

Considered: _____

WATER PERMIT NO. 2615A-3

Phone: 605 886-6502

Name of Applicant: Robert L. Endres

Post Office Address: RE 4, Box 8, Watertown SD 57201

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

Source of Water Supply: groundwater

Water to be used for: irrigation County: Codington

About 5 miles SE of Watertown

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F.& C/.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received: 1-2-91 Fee: \$50.00 Remarks Add'l well on

Permit No. 2615-3

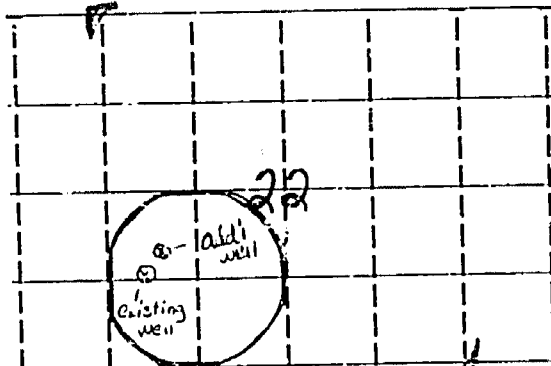
Corrected Application Received _____ Period of Annual Use May 1 - August 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: NW 1/4 SW 1/4 Sec 22-T116N-R52W

Land to be Irrigated: SW 1/4 Sec 22-T116N-R52W



Well Log: Driller: Bullis Bros. Licensed YES X NO _____

Depth of Well: 33' REMARKS _____

Type of Map: aerial PREPARED BY: Norma Job Reviewed and the Number

Assigned on 7-2-91 By Karen Schlaak

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2615A-3

(1) Robert Endres of RR 4, Box 8, Watertown, SD 57201 made Application No. 2615A-3, June 2, 1991 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one additional well), Codington County, South Dakota for irrigation purposes. Permit No. 2615A-3 with a priority date of March 1, 1976 was approved September 4, 1991 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 2615-3 authorized diversion of 2.23 cubic feet of water per second (cfs) from one well to irrigate 160 acres (priority date of March 1, 1976). On July 26, 1989, Water Permit No. 5327-3 was approved for diversion of 1.34 cfs from an additional well to irrigate the same acreage described in Permit No. 2615-3 (priority date of April 28, 1989). On September 4, 1991, Water Permit No. 2615A-3 was approved for an additional well to irrigate acreage authorized under Water Permit No. 2615-3 (priority date of March 1, 1976).

The permit holder developed all three wells and utilizes 1.67 cfs through a center pivot system to irrigate 136 acres. The applicable portions of Water Permit Nos. 2615-3 and 5327-3 are incorporated into this Water License No. 2615A-3. Since the total diversion rate of 1.67 cfs is less than the original amount of 2.23 cfs authorized under No. 2615-3, a priority date of March 1, 1976 is retained.

(2) It is certified that the applicant 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 1.67 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 990'E and 1060'S of the W 1/4; Well #2 - 925'E and 1320'S of the W 1/4 corner; Well #3 - 1390'E and 1250'S of the W 1/4 corner Section 22, T116N, R52W (all three wells are in the N 1/2 SW 1/4).

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

T116N, R52W Section 22	NW 1/4 SW 1/4	34 Acres
	NE 1/4 SW 1/4	34 Acres
	SE 1/4 SW 1/4	34 Acres
	SW 1/4 SW 1/4	34 Acres
	Total-----	136 Acres

(4) Pursuant to Section 46-5-30.1 Robert Endres of RR 4, Box 8, Watertown, SD 57201 the holder(s) and/or owner(s) of Incorporated Water Permit No. 2615A-3 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from groundwater (three wells) with a priority date of March 1, 1976 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 2615A-3 and subject to South Dakota State Law.



AUG 5 1992

JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

SOUTH DAKOTA
WATER PERMIT No. 2615A-3 FOR IRRIGATION

Date of first receipt of application June 2, 1991.

Date Soil/Water Compatibility Permit received March 17, 1976.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2615A-3 to Robert Endres, Rt. 4, Box 8, Watertown SD. 57201 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. 2615A-3 is for an additional well to irrigate acreage authorized by Water Permit No. 2615-3. Water Permit No. 2615-3 appropriates 2.23 cubic feet of water per second from one well located in the center of SW 1/4 Section 22; to irrigate 160 acres in the SW 1/4 Section 22; all in T116N-R52W. This permit is for one additional well 33 feet deep (Big Sioux-North Aquifer) located in the NW 1/4 SW 1/4 Section 22-T116N-R52W. No increase in the developed diversion rate or number of acres being irrigated is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - August 31.
3. The date from which applicant may claim right is March 1, 1976.
4. The date of approval of Permit No. 2615A-3 is September 4, 1991.
5. 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. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Land authorized for irrigation for the well authorized by Permit No. 2615A-3 is also irrigated under Water Right No. 2615-3 and Water Permit No. 5327-3. Combinations of diversion under these permits may not exceed the statutory limit of 1.0 cfs for each 70 acres of land to be irrigated.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

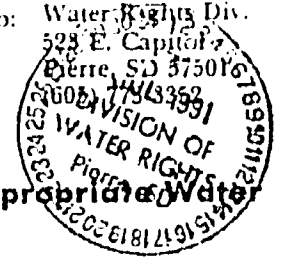
FEB 27 1992

date

(See instructions)

No. 2615A-3 Hydrologic Unit 10170201
Basin Big Sioux River
Newspaper Public Opinion, PO Box 10

(Daily) 57201-0100



Application For Soil/Water Compatibility Permit and Permit To Appropriated Water

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☒ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☒ Other see permit # 2615-3

1. Name of Applicant Robert L. Endres Phone No. _____
Post Office Address Route #4, Box 8, Watertown State South Dakota 57201
(Small text: (Street, RR or Box) (City) Zip Code)
2. Amount of water claimed (c.f.s.) no add'l Total acres irrigated no add'l
3. Source of Water supply well
4. Location of point of diversion Well #1 990' East and 1060' South of W1/4 corner
Section 22-T116N-R52W (NW1/4 SW1/4)
County Codington
5. Counties where water will be used Codington
6. Annual period during which water is to be used May 1 - August 31
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
NW1/4 SW1/4	34
NE1/4 SW1/4	34
SE1/4 SW1/4	34
SW1/4 SW1/4	34

Land Description	No. Acres Irr.

All in Section 22-T116N-R52W (Attach sheet if more space is needed)

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: ☒ Gun: _____ Other: _____
9. Crops to be Irrigated: Corn
10. Give a description of proposed project. (Attach sheet if more space is needed)
Acreage covered by Permit No. 2615-3

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Codington)^{ss}

I, Robert L. Endres, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Robert L. Endres

Subscribed and sworn to before me this 1 day of July 19 91

Charles H. Hagan
Notary Public
Commission Expires 5-22-92

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 15" Depth 31'
- b) Casing Type galvanneal Diameter 15' Thickness 1/4"
- c) Screen Type Stainless Diameter 15" Thickness 3/16"
- d) Gravel Pack Thickness 12" Length of Gravel Pack 27'
- e) Depth to Top of Water Bearing Material 7'
- f) Depth to Water (ground surface to water level) 10'
- g) Distance to nearest existing domestic well:
- On applicants property 3 1/2 mi On property owned by others 1/2 mi

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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 _____

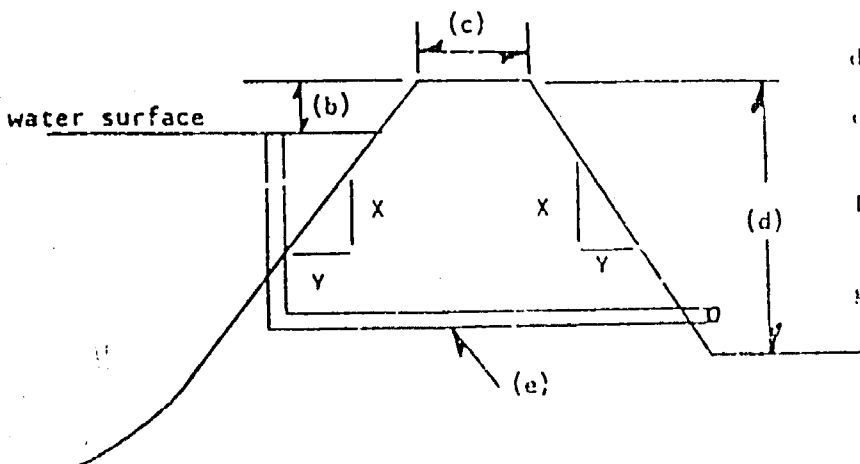
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ (in feet)

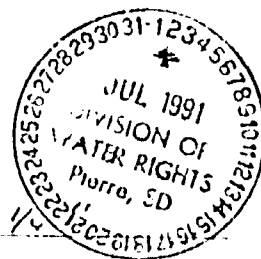
Drainage area above dam _____



Signature of Applicant

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 15" Depth 25'
- b) Casing Type Plastic Diameter 15" Thickness 1/2"
- c) Screen Type Slotted Diameter 15" Thickness 3/16"
- d) Gravel Pack Thickness 30' 15' Length of Gravel Pack 20'
- e) Depth to Top of Water Bearing Material 6'
- f) Depth to Water (ground surface to water level) 17'
- g) Distance to nearest existing domestic well _____
- On applicants property 3 1/2 mi On property owned by others 1/2 mi

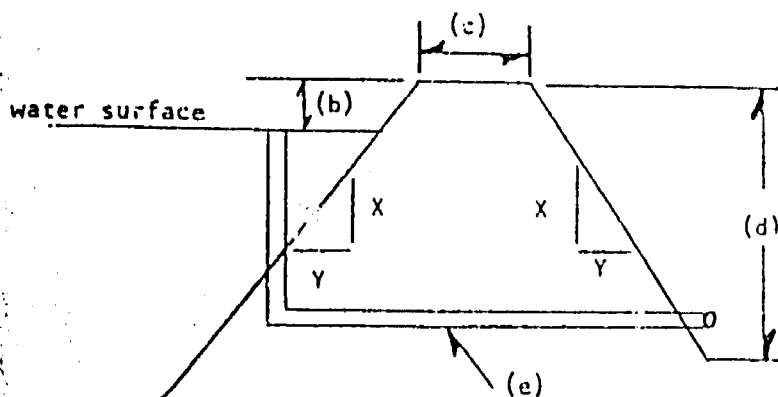
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- b) Depth to water (ground surface to water level) _____

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If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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) Freboard _____

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 _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____

Signature of Applicant _____

APPLICATION ON WATER PERMIT APPLICATION NOS. 5562-3 AND 2615A-3
ROBERT ENDRES
JULY 26, 1991

Application No. 2615A-3 proposes to add one additional well to irrigate acreage authorized by Water Permit No. 2615-3. Water Permit No. 2615-3 appropriates 2.23 cubic feet of water per second (cfs) from one well located in the center of SW 1/4 Section 22; to irrigate 160 acres in the SW 1/4 Section 22; all in T116N-R52W. This application is for one additional well 33 feet deep located in the NW 1/4 SW 1/4 Section 22-T116N-R52W. No increase in the developed diversion rate or number of acres being irrigated is authorized by this application.

Application No. 5562-3 is to appropriate 0.82 cfs from one additional well to irrigate acreage authorized by Water Permit No. 3742-3 and to correct the location of the existing well. Water Permit No. 3742-3 appropriates 2.2 cfs to irrigate 160 acres in the NW 1/4 Section 22-T116N-R52W. An inspection of this permit found 2 wells, 29 feet and 38 feet deep, capable of diverting 1.66 cfs irrigating 136 acres in the NW 1/4 Section 22-T116N-R52W. The correct location of the two wells is the NE 1/4 NW 1/4 and the SE 1/4 NW 1/4 Section 22-T116N-R52W. No increase in the number of acres being irrigated is authorized by this application.

Aquifer - Big Sioux - North (BS-N)

The BS-N aquifer consists of poorly to well-sorted surficial outwash that ranges from medium sand to medium gravel; it generally is less than 10 feet below land surface. The one well log obtained for this permit indicates gravel from 3 to 24 feet below the surface. The aquifer is limited to the flood plain of the Big Sioux River and its tributaries, and is underlain by till. The BS-N underlies 150 square miles of Grant and Codington Counties (Hansen, 1990). The BS-N aquifer contains 151,130 acre-feet of recoverable water in Codington County (Hedges, 1982). Whereas, the BS-N contains an estimated 350,000 acre-feet for Grant and Codington Counties (Hansen, 1990). The BS-N aquifer is hydraulically connected to the Big Sioux River. The aquifer is also recharged by direct infiltration and subsequent percolation of rainfall and snowmelt.

The Division of Water Rights has two monitoring wells within one mile north and one mile south of these applications in the BS-N aquifer. These wells are CD-60D and CD-57B respectively. Water level measurements show the aquifer readily responds to precipitation. Water levels rise during wet years and decline during drought years (Buhler, 1990).

Review of Existing Water Rights/Permits

There are 8 irrigation, industrial, and rural water system permits within 3 miles of this application withdrawing from the BS-N aquifer. Interference should not be a problem due to the high production capacity of the aquifer.

Conclusions

1. The BS-N aquifer has available water.
2. The aquifer is under predominantly water table conditions and drawdowns will not be significant any distance from the production wells. Interference should not be a problem.
3. If this permit is approved, it should contain the following qualifications:
 - a. Subject to the water use questionnaire being submitted each year.
 - b. Permit Nos. 2615-3, 5327-3 and Application No. 2615A-3 combined can not exceed 1 cfs per 70 acres.
4. Well logs were not available to determine if well construction standards were met.
5. Water Permit No. 3724-3 and Application No. 5562-3 should be combined in one Water License for 1.66 cfs irrigating 136 acres of land.
6. Water Permit Nos. 2615-3, 5327-3, and Application No. 2615A-3 should be combined into one Water License for 1.94 cfs irrigating 136 acres of land.

Norma C. Job

NORMA C. JOB
Natural Resources Engineer I

Approved by

James A. Goodman

JAMES A. GOODMAN, P.E.
Natural Resources Engineer IV

References

- Buhler, Ken, 1990, Report on Application No. 5415-3, SD DENR, Division of Water Rights, Joe Foss Bldg., Pierre, SD 57501.
- Hansen, D. S., 1990, Water Resources of Codington and Grant Counties, South Dakota, Water-Resources Investigations Report 89-4147, USGS, Huron, SD 57350
- Hedges, L. S., 1982, Evaluation of groundwater Resources Eastern SD and the Upper Big Sioux River, South Dakota and Iowa, for the US Army Corps of Engineers, SD DENR - Division of Geologic Survey, Vermillion, SD 57069
- Water Rights, 1991, Observation Well Records for PCO Aquifer in Codington County, SD DENR, Division of Water Rights, Joe Foss Bldg., Pierre, SD 57501

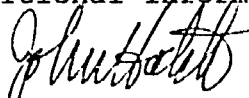
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2615A-3, Robert Endres

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2615A-3, Robert Endres, Rt 4, Box 8, Watertown, SD 57201.

The Chief Engineer is recommending APPROVAL of Application No. 2615A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) 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. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Land authorized for irrigation for the well authorized by Permit No. 2615A-3 is also irrigated under Water Right No. 2615-3 and Water Permit 5327-3. Combinations of diversion under these permits may not exceed the statutory limit of 1.0 cfs for each 70 acres of land to be irrigated.

See report on application for additional information.


JOHN HATCH, Chief Engineer
July 29, 1991



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

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

August 1, 1991

Robert Endres
Rt 4, Box 8
Watertown, SD 57201

Dear Mr. Endres:

Water Permit Application Nos. 5562-3 and 2615A-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Watertown Public Opinion printed at Watertown, SD. For your information, a copy of the notice, the recommendations of the Chief Engineer and a 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 to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has 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.

South Dakota

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

GREAT LACES GREAT PLACES.

August 1, 1991

Watertown Public Opinion
P.O. Box 10
Watertown, SD 57201-0010

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5562-3 and 2615A-3 to be published twice. Please publish the first notice on August 7, 1991 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Robert Endres, Rt 4, Box 8, Watertown, SD 57201.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

FIRST TRANSMITTAL NOTICE

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper

Instruction to Newspaper - Publish first Notice on August 7, 1991 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application Nos. 2615A-3 and 5562-3 to Appropriate Water

Notice is given that Robert L. Endres, Rt. 4, Box 8, Watertown, SD 57201 has filed an applications for water permits.

Water Permit Application No. 2615A-3 is for one additional well to irrigate acreage authorized by Water Permit No. 2615-3. Water Permit No. 2615-3 appropriates 2.23 cubic feet of water per second (cfs) from one well located in the center of SW 1/4 Section 22; to irrigate 160 acres in the SW 1/4 Section 22; all in T116N-R52W. This application is for one additional well 33 feet deep (Big Sioux-North Aquifer) located in the NW 1/4 SW 1/4 Section 22-T116N-R52W. No increase in the developed diversion rate or number of acres being irrigated is authorized by this application.

Water Permit Application No. 5562-3 is to appropriate 0.83 cfs from one additional well to irrigate acreage authorized by Water Permit No. 3724-3 and to correct the location of the existing well. Water Permit No. 3724-3 appropriates 2.2 cfs to irrigate 160 acres in the NW 1/4 Section 22-T116N-R52W. An inspection of this permit found 2 wells 29 feet and 38 feet deep (Big Sioux-North Aquifer) capable of diverting 1.66 cfs irrigating 136 acres in the NW 1/4 Section 22-T116N-R52W. The correct location of the two wells is the NE 1/4 NW 1/4 and the SE 1/4 NW 1/4 Section 22-T116N-R52W. No increase in the number of acres being irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 2615A-3 and 5562-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider these applications and the chief engineer will issue the permits as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

Any person interested in opposing or supporting these applications must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, 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 August 26, 1991. 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.

For purposes of publishing 1) the notice of hearing on Application Nos. 2615A-3 and 5562-3 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for September 4, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If these applications are opposed or the recommendation is contested, the September 4, 1991 hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The September 4, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by August 26, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to the applications or to assure access to the hearing by the handicapped.

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
 County Codington)

I, Monica K. Saathoff

certify that the attached printed Notice was
 from the Watertown Public Opinion

A newspaper which during the whole time of publication
 said notice herein after stated, has been and is printed
 published in the _____

_____ city _____ of Watertown,

County of Codington and State of South Dakota
 that the said notice was published in said newspaper on
 following two dates:

August 7th, 1991

August 14th, 1991

(Signature)

Bookkeeper

(Title)

August 14th, 1991

(Date Signed)

Cost of Printing: 162.42



For purposes of publishing 1) the notice of hearing on Application Nos. 2615A-3 and 5562-3 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for September 4, 1991, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, SD. If these applications are opposed or the recommendation is contested, the September 4, 1991 hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not

filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The September 4, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by August 26, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to the applications or to assure access to the hearing by the handicapped.

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

(August 7, 14, 1991)

APPLICATION

NOTICE OF HEARING ON
 APPLICATION NOS. 2615A-3
 AND 5562-3 TO
 APPROPRIATE WATER

Notice is given that Robert L. Endres, Rt. 4, Box 8, Watertown, SD 57201 has filed an application for water permits.

Water Permit Application No. 2615A-3 is for one additional well to irrigate acreage authorized by Water Permit No. 2615-3. Water Permit No. 2615-3 appropriates 2.23 cubic feet of water per second (cfs) from one well located in the center of SW 1/4 Section 22; to irrigate 160 acres in the SW 1/4 Section 22; all in T116N-R52W. This application is for one additional well 33 feet deep (Big Sioux-North Aquifer) located in the NW 1/4 SW 1/4 Section 22-T116N-R52W. No increase in the developed diversion rate or number of acres being irrigated is authorized by this application.

Water Permit Application No. 5562-3 is to appropriate 0.83 cfs from one additional well to irrigate acreage authorized by Water Permit No. 3724-3 and to correct the location of the existing well. Water Permit No. 3724-3 appropriates 2.2 cfs to irrigate 160 acres in the NW 1/4 Section 22-T116N-R52W. An inspection of this permit found 2 wells 29 feet and 38 feet deep (Big Sioux-North Aquifer) capable of diverting 1.66 cfs irrigating 136 acres in the NW 1/4 Section 22-T116N-R52W. The correct location of the two wells is the NE 1/4 NW 1/4 and the SE 1/4 NW 1/4 Section 22-T116N-R52W. No increase in the number of acres being irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 2615A-3 and 5562-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider these applications and the chief engineer will issue the permits as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

Any person interested in opposing or supporting these applications must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, 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 August 26, 1991. 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.

2615A-3
Permit No. 2615-3 - 5327-3

Big Sioux River Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Robert Endres
RR4 Box 2 of Water town, SD 57201 holder of
 Permit No. 2615-3, bearing the priority of March 1 76
5327-3 April 28 1989 authorizing
 the diversion of 1.34 cu. ft. per second of the waters of ground water
 for irrigation purposes, in Codington County.

I have to report on the conditions of the same as follows:

- A. Works used to divert the water: 3 wells
Wells #1 & 2 were submersible pumps capable of 375 gpm each
Well #3 75 HP - 12" Fairbanks Morse pump Model # D256TP12 capable of
375 gpm powered by an US Electric Motor Model # SK6234X H501A
 B. Works used to transport water to place of use:
#1 6" steel piping 530' in length
#2 10" PVC piping 530' in length
#3 10" PVC piping 70' in length
 C. Works used to apply water to beneficial use:
a Valley Electric center-pivot with 10 towers and an end gun.
the pressure is 22 psi at pivot. capable of 750 gpm

The system is in the following condition good

The points of diversion ^{are} located Well #1 990' East and 1060' South of the NW 1/4 corner
Well #2 925' East and 1320' South of the NW 1/4 corner Well #3 1390' East and
1250' South of the NW 1/4 corner Section 22-T116N-R52W
 The works are capable of diverting and conveying to the place of use 2.5 = 1.67 (center pivot)

cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: Section 22-T116N-R52W

NW 1/4 SW 1/4 - 34 Acres

NE 1/4 SW 1/4 - 34 Acres

SE 1/4 SW 1/4 - 34 Acres

SW 1/4 SW 1/4 - 34 Acres

comprising a total of 136 acres of land and the license should be issued for 1.94 ^{1.67 cfs} cfs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: * needs new permit to cover Well #1 Date 5/8/1991

* 2615A-3 - obtained for
 additional well.

Norma C. Rob
 (signature)

2615A-3 5/8/1991

LICENSE FOR PERMIT NUMBER 2615-3 + 5327-3

1. Legal location of wells: Well #1 + 2 NW 1/4 SW 1/4 + Well #3
NE 1/4 SE 1/4 to all in Section 22-T116N-R52W
 dams & structures: (None)

2. Well Information: Well Drilling Firm Well #1 Bullis Well #2 Kaiser Well #3 Riverside Colony
no log available

Completion Report Yes Y No N No. of Wells 3 Depth _____
 Casing a) diameter 16" 18" 16" Screen a) type _____
 b) length _____ b) length _____
 c) type Steel PVC Steel Static Water Level _____
 Pump a) make Submeribles Fairbanks Morse Motor a) make General Elect.
US Electric Motors
 b) model SN= N3A2807353X b) model No. SK6234XNR1A
 c) size _____ 12 M c) horsepower rating 20 75
 d) capacity 375 each gpm
 e) turbine pump - no. of stages 3
 f) operating PSI _____

3. Distribution lines or canals
 a) size 6" 10" 10"
 b) type Steel PVC PVC
 c) length 530' 530' 70'

4. Dam Information:
 a) height to crest _____ m) Outlet tubes:
 b) height to primary spillway _____ 1) diameter _____
 c) height to secondary spillway _____ 2) type _____
 d) crest width _____ 3) valved (Y/N) _____
 e) crest length _____ 4) valve type _____
 f) spillway length _____ 5) location on structure _____
 g) spillway width _____
 h) approx. storage _____ n) Category of Dam _____
 i) approx. storage to crest _____
 j) date constructed _____
 k) inspection sheet completed (Y/N) _____
 l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make Valley Electric
- 2) number of towers 10
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) Y
- 6) high or low pressure 20
- 7) make & size of nozzles _____
- 8) capacity (GPM) 750

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
☒	☐	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
☒	☐	2. Special qualifications to permit being abided by?
☒	☐	3. All structures, wells and lands on map?
☒	☐	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
☐	☒	5. Is chemigation used?
☐	☐	6. If yes, does equipment comply with chemigation rules?

REMARKS:

He has chemigated but because of the change for the zone of water protection, he wants be allowed to chemigate anymore

Water Rights Division - DWR
Conversation or File Documentation

File No. 5327-3
2615A-3

NAME OF PERSON OR FILE: Robert Endres

ADDRESS: _____ COUNTY Codington

DATE: 5/30/1991 TELEPHONE _____

RE: _____

COMMENTS:

Spoke with Mr. Endres and told him that
he must control his flowing well and cap^{or plug} his
open wells on his land. I noticed these
two items when I inspected his permits 3724-3
2615-3 & 5327-3 on 5/8/1991.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Virginia C. Sob

South Dakota

261511-3

copy

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

June 6, 1991

Robert Endres
RR4 Box 8
Watertown, SD 57201

Dear Mr. Endres:

Enclosed are the applications to correct your permits which I had inspected on May 5, 1991. Please complete the partially completed applications and sign them in the presence of a notary public. Return them to this office with the fee of \$150.00 for the correction of Permit No. 3724-3, and a fee of \$50.00 for the correction of Permit No. 2615-3 (\$200.00 total).

Upon receipt of these applications, we can continue the process of licensing your permits.

If you have any questions, feel free to contact me at (605) 773-3352.

Sincerely,

Norma C. Job
Natural Resources Engineer I

South Dakota

2615H-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

GREAT FACES. GREAT PLACES.

June 27, 1991

Riverside Colony
Attn: Sam Waldner
RR 1 Box 224
Huron, SD 57356

Mr. Waldner:

Currently, I am in the process of licensing some water permits. The final step is to obtain some well logs that your colony had drilled some years back for these permits. I'm looking for a well log located in the NE 1/4 for Section 8-T115N-R59W. This well belongs to the Clark Colony near Raymond, SD. The other well log is located in the NW 1/4 SW 1/4 of Section 22-T116N-R52W. This well belongs to Robert Endres of Watertown, SD.

The Division of Water Rights maintains a file for water wells that have been completed in the state. This office consider this geohydrologic information valuable. In past years, Riverside Colony has drilled a number of wells throughout the state. If possible, our office would like to obtain all the well construction information you have done and that you could provide to us.

If you can, please send the two specific well logs as soon as possible so that I can continue the process of licensing the water permits.

If you have any questions, feel free to contact me at (605) 773-3352.

Sincerely,

Norma C. Job
Natural Resources Engineer
Division of Water Rights

Water Rights Division - DMHR

File No. 2615-3
2615A-3

Conversation or File Documentation

NAME OF PERSON OR FILE: Robert Endres

ADDRESS: _____

COUNTY ColingtonDATE: 6/6/1991

TELEPHONE _____

RE: Seil/water permit

COMMENTS:

Spoke with Pete Tabraus about
the corrections made to permits 3724-3 + 2615-3.
Asked him if they would need a new water sample
from the wells and a slw permit. He said
that since the wells were within the 266' and
the same aquifer they didn't need to get involved
with it.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Norma C. Tob

Water Rights Division - DWR
Conversation or File Documentation

File No. 2615-3
0615H-3

NAME OF PERSON OR FILE: Robert Endres

ADDRESS: _____ COUNTY Codington

DATE: 5/30/1991 TELEPHONE _____

RE: _____

COMMENTS:

Spoke with Mr Endres and told him that he must control his flowing well and cap his ^{or plug} open wells on his land. I noticed these two items when I inspected his permits 3724-3 2615-3 & 5327-3 on 5/8/1991.

6/5/1991

Can't locate well log for well #2

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Norma C. Job



2615A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

FEB 27 1992

Robert Endres
Rt 4 Box 8
Watertown, SD 57201

Dear Mr. Endres:

Enclosed are Water Permit Nos. 2615A-3 and 5562-3 authorizing your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

The final inspection has been completed on these Permits, and we are ready to issue the Water Licenses. Statutes require we charge \$50 (each) for the inspection and issuance of the final papers. Upon receipt of \$100, the Water Licenses will be sent to you.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch", is written over a faint, larger version of the same signature.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, March 16, 1932

RECEIVED OF Willow Creek Dairy, Inc., (Robert Endres), Rt 4, Box 8, Watertown, SD 57201
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>26157-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	00

By [Signature]
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

AUG 5 1992

2615A-3

Robert Endres
RR 4, Box 8
Watertown, SD 57201

Dear Mr. Endres:

Enclosed is Water License No. 2615A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413124 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 2615A-3, 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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

enclosures

NOTE: The applicable portions of Water Permit Nos. 2615-3 and 5327-3 are incorporated into this Water License No. 2615A-3.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ July 2, 19 91

RECEIVED OF Willow Creek Dairy, Inc., Rt 4, Box 8, Watertown, SD 57201

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

Fee for Application for Permit No. 1458-9 to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years. _____

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____
(Any Other Work Provided by Law)

Total

50.00

5.00

By

John H. Hutton
Chief Engineer

1911
 1912

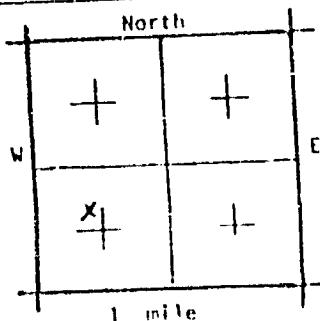
PLEASE COMPLETE
ENTIRE FORM

WELL DRILLERS REPORT
Division of Water Rights
Department of Water and Natural Resources

6/60

Well Owner: J. Bert Endrey
Name
Address 1644 Winton

Well Location:



County Codington
 & 1 & 2 Sec. 22 Twp. 116N Rg. 52W

Proposed Use:

☒ Domestic ☐ Municipal ☐ Test
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Method of Drilling: ☐ Forward Rotary ☒ Bored ☐ Jetted
☒ Reverse Rotary ☐ Cable ☐ Other

Well Construction:

Construction: 16"
Diameter of Hole: 16"

Water Level Information:

Static water level: 7 below land surface
If flowing: closed in pressure _____ PSI
rate of flow _____ GPM

Controlled by:

Controlled by: ☒ Valve ☐ Reducers ☐ Other

If other, specify

Well Test Data:

WBS NOT TEST
revised

17 Pumped

17 Bailed

Describe:

Other

Pumping Level Below Land Surface

ft. After	Hrs. Pumped	GPM
_____	_____	_____
_____	_____	_____
_____	_____	_____

Well Log

[illegible]

Was casing end left open

Was a well screen installed

Describe Well Screen

Diameter 16" Material Stainless

Slot size 100 Slit

Was well gravel packed

Was well grouted

Has water sample taken

Remarks:

Date Completed:

Driller:

Driller's or Firm's Name: Bullis Bros

44
License NO.

Water Town, S.D.A.
Address

Signed By Stacy Hamilton

5-8-82
Date



261517-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

January 29, 1993

NOTICE

TO:

CSS COMPANY
RR 3 BOX 138B
WATERTOWN, SD 57201

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Failure to Report Chemical Use under Water Permit No(s) 2615A-3

The first notice to file chemigation report(s) for Permit No(s) 2615A-3 was dated October 16, 1992. Our records indicate that we have not received the 1992 chemigation report for Permits No(s) 2615A-3. The Water Management Board has directed that owners of water permits who have not submitted the 1992 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 2615A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 3, 1993 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.

2615A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

January 29, 1993

NOTICE

TO: ROBERT ENDRES
PR #4 BOX 8
WATERTOWN SD 57201

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 2615A-3, 5327-3 & 5562-3

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 2615A-3, 5327-3 & 5562-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 2615A-3, 5327-3 & 5562-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2615A-3, 5327-3 & 5562-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.



2615A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 3, 1993

2615A-3
5327-3
5562-3

Robert Endres
RR #4 Box 8
Watertown, SD 57201

Dear Mr. Endres:

I am writing to acknowledge receipt of your 1992 irrigation questionnaires. You may disregard the January 29, 1993 Notice of Violation of Water Permit Nos. 2615A-3, 5327-3 and 5562-3.

The questionnaires were received prior to the Water Management Board Meeting and your name has been deleted from the agenda. If you have any questions, please contact me at (605) 773-3352.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

Genny McMath
Natural Resources Analyst
Water Rights Division



2615A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 6, 1993

No. 2615a-3

Robert Endres
CSS Company
RR 4 Box 8
Watertown, SD 57201

Dear Sir:

I am writing to acknowledge receipt of your phone call concerning the 1992 chemigation questionnaire. You may disregard the January 29, 1993 notice of "Failure To Submit Chemigation Questionnaire." I have filled out the questionnaire for permit No. 2615a-3 with the information you provided over the phone and your name is deleted from the Water Management Board agenda.

If you have any questions, please contact me at 605-773-3352.

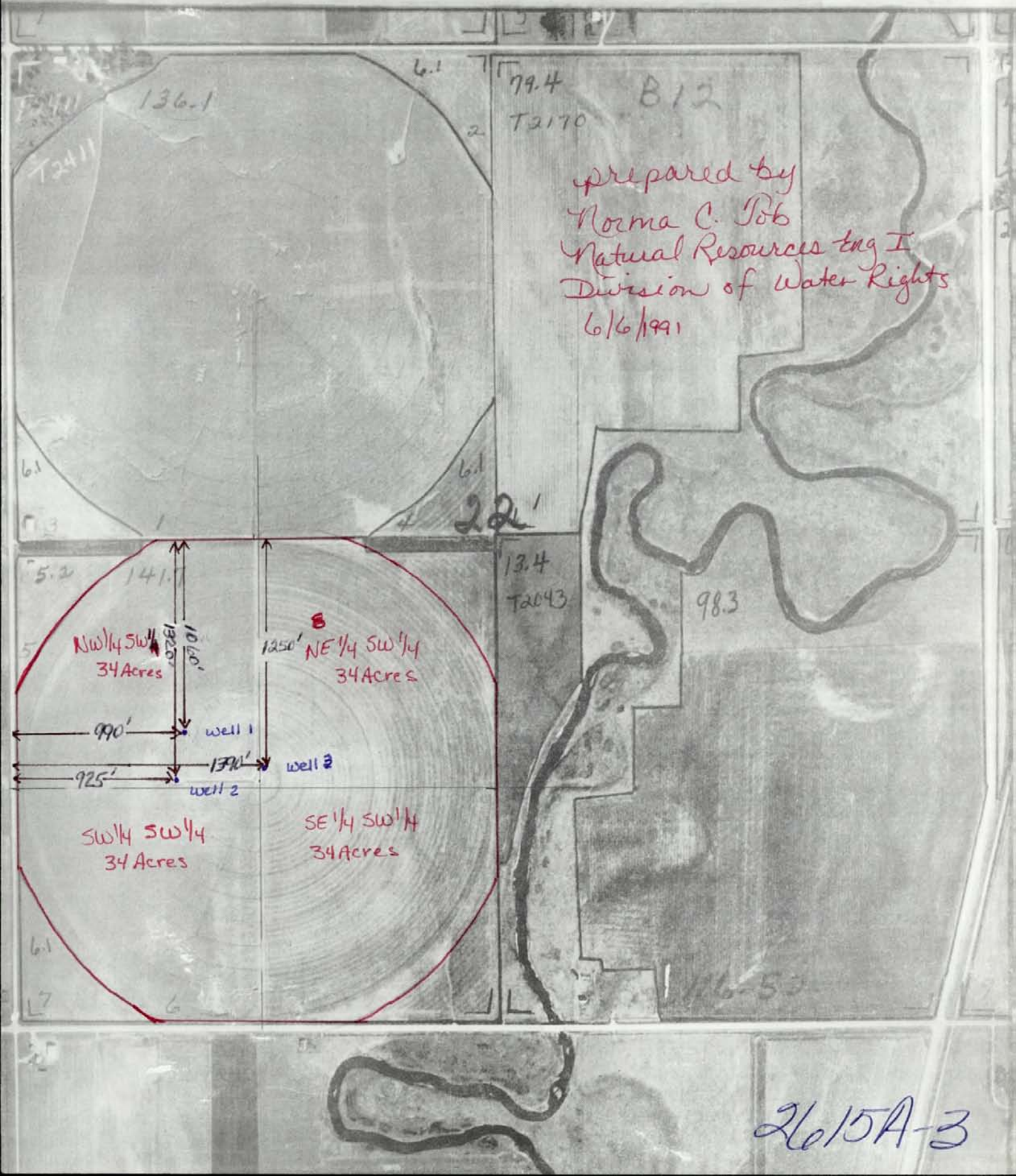
Sincerely,

Barry A. McLaury
Natural Resources Analyst
Water Rights Division

permit #2615-3 + 5327-3

Appl. No. 2615A-3

NOT TO SCALE



Water Rights Program - File Documentation

NAME: Bob Endres

ADDRESS: Watertown

DATE: 2-9-15 **COUNTY:** CD **TELEPHONE:** 605 881-3540

RE: Well completion reports

COMMENTS:

I talked with Bob Endres regarding the two well completion reports filed by LTP Enterprises, Inc. Mr. Endres stated the wells are replacement wells for the wells authorized by Water Right Nos. 5562-3 and 2615A-3.

The wells were drilled in April of last year, not 12-1-14 as stated on the form. Each well was drilled approximately 10 feet from the old well, approximately the same depth, and with no increase in the water being pumped.



Karen Schlaak
Water Rights Program

07-92

Date:

_____ NO. Why Not?

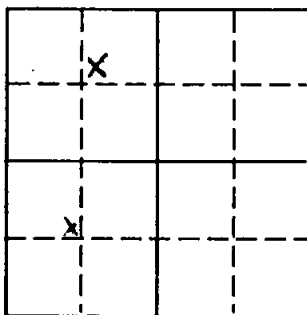
If pump installed, pump rate _____

Replacement SOUTH DAKOTA WATER WELL COMPLETION REPORT

2615A-3 5562-3

11-02

Location NE 1/4 NW 1/4 Sec 22 Twp 116-0 Rg 52-1
SW 1/4 - SW 1/4 22
 County Codington North



Please mark well location with an "X"

Well completion Date

10-24-15

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

? 72 m. ft. from cattle yard (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Bricket-False casing

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>2 1/2 LB/FT</u>	<u>14 IN</u>	<u>2 FT</u>	<u>21'4" FT</u>	<u>20 IN</u>
<u>2 1/2 LB/FT</u>	<u>14 IN</u>	<u>21'4" FT</u>	<u>20'9" FT</u>	<u>20 IN</u>

GROUTING DATA:

Grout Type Both wells No. of Sacks 10 Grout Weight 10 Lb/gal 0 Ft 6 Ft
Br. loc. site Lb/gal 10 Ft 8 Ft
 Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 14 Inches Length 12' 5-6' Feet

Material PVC CLASS 110

Slot Size 1/100 Set From 21'4" Feet to 33'4" Feet N

Other information 20'9 21'9 S

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?

Lab sample sent to for water quality analysis ☐ No, Why Not?

Imm.

Please return WHITE COPY to: DENR Water Rights

Well Owner: Robert Endos
 Business Name:
 Address: 2428 9th Ave SE
 City, State, Zip: Watertown SD 57201

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>0-1 Topsoil</u>	<u>0</u>	<u>4</u>
<u>1-7 Silty Sand</u>	<u>4</u>	<u>10</u>
<u>7-20 Medium Sand</u>	<u>10</u>	<u>19</u>
<u>20-30 Coarse Gravel</u>	<u>19</u>	<u>26'9"</u>
<u>30-33'1" Rocky</u>		
<u>31'21-8'</u>		
<u>31'21-10'5"</u>		

STATIC WATER LEVEL

8' 10'5" 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: Submersible pump

☐ Bailed

☐ Other

Pumping Level Below Land Surface

26' Ft. After 2 Hrs. pumped 700 GPM N

21'6" Ft. After 2 Hrs. pumped 1050 GPM S

If pump installed, pump rate: 1 GPM

REMARKS

RECEIVED

OCT 29 2015

WATER RIGHTS PROGRAM

This well was drilled under license # 111

And this report is true and accurate.

Drilling firm: 1 Acey Well Drilling Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 10-20-15

523 E Capitol Ave. Pierre SD 57501

2615A-3

Schlaak, Karen

From: Kilts, Whitney (DENR)
Sent: Thursday, June 28, 2018 3:29 PM
To: Gronlund, Eric; Schlaak, Karen
Cc: Mathiowetz, Adam (DENR)
Subject: Overspary report from summer help
Attachments: IMG_20180625_104235.jpg; IMG_20180625_103819.jpg

From the Watertown seasonal. I verified the GPS coordinates and the location description matched each other. The location and photo direction indicates that this is Water Right No. 2615A-3. Do you need me to make a map?

Thanks,

Whitney Kilts
SD DENR-Water Rights Program
605-773-3352

Robert Endres
2428 9th Ave SE
Watertown SD 57201



Irrigation Overspray Documentation

Date: 6-25-18 Time: 10:38

Take a picture with your tablet; try to show road and end of pivot.

Direction facing in picture: (N) E W S NW SW NE SE

Location (gps from tablet): 1/4 N of well CD-57B ← 44.838, -97.068

Location (nearest intersection & direction and distance): 457 & 176 1/4 mile N.

Can also take a screenshot of your map by pressing (at the same time) power and volume up and then attach screenshot to e-mail with picture (make sure your blue dot shows up in the correct location)

Windy: Yes

No

Date: _____ Time: _____

Take a picture with your tablet; try to show road and end of pivot.

Direction facing in picture: N E W S NW SW NE SE



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

2615A-3

June 29, 2018

Robert Endres
2428 9th Ave SE
Watertown SD 57201

Dear Mr. Endres:

On June 25, 2018, a staff member from the Department of Environment and Natural Resources (DENR) observed overspray from the irrigation system located in the SW 1/4 Section 22-T116N-R52W onto the adjacent north/south road (see attached photo). This irrigation system is covered by Water Right No. 2615A-3.

It is common for center pivots to have stops which are used to shut off the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to waste water or operate an irrigation system in violation of state water law, which includes end gun overspray upon lands, including roadways, not authorized by the water right. Application of water to a roadway or unauthorized lands is a waste and unreasonable use of water pursuant to SDCL 46-1-4.

If you don't believe this irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

A handwritten signature in black ink, appearing to read 'Eric Gronlund'.

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosure

Schlaak, Karen

From: Gronlund, Eric
Sent: Tuesday, July 24, 2018 12:55 PM
To: Schlaak, Karen
Subject: FW: phone message

Presume this is in response to our letter on overspray.

From: Murray, Vicki
Sent: Tuesday, July 24, 2018 12:07 PM
To: Gronlund, Eric
Subject: phone message

Robert Endres from Watertown called to apologize. He said he checked the system and it is now fixed. The end gun didn't shut off and he isn't out that way very often so hadn't noticed it. He again said to apologize and thank you for notifying him.

Vicki Murray, Executive Assistant
DENR
523 E. Capitol Avenue
Pierre, SD 57501
605.773.5559

581 NFE 114172510010/14/25
RETURN TO SENDER
CZECH, JIM M
PO BOX 786
WATERTOWN SD 57201-0786
RETURN TO SENDER

PAID

JUN 08 2026

Ck# 1110

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 2615A-3

Date: 6/4/2026

RECEIVED

JUN 09 2026

I/We request that Water Right/Permit No. 2615A-3 formerly owned by:
Robert Endres - Watertown SD

be transferred to:

OFFICE OF
WATER

New Owner Name: Theodore James Czech and Anna Nichole Czech
Address: 45767 177th St. mobile: 605-881-4802
City, State, Zip: Watertown, SD 57201 email: Theoczech@gmail.com

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

Sec 22-T116N-R52W
SW 1/4 - 136 acres

☒ I understand that the validity of Water Right/Permit No. 2615A-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Theodore Czech, the new owner, certify that the above information is true and correct.


(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

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

RECEIPT

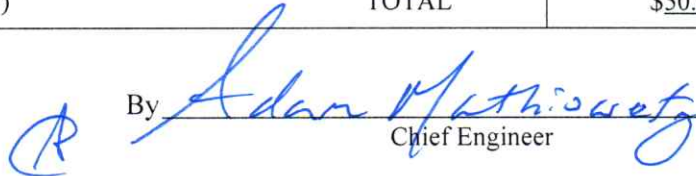
WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date June 08, 2026

RECEIVED OF Theodore James Czech & Anna Nichole Czech 45767 177th St Watertown, SD 57201

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>#2615A-3</u>	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$ <u>50.00</u>

By  Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 9, 2026

2615A-3

Theodore Czech & Anna Czech
45767 177th St
Dimock, SD 57331

Dear Czech Family:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the fee you submitted for Water Right No. 2615A-3, enclosed is a \$50.00 receipt of payment for your records.

Water Right No. 2615A-3, previously held by Robert L Endres, is now listed under Theodore James Czech & Anna Nichole Czech. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Permit/License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Permit/License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right No. 2615A-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures