

C
WATER PERMIT NO. 4586B-3

Name of Applicant: St. Clair Ranch c/o William St. Clair

Address: 37644 184th St, Tulare SD 57476 Phone: 605 450-0080

Amount of Water Claimed: no additional Total Acres: no additional

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Spink

Type of Waste Disposal System:

Location: 4 miles northwest of Doland

PRIORITY Date Received: 1-23-13 Application/License Fee: \$ 300

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

Remarks: transfer acreage authorized by 4586A-3 and drill an add'l well

Diversion Point: W 1/2 NE 1/4 Sec 17-T117N-
R61W

Land to be Irrigated: NE 1/4, E 1/2 NW 1/4 Sec
17-T117N-R61W

Depth of Well: 60 feet deep

Well Driller: Pullman Drilling

Remarks:

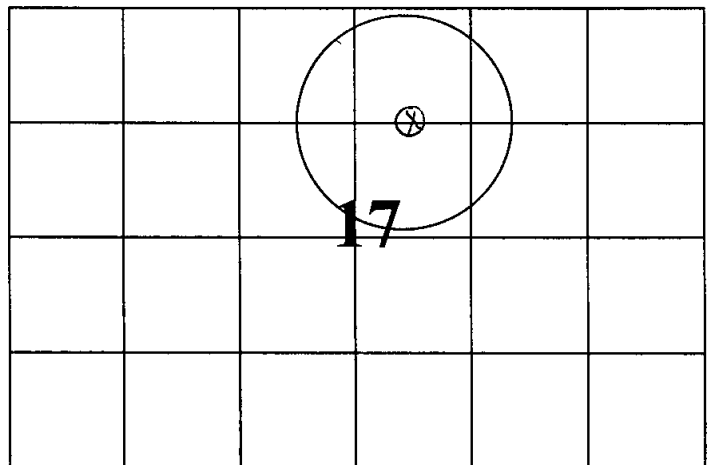
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 1-23-13

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



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

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>4586C-3</u>	(office use only) Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>	<u>605-472-0822</u>
	Newspaper <u>Redfield Press Box 440 57469</u>	<u>605-352-6401</u>
	<u>Plainsmen PO Box 1278 Huron 57350</u>	

RECEIVED
JAN 23 2013
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 4586A-3
(Use predates Mar 2, 1955)

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

TRANSFER 132 AC. IN THE N 1/2 OF SEC. 28-117-61 UNDER WR 4586A-3 TO PORTIONS OF THE N1/2 OF S17-117-61. DRILL AN ADD'L WELL. 2 WELLS WILL SUPPLY 2 PIVOTS ON AN ALTERNATING BASIS

1. Name to Appear on Irrigation Permit ST CLAIR RANCH

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

(name and complete address if different than above name)

Mailing Address 37644 184TH ST. TULARE SD 57476
(Address) (City) (State) (Zip Code)

Home Phone 605-596-4262 Cell 605-450-0080 Email wilm_stclair@yahoo.com

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

3. Source of water supply NEW WELL

4. Location of point of diversion APPOX. CENTER OF 240 ACRES IN THE NE 1/4 & THE E 1/2 OF NW 1/4
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

OF SEC 17-117-61 PRAIRE CENTER TOWNSHIP County SPINK

5. County or counties where water will be used SPINK

6. Annual period during which water is to be used APRIL THROUGH SEPTEMBER

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

Land Description	Acres	Land Description	Acres
NE1/4 AND THE EAST 1/2 OF THE NW 1/4 OF SEC. 17-117-61	132		

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

THE EXISTING WELL UNDER WR.4586A-3 WILL CONTINUE TO BE USED ON ONLY THE NW 1/4 OF SEC 21-117-61 AND ON AN ALTERNATING BASIS WITH THE NEW WELL ON THE NE 1/4 AND THE EAST 1/2 OF NW 1/4 OF SEC. 17-117-61

I, William F St Clair, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

**SOUTH DAKOTA
WATER PERMIT NO. 4586C-3**

Date of first receipt of application January 23, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 4586C-3 to St. Clair Ranch, 37644 184th St, Tulare SD 57476 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. 4586C-3 amends Water Right No. 4586A-3 by transferring the irrigated acreage and diversion authority to other land and drilling an additional well. Water Permit No. 4586A-3 authorizes 1.70 cubic feet of water per second from one well located in the SW 1/4 NW 1/4 Section 28 to irrigate 264 acres located in the NW 1/4 Section 21 and portions of the NW 1/4, W 1/2 NE 1/4 Section 28; all in T117N-R61W. This permit authorizes moving the pivot located in the NW 1/4, W 1/2 NE 1/4 Section 28 to the NE 1/4, E 1/2 NW 1/4 Section 17-T117N-R61W. This permit authorizes the construction of an additional well to be completed into the Tulare:East James Aquifer (60 feet deep) located in the center of the W 1/2 NE 1/4 Section 17 for irrigation of 132 acres located in the NE 1/4, E 1/2 NW 1/4 Section 17; all in T117N-R61W. No increase in the diversion rate or number of acres irrigated is authorized by this permit. The NW 1/4 Section 21 will continue to be irrigated from the well in the SW 1/4 NW 1/4 Section 28. Combined diversions from the two wells may not exceed 1.70 cfs.
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 – September 30.
3. The date from which applicant may claim right is August 18, 1976.
4. The date of approval of Permit No. 4586C-3 is April 15, 2013.
5. One-fifth of the construction is to be completed on or before October 15, 2015.
6. All construction is to be completed on or before April 15, 2018.
7. Water is to be put to beneficial use on or before April 15, 2022.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 4586C-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.

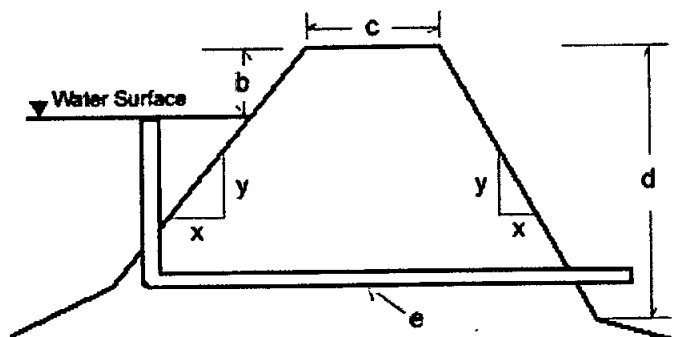
WATER MANAGEMENT BOARD

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

JUN 19 2013

date





USDA United States Department of Agriculture
Natural Resources Conservation Service

Web Soil Survey

Contact Us | Download Soils Data | Archived Soil Surveys | Soil Survey Status | Glossary | Preferences | Link | Logout | Help

Area of Interest (AOI) | Soil Map | Soil Data Explorer | Shopping Cart (Free)

Area of Interest Interactive Map

View Extent | Contiguous U.S. | Scale (Not to Scale)



Search

Area of Interest

Import AOI

Quick Navigation

Address

State and County

Soil Survey Area

Latitude and Longitude

PLSS (Section, Township, Range)

View

State South Dakota

Principal Meridian Fifth Principal

View Meridian Map

Section 17

Township 117

North

South

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 30 Twp 117 Rg 61County
Spink

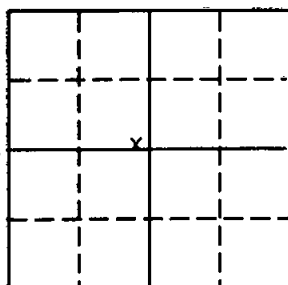
North

Please mark well
location with an "X"

W

Y

E



Well Completion Date

1/4/2012

1 Mile

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

? ft. from _____ (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
	3.00	0.0	40.0	5.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	0.0 Ft	40.0 Ft
Vol Clay	3			

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ Manufactured
Diameter 3.00 Inches Length 20.0 FeetMaterial PVC
Slot Size 0.057 Set From 40.0 Feet to 60.0 Feet
Other information _____WAS A PACKER OR SEAL USED? ☒ Yes ☐ NoIf so, what material? PeaRock

Describe packer(s) and location

500# 40-60

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How? _____☐ No, Why Not? _____
Lab sample sent to for
water quality analysisWell Owner: Bill St Clair

Business Name: _____

Address: 37644 184th StCity, State, Zip: Tulare SD 57476

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay w/ Sand Streaks	0	20
Med Yellow Sand	20	30
Coarse Grey Sand	30	38
Blue Clay	38	40
Fine Grey Sand	40	45
Med to Coarse Grey Sand	45	60

STATIC WATER LEVEL _____ FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: _____
☐ Bailed
☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

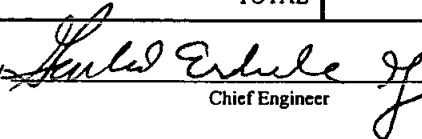
Date 1/23, 20 13

RECEIVED OF St Clair Ranch Partnership 37644 184th St Tulare SD 57486

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

Fee for Application for Permit No. <u>4586C-3</u> to Appropriate Water, to construct and to put water to beneficial use	100	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4586C-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300 00

No. 0599c

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4586C-3, St Clair Ranch**

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. 4586C-3, St Clair Ranch, c/o William St. Clair, 37644 184th Street, Tulare SD 57476.

The Chief Engineer is recommending APPROVAL of Application No. 4586C-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. The new well authorized by Permit No. 4586C-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.

See report on application for additional information.

Garland Erbele, Chief Engineer
March 26, 2013

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 4586C-3
ST. CLAIR RANCH
MARCH 12, 2013

Water Permit No. 3103-3 was approved December 21, 1976, authorizing diversions at a maximum rate of 1.7 cubic feet of water per second to irrigate 120 acres located in the NW¼ Section 28, T117N-R61W. Diversions were authorized from one well completed into the Tulare: East James aquifer, located in the NW¼ Section 28, T117N-R61W. Water Right No. 4586-3, which was approved February 24, 1981, authorized the irrigation of 115 "additional" acres located in the NE¼ of Section 28, T117N-R61W, from the existing well authorized by Water Permit No. 3103-3, with no additional diversion rate authority.

On May 18, 2004, Water Permit No. 6382-3 transferred the authority to irrigate 100 acres approved by Water Right No. 4586-3 to acreage located in the NE¼ Section 29, T117N-R61W and authorized the use of a well completed into the Tulare: East James aquifer, located in the approximate center of the NE¼ Section 29, T117N-R61W. Water Permit No. 6382-3 was issued for a 5-year term and contained a condition that the well authorized by Water Permit No. 6382-3 may not be in use when the well authorized by Water Right No. 4586-3 is in operation.

Water Permit Nos. 4586A-3 and 6675-3 were approved August 17, 2006. Water Permit No. 4586A-3 amended Water Right No. 4586-3 by transferring irrigation authority from the SW¼ of Section 21, T117N-R61W to the NW¼ of Section 21, T117N-R61W and moving the pivot located in Section 28, T117N-R61W approximately 560 feet to the east. Water Permit No. 6675-3 authorized a maximum diversion rate of 1.43 cfs and amended the qualifications on Water Permit No. 6382-3 by deleting the 5-year term and by deleting the qualification regarding operation of the well at the same time as the well authorized by Water Right No. 4586-3 is in operation.

Water Permit Application No. 4586C-3 proposes to move the pivot located in the NW¼, W½ NE¼ Section 28 to the NE¼, E½ NW¼ Section 17-T117N-R61W. This application also proposes to construct an additional well to be completed into the Tulare: East James Aquifer (60 feet deep) located in the center of the W½ NE¼ Section 17 for irrigation of 132 acres located in the NE¼, E½ NW¼ Section 17; all in T117N-R61W.

AQUIFER: TULARE: EAST JAMES (T:EJ)

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water for this application and the existing water rights in the area.

WATER AVAILABILITY:

This application does not propose to appropriate any additional water from the Tulare: East James aquifer, therefore the availability of unappropriated water is not an issue.

EXISTING WATER RIGHTS:

Approximate diversion points for existing water rights/permits and the location of DENR-Water Rights' Observation wells are shown in Figure 1. Hydrographs for area observation wells (Figures 2-5) document that drawdown does not extend far from a pumping well and well interference does not seriously impact other wells. Well interference has never been an issue in the Tulare: East James aquifer and there is a reasonable probability that this application can be approved without any adverse impact to existing users.

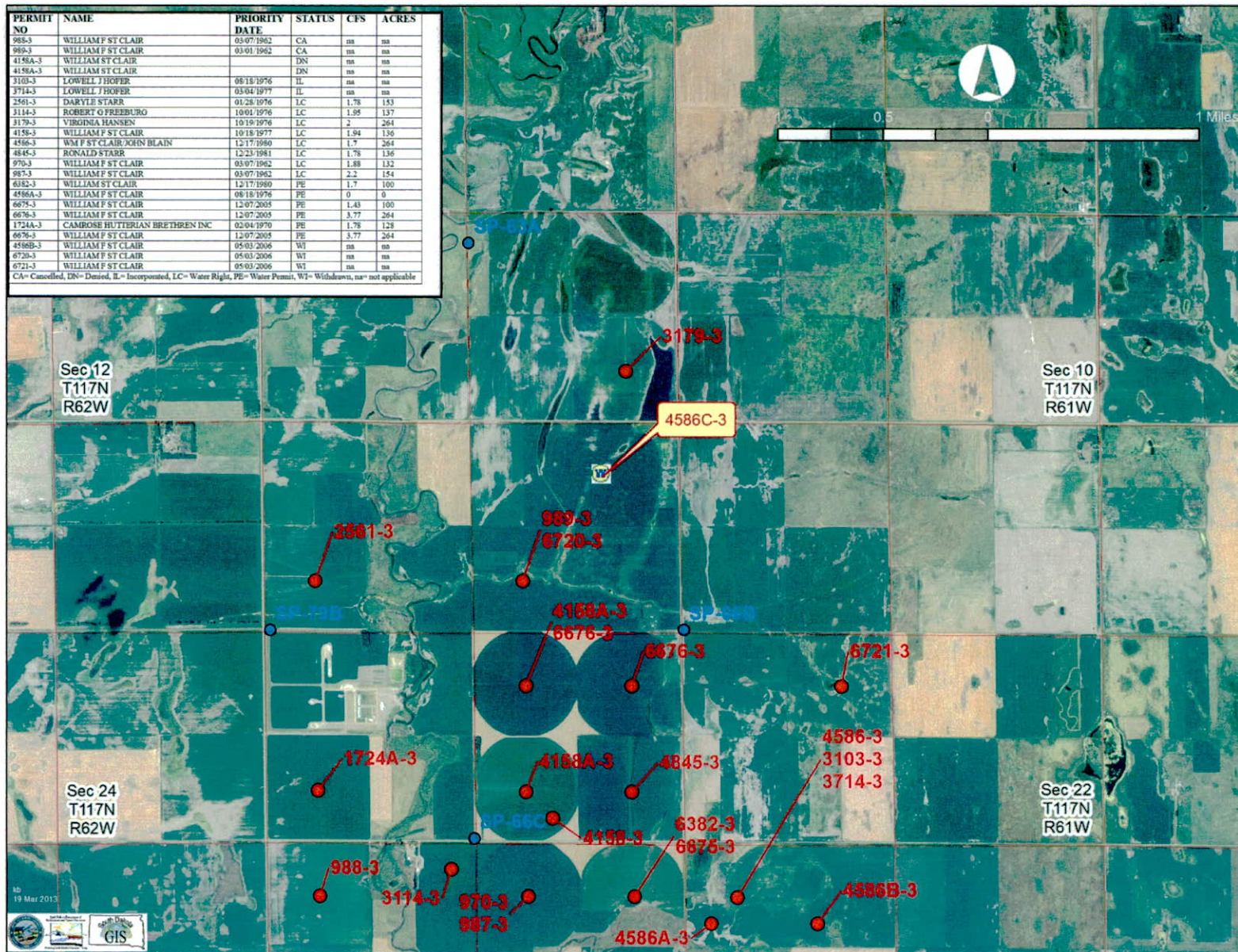


Figure 1. Map showing the location of the diversion point proposed by Water Permit Application No. 4586C-3, existing Water Rights/Permits and observation wells in the vicinity

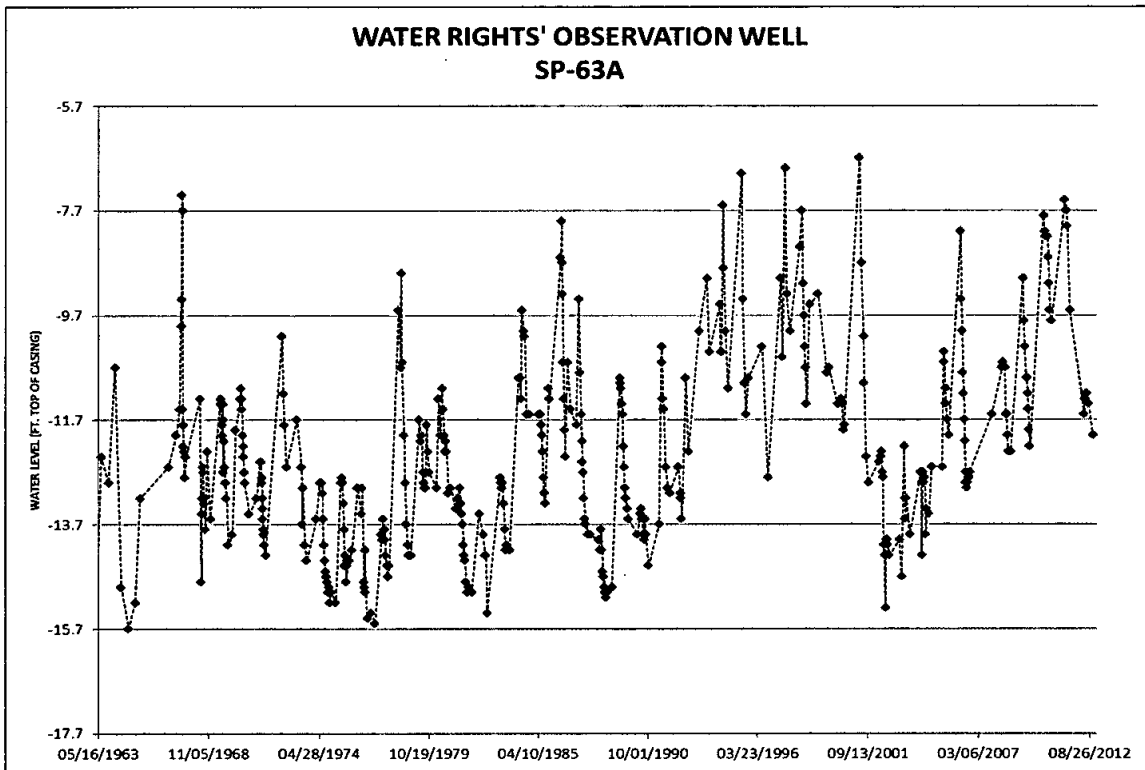


Figure 2. Hydrograph for observation well SP-63A (Water Rights, 2013)

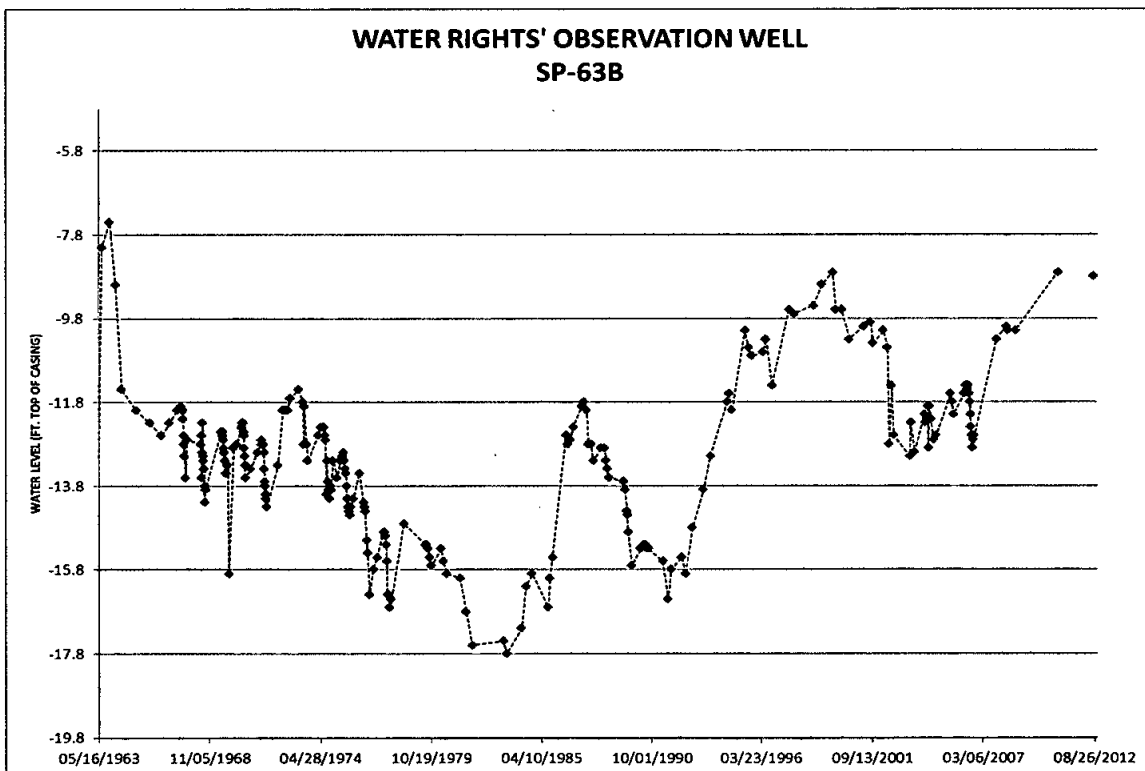


Figure 3. Hydrograph for observation well SP-63B (Water Rights, 2013)

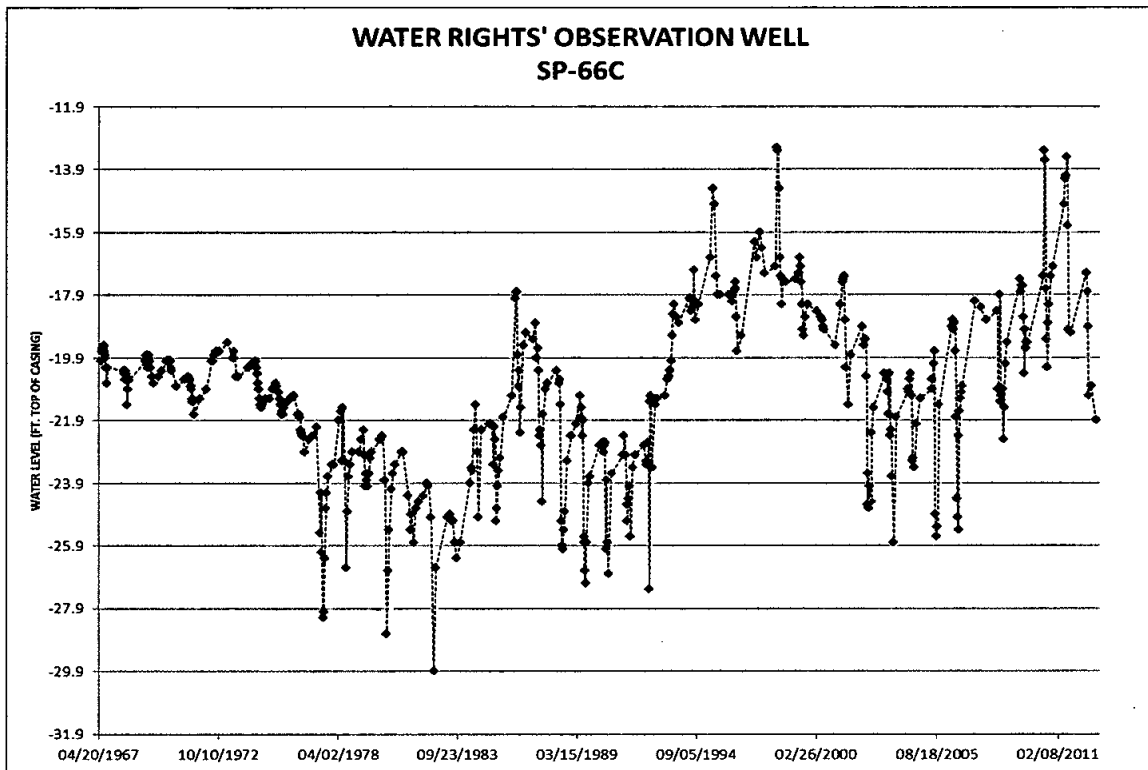


Figure 4. Hydrograph for observation well SP-66C (Water Rights, 2013)

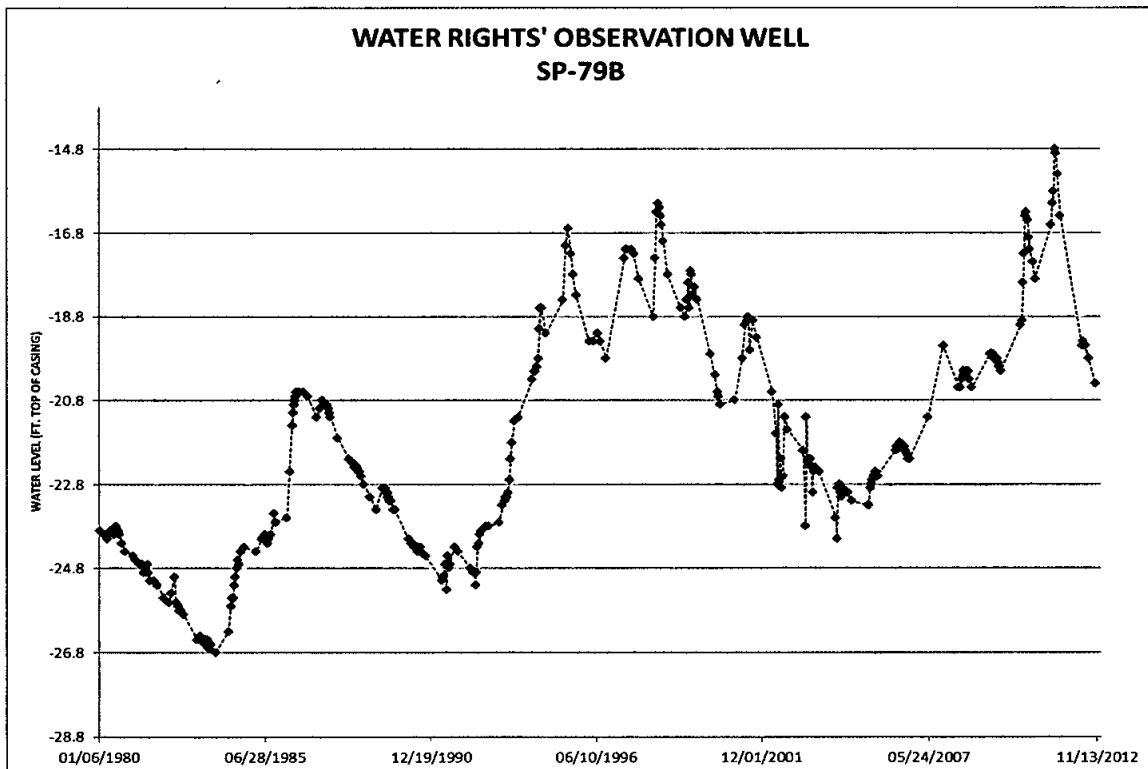


Figure 5. Hydrograph for observation well SP-79B (Water Rights, 2013)

CONCLUSIONS:

1. Water Permit Application No. 4586C-3 does not propose any additional appropriation from the Tulare: East James aquifer.
2. Water Permit Application No. 4586C-3 proposes to irrigate the same number of acres with the same diversion rate as is currently authorized by existing water rights/permits.
3. Water Permit Application No. 4586C-3 proposes to authorize a change of the location of the acres to be irrigated and to change the location of the diversion point.
4. There is a reasonable probability that approval of this application will not adversely impact existing users.


for Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

Water Rights, 2013, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg,
Pierre, SD.

PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

RECEIVED

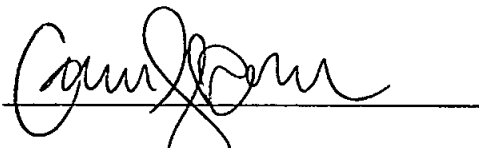
APR 18 2013

WATER RIGHTS
PROGRAM

I, CORINN DECKER, 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:

SD ENVIRONMENT – APPLICATION FOR WATER

was published for one day, in said newspaper, and not in any supplement of the said newspaper, the publication was of the 3RD day **APRIL 2013** That the full **FORTY ONE & 43/1000** dollars insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.



Subscribed and sworn to before me this 30TH day of APRIL 2013.



Notary Public, South Dakota

My term expires 12/27/18

Legal # 702

F.P. 04-03-13

NOTICE OF APPLICATION

NO. 4586C-3 to Amend Water Permit 4586A-3

Notice is given that St. Clair Ranch, c/o William St. Clair, 37644 184th St, Tulare SD 57476 has filed an application to amend Water Right No. 4586A-3 by transferring the irrigated acreage and diversion authority to other land and drilling an additional well. Water Permit No. 4586A-3 authorizes 1.70 cubic feet of water per second from one well located in the SW 1/4 NW 1/4 Section 28 to irrigate 264 acres located in the NW 1/4 Section 21 and portions of the NW 1/4, W 1/2 NE 1/4 Section 28; all in T117N-R61W. This application proposes to move the pivot located in the NW 1/4, W 1/2 NE 1/4 Section 28 to the NE 1/4, E 1/2 NW 1/4 Section 17-T117N-R61W. This application also proposes to construct an additional well to be completed into the Tulare-East James Aquifer (60 feet deep) located in the center of the W 1/2 NE 1/4 Section 17 for irrigation of 132 acres located in the NE 1/4, E 1/2 NW 1/4 Section 17; all in T117N-R61W. No increase in the diversion rate or number of acres irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 4586C-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 this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief

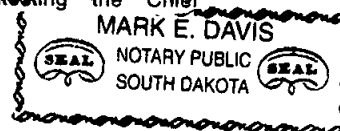
Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 15, 2013.

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

Steven M. Pirner,
Secretary, Department
of Environment and
Natural Resources
No. 702 (adv.)

Published once at the
total approximate cost of
\$40.63.



Affidavit of Publication

RECEIVED

STATE OF SOUTH DAKOTA,
County of Spink: ss.

APR - 4 2013

WATER RIGHTS
PROGRAM

I, Mark E. Davis, of said County & State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield, in said County and State, by THE REDFIELD PRESS, and has been such newspaper during the time hereinafter mentioned, and that I Mark E. Davis, the undersigned, am Publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the legal or official notice entitled:

#260 Notice

A printed copy of which is hereto attached, was printed and published in said newspaper in 1 issue, to wit: The first publication being made on April 3rd, that Twenty-eight and .70/100 Dollars, insures to the benefit of the publisher of THE REDFIELD PRESS, that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.



Subscribed and sworn to before me this 3rd day of April, 2013.



Notary Public, South Dakota

My commission expires 04/06/2016.

Notice

#260

NOTICE OF APPLICATION NO. 4586C-3 TO AMEND WATER PERMIT 4586A-3

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

Published at an approximate cost of \$28.70. (Apr 3)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 27, 2013

Plainsman
PO Box 1278
Huron SD 57350

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 4586C-3 to Appropriate Water. Please publish the notice once on April 3, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is St. Clair Ranch, c/o William St. Clair, 37644 184th St, Tulare SD 57476 (Ph # 605-596-4262).

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

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, March 27, 2013 3:50 PM
To: Ruby Crandall (rnewman.plainsman@midconetwork.com)
Subject: Notice for No. 4586C-3, St. Clair Ranch
Attachments: 4586C-3public.short.docx

Attached is a Notice of Application No. 4586C-3 for St. Clair Ranch, 37644 184th St, Tulare SD 57476 (605 450-0080). Please publish on April 3, 2013.

Thanks,

Karen Schlaak

Water Rights Program

Phone: 605 773-3352

Fax: 605 773-4068



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 27, 2013

Redfield Press
PO Box 440
Redfield SD 57469

ATTENTION: Legal Public Notice

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Instruction to Newspaper - Publish the Notice on April 3, 2013. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 4586C-3 to Amend Water Permit 4586A-3

Notice is given that St. Clair Ranch, c/o William St. Clair, 37644 184th St, Tulare SD 57476 has filed an application to amend Water Right No. 4586A-3 by transferring the irrigated acreage and diversion authority to other land and drilling an additional well. Water Permit No. 4586A-3 authorizes 1.70 cubic feet of water per second from one well located in the SW 1/4 NW 1/4 Section 28 to irrigate 264 acres located in the NW 1/4 Section 21 and portions of the NW 1/4, W 1/2 NE 1/4 Section 28; all in T117N-R61W. This application proposes to move the pivot located in the NW 1/4, W 1/2 NE 1/4 Section 28 to the NE 1/4, E 1/2 NW 1/4 Section 17-T117N-R61W. This application also proposes construct an additional well to be completed into the Tulare:East James Aquifer (60 feet deep) located in the center of the W 1/2 NE 1/4 Section 17 for irrigation of 132 acres located in the NE 1/4, E 1/2 NW 1/4 Section 17; all in T117N-R61W. No increase in the diversion rate or number of acres irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 4586C-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 this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 15, 2013.

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

Published once at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

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

March 27, 2013

St. Clair Ranch
William St. Clair
37644 184th St
Tulare SD 57476

Dear Mr. St. Clair:

Water Permit Application No.4586C-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 Redfield Press printed at Redfield SD (Ph # 605-472-0822) and the Plainsman printed at Huron SD (Ph # 605-352-6401). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

JUN 19 2013

St Clair Ranch
William St Clair
37644 184th St
Tulare SD 57476

Dear Mr. St Clair:

Enclosed is Water Permit No. 4586C-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,

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

enclosures

RECEIVED
NOV 24 2014
WATER RIGHTS
PROGRAM

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

Date 11/20/14

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

(name)

(address)

(city, state, zip)

William F. St. Clair
37644 184th Street
Tulare, SD 57476-7007
605-596-4262

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

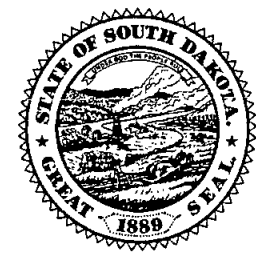
Water Permit No. 4586C-3 states that the water use system is to be constructed by 4/15/2018 (date), and water is to be put to beneficial use by 4/15/2022 (date).

The water use system was completed on Summer 2014 (date) 11

Applying the water to beneficial use was completed on _____ (date)

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

William F. St. Clair
(signature)





**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



December 18, 2014

4586C-3
7295-3

William F St Clair
37644 184th St
Tulare SD 57476-7007

Dear Mr. St Clair:

I am writing to acknowledge receipt of the "Notice of Completion of Works" forms that you sent submitted for Water Permit Nos. 4586C-3 and 7295-3. The forms were received on November 24th.

The systems are now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between completion of the projects and the staff inspection has no bearing on your water permits.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

Gronlund, Eric

Subject: water right permitting inquiry

From: wllm_stclr [mailto:wllm_stclr@yahoo.com]

Sent: Thursday, March 17, 2016 4:54 PM

To: Gronlund, Eric

Subject: RE: water right permitting inquiry

HI ERIC,

1. THE WELL AND PUMP WAS EXISTING ON THE PROPERTY WHEN WE PURCHASED THE LAND.
2. DO NOT KNOW WHO DRILLED THE WELL.
3. WE HAD PULLMAN PULL THE OLD PUMP, IT WAS TEST PUMPED, FOUND TO BE A GOOD WELL. THEY INSTALLED AN 800 GPM SUBMERSIBLE PUMP, IT IS WORKING VERY WELL.

REGARDS, BILL

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Gronlund, Eric" <Eric.Gronlund@state.sd.us>

Date: 03/17/2016 4:27 PM (GMT-06:00)

To: "wllm_stclr@yahoo.com" <wllm_stclr@yahoo.com>

Subject: water right permitting inquiry

Mr. St. Clair:

Hope all is going well. Last November, I conducted a licensing investigation of the water permit that included irrigation by the pivot in the N ½ Section 17, T117N, R61W. This was Permit o. 4586C-3 obtained in 2013. I am unable to find that a well completion report was filed by the driller of this well. My questions are:

1. When was the well drilled? Was it a newly drilled well in 2013 or was it an existing well?
2. Who drilled the well? (there is a test hole on file dating back to 1976 for a Raymond Battest)
3. Who installed the pump? Was it down by the person who drilled the well or another pump installer?

Once I find out who drilled the well and installed the pump, It is my intention to contact them to get specific information.

Thanks!

Eric Gronlund

Water Rights Program, DENR

Report of Examination of Works and/or Application of Water to Beneficial Use For Right/Permit Nos. 4586-3, 4586A-3 and 4586C-3

I have this day, November 3, 2015, made a thorough examination of the water use system constructed by William St. Clair, 37644 184th Street, Tulare SD 57476 of Water Right No. 4586-3 and Permit Nos. 4586A-3 and 4586C-3, bearing the priority of August 18, 1976 and March 4, 1977 authorizing the diversion of 1.70 cu. ft. per second of the Tulare:East James aquifer for irrigation purposes, in Spink County.

Initially the licensing investigation was conducted on June 5, 2012. However prior to licensing an application was filed to transfer a portion of the acreage to a new location and add an additional well. This became Permit No. 4586C-3 and the licensing process was put on hold until No. 4586C-3 was developed and a new licensing investigation conducted.

Inspection contact & relationship
to permit holder, if applicable:

Kevin Dettler who farms the property granted me access to the property but did not accompany Whitney Kilts and myself on the examination of works on the November 3, 2015, site visit.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: unknown
- 2) No. of Wells 2
- 3) Depth(s) Well No. 1- 84 feet & well No. 2 – approx. 90 feet based on a test hole on file
- 4) Well log is available Yes*

Comments: **Best information is that well No. 1 is the well drilled for Daniel Wolf and is the well used under this water right. Mr. St. Clair sent an email regarding well No. 2 that the well and pump were existing on the property when they purchased the property. He does not know who drilled the well. They had Pullman pull the old pump and installed an 800 gpm submersible pump.**

Casing:

- 1) Diameter not provided on log inches
- 2) Length _____ feet
- 3) Type _____

Screen:

- 1) Type Well No. 1 - Plastic
- 2) Length 40 feet
- 3) Static water level not provided on log

Pump:

- 1) Make Well No. 1 High Thrust - Well No. 2 -submersible

- 2) Model _____
- 3) Size _____
- 4) Capacity Well No. 1 – 800 gpm & Well No. 2 -- 800 gpm

Motor:

- 1) Make Well No. 1 - US Electric & Well No. 2 - submersible
- 2) Model No. _____
- 3) Horsepower rating Well No. 1 - 75 & well No. 2 - unknown hp

B. Works used to transport water to place of use:

Pivot in NW ¼ Section 21, T117N, R61W

- 1) Type unknown
- 2) Size 8 inches
- 3) Length 7,800 feet

Comments: **All total approximately 7,800 feet of underground pipe is in place to transport water to center pivot in NW ¼ Section 21, T117N, R61W**

Pivot in N ½ Section 17, T117N, R61W

- 1) Type unknown
- 2) Size 8 inches
- 3) Length 420 feet

Comments: **Water convey from well approximate 420 feet to the west to pivot center**

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make both pivots are Valley
- 2) Overall length each approx. 1,350 feet
- 3) Number of towers both 7
- 4) End gun Yes
- 5) Capacity 800 GPM

Comments:

Chemigation Equipment:

- 1) Does chemigate Yes chemigation equipment was in place but not hooked up
- 2) Main line check valve yes
- 3) Inspection port/air relief yes
- 4) Low pressure drain yes
- 5) Discharge is 20' from source yes

- 6) Interlock type electrical
- 7) Injection pump type piston
- 8) Injection check valve yes
- 9) Injection line check valve or positive displacement pump yes

Comments: ·

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by yes

Comment: a condition of reissued Permit No. 4586A-3 that the systems under No. 4586A-3 and No. 6382-3 could not operate at the same time was changed with Mr. St. Clair's obtaining approval of Water Permit No. 6675-3

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

List any extended period of nonuse: none

- 3) Exceptions to compliance are: see comment section

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: Well No. 1 approximately 1,870 feet south and 100 feet east of the NW ¼ corner of Section 28, T117N, R61W (SW ¼ NW ¼) Lat 44.91782 Lon -98.18640 and Well No. 2 approximately 1,290 feet south and 1310 feet west of the NE ¼ corner of Section 17, T117N, R61W (NE ¼ NE ¼) Lat 44.94827 Lon -98.19189

2. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>Section 21, T117N, R61W</u>	
<u>NW ¼ NW ¼</u>	<u>33 acres</u>
<u>NE ¼ NW ¼</u>	<u>33 acres</u>
<u>SW ¼ NW ¼</u>	<u>33 acres</u>
<u>SE ¼ NW ¼</u>	<u>33 acres</u>

<u>Section 17, T117N, R61W</u>	
<u>NW ¼ NE ¼</u>	<u>36 acres</u>
<u>NE ¼ NE ¼</u>	<u>19 acres</u>
<u>SW ¼ NE ¼</u>	<u>39 acres</u>
<u>SE ¼ NE ¼</u>	<u>22 acres</u>
<u>NE ¼ NW ¼</u>	<u>7 acres</u>
<u>SE ¼ NW ¼</u>	<u>9 acres</u>

comprising a total of 264 acres of land and the license should be issued for 1.70 cfs.

3. All structures, wells and lands on map yes

F. Comments or other permit(s) associated with the project:

Reissued Water License No. 4586-3, Permit Nos. 4586A-3 and 4586C-3 should be incorporated into one water license.

System diversion rate capacity is based on Mr. Dettler statement that the system in the NW $\frac{1}{4}$ Section 21 supplies 1.78 cfs (800 gpm) and Mr. St. Clair stated in an email that the pump in the well in the NE $\frac{1}{4}$ Section 17 is capable of producing 1.78 cfs (800 gpm). This is greater than the 1.7 cfs authorized. Therefore the license should be issued for only 1.7 cfs.

Item No. 3 on issued Permit No. 4586A-3 regarding priority dates appears to be in error. The three priority dates and acres associated with them total 300 acres. However, Water Permit No. 6382-3 transferred 100 acres to the NE $\frac{1}{4}$ Section 29, T117N, R61W. The August 18, 1976 priority date originating under Water Right No. 3103-3 should be associated with the 132 acres originally located in the N $\frac{1}{2}$ of Section 28 and moved to Section 17, T117N, R61W. The March 4, 1977 priority date originating under Water Permit No. 3714-3 should be associated with the 132 acres located in the NW $\frac{1}{4}$ Section 21.

At the time of the on-site examination in June 2012 and November 2015 there was a pivot in the SW $\frac{1}{4}$ of Section 21. This was the location of one of the pivots prior to approval of Water Permit No. 4586A-3 which transferred the acres to the NW $\frac{1}{4}$ Section 21. Mr. Dettler showed me in 2012 the location of the junction in the pipeline connecting the well to this pivot and that the pivot for the SW $\frac{1}{4}$ Section 21 was disconnected and not operational. In 2015, the pivot was still in the field but it was obvious the pivot had not been operational during the 2015 irrigation season due to its condition and there being no sign of tire tracks that would be present if rotation had occurred.

The cover letter accompanying the water license should be specific that the water right only authorizes a diversion rate of 1.70 cfs (763 gpm). The cover letter should emphasize that the combined diversion rate from the two wells can not exceed 1.70 cfs. Based on the current configuration of the pivots this means the two pivots and wells can not be operated at the same time. Review of the past two yearly irrigation questionnaires under the current ownership appears to indicate they have been alternating operation of the two systems. This is evidenced by the 2014 questionnaire where irrigation was reported by each quarter section and based on the number of days irrigated each month leads to a conclusion that the pivots were operated on an alternating basis.

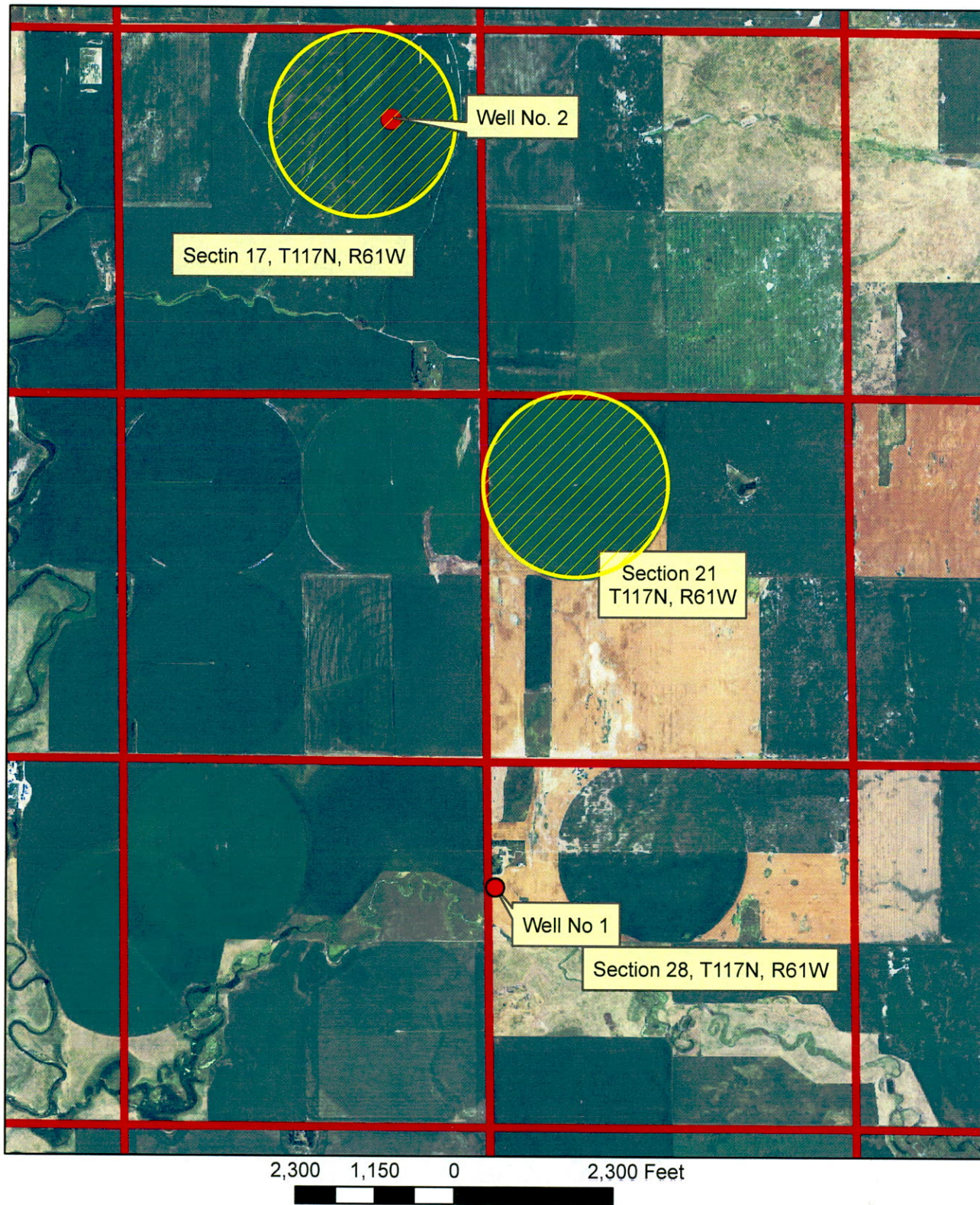
There is a potential future issue with two wells each capable of individually pumping at a rate to supply a center pivot but limited by the appropriation to 1.70 cfs so the systems have to operate on an alternating basis is when the day comes and the land is under new ownership. Given the fact the Tulare:East James aquifer is fully appropriated, DENR will not be recommending favorably on a new permit application to increase the diversion rate. If the land is under separate ownership, the water right will need to be split proportionately and the new owner required to limit their diversion rate or work out a partnership with the other landowner to operate the pivots on an alternating basis.



Eric Gronlund

Natural Resources Engineer III
DENR, Water Rights Program

Date report completed: March 25, 2016



Well No. 1 is approximately 1,870 feet south and 100 feet east of NW 1/4 Section 28, T117N, R61W
Well No. 2 is approximately 1,290 feet south and 1,310 feet west of NE 1/4 Section 17, T117N, R61W



Eric Gronlund

Eric Gronlund
Water Rights Program, DENR
Date of Inspection - November 3, 2015

Gronlund, Eric

From: wllm_stclr <wllm_stclr@yahoo.com>
Sent: Thursday, March 17, 2016 4:54 PM
To: Gronlund, Eric
Subject: RE: water right permitting inquiry

HI ERIC,

1. THE WELL AND PUMP WAS EXISTING ON THE PROPERTY WHEN WE PURCHASED THE LAND.
2. DO NOT KNOW WHO DRILLED THE WELL.
3. WE HAD PULLMAN PULL THE OLD PUMP, IT WAS TEST PUMPED, FOUND TO BE A GOOD WELL. THEY INSTALLED AN 800 GPM SUBMERSIBLE PUMP, IT IS WORKING VERY WELL.

REGARDS, BILL

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Gronlund, Eric" <Eric.Gronlund@state.sd.us>
Date: 03/17/2016 4:27 PM (GMT-06:00)
To: "wllm_stclr@yahoo.com" <wllm_stclr@yahoo.com>
Subject: water right permitting inquiry

Mr. St. Clair:

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1. When was the well drilled? Was it a newly drilled well in 2013 or was it an existing well?
2. Who drilled the well? (there is a test hole on file dating back to 1976 for a Raymond Battest)
3. Who installed the pump? Was it down by the person who drilled the well or another pump installer?

Once I find out who drilled the well and installed the pump, It is my intention to contact them to get specific information.

Thanks!

Eric Gronlund

Water Rights Program, DENR

605 773-3352

eric.gronlund@state.sd.us

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4586C-3

(1) William St Clair, St Clair Ranch, 37644 184th St, Tulare SD 57476 made Application No. 4586C-3, January 23, 2013 for a water permit to amend Water Right No. 4586A-3 by transferring the irrigated acreage and diversion authority to other land and drilling an additional well (Tulare: East James Aquifer) with no increase in the diversion rate or acres irrigated. The project is located in Spink County, South Dakota. Permit No. 4586C-3, with priority dates of August 18, 1976 and March 4, 1977 was approved April 15, 2013 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 15, 2018 and for the application to beneficial use of water on or before April 15, 2022. The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on November 24, 2014 indicating the system was completed and water placed to beneficial use in the summer of 2014.

Water Right No. 4586-3 authorized diversion of 1.70 cfs of water from one well located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28 to irrigate 264 acres in the NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 28; SW $\frac{1}{4}$ Section 21, all in T117N, R61W. **Water Permit No. 4586A-3** amended Water Right No. 4586-3 by transferring the irrigated acres and diversion authority to other land. The permit authorized moving the pivot in the SW $\frac{1}{4}$ Section 21 to the NW $\frac{1}{4}$ Section 21, T117N, R61W and moving the pivot in the NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 28 approximately 560 feet to the east. No additional diversion rate or number of acres irrigated was authorized. **Water Permit No. 4586C-3** amended Water Permit No. 4586A-3 by adding another well to be located in the NE $\frac{1}{4}$ Section 17, T117N, R62W and transferring acreage from Section 28 to the NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 17, T117N, R61W. The pivot in the NW $\frac{1}{4}$ Section 21 would continue to be irrigated from the well in the NW $\frac{1}{4}$ Section 28, all in T117N, R61W. Combined diversions from the two wells may not exceed 1.70 cubic feet of water per second.

The applicable portions of Water Right No. 4586-3 and 4586A-3 have been incorporated into Water License No. 4586C-3. Priority dates as they pertain to the acreage irrigated are described in (3) of this license.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.70 cubic feet of water per second for beneficial use. The location of the diversion points are:

Well #1: approximately 1,870' S and 100' E of the NW corner of Section 28, T117N, R61W (SW $\frac{1}{4}$ NW $\frac{1}{4}$);
Well #2: approximately 1,290' S and 1,310' W of the NE corner of Section 17, T117N, R61W (NE $\frac{1}{4}$ NE $\frac{1}{4}$).

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

Section 21, T117N, R61W
(priority date: March 4, 1977)

NW $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres

Section 17, T117N, R61W
(August 18, 1976 priority)

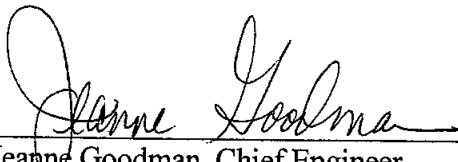
NW $\frac{1}{4}$ NE $\frac{1}{4}$	36 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	7 acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$	19 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	9 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	39 acres		
SE $\frac{1}{4}$ NE $\frac{1}{4}$	22 acres		
		Total	264 acres

continued

(4) Pursuant to South Dakota Water Law 46-5-30.1 William St Clair, St Clair Ranch, 37644 184th St, Tulare SD 57476 the holder and/or owner of Incorporated Water Right No. 4586C-3 is issued a license to appropriate water, the right to use 1.70 cubic feet of water per second from ground water, two wells (Tulare: East James Aquifer) with priority dates of March 4, 1977 (Section 21) and August 18, 1976 (Section 17) from the locations specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 4586C-3 and subject to the following qualifications:

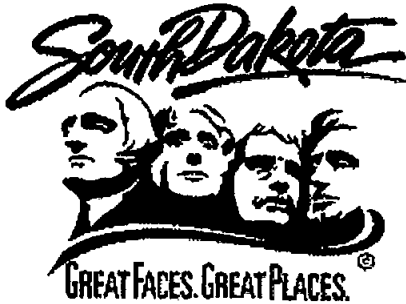
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 4586C-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *The well was drilled prior to the water permit being approved. A well log is not available.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

AUG 17 2016
date



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCESJOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

AUG 17 2016

4586-3
4586A-3
4586C-3William St Clair
St Clair Ranch
37644 184th St
Tulare SD 57476-7007

Dear Mr. St Clair:

Enclosed is Water License No. 4586C-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 4586C-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.

Upon licensing, the applicable portions of Water Right No. 4586-3 and Water Permit No. 4586A-3 were incorporated into Water License No. 4586C-3. The license was issued for a maximum of 1.70 cfs from the two wells. The combined diversion rate from the two wells must not exceed that amount. Based on the current configuration of the pivots, the two pivots and wells can not be operated at the same time and will need to run on an alternating basis.

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

Sincerely,

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

enclosures

11-22-2024

Please note, William F. St. Clair passed away 4 May 2024. JoAnn St. Clair (wife of William F.) has been appointed personal representative of his estate. Therefore I believe JoAnn St. Clair is the new owner of the permits and the current address of 37644 184 St. Tulare SD, 57476 remains the same. JoAnn's cell phone number is 605-450-0327.

For further questions and concerns, please call me or JoAnn.

Sincerely

William E. St. Clair (son of William F. and Joann)

605-450-0114

bstclair420@gmail.com

Permit Nos.

971-3	839-3
1725-3	970-3
6675-3	45860-3
7295-3	4158-3
987-3	6676-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 6, 2024

839-3, 970-3, 971-3, 987-3, 1725-3
3860-3, 3861-3, 4158-3, 4553-3
4586C-3, 6675-3, 6676-3, 7295-3

JoAnn St Clair
37644 184th St
Tulare SD 57476

Dear Ms. St Clair:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters.

This year we received word from your son, William E St Clair, that due to the unfortunate death of your husband, William F St Clair, the water rights held in his name should be transferred to you, the property owner. For your convenience I have enclosed partially completed "Transfer of Ownership" forms for you to review, complete, and return in the pre-paid envelopes.

Please return the forms with a check for \$500.00 (\$50.00/transfer) made payable to "SD Water Rights Program" to cover the transfer fees. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. These forms will still need to be returned even if you are submitting payment over the phone.

Should you decide you wish to discontinue the irrigation on any of these pieces of land, we would ask that you let us know.

If you have any questions or concerns, please give me a call. My direct number is 605.910.5187

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

4586C-3
PAID

FEB 18 2025

Ck# 11968

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. 4586C-3

Date: 2-10-2025

I/We request that Water Right/Permit No. 4586C-3 formerly owned by:
St Clair Ranch - Willaim F St Clair - Tulare SD be transferred to:

New Owner Name: JoAnn St. Clair
Address: 37644 184th St mobile: 605-450-0327
City, State, Zip: Tulare SD 57476 email: willm-stclair@yahoo.com

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

NW 1/4 Section 21, T117N, R61W
NE 1/4 & E 1/2 NW 1/4 Section 17 T117N, R61W
264 acres

☒ I understand that the validity of Water Right/Permit No. 4586C-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, JoAnn St. Clair, the new owner, certify that the above information is true and correct.

JoAnn St Clair
(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.

RECEIVED

FEB 18 2025

OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date February 24th 2025

RECEIVED OF JoAnn St Clair 37644 184th St Tulare SD 57476

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>4158-3, 1725-3, 987-3, 971-3, 970-3, 839-3, 7295-3, 4586C-3, 6676-3, 6675-3</u>	\$ <u>500.00</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>500.00</u>

By

Eric Groalund

Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 24, 2025

4158-3, 1725-3, 987-3,
971-3, 970-3, 839-3,
7295-3, 4586C-3, 6676-3, 6675-3

JoAnn St Clair
37644 184th St
Tulare, SD 57476

Dear Ms. St Clair:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fees you submitted for Water Right Nos. 4158-3, 1725-3, 987-3, 971-3, 970-3, 839-3, 7295-3, 4586C-3, 6676-3, and 6675-3. Enclosed is a receipt of payment for your records.

Water Right Nos. 4158-3, 1725-3, 987-3, 971-3, 970-3, 839-3, 7295-3, 4586C-3, 6676-3, and 6675-3 previously held by William F St Clair and St Clair Ranch are now listed under yourself. 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 Water Rights (copies 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 Water Rights will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTE: The validity of Water Right Nos. 4158-3, 1725-3, 987-3, 971-3, 970-3, 839-3, 7295-3, 4586C-3, 6676-3, and 6675-3 have 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