

1. Considered: Feb. 15, 1984 Water Right No. 4975-3
2. Name of Applicant ZASTROW BROTHERS
3. Post Office Address RR #2, Gann Valley, SD 57341
4. Amount of Water Claimed 1.85 maximum acre feet
5. Source of Water Supply a 105' deep well
6. Water to be used for IRR acres to be irrigated 130
7. County Buffalo about miles of
8. PROOF OF PUBLICATION: Received 1-20-84 Not Received
- APPLICATION: Approved Subject to
- Not Approved Action Deferred

PRIORITY 7-27-83 Dated Received 7/27/83 Application complete-yes x no FEE 250.00

Remarks

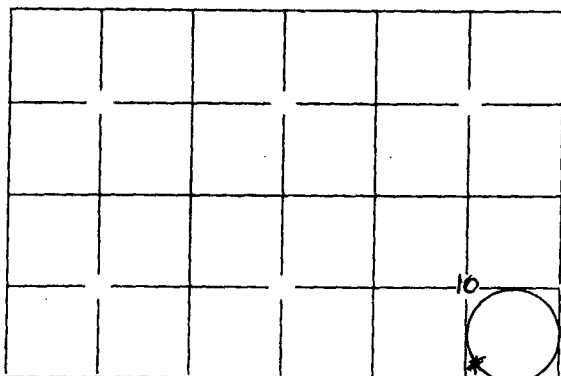
Corrected Application received Period of Annual Use 3/1 to 11/1

WATER
QUALITY

Received yes 9/13/83 no APPROVED (CONDITIONAL) (Circle one)

W-1 Description same as application yes no Remarks

Disapproved Returned



Diversion Point

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10-T107N-R68W

Land to be irrigated

SE $\frac{1}{4}$ Section 10-T107-R68

WELL LOG Driller Huron Drilling Licensed - yes xx no

Depth 105' deep

Remarks

MAP Map No. 4975-3 Map located in Water Right xx Map file _____
 Type of Map soils map Prepared by SCS Chamberlain
 Gene Waterson

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

8-13-83

Betty Westlund
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____

No. 4975-3Map No. 4975-3 Water Division No. MISSOURI RIVER District 10140105
Above for Office Use

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Zastrow Brothers Phone No. (605) 539-1277Post Office Address R.R. #2, Gann Valley State South Dakota 57341
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract3. Name of diversion work Zastrow Brothers - Unit #34. Amount of water claimed (cubic feet per second) 1.865. Source of water supply Ground Water6. Location of point of diversion SW $\frac{1}{4}$ -SE $\frac{1}{4}$ -10-107-68County Buffalo7. Annual period or periods during which water is to be used March - November8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 130

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.
SW $\frac{1}{4}$ -SE $\frac{1}{4}$ -10-107-68	32.5
SE $\frac{1}{4}$ -SE $\frac{1}{4}$ -10-107-68	32.5
NW $\frac{1}{4}$ -SE $\frac{1}{4}$ -10-107-68	32.5
NE $\frac{1}{4}$ -SE $\frac{1}{4}$ -10-107-68	32.5

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water True Dakota,
Wessington Spring, SD

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Pump Bowl

B. Works proposed to transport water to place of use.

Main Line

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ -----Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(see instructions concerning preparation.)STATE OF SOUTH DAKOTA)
County of Buffalo)ss.I, Zastrow Brothers (Rex Zastrow) the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Rex ZastrowSubscribed and sworn to before me this 25 day of July, 19 83

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4975-3

Zastrow Brothers

(Applicant)

RT. 2

Gann Valley

(Post Office Address)

South Dakota

(State)

57341

With the following qualifications.

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

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application July 27, 1983

Date of return to applicant for correction, amendments or changes required —, 19—

Date of receipt of corrected application —, 19—

Approved February 15, 1984, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 4975-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4975-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is July 27, 1983
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before August 15, 1986
3. The whole of said work is to be completed on or before February 15, 1989
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is February 15, 1993
5. The water appropriated shall be used for the purpose of irrigation

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 1.85 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before February 15, 1993; said water to be used during the following described annual period: March 1st thru November 1st

Witness my hand this 15 day of March, 1984

THE WATER MANAGEMENT BOARD

By:

John Ketch
Chief Engineer, Water Rights

Certificate of Construction Issued —, 19—

Water License Issued —, 19—

ESTIMATED

D Well Information

- (1) Drill Hole, Diameter 30", Depth 105 ft.
- (2) Casing, Type Plastic, Diameter 16", Thickness .500
(wood, concrete, steel, etc)
- (3) Screen, Type Slotted, Diameter 16", Length 30 ft.
- (4) Gravel Pack, Thickness 7", Length of gravel pack Top to Bottom

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 74 ft.

Depth to bottom of water bearing material 105 ft.

Depth to water (ground surface to water level) 42 ft.

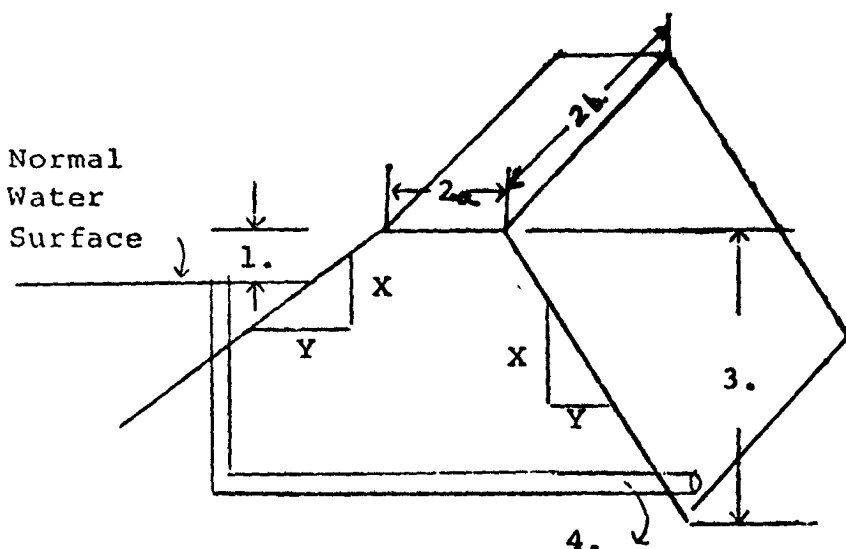
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 90 rds.

On property owned by others 320 rds.

G Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
2. Crest width 2a, length b
3. Height of Dam _____
4. Outlet dimensions:
 - Pipe diameter _____
 - Spillway width _____
- X & Y slope:
 - Upstream _____
 - Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

Rex Zastrow

MARVIN SPECK

4 NORTH OF ZASTROW

SPECK - HAS A 68' WELL
5' W/L

48' W/L WHEN HE PUMPS

HASN'T PUMPED FOR TWO YEARS

OBSERVATION WELL NEXT TO HIM

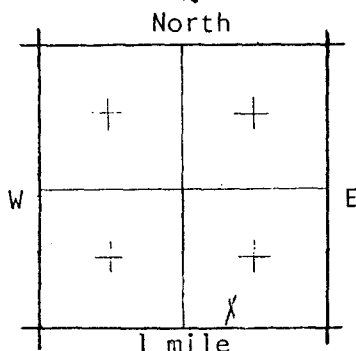
HASN'T PUMPED FOR 2 YEARS

ZASTROW DRILLING A NEW WELL

DOESN'T HAVE PERMIT BUT HAS
SUBMITTED APPLICATION -

Location SW 1/4 SE 1/4 Sec 10 Twp 107 Rg 68

County

Buffalo CountyPlease mark well
location with
an "X"Well Completion Date October 7, 1983

PROPOSED USE:

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

Method of Drilling:

Reverse

WELL CONSTRUCTION:

Diameter of hole 30 inches Depth 108 feetCasing: ☐ Steel ☒ Plastic ☐ OtherSpecify 15" PVCPipe Weight Diameter From To
1 lb/ft 15 inches 0 feet 78 feet1 lb/ft _____ inches _____ feet _____ feetWas a well screen used? ☒ Yes ☐ No

If Not Specify _____

Screen Type Johnson S&L Slot Size 70Length 30 ft Diameter 16"Was Casing left open end? ☐ Yes ☒ NoWas a Packer or seal used? ☐ Yes ☐ NoIf so what material? PLATE BOTTOMWas well gravel packed? ☒ Yes ☐ NoWas well grouted? ☐ Yes ☒ No

Describe grouting procedure _____

To what depth? _____ Feet

What was grouting material? _____

If cement, how many sacks? _____

Location of packer(s) and screen or perforated
pipe 78 - 108WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No
If so how and with what material? _____

Well Owner:

Name Zastrau Brothers (Rev Zastrau)Address Gann Valley, S. Dak

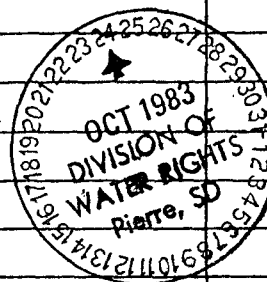
Well Log:

Depth

Formation

From

To

See Attached
LogSTATIC WATER LEVEL 28' 5" Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? _____

WELL TEST DATA:

☒ Pumped☐ Bailed☐ Other

Describe:

700 gpm

Pumping Level Below Land Surface

62.3 ft. After 6 1/2 Hrs. pumped 700 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

Remarks:

This well was drilled under license # 94

and this report is true and accurate.

Neum Drilling Inc.
Drilling FirmDoug Dabing Jr.
Signed by10-12-83

Date

REX ZASTROW
JOB NAME

SE-40-107-63
LOCATION *Buffalo*

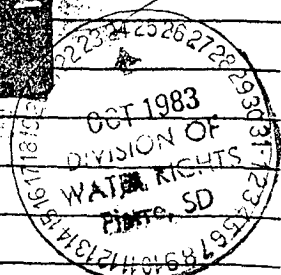
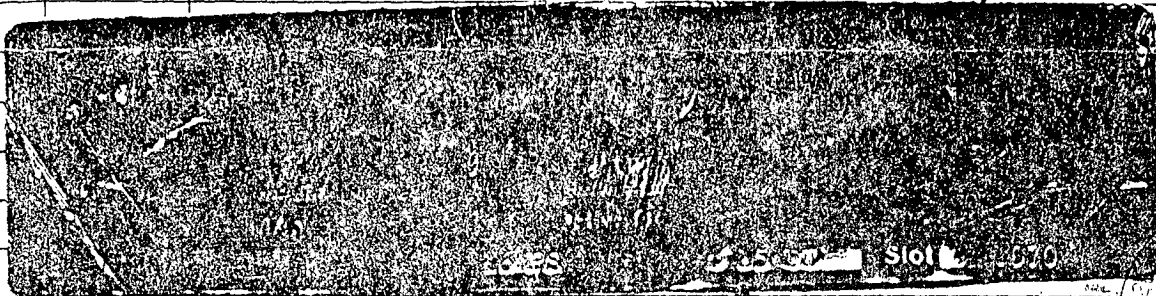
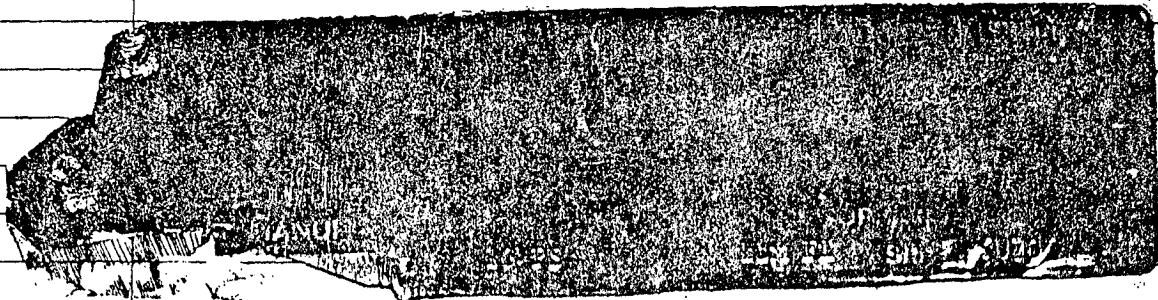
10-5-83
DATE

28
RIG NO.

DENNIS DUVAL
FOREMAN

Jt No.	DEPTH	TIME	REMARKS
	10	10:00	0-2 Topsoil 55 bags of Bentonite
1	20	2:45	2-22 Sand + Gravel Rocks @ 15-22
2	30	5:35	22-30 Blue Clay 40' - Rock Blasted 102 Kinestix
3	40	12:05	30-40 Blue Clay 2 Blasting Caps
4	50	3:00	40-50 Blue Clay with some Traces of Sand 18' Detonator Cord
5	60	3:55	50-60 Blue Clay
6	70	5:10	60-70 Blue Clay
7	80	10:30	70-73 Blue Clay
8	90	11:15	73-80 Coarse Sand + Gravel 4" Water Loss
9	100	1:30	80-90 Coarse Sand + Gravel 2" Water Loss
10	108 td	2:05	90-96 Coarse Sand + Gravel 2" Water Loss
			96-100 Coarse Sand + Gravel with some blue Clay streaks 0 water loss
			100-108 Coarse Sand + Gravel 4" Water Loss
			108-110 shale

Switched to air pump at 100'



HURON DRILLING INC. DRILLERS LOG

Gann Valley, SD

PAGE NO.

Zastrow Brothers

SE $\frac{1}{4}$ -10-107-68-Buffalo Co. 7-7-83

7-7-83

12

John Guilford

JOB NAME

LOCATION

DATE _____

RIG NO.

FOREMAN

[illegible]

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9301

PIERRE, July 27, 1983

RECEIVED OF Zastrow Brothers, RR #2, Cannon Valley SD 57341

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

Fee for Application for Permit to Appropriate Water No. 4975-3 (examination, processing, recording and filing)	250	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	250	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (ks)

WATER RIGHTS DIVISION
(605) 773-3352

August 2, 1983

Zastrow Brothers
RR#2
Gann Valley, South Dakota 57341

Dear Sir:

Your application dated July 25, 1983 for a permit to appropriate water from groundwater (one well) was received July 27, 1983. We have not, as of this date, received the Soil/Water Compatibility Approval from the Soil Conservation Commission. When this approval is received further processing of your application will proceed.

To maintain your priority date on your application of July 27, 1983 for permit to Appropriate Water, in accordance with SDCL 46-5-16, you will now have sixty days from the date of this letter to correct your application and/or to have the above information submitted to this office.

Your Receipt No. 4-9301 in the amount of \$250.00 is on file with your application.

Sincerely,

Betty Westlund
Water Rights Specialist

BW:ms



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 ● Pierre, South Dakota 57501
Phone 605/773-3258

August 11, 1983

Rex Zastrow
RR 2
Gann Valley, SD 57341

Dear Mr. Zastrow:

In reviewing water analysis #83-0338 taken from the well proposed to irrigate the SE $\frac{1}{4}$ 10-107-68; it is found to be an unsuitable water source for irrigation water.

The water is unsuitable for irrigation due to the extremely large amount of sodium present. Through irrigation the sodium would accumulate in the soil, and would result in long term or permanent damage to the soil.

Please be advised that water analysis #83-0338 does not meet the current standards for soil and water compatibility and the staff would recommend the disapproval of your application.

To receive further consideration of your application a representative of the irrigation program will validate your water sample.

Please contact this office, concerning the water validation, if a contact has not been made previously.

Sincerely,

Jim Stukel
Program Administrator
Irrigation Program

cf

Enc: Water analysis
AES Phamplet #13

cc: ☒ Division of Water Rights



9/7/83 ^{SCC} Validated water sample - Huron Drl. had not pumped prior to sample. Water meets standards for a Conditional approval.



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 ● Pierre, South Dakota 57501
Phone 605/773-3258

September 7, 1983

Rex Zastrow
Rt 2
Gannvalley, SD 57341

Dear Mr. Zastrow:

In reviewing your soil and water compability application for the SE $\frac{1}{4}$ 10-107-78, using water sample #83-0427, the irrigation staff is recommending a Conditional approval of your application to the State Conservation Commission at their September 8, 1983 meeting. The Conditional recommendation is based on the clay content of the soil and the sodium content of the water. The restrictions and management recommendations are as follows:

RESTRICTIONS:

The area of Plankinton (53A) is subject to wetness and may pond under irrigation. This area shall be maintained in grass and/or alfalfa. You may also wish to develop a drainage way to eliminate excess ponding.

MANAGEMENT RECOMMENDATIONS:

It is recommended that due to the extreme textural difference of the soil of this area that a water management system be developed to maximize the over all effect of irrigation and control erosion as well as achieve the necessary leaching of salts through the soil.

To control erosion it maybe beneficial to use a form of conservation tillage. In areas such as Java-Glenham loams (6-10% slope) where erosion may become a particular problem the maintenance of this area in grass and/or alfalfa maybe beneficial.

It is also recommended that water be applied after the removal of crops to maximize the leaching of salts from the soil profile by fall and spring precipitation.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Director

cf



SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Zastrow Brothers OWNERS ADDRESS: Box #2Gann Valley, SD 57341COUNTY LAND LOCATED IN: Buffalo PHONE: (605) 539-1277

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: SW¹/₄-SW¹/₄-SE¹/₄-10-107-68
2. SURFACE WATER SOURCE: Ground Water
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
<u>SW¹/₄-SE¹/₄-10-107-68</u>	<u>32.5</u>		
<u>SE¹/₄-SE¹/₄-10-107-68</u>	<u>32.5</u>		
<u>NW¹/₄-SE¹/₄-10-107-68</u>	<u>32.5</u>		
<u>NE¹/₄-SE¹/₄-10-107-68</u>	<u>32.5</u>		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ OTHER: _____ (Specify) _____
5. CROPS TO BE IRRIGATED: Corn, Alfalfa and Small Grain
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LEGAL DESCRIPTION: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 83-0427
8. SALINITY (EC X 10⁶): 1000
9. SODIUM (SAR): 2.59
10. ADJUSTED (SAR): 6.02

NE NW 15-107-68 JLS 8/22/83

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 10:00 a.m./p.m., on July 8, 19 83, at the following location: SE¹/₄-10-107-68-Buffalo County by John Guilford (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

BY COMMISSION

EXPIRES NOV. 4, 1984

SUBSCRIBED AND SWORN BEFORE ME THIS

25 DAY OF July, 19 83.

Terrell A. Osterg
(NOTARY PUBLIC)

I M P O R T A N T

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

Rex Zastrow
APPLICANT'S SIGNATURE

John M. Field
Director, Division of Conservation

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

9-8-83

CONDITIONAL

4048

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Rex ZastrowLEGAL DESCRIPTION: SE 1/4 10-107-63SOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

The area of Plankinton (53A) is subject to wetness and may pond under irrigation. This area shall be maintained in grass and/or alfalfa. You may also wish to develop a drainage way to eliminate excess ponding.

RECOMMENDED MANAGEMENT:

It is recommended that due to the extreme textural difference of the soil of this area that a water management system be developed to maximize the overall effect of irrigation and control erosion as well as achieve the necessary leaching of salts through the soil.

To control erosion it maybe beneficial to use a form of conservation tillage. In areas such as Java-Glenham lacms (6-10% slope) where erosion may become a particular problem the maintenance of this area in grass and/or alfalfa maybe beneficial.

It is also recommended that water be applied after the removal of crops to maximize the leaching of salts from the soil profile by fall and spring precipitation.

SIGNATURE Rex ZastrowDATE 9-8-83



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322

Pierre, South Dakota 57501

Phone 605/773-3258

October 4, 1983

Rex Zastrow
RR 2
Gann Valley, SD 57341

Dear Mr. Zastrow:

As discussed per my phone conversation with your wife this date, enclosed please find a WI-1 form for you to complete. RE: We were notified by the Division of Water Rights that you are irrigating portions of the SW $\frac{1}{4}$ 10-107-68 without Soil and Water Compatibility. (your soil and water compatibility permit is only for the SW $\frac{1}{4}$ SW $\frac{1}{4}$ 10-107-68) We have inserted the correct legal descriptions on the WI-1 form however, if you are using any other diversion points or irrigating additional lands indicate as such on WI-1 form.

In order to bring your permit into compliance with State Law it will be necessary for you to take a water sample from the SW $\frac{1}{4}$ SW $\frac{1}{4}$ 10-107-68, and forward it to the Water Quality Laboratory in Brookings, along with the correct soils information. They will inturn forward this information to us for processing.

If you have any questions please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Administrator

cf

cc: Division of Water Rights



REPORT ON APPLICATION NO. 4975-3

ZASTROW BROTHERS

December 16, 1983

Application No. 4975-3 proposed to irrigate 130 acres in the SE $\frac{1}{4}$ Section 10, T107N, R68W. The 108 foot deep well will withdraw 1.85 cfs from the Crow Creek aquifer.

Presently the SE $\frac{1}{4}$ Section 10, T107N, R68W is covered under Permit No. 3939-3 which withdraws water from a well in the SW $\frac{1}{4}$ Section 10, T107N, R68W.

A county study has not been completed for Buffalo County. The Division of Water Rights has drilled and installed five observation wells in Buffalo County. With this limited data, an estimate of the amount of recoverable water in the formation cannot be made.

The Crow Creek Aquifer is an artesian glacial sand and gravel aquifer. A review of the observation well records for the Crow Creek aquifer (4 wells) shows that present withdrawals are fluctuating the artesian head pressure, but in no case is the formation being dewatered. The hydrographs show seasonal affects from pumping and recovery during the non-irrigation season.

Amount Appropriated versus Use (ac ft) Crow Creek Aquifer

	<u>Appropriated</u>	<u>Report use</u>
1979	12,162 ac ft	1,343 ac ft
1980	12,162 ac ft	2,353 ac ft
1981	12,482 ac ft	2,370 ac ft
1982	12,916 ac ft	4,512 ac ft

Conclusions

1. The application replaces Permit No. 3939-3.
2. Review of observation well records indicates that unappropriated water is available for this application.
3. Observation wells exist to monitor this project and existing irrigation projects.

Gale N Selken

GALE N SELKEN
Hydrologist

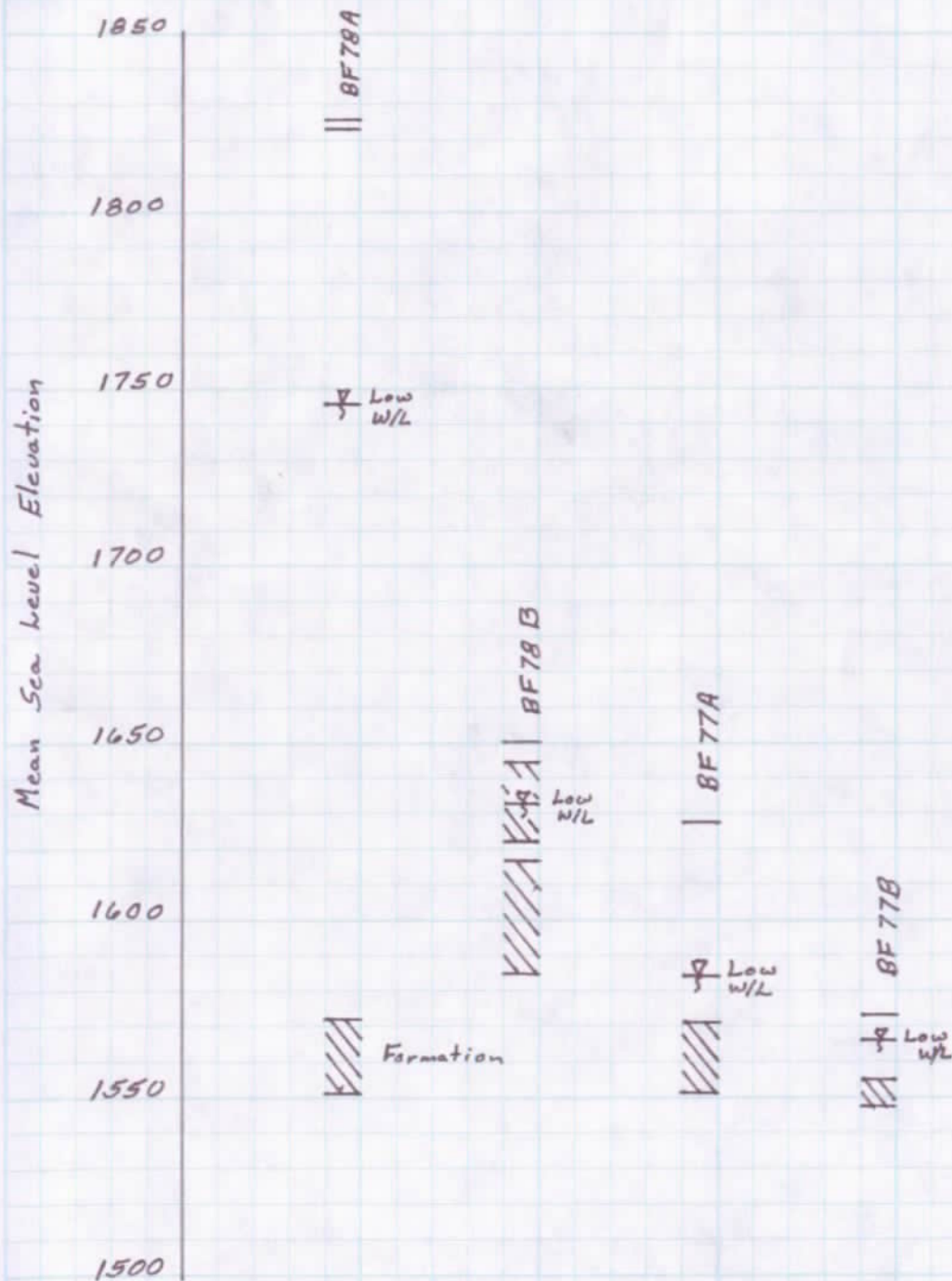
Hedges, Evaluation of Ground-water Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa, 1983, "Average Annual Water Use by Aquifer".

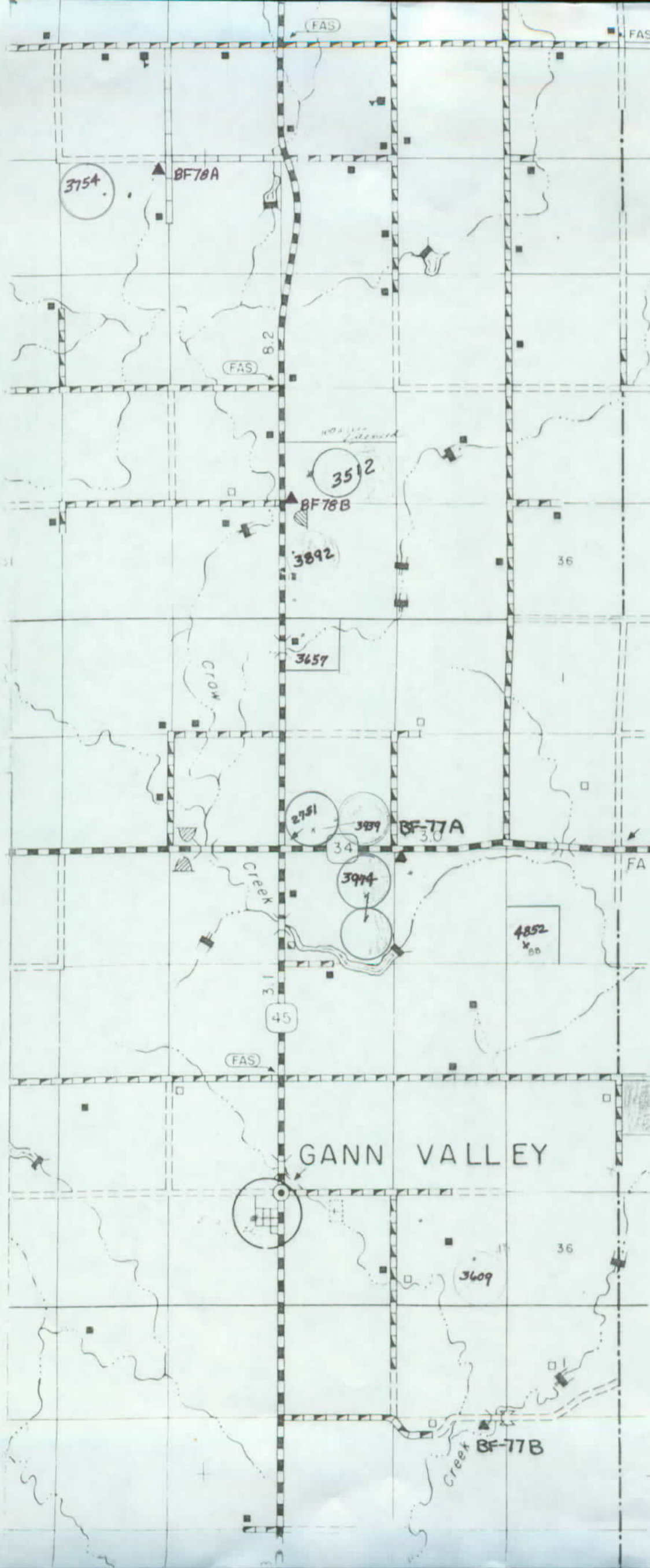
1979, 1980, 1981 Irrigation Report Eastern South Dakota, prepared for Division of Water Rights by the South Dakota Geological Survey.

DWNR, Division of Water Rights, Observation well Records (microfiche and computer file) and water permit files, unpublished.

COMPUTATION SHEET

BY	DATE	PROJECT	SHEET ____ OF ____
CHKD BY	DATE	FEATURE Application 4975-3	
DETAILS Crow Creek Aquifer Wells.			





J E R A R A C O U N T Y T 108 N T 107 N

TO WESSINGTON SPRINGS

3395

1980

44°00'

44°10'

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4975-3, Zastrow Brothers

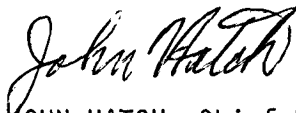
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4975-3, Zastrow Brothers, RR #2, Gann Valley, SD.

The Chief Engineer is recommending APPROVAL of Application No. 4975-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

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

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

The attached report is a part of this recommendation.



JOHN HATCH, Chief Engineer
December 27, 1983

Instruction to Newspaper - Publish first publication of the following Notice on or before January 4, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4975-3 to Appropriate Water and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that Zastrow Brothers whose mailing address is Route #2, Bann Valley, South Dakota has made an application for a permit

to appropriate 1.85 cubic feet per second from groundwater one 105' deep well into the Crow Creek Aquifer, the point of diversion to be located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10, Twp. 107N, Range 68W. Said water to be used for the purpose of providing irrigation on 130 acres located in the SE $\frac{1}{4}$, Section 10, T107N, R68W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 4975-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at the Civil Defense Room, basement Capitol Building, Pierre, South Dakota, February 15, 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by February 3, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use) 46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 3, 1984.

No. 4975-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brule) ss.

I, Hubert Alewel hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Chamberlain Register

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

city of Chamberlain

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

Jan. 5, 1984

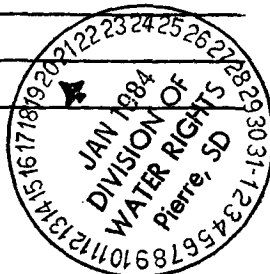
Jan. 12, 1984

Hubert E. Alewel
(Signature)

Publisher
(Title)

Jan. 12, 1984
(Date Signed)

Cost of Printing: 108 lines x .348 =
\$37.58



NOTICE OF HEARING ON
APPLICATION NO. 4975-3 TO
APPROPRIATE WATER

Notice is hereby given that Zastrow Brothers whose mailing address is Route No. 2, Gann Valley, South Dakota has made an application for a permit to appropriate 1.85 cubic feet per second from groundwater one 105' deep well into the Crow Creek Aquifer, the point of diversion to be located in the SW 1/4 SE 1/4, Section 10, Twp. 107N, Range 68W. Said water to be used for the purpose of providing irrigation on 130 acres located in the SE 1/4, Section 10, T107N, R68W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 4975-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at the Civil Defense Room, basement Capitol Building, Pierre, South Dakota, Feb. 15, 1984 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by Feb. 3, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 through 46-1-9, 46-1-12 through 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 through 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 through 46-2A-10, 46-2A-12; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD

74:02:02:00 through
74:02:01:15.

This hearing is an adversary proceeding. This applicant or any person, after filing a petition, 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.

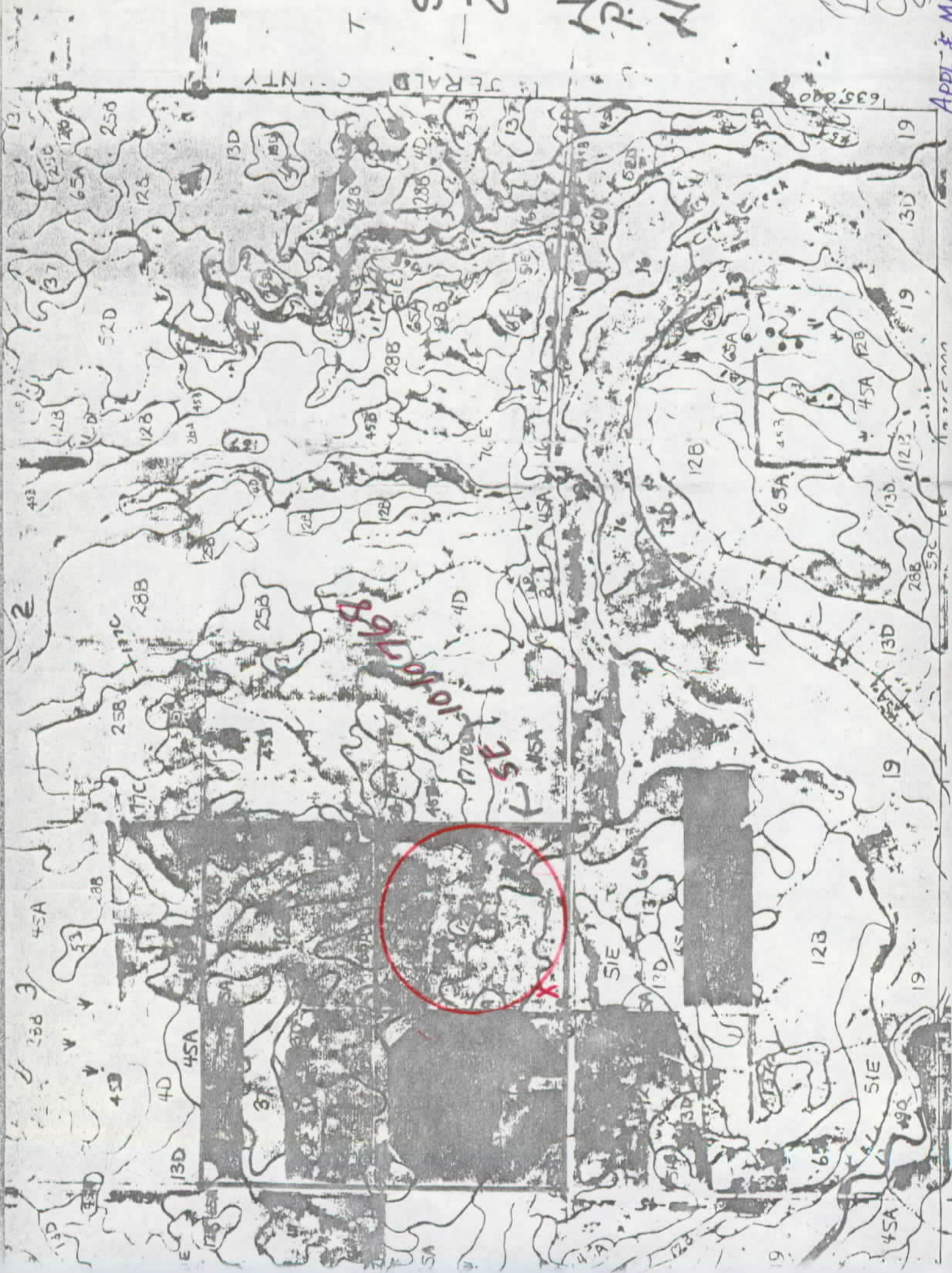
Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped, can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre, SD (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by Feb. 3, 1984.

(Jan. 5-12)

$T_7 \sim 7.5$

Yadine Waters
District Conservationist
Chamblain St
SCS Field Office
MAP # 4975-3

APPL & MAP # 4975-3





Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

4975-3

March 15, 1984

Zastrow Brothers
Rt 2
Gann Valley SD 57341

Dear Sirs:

Enclosed herewith is your Water Permit No. 4975-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 4975-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83