

WATER PERMIT NO. 3268C-3

Name of Applicant: Huron Colony

Address: 40068 Huron Colony Lane, Huron SD 57350

Phone: 605 352-5647

Amount of Water Claimed: 1.56 cfs (no add'l)

Total Acres: 113 acres (no additional)

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Beadle

Type of Waste Disposal System:

Location: 14 miles north of Huron

PRIORITY Date Received: 6-20-06

Application/License Fee: \$50

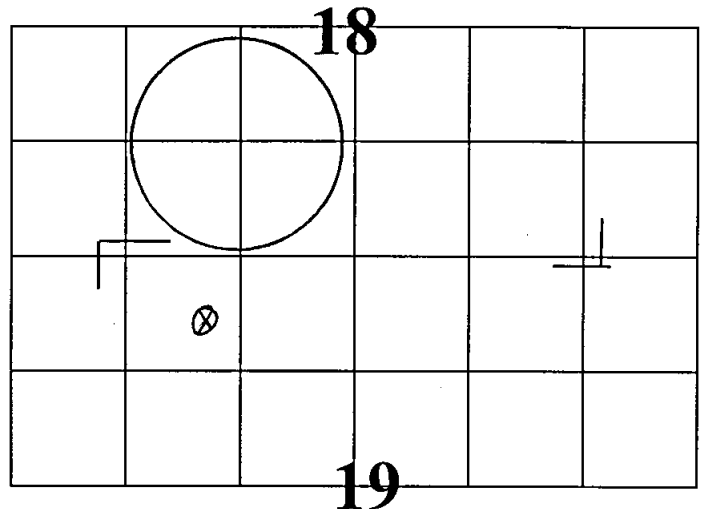
Corrected Application Received:

Period of Annual Use: May 1 – August 31

Remarks: Changes acres authorized by No. 3268B-3 from NW ¼ Sec 19 to the SW ¼ Sec 18; all in T113N-R61W

Diversion Point: NW ¼ NW ¼ Sec 19-T113N-R61W

Land to be Irrigated: SW ¼ Sec 18-T113N-R61W



Depth of Well:

Well Driller: :

Remarks:

Type of Map: aerial

Prepared by: Eric Gronlund

Reviewed and the Number Assigned on: 6-21-06

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

RECEIVED

JUN 20 2006

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>3268C-3</u>	Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>	
	Newspaper <u>The Plainsmen, Huron</u>	

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 3268B-3
 (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

Change acres to a different quarter section

- Name of Applicant Huron Colony Phone 352-5647
 (check one) ☐ Owner ☐ Tenant/lessee
 Mailing Address 40068 Huron Colony Lane Huron State SD 57350
 (Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.560 *CFS or **GPM ***AF Total Acreage 113
 (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Tulare:East James Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Beadle
NW 1/4 NW 1/4 Section 19, T113N, R61W
- County or counties where water will be used Beadle
- Annual period during which water is to be used May 1 - August 31
- 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 SW 1/4 Section 18, T113N, R61W	28		
NE 1/4 SW 1/4 Section 18, T113N, R61W	28		
SW 1/4 SW 1/4 Section 18, T113N, R61W	28		
SE 1/4 SW 1/4 Section 18, T113N, R61W	29		

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

Plan to change acres from the NW1/4 Section 19, T113N, R61W to the SW 1/4 Section 18, T113N, R61W to better be able to manage our irrigation systems. No increase in the number of acres or diversion rate are authorized.

STATE OF SOUTH DAKOTA) SS
 County of Hughes)

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

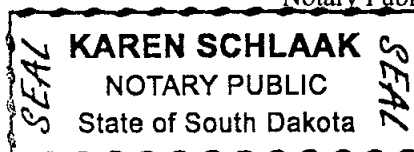
I, Sam Waldner, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Sam Waldner

Subscribed and sworn to before me this 20th day of June 20 06

Karen Schlaak

Notary Public signature



My Commission Expires
April 1, 2007

SOUTH DAKOTA
WATER PERMIT NO. 3268C-3

Date of first receipt of application June 20, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 3268C-3 to Huron Colony, 40068 Huron Colony Lane, Huron SD 57350 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. 3268C-3 amends Water Permit No. 3268B-3 by transferring the irrigated acreage to other land. Water Permit No. 3268B-3 appropriates 1.56 cubic feet of water per second (cfs) from one well located in the NW ¼ NW ¼ Section 19-T113N-R61W to irrigate 113 acres located in the NE ¼ Section 24-T113N-R62W. This permit authorizes moving the center pivot approximately ½ mile to the northeast to irrigate 113 acres located in the SW ¼ Section 18-T113N-R61W. The water source for this irrigation system is the Tulare:East James Aquifer and no increase in the diversion rate or number of acres 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 October 29, 1976.
4. The date of approval of Permit No. 3268C-3 is September 25, 2006.
5. One-fifth of the construction is to be completed on or before March 25, 2009.
6. All construction is to be completed on or before September 25, 2011.
7. Water is to be put to beneficial use on or before September 25, 2015.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. 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

NOV 01 2006

date



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date June 20, 2006

RECEIVED OF Huron Colony, 40068 Huron Colony Lane, Huron SD 57350

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

Fee for Application for Permit No. <u>3268C-3</u> to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
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	50.00

No.

03494

By

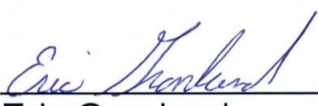
Darland Ebel
Chief Engineer
gm

Water Permit Application to Amend Water Permit No. 3268B-3



Irrigate from the existing Tulare:East James Aquifer well located in the NW 1/4 NW1/4 Section 19 to now irrigate the SW 1/4 Section 18, T113N, R61W. This is a change of acres with no increase in diversion rate or number of acres irrigated.




Eric Gronlund
Water Rights Program, DENR

REPORT ON WATER PERMIT APPLICATION NO. 3268C-3
For Huron Colony
August 3, 2006

Application No. 3268C-3 proposes to amend Water Permit No. 3268B-3 by transferring the irrigated acreage to other lands. Water Permit No. 3268B-3 appropriates 1.56 cfs from one well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 19, T113N R61W to irrigate 113 acres located in the NE $\frac{1}{4}$ of section 24, T113N R62W. This permit application proposes moving the center pivot approximately $\frac{1}{2}$ mile to the northeast and to irrigate 113 acres located in the SW $\frac{1}{4}$ of section 18, T113N R61W in Beadle County. The water source for this permit remains the same, the well location remains the same and the diversion rate and the number of acres irrigated remain the same.

AQUIFER – TULARE EAST JAMES (T-EJ)

The Tulare East James is a surficial outwash (sand and gravel) in this area and is under water table conditions. The aquifer underlies 23,200 acres and contains an estimated 132,000 acre feet of recoverable water in storage in Beadle County (Hedges, 1982). Ground water movement is from northeast to southwest and towards the James River in this area (Hedges, 1982). The aquifer extends into Spink County to the north where the aquifer underlies a much larger area and contains far more water in storage. New permit applications for water from the Tulare East James aquifer have been denied because of water availability issues. The Water Management Board has determined that the Tulare East James is fully appropriated based upon water use (May 3, 2006 and July 12, 2006 Water Management Board Hearings).

This application simply requests a transfer of authority to new lands. In fact, this is the third time in three years for a transfer request involving this water right. This involves water permit Nos. 3268A-3, 3268B-3 and now 3268C-3. The location of the well remains the same the diversion rate remains the same and only the location of the irrigated lands change.

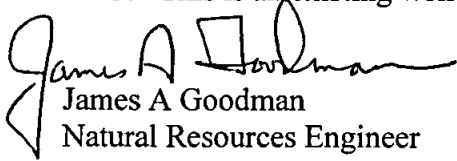
The Water Rights Program monitors an observation well BD-77I located about two miles northeast of this application. Water levels for this show good response to climatic conditions that is, rising water level during wet years (recharge) and gradually declining water levels during dry years. In general, the water level records do not show significant effects of pumping (Water Rights, 2006). A hydrograph for observation well BD-77I is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing water permit No. 6431-3 located about $\frac{1}{2}$ mile to the northwest of this application. Interference is not a concern. At this distance the two irrigation wells will be far enough apart and the diversion rates are small enough to minimize any potential impacts of drawdown.

CONCLUSIONS

1. The source of water for this application is the Tulare East James aquifer.
2. This aquifer has been declared to be fully appropriated by the Water Management Board.
3. Since this application is simply a transfer of an existing water right with no changes in diversion rate or acreage irrigated this application can be approved. This is the third request for a transfer concerning this water right in the last three years.
4. This proposed change will not increase the potential for well interference.
5. This is an existing well and very little is know about the well construction.

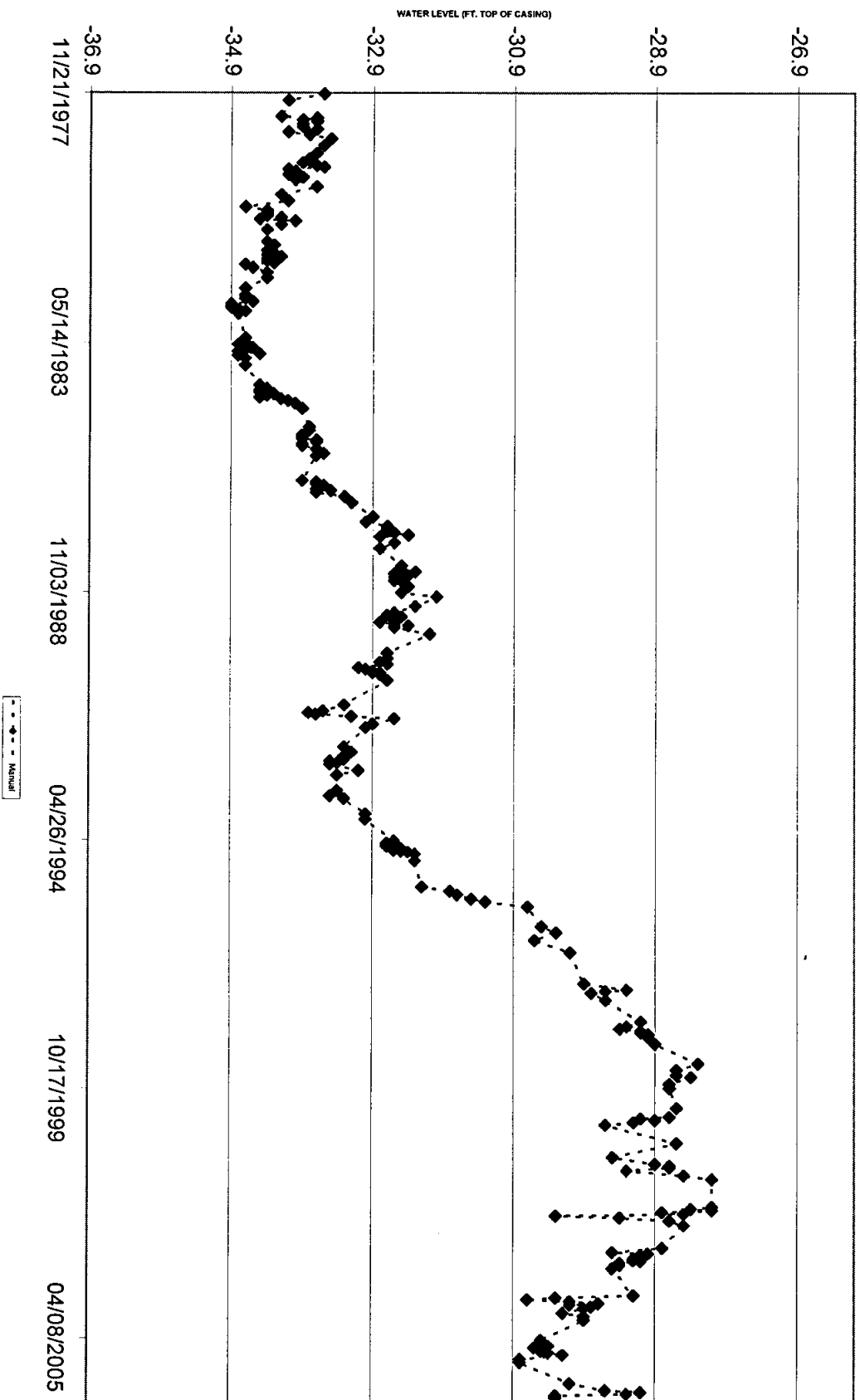

James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S, and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2006, Unpublished Observation Well Records for the Tulare East James Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
BD-771**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 3268C-3, Huron Colony**

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. 3268C-3, Huron Colony, c/o Sam Waldner, 40068 Huron Colony Lane, Huron SD 57350.

The Chief Engineer is recommending APPROVAL of Application No. 3268C-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) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. 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
August 25, 2006

PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

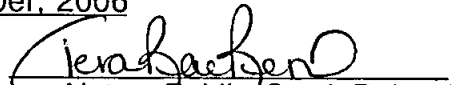
I, Kristie Kahre, being duly sworn on oath, say that THE PLAINSMAN is a daily paper published at Huron, Beadle County, South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am Legal Advertising Coordinator of said newspaper and know the facts herein state. The annexed notice headed:

Huron Colony (DENR) – Appl 3268C3 & 6614A-3 Water

Was published for Two days, once each week, on the same day, in said newspaper, and not in any supplement of the said 6th day of September, 2006 and the last publication was on the 13th day of September, 2006. That the full amount of the fee charged for publishing is Eighty Two 92/00 Dollars insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division there of has been made with any other person, and that no part there of has been agreed to be paid to any person whom so ever.



Subscribed and sworn to before me this 15th day of September, 2006


Notary Public, South Dakota

My term expires 08/ 27/ 2010

Legal # 310

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SEP 15 2006

WATER RIGHTS
PROGRAM

F.P. 9-6-06 L.P. 9-13-06

NOTICE OF APPLICATION NOS. 3268C-3 and 6614A-3 to Appropriate Water

Notice is given that Huron Colony, c/o Sam Waldner, 40068 Huron Colony Lane, Huron SD 57350 has filed the following applications to irrigate the same lands from two different water sources.

Application No. 3268C-3 proposes to amend Water Permit No. 3268B-3 by transferring the irrigated acreage to other land. Water Permit No. 3268B-3 appropriates 1.56 cubic feet of water per second (cfs) from one well located in the NW 1/4 NW 1/4 Section 19-T113N-R61W to irrigate 113 acres located in the NE 1/4 Section 24-T113N-R62W. This permit proposes moving the center pivot approximately 1/2 mile to the northeast to irrigate 113 acres located in the SW 1/4 Section 18-T113N-R61W. The water source for this irrigation system is the Tulare:East James Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application.

Application No. 6614A-3 proposes to amend Water Permit No. 6614-3 by changing the point of diversion and transferring the irrigated acreage to other land. Water Permit No. 6614-3 appropriates 1.89 cfs from the James River located in the SW 1/4 SE 1/4 Section 24 to irrigate 132 acres located in the S 1/2 NE 1/4, SE 1/4 Section 24; all in T113N-R62W. This permit proposes moving the center pivot approximately 1/2 mile to the northeast to irrigate 132 acres located in the SW 1/4 Section 18-T113N-R61W. The James River diversion point will be relocated to the NE 1/4 NW 1/4 Section 24-T113N-R62W. No increase in the diversion rate or number of acres irrigated is authorized by this application.

State Law (SDCL46-5-34) allows an irrigation water right to be severed from one parcel of land and simultaneously transferred to another parcel if it is impractical to use all or any part of the water beneficially or economically for irri-

gation on the current land. Mr. Waldner indicates better management of the irrigation systems as the justification for the request to change of locations.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 3268C-3 and 6614A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 25, 2006.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications.

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

No. 310 (adv.)

Instruction to Newspaper - Publish first Notice on September 6, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 3268C-3 and 6614A-3 to Appropriate Water

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Application No. 6614A-3 proposes to amend Water Permit No. 6614-3 by changing the point of diversion and transferring the irrigated acreage to other land. Water Permit No. 6614-3 appropriates 1.89 cfs from the James River located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24 to irrigate 132 acres located in the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 24; all in T113N-R62W. This permit proposes moving the center pivot approximately $\frac{1}{2}$ mile to the northeast to irrigate 132 acres located in the SW $\frac{1}{4}$ Section 18-T113N-R61W. The James River diversion point will be relocated to the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24-T113N-R62W. No increase in the diversion rate or number of acres irrigated is authorized by this application.

State Law (SDCL46-5-34) allows an irrigation water right to be severed from one parcel of land and simultaneously transferred to another parcel if it is impractical to use all or any part of the water beneficially or economically for irrigation on the current land. Mr. Waldner indicates better management of the irrigation systems as the justification for the request to change of locations.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 3268C-3 and 6614A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

August 28, 2006

The Plainsman
PO Box 1278
Huron SD 57350-1278

ATTENTION: Legal Public Notice

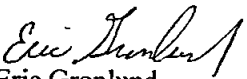
Enclosed is a Notice on Application Nos. 3268C-3 & 6614A-3 to Appropriate Water to be published twice. Please publish the first notice on September 6, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

Please BILL the APPLICANT for the cost of publication. The APPLICANT is Huron Colony, % Sam Waldner, 40068 Huron Colony Lane, Huron SD (Ph # 605-352-5647).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** 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

-----CUT HERE-----

Nos. 3268C-3 & 6614B-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of August 28, 2006 enclosing Notice to Appropriate Water by Application Nos. 3268C-3 & 6614B-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

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

August 28, 2006

Huron Colony
% Sam Waldner
40068 Huron Colony Lane
Huron SD 57350

Dear Mr. Waldner:

Water Permit Application Nos. 3268C-3 & 6614A-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Plainsman printed at Huron, SD (Ph # 605-352-6401). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and the reports on the applications 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 and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. 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 applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, 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 applications.



NOV 01 2009

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

Huron Colony
% Sam Waldner
40068 Huron Colony Lane
Huron SD 57350

Dear Mr. Waldner:

Enclosed is Water Permit No. 3268C-3 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



3268C-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

AUG 17 2015

Huron Hutterian Brethren
c/o Marvin Wollman
40068 Huron Colony Lane
Huron SD 57350

Dear Mr. Wollman:

Enclosed are Water Permit Nos. 7369A-3, 7369B-3 and 7369C-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10's, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses may be issued, thus completing the acquisition of a water right.

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

Sincerely,

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

Note: Water Permit No. 7369A-3 incorporates Water Permit No. 3268C-3.
Water Permit No. 7369B-3 incorporates Water Permit No. 6431A-3.
Water Permit No. 7369C-3 incorporates Water Permit No. 7368-3.

enclosures

SOUTH DAKOTA
WATER PERMIT NO. 7369A-3 FOR IRRIGATION

Date of first receipt of application February 17, 2015.

The Water Management Board approved Water Permit No. 7369A-3 on May 7, 2015 for Huron Hutterian Brethren, c/o Marvin Wollman, 40068 Huron Colony Lane, Huron SD 57350 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. 7369A-3 transfers 45 acres and 0.22 cubic feet of water per second (cfs) (100 gallons per minute) of diversion rate authority from Water Permit No. 7369-3 to a new location. Water Permit No. 3268C-3 appropriates 1.56 cfs from one well (Tulare:East James Aquifer) located in the NW 1/4 NW 1/4 Section 19 to irrigate 113 acres located in the SW 1/4 Section 18; all in T113N-R61W. The permit holder will replace the existing irrigation system authorized by No. 3268C-3 located in SW 1/4 Section 18 with a cornering irrigation system capable of irrigating 158 acres at a diversion rate of 1.78 cfs (800 gpm). The 45 acres and 0.22 cfs diversion authority are being transferred to the SW 1/4 Section 18, T113N, R61W to provide for the upgrade to the irrigation system. This permit also changes the location of the well authorized by Water Right No. 3268C-3 from the NW 1/4 Section 19 to the approximate center of the SW 1/4 Section 18-T113N-R61W. No increase in the diversion rate or number of acres irrigated is authorized by permit. This permit will allow for diversion of 1.78 cfs to irrigate 158 acres in the described locations.
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 dates from which applicant may claim right are May 31, 2012 for irrigation of 45 acres and 0.22 cfs (original 1.56 cfs to irrigate 113 acres retains October 29, 1976 priority date established by Permit No. 3268C-3).
4. One-fifth of the construction is to be completed on or before November 7, 2017.
5. All construction is to be completed on or before May 7, 2020.
6. Water is to be put to beneficial use on or before May 7, 2024.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7369A-3 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.
4. Water Permit No. 7369A-3 incorporates Water Permit No. 3268C-3.

WATER MANAGEMENT BOARD

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

AUG 17 2015

date

