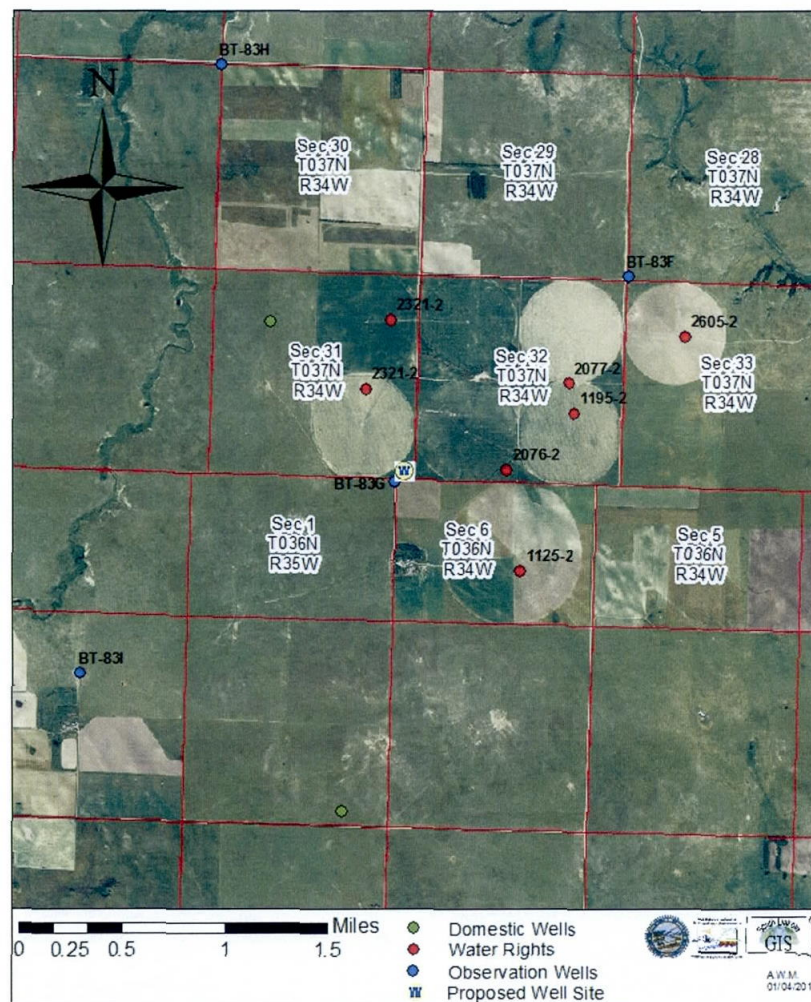
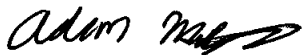


Figure 5- Map of the area near Water Permit Application No. 2699-2 (Water Rights, 2013a, 2013b, and 2013c)

CONCLUSIONS:

1. This application proposes to appropriate 394 acre-feet annually for the irrigation of 197 acres at a maximum diversion rate of 2.12 cfs from one well completed into the Ogallala aquifer in Bennett County. The acres to be irrigated are the corners not covered by existing water rights.
2. Water Right Nos. 1195-2, 2076-2, 2077-2, and 2321-2, combined, authorize a total of 9.58 cfs from five wells completed into the Ogallala aquifer to irrigate 866 acres located in the E ½ Section 31 and Section 32; all in T37N-R34W in Bennett County.
3. 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.
4. 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

Approved by



Ken Buhler
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
- SDGS. 2013. Lithologic Logs Database. < <http://sddenr.net/lithdb/>>. SD DENR-Geological Survey. Vermillion, SD.
- Water Rights. 1982-2012. "1982-2012 Irrigation Summaries by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2013a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2013b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2013c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

JAN 18 2013

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:

January 16, 2013

That the full amount of the fee charged for the publication of the attached public notice, **\$36.04**, 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: _____

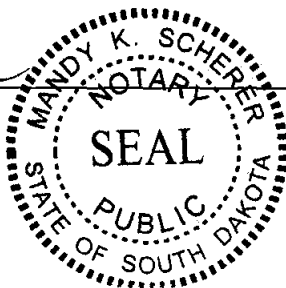
Jill Potter

Subscribed and sworn to before me this 16th day of January, 2013.

Mandy K. Scherer

Notary Public

My Commission Expires
December 9, 2015



Legal Notices

Notice of Vacancy Municipality of Martin, South Dakota

The following Municipal Offices will become vacant due to the expiration of the present term of office of the elective officers.

Martin City Mayor - at large position for a two (2) year term.
(Incumbent Gayle Koeber)

Martin City Council - Ward 1 one (1) year term.
(Incumbent Cecilia Moffitt)

Martin City Council - Ward 2 one (2) year term.
(Incumbent Stephanie Noel)

Martin City Council - Ward 3 one (2) year term.
(Incumbent Sherry Peck)

Circulation of nomination petitions may begin on January 25, 2013, and petitions may be filed in the city office with the City Finance Officer located at 101 Main Street for the City Municipal Election, between the hours of 8:00 a.m. and 4:00 p.m. Mountain Daylight Time, not later than February 22, 2013, at 5:00 p.m.

Jean Kirk, Finance Officer
Published twice at the total approximate cost of \$27.06
Published: January 16 and 23, 2013

Notice of Vacancy on School Board Bennett County School District No. 3-1

The following school board position(s) will become vacant due to the expiration of the present term(s) of office of the following school board member(s).

Bennett County School Board
(1) position for a 3 year term
Incumbent: Tiffany Jacquot-Petrak

Circulation of nomination petitions may begin on January 25, 2013, and petitions may be filed in the office of the Business Manager located at 402 2nd Avenue for the Bennett County School District 3-1, between the hours of 8:00 a.m. and 4:00 p.m. Mountain Time, not later than February 22, 2013, at 5:00 p.m.

Karen Coyle, Co-Business Manager
Jolene Robinson, Co-Business Manager
Published twice at the total approximate cost of \$25.83
Published: January 16 and 23, 2013

Notice to Creditors

STATE OF SOUTH DAKOTA } IN THE CIRCUIT COURT
COUNTY OF BENNETT } SS
IN THE MATTER OF THE ESTATE OF } SIXTH JUDICIAL CIRCUIT
JERRY LEE WALKER, DECEASED. } PRO NO. 12-14

NOTICE TO CREDITORS

Notice is given that on December 19, 2012, Joel Walker, of 29544 237th Ave., Tuthill, SD 57574, was appointed as Personal Representative of the Estate of Jerry Lee Walker.

Creditors of decedent must file their claims within four months after the date of the first publication of this notice or their claims may be barred.

Claims may be filed with the Personal Representative or may be filed with the Clerk, and a copy of the claim mailed to the Personal Representative.

Dated this 4th day of January, 2013.

/s/ Joel Walker
JOEL WALKER
Personal Representative
29544 237th Ave.
Tuthill, SD 57574
(605) 685-1010

Linda Larson
Bennett County Clerk of Court
PO Box 281
Martin, SD 57551
605-685-6969

ALVIN PAHLKE
Attorney at Law
P.O. Box 432
Winner, SD 57580
(605) 642-1000
Published three times at the total approximate cost of \$72.98
Published: January 16, 23 and 30, 2013.

Notice of Application No. 2699-2 to Appropriate Water

Notice is given that Platte Hutterian Brethren, c/o Dale Stahl, 35271 270th St, Platte SD 57369 has filed an application for a water permit for an additional well, increase the diversion rate authority and to irrigate additional acreage. Water Right Nos. 1195-2, 2076-2, 2077-2 and 2921-2, combined, authorize a total of 9.58 cubic feet of water per second (cfs) from five wells to irrigate 866 acres located in the E 1/2 Section 31 and Section 32; all in T37N-R34W. This application proposes appropriate 2.12 cfs from one well to be completed into the Ogallala Aquifer (200 feet deep) located in the SE 1/4 SE 1/4 Section 31-T37N-R34W. The additional of this well will allow the six pivots to run independently. This application also requests to irrigate an additional 197 acres which includes all the corners of the E 1/2 Section 31 and Section 32 not currently covered by the center pivots. If approved, this application and Water Right Nos. 1195-2, 2076-2, 2077-2, 2921-2 and Permit No. 2699-2 combined, will authorize a total of 11.70 cfs from 6 wells to irrigate 1063 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2699-2 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) 773-3327" 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 28, 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 \$36.04
Published: January 16, 2013

<http://www.bennettcountyboostersd.com>

Sanford to hire 2 Native American healers

By KRISTIE EATON, AP

SIOUX FALLS, S.D. (AP) - The country's largest rural, nonprofit hospital system is hiring two traditional Native American healers to train medical staff in the Dakotas and Minnesota in an effort to better serve the American Indian patient population.

Sanford Health is in the process of hiring a Lakota/Dakota and an Ojibwe to serve as consultants as part of a three-year \$12 million Center for Medicare and Medicaid Services award, said Reed Sulik, Sanford's senior vice president for Behavioral Health Services.

"Being where we're located in South Dakota, North Dakota and Minnesota, we realized we serve perhaps the largest American Indian population in a health system outside of Indian Health Services of probably any other system in the country, given where we're located across the northern Plains," Sulik said, noting that Native Americans as a group have some of the biggest health disparities in the country. "Several of the things that keep rising up (are) how patients feel welcome and engaged and effectively communicated to in the health clinics settings."

Sulik, who is based in Fargo, said the traditional healers will act as advisors to health care workers to develop training and curriculum about the American Indian culture, and will consult with medical staff on when it may be appropriate to use traditional healing techniques in conjunction with modern medicine.

The two healers won't necessarily be performing traditional healing ceremonies, Sulik said, but advising clinics in the three states on when a ceremony may be necessary and how to use local resources to make it happen.

Ojibwan Mani Zepher, a 33-year-old Yankton Sioux tribe member from Vermillion, has seen firsthand how having a Native American by a patient's side can help psychologically. While working as an Army medic in Afghanistan in 2004-2005, he came across an injured soldier who had a Native American medicine pouch around his neck under his shirt.

"I told him I was Sioux. He said, 'You're Sioux?! Now I already feel better,'" Zepher recalled. "He wasn't even Sioux. He was Choctaw."

Some ceremonies and traditions might seem odd to non-Natives, he added, such as the smudging of sage and sweet grass to purify the area around the patient. When a baby is born, Zepher's people believe that wiping out the newborn's mouth with sage can help the infant better transition from the spiritual realm of the womb.

Some patients also wrap tobacco in cloths of red, black, yellow or white and hang them on their bedposts as prayer offerings.

"It's for the spirits, or the angels, if you will, who are coming in to help heal," said Zepher, who grew up on the Pine Ridge Indian Reservation, where his uncle is a medicine man - or intermediary between the spirit world and people.

In addition to the healers, Sulik said the health system is hiring a cultural and diversity specialist to understand and serve patients from a variety of cultural backgrounds.

"We have several refugee communities in various areas that we live and there are certainly lots of cultural differences," Sulik said.

Sulik, as part of being selected for a Bush Foundation Fellowship, will visit different communities all over the world over the next few years to see firsthand how some hospital systems are able to serve indigenous communities by blending western medicine with traditional healing.

A similar initiative to blend western and traditional medicine started several years ago at Page Hospital in Page, Ariz., where up to 60 percent of the patients are Native Americans, including many Navajo Nation members. While the hospital doesn't employ traditional healers or

medicine men on staff, medicine men do often come to the hospital to perform healing ceremonies or pray or bless the patient at the patient's request, said hospital CEO Sandy Haryasz.

For example, Haryasz said, if a Native American woman who follows traditional beliefs plans to have a vaginal birth delivery but for some reason must have a C-section that is not an emergency, sometimes a mother would request a medicine man

come to the hospital to bless her before the operation.

"Our medical staff and nursing staff are extremely supportive of the spiritual side of the medicine men and healing ceremonies. They totally support patients' rights and respect their decision to have a medicine man come in," she said. "There's no issue between alternative medicine per se and traditional medicine."

Zepher said he knows of few Native Americans who wouldn't accept prayers of any sort - be they from a different tribe than their own or a different faith altogether.

"I've always welcomed any prayer of any faith when I've been in the hospital or for someone else. Prayers are prayers," he said.

But he added that having someone on hand to explain some of the patient's beliefs and traditions can help put everyone at ease.

"Many non-Natives don't understand where we're coming from and the things we do," he said. "Something like this could help."

www.bairfordsales.com

Sales Team: Scott, Keith & Dick
605-685-6646 Martin, SD



Used Trucks/SUV's

11 Ford Edge Limited 6524A, FWD, V6, 3.5 Liter, 4DR, Was \$29,175, NOW \$29,175	11 Ford Edge SEL 6549A, AWD, 4DR, 3.5 Liter, V6, Was \$27,500, NOW \$25,780	11 Ford Ranger 4x4 XLT 6545B, 4x4, Auto, 4.0 Liter, Supercab, Was \$24,325, NOW \$22,380	10 Ford F-150 4x4 XLT 6615A, 4x4, V8, 5.4 Liter, Supercab \$23,980
10 Ford F-150 4x4 XLT 6586A, V8, 5.4 Liter, 4x4, Crewcab, Was \$31,250 NOW \$29,480	10 Ford F-150 4x4 XLT 6554A, 4.0 Liter, V8, Supercab, 4x4, Was \$28,600 NOW \$25,880	09 Ford Edge Limited 6500A, 4DR, AWD, 3.5 Liter, V6, Was \$20,725 NOW \$18,780	09 Ford F250 4x4 XLT 6626A, Supercab, V10 Gas, Loaded \$22,280
08 Ford F-350 4x4 XLT 6600A, 6.4 Liter, V8, Diesel, Long Box, \$29,980	08 Chevy Tahoe LTZ 6562A, 5.3 Liter, V8, sunroof, tinted glass, Was \$32,725 NOW \$29,980	07 Mercury Mariner Premier 6529B, 3.0 Liter, V6, 4x4 \$11,780	07 Ford F-150 4x4 FX4 6519A, 5.4L, V8, Leather, Flex Fuel, Was \$23,775 NOW \$20,980
07 Ford F-150 Lariat 6518A, Flex Fuel, 4x4, V8, 4.6 Liter, 4x4 \$18,980	07 Ford Explorer Sport Trac Limited 6473A, 4x4, V8, 4.6 Liter, Leather seats \$16,980	07 Ford F-350 XL 6499A, 6.0 Liter, V8, 4x4, Diesel \$15,980	06 Ford Explorer Eddie Bauer 6513A, Leather, 4.0 Liter, V6, 4x4 \$12,200
05 Chevy Avalanche LS 6572D, 5.3 Liter, V8, bedliner, 4x4 \$12,480	02 Ford Econoline Van XL 6609B, 5.4 Liter, V8, RWD \$8,675	10 Ford Edge Limited 6627A, AWD, 3.5 Liter, V6, 59K Miles \$25,380	08 Ford F-350 4x4 Lariat 6581A, Dual, 6.4L V8 Diesel, 10K Miles \$38,880
07 Ford Explorer XLT 6605B, 4x4, 4.0 Liter, V6 \$12,480	06 Lincoln Navigator Ultimate 6597A, 4x4, 5.4 Liter, V8, 71K Miles \$20,075	05 Ford F-250 4x4 XLT 6605A, 6.0 Liter, V8, 68K Miles \$22,350	94 Ford F-250 4x4 Styleline XL 6624B, 7.3 Liter, V8, flatbed, 5-spd. Manual \$8,588
www.bairfordsales.com — Used Cars — www.bairfordsales.com			
10 Mercury Milan Premier 6533A, FWD, 3.0 Liter, V6, 4DR \$17,480	10 Ford Focus SES 6421A, FWD, V4, 2.0 Liter, 4DR \$12,680	09 Lincoln MKZ 6503A, 3.5 Liter, V6, 4DR, FWD \$21,480	09 Mercury Sable Premier 6576B, AWD, V6, 3.5 Liter, Leather \$17,080
08 Ford Fusion SE SP4837, 3.0 Liter, V6, FWD \$13,480	07 Ford Fusion SE 6532B, FWD, 2.3 Liter, V4, Leather \$5,500	05 Mercury Sable GS 6432B, FWD, 3.0 Liter, V6 \$3,875	03 Mercury Grand Marquis DW001B, V8, Leather, 48K Miles \$8,850

JAN 23 2013

Form 8

WATER RIGHTS PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Hughes) SS

I, Marilynn 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:

1-16-13

Cost of Printing \$ 37.31

M. J. Baker
(Signature)

Bookkeeper
(Title)

1-18-13

(Date Signed)

Wednesday, January 16, 2013

Public Notice

MAXP-1266

APPLICATION
NO. 227A-23, the
Appropriate
Water

Notice is given
that Platte Hute-
man Brothers, Co
270th St. Platte
SD 57369 has
filed an application
for a water permit
for an additional
well to increase the
diversion rate
authority and to ir-
rigate additional
acreage. Water
Right No.
1195-2, 2076-2,
2077-2 and
2321-2, combined,
authorize a total of
9.25 cubic feet per
second of water
(cfs) from five
wells to irrigate
868 acres located
in E 12 Section
31 and Section
32; all in
T37N-R34W. This
application pro-
poses appropriate
2.12 cfs from com-
pleted into the
Chief Ogallala Aquifer Engineers' ad-
visory program, Box Building, 523
14th Avenue, Platte
SD 5701 (605
773-3352) and the
applicant's address
is given above. A
petition listing the
interested person or
the applicant must be
submitted by Janu-
ary 28, 2013.

The petition may
include a statement
describing the
interest in the ap-
plication, the peti-
tioner's reasons for
opposing or
supporting the ap-
plication and Water
Right Nos.
1195-2, 2076-2,
2077-2, 2321-2
and Permit No.
2689-2 combined,
if he/gal counsel, if
filed will authorize a
total of 11.70 cfs
from five wells to ir-
rigate 1063 acres.

Pursuant to
SDCL 45-2A-2, the
Chief Engineer
recommends a
diversion of Appli-
cation No. 2689-2
because 1) unap-
propriated water is
available, 2) exist-
ing rights will not
be unlawfully im-
paired, 3) it is a total.

Public Notice

beneficial use of
water, and 4) it is
in the public inter-
est. In accordance
with SDCL
45-2A-23, the
Chief Engineer will
act on this applica-
tion, as recommended, unless a
petition is filed op-
posing the application. If the ap-
plicant files a peti-
tion contesting
the Chief Engineer's
recommendation,
it is a petition oppos-
ing the application
or contesting the
recommendation.
If a hearing will be
scheduled and the
Water Control and
Irrigation Control
Board will consider
this application, notice
of the hearing will
be given to the ap-
plicant and any
person filing a peti-
tion.

Any person inter-
ested in opposing
or supporting this
application or re-
cathesis must file a written
petition with
the Chief Engineer
and Chief En-
gineer. The appli-
cations contesting
the Chief Engi-
neer's recommenda-
tion. The Chief
Ogallala Aquifer Engineers' ad-
visory program, Box Building, 523
14th Avenue, Platte
SD 5701 (605
773-3352) and the
applicant's address
is given above. A
petition listing the
interested person or
the applicant must be
submitted by Janu-
ary 28, 2013.

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1195-2, 2076-2,
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cation No. 2689-2
because 1) unap-
propriated water is
available, 2) exist-
ing rights will not
be unlawfully im-
paired, 3) it is a total.

Published once at
the total approx-
imate of \$37,331.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 10, 2013

Bennett County Booster II
PO Box 610
Martin SD 57551

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2699-2 to Appropriate Water. Please publish the notice once on January 16, 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 Platte Hutterian Brethren, c/o Dale Stahl, 35271 270th St., Platte SD 57369 (Ph # 605-726-3142).

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

January 10, 2013

Capital Journal
PO Box 878
Pierre SD 57501

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2699-2 to Appropriate Water. Please publish the notice once on January 16, 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 Platte Hutterian Brethren, c/o Dale Stahl, 35271 270th St., Platte SD 57369 (Ph # 605-726-3142).

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.

January 10, 2013

Platte Hutterian Brethren
Dale Stahl
35271 270th St
Platte SD 57369

Dear Mr. Stahl:

Water Permit Application No. 2699-2 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 16, 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. 2699-2 to Appropriate Water

Notice is given that Platte Hutterian Brethren, c/o Dale Stahl, 35271 270th St, Platte SD 57369 has filed an application for a water permit for an additional well, increase the diversion rate authority and to irrigate additional acreage. Water Right Nos. 1195-2, 2076-2, 2077-2 and 2321-2, combined, authorize a total of 9.58 cubic feet of water per second (cfs) from five wells to irrigate 866 acres located the E 1/2 Section 31 and Section 32; all in T37N-R34W. This application proposes appropriate 2.12 cfs from one well to be completed into the Ogallala Aquifer (200 feet deep) located in the SE 1/4 SE 1/4 Section 31-T37N-R34W. The additional of this well will allow the six pivots to run independently. This application also requests to irrigate an additional 197 acres which includes all the corners of the E 1/2 Section 31 and Section 32 not currently covered by the center pivots. If approved, this application and Water Right Nos. 1195-2, 2076-2, 2077-2, 2321-2 and Permit No. 2699-2 combined, will authorize a total of 11.70 cfs from 6 wells to irrigate 1063 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2699-2 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 28, 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 19 2013

Platte Hutterian Brethren
Dale Stahl
35271 270th St
Platte SD 57369

Dear Mr. Stahl:

Enclosed is Water Permit No. 2699-2 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

2699-2

RECEIVED
MAY 14 2014
WATER RIGHTS
PROGRAM

May 14, 2014

Jeanne Goodman, Chief Engineer
Water Rights Program, DENR
523 E Capitol Avenue
Pierre SD 57501

Dear Mrs. Goodman:

Platte Hutterian Brethren requests permission to construct a test well in the NW ¼ NE ¼ Section 31, T37N, R34W. The colony currently has a request pending to change the location of the new well authorized by Water Permit No. 2699-2 to this location. The colony understand that granting authorization to construct a test well is not approval of the change of diversion point location. Thank you for consideration of this request.

Sincerely,

Dale Stahl





**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



May 15, 2014

Dale Stahl
Platte Hutterian Brethren
35271 270th St
Platte, SD 57369

Dear Mr. Stahl:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, Platte Hutterian Brethren is authorized to construct a test well, which will be constructed into the Ogallala aquifer, prior to approval of a request in change in diversion point authorized to Water Permit No. 2699-2. The test well will be located in the NW ¼ NE ¼ Section 31, T37N-R34E in Bennett County. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Authorization must be obtained before water from the well can be used. Approval of this test well does not assure approval of a request in change in diversion point of a water permit. Following a review of the request, including assessing the potential impacts to existing diversions, the Chief Engineer will make a decision whether to allow the change in diversion point without application or publication pursuant to South Dakota Codified Law 46-2A-4.

Sincerely,

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

FORM 2: Application for irrigation in South Dakota

(type or print)

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

RECEIVED**MAY 14 2014****WATER RIGHTS
PROGRAM****Application For Permit To Appropriate Water For Irrigation**

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 2699-2
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)
request to change of the new well location authorized by Water Permit No. 2699-2

1. Name to Appear on Irrigation Permit Platte Hutterian Brethren Inc

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

(name and complete address if different than above name)

Mailing Address 35271 270th Street Platte SD 57369
(Address) (City) (State) (Zip Code)

Home Phone 726-3142 Cell 680-2608 Email _____

2. Amount of water claimed no addl *CFS or _____ **GPM _____ ***AF Total Acreage no addl
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Ogallala aquifer

4. Location of point of diversion NW 1/4 NE 1/4 Section 31, T37N, R34W
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Bennett

5. County or counties where water will be used Bennett

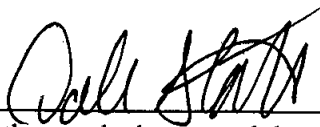
6. Annual period during which water is to be used April 1 - October 31

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
Same as Water Permit No. 2699-2			

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

Water was not found in sufficient quantity to develop the well in the SE 1/4 SE 1/4 Section 31. Intend to move to the NW 1/4 NE 1/4 of Section 31. Request is made pursuant to SDCL 46-5-13.1. The water source remains the Ogallala aquifer and we do not request and increase in the diversion rate or number of acres irrigated. See test hole log for proposed depth.

I, Dale Stahl , the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

GROSCH IRRIGATION CO., INC.

Branch O'Neill, NE

Date 4-23-74

4

Name Platte Hutterian Brethren Inc.

County _____

NRD NWS

NWSE 1/4 31 SEC 37 TN 34 RA

GPS

43° 08' 06.2
101° 23' 03.2

FEET FROM

FEET FROM

ELEVATION

[illegible]

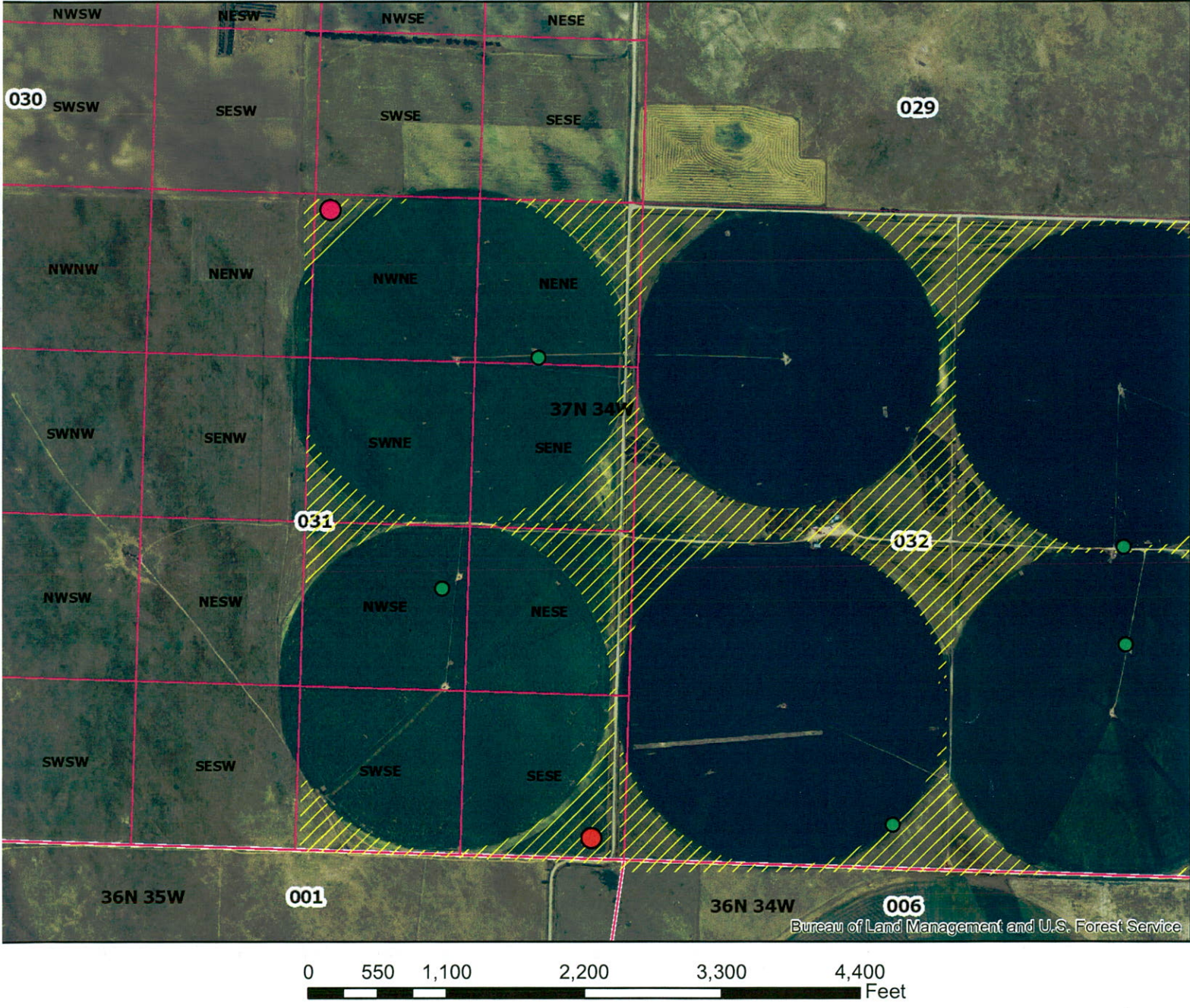
Type	Hardness	Color
Clay	Sand Fine-Med	Black
Clay Stone	Sand Med-Coarse	Blue
Cobbles	Sand w/ gravel	Brown
Fine Sand	Sandstone	Gray
Gravel	Shale	Green
Limestone Silt		Orange
Loss Circulation	Siltstone	Pepper
Ochre (weathered shale)	Top Soil	Red
Sandy Clay	Other	Tan
Sand w/ Clay / Silt		White
		Yellow

RECEIVED

MAY 14 2014

WATER RIGHTS PROGRAM

Platte Hutterian Brethren request of change of diversion point location
on new well authorized by Water Permit No. 2699-2



- requested change of location
- location authorized on WP No. 2699-2



Eric Gronlund

Eric Gronlund
Water Rights Program, DENR
based on representation by Dale
Stale

Gronlund, Eric

From: Dale @Platte <snakcreek@midstatesd.net>
Sent: Monday, May 19, 2014 8:05 AM
To: Gronlund, Eric
Subject: Correction for well site
Attachments: Platte Hutterian_20140519_100104.pdf

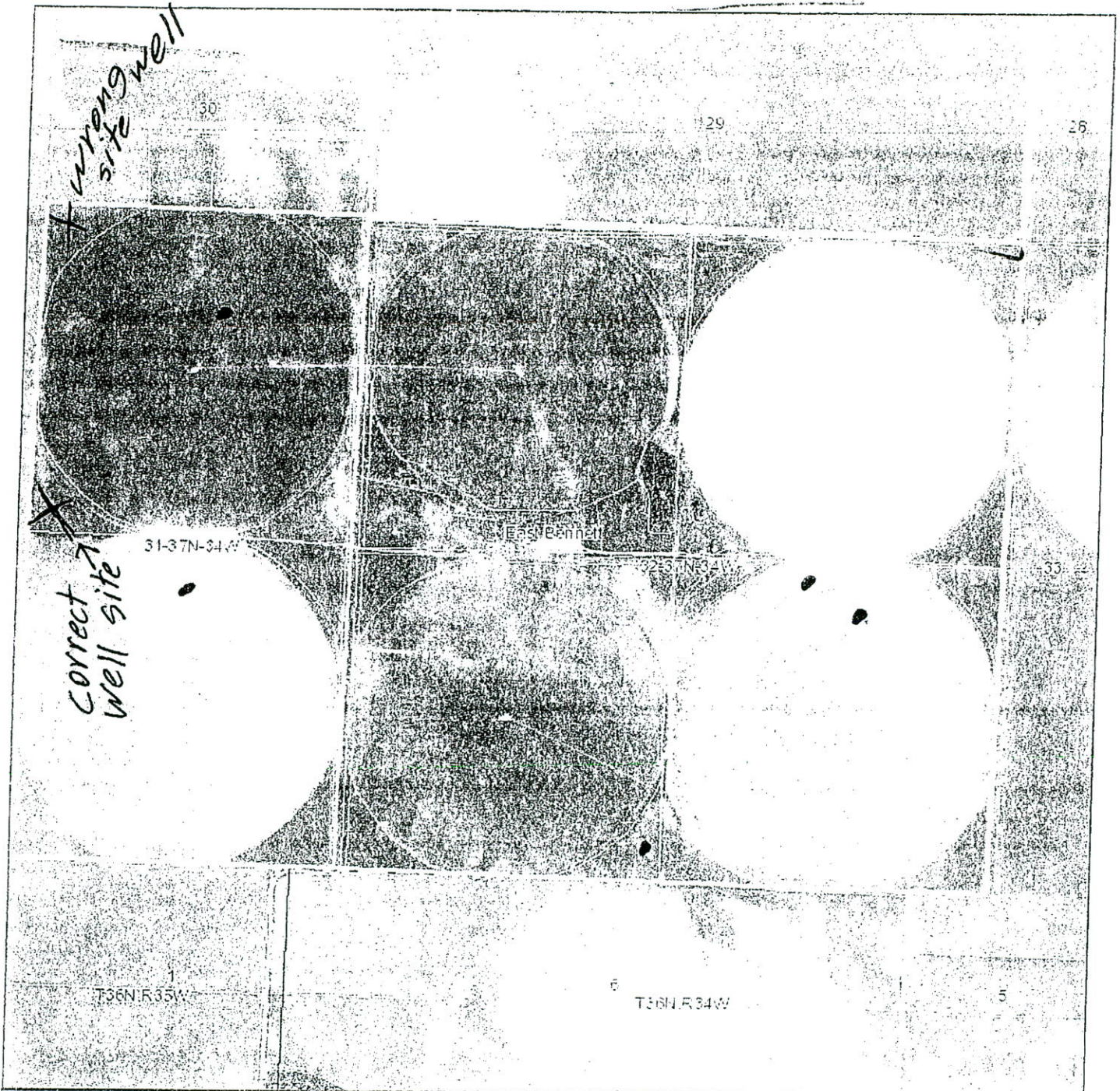
Eric, please see the attached image for the correct well site. I'm sorry about giving you the wrong area for the well in Bennett County (31-37N-34W).

Call me with questions.

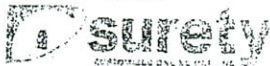
Dale,
605.680.2608

Aerial Map

Jale



Maps provided by:



©AgriData, Inc. 2012
www.AgriDataInc.com

32-37N-34W
Bennett County
South Dakota

map center: 43.135290, -101.369363
scale: 15224



3/15/2012

File No. 2699-2

Approval of Change Diversion Point

NAME: Platte Hutterian Brethren Inc.

ADDRESS: 35271 270th Street, Platte, SD 57369

DATE: May 30, 2014

COUNTY: Bennett

TELEPHONE: (605) 680 2608

BACKGROUND:

Water Permit No. 2699-2 appropriates 2.12 cubic foot per second (cfs) from one well completed into the Ogallala aquifer at a depth of approximately 200 feet below ground surface. This well, located in the SE ¼ SE ¼ of Section 31, T37N-R34W is intended to supplement water pumped under Water Right Nos. 1195-2, 2076-2, 2077-2, and 2321-2 in order to independently run the six pivots which currently irrigate 866 acres using 9.58 cfs. Water Permit No. 2699-2 increases the total diversion rate to 11.7 cfs and the land irrigated by 197 acres to a total of 1,063 acres. The original permit was conditioned with standard well interference, well construction and irrigation questionnaire qualifications.

Platte Hutterian Brethren submitted a request to change the location of the well from the SE ¼ SE ¼ of Section 31, T37N-R34W to the SW ¼ NE ¼ of the same section. The basis behind this request is that the well location will be able to better provide the permitted 2.12 cfs. The new well is expected to be completed to a similar depth as the existing well and will divert water from the same source, the Ogallala aquifer.

AUTHORITY:

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

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

The water source authorized by Water Permit No. 2699-2 is the Ogallala aquifer. The new diversion location will be drawing water from the Ogallala aquifer.

No additional appropriation of water is authorized. Water Right No. 2699-2 appropriates 2.12 cfs and no additional diversion rate authority is being requested.

Review of Existing Diversions

The well completion report and water rights databases were reviewed for the nearest domestic wells and water rights/permits on file. The nearest water right not owned by Platte Hutterian Brethren (1125-2) to the new well site is located approximately 1.7 miles to the southeast. Given that this distance is greater than the distance between this water right and the existing well used for Water Permit No. 2699-2, and that no additional diversion rate authority is being requested,

the potential for interference due to construction of the additional well at the new site is not expected to increase as the potential for interference generally decreases with distance. Therefore, water rights/permits in the area owned by other entities are not expected to be impacted by this change in well location. There are no domestic wells completed to a similar depth within a two mile radius of the new well site. Interference at distances greater than two miles is not expected to occur.

Observation Well Data

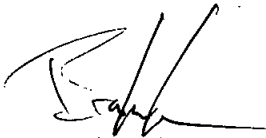
The Water Rights Program monitors a series of observation wells completed into the Ogallala aquifer. The closest observation well (BT-83G) is located approximately one mile to the south of the new well site in Section 31. This well has been in place since 1983 and shows static water level fluctuations of 61 to 69 feet below the top of the casing. Historic water levels in BT-83G show that aquifer levels are climatically controlled with very little visible effects of pumping.

CONCLUSION:

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

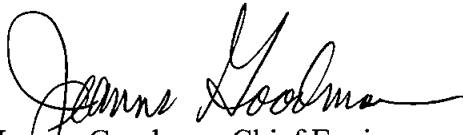
RECOMMENDED ACTION:

Based on the above criteria, it is recommended that the request for a change of diversion point to the SW ¼ NE ¼ of Section 31, T37N-R34W be approved.



Bracken Capen
Natural Resources Engineer

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



Jeanne Goodman, Chief Engineer
Water Rights Program



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



May 30, 2014

2699-2

Platte Hutterian Brethren
35271 270th St.
Platte, SD 57369

Dear Mr. Stahl:

Water Permit No. 2699-2 appropriates 2.12 cubic foot per second (cfs) from one well completed into the Ogallala aquifer at a depth of approximately 200 feet below ground surface. This well, located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T37N-R34W is intended to supplement water pumped under Water Right Nos. 1195-2, 2076-2, 2077-2, and 2321-2 in order to independently run the six pivots which currently irrigate 866 acres using 9.58 cfs. Water Permit No. 2699-2 increases the total diversion rate to 11.7 cfs and the land irrigated by 197 acres to a total of 1,063 acres. The original permit was conditioned with standard well interference, well construction and irrigation questionnaire qualifications.

You submitted a request to change the location of the well from the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T37N-R34W to the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of the same section. The basis behind this request is that the well location will be able to better provide the permitted 2.12 cfs. The new well is expected to be completed to a similar depth as the existing well and will divert water from the same source, the Ogallala aquifer.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional well location is authorized without application or publication of a notice of hearing pursuant to SDCL 45-2A-4. No increase in the authorized diversion rate of 2.12 cfs or the number of irrigated acres (1,063 acres in total) under Water Right/Permit Nos. 2699-2, 1195-2, 2076-2, 2077-2, and 2321-2 has been requested or approved. If the total diversion rate or the number of acres irrigated increases, a new water permit will need to be obtained from the SD DENR Water Rights Program.

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

Sincerely,

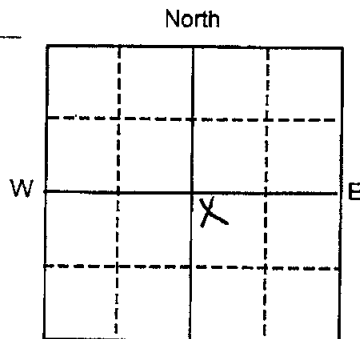
Jeanne Goodman
Chief Engineer
Water Rights Program

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ SE ¼ Sec 31 Twp 37 Rg 34

County BENNETT

Please mark well
location with an "X"

Well Completion Date

06/19/14

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:

If other describe

☐ Steel ☒ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
20.0 LB/FT	16.00 IN	1.0 FT	90.0 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 180.0 Feet

Material PVC

Slot Size .080 Set From 90.0 Feet to 270.0 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? HTHLab to which water
quality sample sent for analysis

Well Owner: PLATTE HUTTERIAN BRETHREN

Business Name:

Address: 35271 - 270 STREET

City, State, Zip: PLATTE SD 57396

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
top soil, sand w/ clay, sand fine - med	0	28
sand w/ clay, limestone,	28	92
sand fine - med, sand w/ clay	92	162
sand fine - med, sand med - coarse	162	216
limestone, sand fine - med	216	252
red rock	252	270

STATIC WATER LEVEL 54.0 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

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

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

If pump installed, pump rate: GPM

REMARKS

RECEIVED

AUG 11 2014

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: