

Considered: _____

WATER PERMIT NO. 5223-3

HAP No. same

Name of Applicant Zochert Farms, Inc.

Post Office Address Route 1, Box 155, Webster SD 57274

Amount of Water Claimed 2.0 cfs Total Acres no add'l

Source of Water Supply one well - ground water

Water to be used for irrigation County Day

About 5 miles S of Grenville.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Aug 31, 1988 Fee \$150.00 Remarks appl's to

increase the diversion rate to irrigate land described on Permit Nos. 4169-3, 4595-3, 4946-3

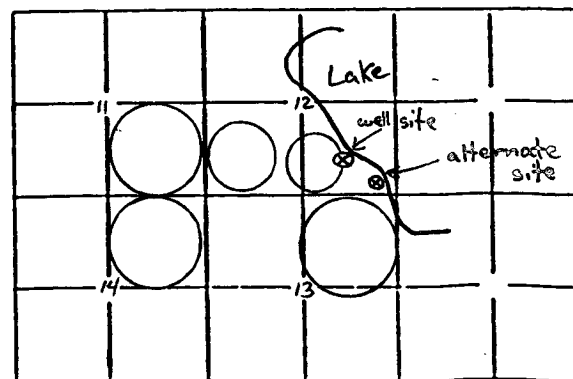
Corrected Application Received _____ Period of Annual Use _____

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

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

Diversion Point well (including alternate site): S $\frac{1}{2}$ SE $\frac{1}{4}$
section 12 - T122N - R55W

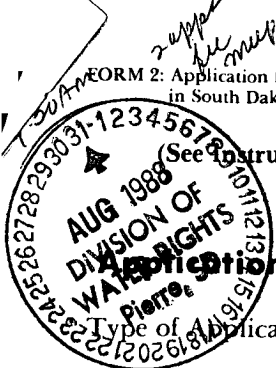
Land to be Irrigated acreage described on Permit
Nos. 4169-3, 4595-3 & 4946-3



Well Log: Driller Anderson Drilling Licensed YES ☒ NO _____

Depth of Well 70 feet REMARKS _____

Type of Map aerial photo PREPARED BY Lowell P. Nouke Reviewed and the Number assigned on _____ By _____



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

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No. 5223-3 Hydrologic Unit 10160010
Basin James River
Newspaper Reporter & Farmer - Webster

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

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☒ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
1. Name of Applicant Zochert Farms Inc. Phone No. 345-4293
Post Office Address RI - Box 155 Webster State SD Zip Code 57274
(Street, RR or Box) (City)
2. Amount of water claimed (c.f.s) 2.0 cfs Total acres irrigated See Permit #4169-3, 4595-3, 4946-3.
3. Source of Water supply well
4. Location of point of diversion 240 Rods East - North 55 Rods N from SW Corner - Sec 12-122-55
(660 ft N-NW from existing well #3) This is in SW, SE-12-122-55
County Day
5. Counties where water will be used Day
6. Annual period during which water is to be used May 1 thru Sept. 30
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
* From Permit #4169-3 -	
4595-3 - 4946-3	
(No New irrigated acres)	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: ☒ Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: Corn - soybeans - alfalfa
10. Give a description of proposed project. (Attach sheet if more space is needed)
Construct new supplemental well 660' N-NW of existing well #3 with connecting pipeline to supplement water supply for existing pivots.

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

STATE OF SOUTH DAKOTA)
County of Day) ss

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

Signed Ivan Zochert

Subscribed and sworn to before me this 25th day of August 1988

Margaret Kwasniewski
Notary Public
MARGARET KWASNIEWSKI, Notary Public
My Commission Expires 1/7/03

NOT TO SCALE 1991

Key

- (Blue) Existing Well
- (Blue) Existing Pipeline
- (Red) Planned Well
- (Red) Planned Pipeline

Prepared by
Rosal P. Nause
Dist. Conservationist
Webster, SD.

Appl. No. 5273-3

**SOUTH DAKOTA
WATER PERMIT FOR IRRIGATION**

Date of first receipt of application August 31, 1988

Date Soil/Water Compatibility Permit received November 18, 1988

Date of return to applicant for correction, amendments or changes required September 13, 1988

Date of receipt of corrected application September 16, 1988

The Water Management Board approved Water Permit Application No. 5223-3

on December 8, 1988 for Zochert Farms
(Applicant)

Route 1, Box 155 Webster SD 57274
(Street, RR or Box) (City) (State) (Zip Code)

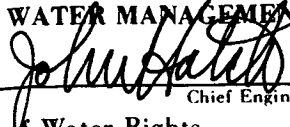
authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5223-3 appropriates 2.0 cubic feet of water per second (cfs) from one additional well, 70 feet deep, to irrigate 540 acres described on Water Right Nos. 4169-3 and 4595-3 and Water Permit No. 4946-3. The well is to be located in the $S\frac{1}{2}$ SE $\frac{1}{4}$ Section 12; and the irrigated acreage is located in the $S\frac{1}{2}$ Section 12; SE $\frac{1}{4}$ Section 11; NE $\frac{1}{4}$ Section 14; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13; all in T122N-R55W.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - September 30
3. The date from which applicant may claim the right is August 31, 1988
4. One-fifth of the construction is to be completed on or before June 3, 1991
5. All construction is to be completed on or before December 8, 1993
6. Water is to be put to beneficial use on or before December 8, 1997
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

See Attached Sheet

WATER MANAGEMENT BOARD

By: 
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

MAR 3 1989

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 30 in. Depth 70 ft
- b) Casing Type steel Diameter 16 in. Thickness 1/4"
- c) Screen Type stainless steel Diameter 16 in. Thickness —
- d) Gravel Pack Thickness 7-8" Length of Gravel Pack at least 30 ft.
- e) Depth to Top of Water Bearing Material about 30 ft
- f) Depth to Water (ground surface to water level) 19 ft
- g) Distance to nearest existing domestic well:
- On applicants property 1/2 mile On property owned by others 3/4 mile

2. Dugout Information Estimates

- a) Surface Dimensions N/A Depth —
- b) Depth to water (ground surface to water level) N/A

3. Water Storage Dams

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

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

N/A

b) Freeboard —

c) Crest Width —

Crest Length —

d) Height —

e) Primary Outlet Capacity —
If Pipe, diameter —

f) Secondary Spillway Capacity —
Spillway width —

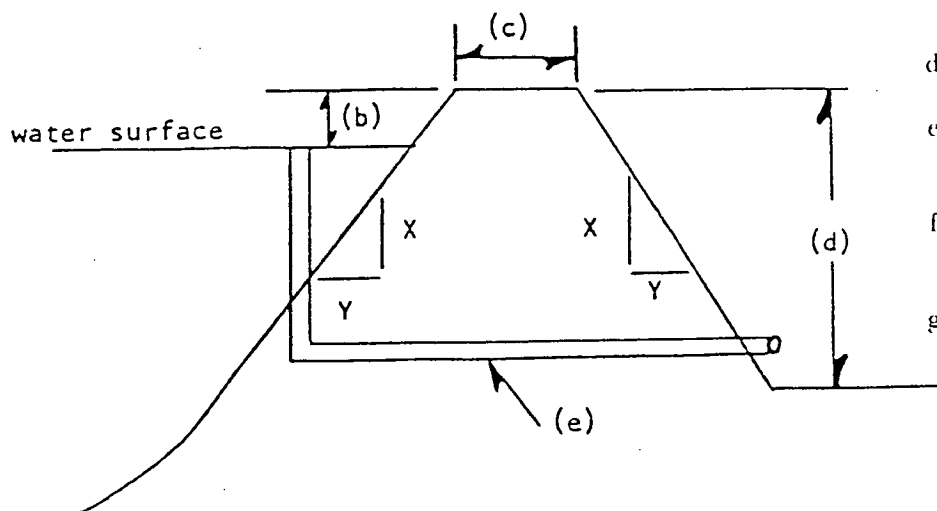
g) X & Y Slope
Upstream —

Downstream —

Surface Area of Impoundment —

Storage — acre feet

Drainage area above dam —



Signature of Applicant

SOUTH DAKOTA WATER WELL COMPLETION REPORT

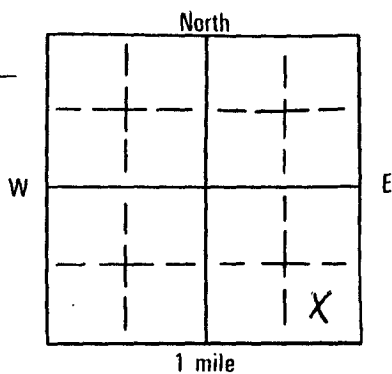
10-85

on SE 1/4 SE 1/4 Sec 12 Twp 122 Rg 55

County

DAY

Please mark well location with an "X"

Well Completion Date 5-16-89

PROPOSED USE:

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

Method of Drilling:

Reverse

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>16</u> IN	<u>0</u> FT	<u>60</u> FT	<u>24</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 20 FEETWhat is grouting material? CementIf cement, number of sacks? 60

Describe grouting procedure _____

line to 20 ft.

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 16 IN Length 20 FEETMaterial stainlessSlot Size 0.50 Set From 60 Feet To 80 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name

IVAN ZOCHERT

Address

R R 1 Webster SD.

Well Log:

Depth

Formation

From

To

yellow gravel010yellow clay1014blue clay1450fine sand5054med - sand5480STATIC WATER LEVEL 12 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 in? _____

WELL TEST DATA:

☒ Pumped850 ± gpm☐ BailedDescribe: Turbine☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm

Bullman Drilling

Signature of License Representative:

B. E. Luehl

Signature of Well Owner:

Date

7-19-89

**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

September 13, 1988

Ivan Zochert
Zochert Farms, Inc.
Route 1, Box 155
Webster SD 57274

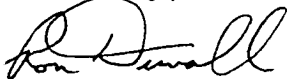
Dear Mr. Zochert:

This letter is in response to your water permit application received on August 31, 1988. The following information is needed to complete the water permit application:

- 1) The application fee to appropriate an additional 2.0 cfs with adding no acreage is a minimum of \$150.00. Enclosed is your check for \$50.00. Please remit the correct application fee.

The water permit application can not be considered by the Water Management Board until the application is complete and the Soil/Water Permit is approved. Please remit the \$150.00 application fee to complete the water permit application. Contact me if you have any questions.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



hole I 2. paley

1977

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: 2E 1/4 1/4 Section 13 Township 122 Range 55

Well owner Chris Zisch (Name) _____ (Address) _____

Date well drilling completed _____ Purpose of well _____
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
<u>0-5</u>	<u>top soil</u>	Depth to static water level _____ ft.
<u>5-15</u>	<u>sand</u>	Name of producing aquifer (if known) _____
<u>15-34</u>	<u>clay</u>	Total depth of drill hole _____ ft.
<u>34-50</u>	<u>soft clay</u>	Depth to bottom of casing _____ ft.
<u>50-77</u>	<u>sand</u>	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
<u>77-95</u>	<u>clay</u>	
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
		If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Robert Anderson
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump _____ HP

Type of pump _____ Capacity of installed pump _____ G.P.M.

Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.1, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____



Name of Pump Installation Contractor

Well owner Quinn Zochart Wichita
(Name) (Address)

WELL L29

[illegible]

Dye to static water level _____ ft.

Heard by _____ during summer (if known) _____

Total depth of drill hole _____ ft.

Depth to bottom of casing _____ ft.

Casing information in the space below show kind, size, weight, lengths per diameter, etc., or production casing and surface casing, if used.

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

if a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Paul A. Hines
Name of Drilling Contractor

PUMP INSTALLATION _____ HP _____
Company name and size of pump _____

Type of pump _____ Capacity of installed pump _____ G.P.M.

Depth of pump placement _____ ft., Date of pump installation _____

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____,
tube material _____.

Name of Pump Installation Contractor



Day

[illegible]REDUCTION 2.217

ROLL NO.

1



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411412

Pierre, September 16, 1988

RECEIVED OF Ivan Zochert, Zochert Farms, Inc., Route 1, Box 155, Webster, SD 57274

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

Fee for Application for Permit No. <u>5223-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	150 00

By John Hatch
Chief Engineer

JOHN HATCH 

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4290

WR#

OWNERS NAME: Zochart Farms, Inc. OWNERS ADDRESS: R 1, Box 155

Webster, SD 57274

COUNTY LAND LOCATED IN: Day PHONE: 345-4293

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION 240 rods East-North 55 rods N from SW corner Sec 12-122-55

Depth (660 ft N-NW from existing well #3) this is in SW SE 12-122-55

Legal Description	Acres	Legal Description	Acres
NE $\frac{1}{4}$ Sec 13		NE $\frac{1}{4}$ Sec 14	
SW $\frac{1}{4}$ Sec 12		TOTAL ACRES+630	
W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 12		No new irrigated acres, from	
SE $\frac{1}{4}$ Sec 11		WR #'s 4169-3, 4595-3, 4946-3,	

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify) _____

3. CROPS TO BE IRRIGATED: corn, soybeans, wheat

WATER QUALITY:

4. WATER SAMPLE NUMBER: 80-1031, 77-779 7. ADJUSTED (SAR): 1.00
5. SALINITY (EC X 10⁶): 1516, 1407 8. PERCENT SODIUM 6.00, 5.47
6. SODIUM (SAR): 0.35, 0.34

Requirements:

That the requirements of permit numbers 2043-DA, 2637-DA, 4017, and amended requirements of permit 4072 be observed.



[Signature]
Director, Division of Conservation

Date 11/10/88

☒ APPROVED
☐ DISAPPROVED
☐ WAIVER

☒ REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, 445 East Capitol

Pierre, South Dakota 57501-3188

Phone 605/773-3258



September 14, 1988

Zochert Farms, Inc.

R1, Box 155

Webster, SD 57274

Dear Mr. Zochert:

In reviewing your soil and water compatibility application for the areas from WR permit #'s 4169-3, 4595-3, 4946-3; no new irrigated acres, (NE1/4 Sec 13; SW1/4 Sec 12; W1/2 SE1/4 Sec 12; SE1/4 Sec 11; NE1/4 Sec 14; all in T122N-R55W = 630 total acres), the irrigation staff is recommending approval with requirements of your application to the State Conservation Commission at their November 10, 1988 meeting. The approved with requirements recommendation is based on the soil of the area and the total salt load of the area.

The Requirements and Management Recommendations are as follows:

REQUIREMENTS:

That the requirements of permit numbers 2043-DA, 2637-DA, 4017, and amended requirements of permit 4072 be observed.

MANAGEMENT RECOMMENDATIONS:

The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a soil-water compatibility permit by the division or the commission.

Sincerely,

Jim Stukel

Natural Resource Program Scientist

CS



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, 445 East Capitol
Pierre, South Dakota 57501-3188
Phone 605/773-3258



September 14, 1988

Ivan Zochert
Zochert Farms, Inc.
Rt 1, Box 155
Webster, SD 57274

Dear Mr. Zochert:

In reviewing permit number 4072, I have found what appears to be a clerical error, in which the requirements were placed in the wrong area. As part of the staffs recommendation to the State Conservation Commission, we will recommend that the error be corrected.

Please see the attached for the correction to be recommended. Should you have any questions on this matter, feel free to contact this office.

Sincerely,

Jim Stukel
Natural Resource Program Scientist

Enclosure

CS

Conditional Approval

**SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION**

NAME OF APPLICANT: Ivan Zochert - Zochert Farms - Day County

LEGAL DESCRIPTION: NE $\frac{1}{4}$ 13; SW $\frac{1}{4}$ 12; NW $\frac{1}{4}$ SE $\frac{1}{4}$ 12; SE $\frac{1}{4}$ 11-122-55

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

NE $\frac{1}{4}$ 13-122-55 - Intermittant Lake

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 14-122-55 - Large area of Parnell Silty Clay Loam

**THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:**

RECOMMENDED MANAGEMENT:

A intensive management plan is currently used to address the restricted areas. Practices used include: filling, developing drainageways, and the use of an automatic shut off, addresses these areas as needed.

Paul M. G. Hall
SIGNATURE

1-12-84

DATE

*Based on Dec 21, 1983 letter of recommendation
Move to*

Conversation or File Documentation

NAME OF PERSON OR FILE: Ivan ZochertADDRESS: Route 1, Box 155, Webster SD COUNTY DayDATE: Sept. 15, 1988 TELEPHONE _____RE: Phone conversation with Ivan Zochert & Jim Stukel

COMMENTS:

Ivan Zochert called to determine the status of his permit application. I informed Mr. Zochert that the \$150⁰⁰ application fee was needed and that Soil/Water approval was also needed prior to the water permit application being considered. Mr. Zochert upon being informed of the W.M.B. meeting dates wanted to know if the application could be considered in December instead of March 1989. I told Mr. Zochert that we could advertise for the December meeting providing the Dept. of Agriculture recommends approval of the application. I also told Mr. Zochert that he risks paying advertising costs for nothing if the Conservation Commission disapproves the Soil/Water application. Mr. Zochert stated he was willing to take that chance.

Jim Stukel indicated that the Dept of Agriculture was recommending approval of Mr. Zochert's application with some requirements.

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

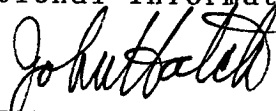
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5223-3, ZOCHERT FARMS, INC.

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. 5223-3, Zochert Farms, Inc., Rt 1, Box 155, Webster SD.

The Chief Engineer is recommending APPROVAL of Application No. 5223-3 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:

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 wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Land authorized by irrigation by Permit No. 5223-3 is also irrigated under Water Rights No. 4169-3 and 4595-3 and Permit No. 4946-3. Combinations of diversion under these water rights and permits may not exceed the statutory limit of 1.0 cfs for each 70 acres of land to be irrigated.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
October 26, 1988

NOTE: This recommendation was prepared prior to receiving formal approval of a Soil-Water Compatibility Application (SWCA) to avoid delaying Water Permit Application No. 5223-3 until the March 1 and 2, 1989 Water Management Board Meeting. The Department of Agriculture has advised by letter that the Department will approve the required SWCA pursuant to SDCL 46-5-6.5. However, until the approval is reviewed by the Conservation Commission at its regular November 10, 1988 meeting based upon Commission policy to review all Department disapprovals or approvals of SWCA pursuant to SDCL 46-5-6.6, the Soil-Water Compatibility Permit will not be issued. If the Conservation Commission does not concur with the Department's approval, Application No. 5223-3 will be deleted from the December 7 and 8, 1988 agenda. Mr. Zochert is aware that his application is subject to removal from the December Water Management Board Meeting agenda.

REPORT ON APPLICATION NO. 5223-3
ZOCHEM FARM, INC.
October 21, 1988

This application proposes to appropriate 2.0 cfs from one well approximately 70 feet deep to irrigate 540 acres as described on Water Right Nos. 4169-3, 4595-3 and 4946-3. The well is to be located in the S 1/2 SE 1/4 of Section 12 and the irrigated acreage is located in the S 1/2 of Section 12; SE 1/4 Section 11; NE 1/4 Section 14; NE 1/4, N 1/2 SE 1/4 of Section 13; all in T122N, R55W in Day County. The total water appropriation authorized by this application and those previously mentioned is not to exceed 1 cfs per 70 acres.

Aquifer - ^{COTEAU LAKES COL} Prairie Coteau (PCO) (Inc)

The Prairie Coteau (PCO) is a buried Pliocene outwash (sand and gravel) aquifer which is under artesian conditions in this area. The aquifer underlies 500,000 acres and contains more than 675,000 acre feet of recoverable water in storage in Day County (Hedges, 1982). The aquifer is not very well mapped in Day County and may be connected to the Coteau Lakes Aquifer in this area.

The Division of Water Rights does monitor one observation well DA-78C which is in the immediate area. A hydrograph for this well is included with this report (Water Rights Division, 1988). A review of the hydrograph for this well indicates 10-12 feet of fluctuation due to pumping in a given year, however, the general trend of the water levels has been upward due to favorable recharge in 1985 and 1986.

Review of Existing Water Permits

There are no other permits in this area except those held by the applicant. Our records indicated the proposed well #4 will be about 1/8 mile northwest of existing well #1. Interference between these well will occur but will be manageable and should not adversely affect water availability from the aquifer. If possible, further test drilling should be completed to identify a potential well site which is further away in order to minimize the affects of drawdowns caused by pumping.

Conclusions

1. Water is available from the PCO Aquifer.
2. The aquifer is under artesian conditions and interference will occur. This should be manageable as the same individual owns all the wells.

3. The observation well records for this area indicate the aquifer does fluctuate and does recharge. The aquifer is supplying the water needed without adverse impacts.
4. The additional diversion point is necessary in order to properly irrigate all the lands under permit, especially during a dry year.
5. The well must be completed in accordance with SD Well Construction Standards.


JAMES A GOODMAN
Hydrologist

Bibliography

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

Water Rights Division, 1988, Observation Well Records for PCO Aquifer in Day County, DWNR, Water Rights Division, Joe Foss Building, Pierre SD 57501.

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
DA-78C	122N-55W-12DCCC	09/27/78	-33.7
DA-78C	122N-55W-12DCCC	10/16/78	-33.4
DA-78C	122N-55W-12DCCC	11/28/78	-33.1
DA-78C	122N-55W-12DCCC	05/02/79	-32.5
DA-78C	122N-55W-12DCCC	05/31/79	-33.2
DA-78C	122N-55W-12DCCC	06/12/79	-31.9
DA-78C	122N-55W-12DCCC	07/03/79	-31.4
DA-78C	122N-55W-12DCCC	07/20/79	-32.8
DA-78C	122N-55W-12DCCC	08/01/79	-32.0
DA-78C	122N-55W-12DCCC	08/16/79	-31.3
DA-78C	122N-55W-12DCCC	09/05/79	-32.0
DA-78C	122N-55W-12DCCC	09/27/79	-31.8
DA-78C	122N-55W-12DCCC	10/25/79	-31.4
DA-78C	122N-55W-12DCCC	01/15/80	-31.0
DA-78C	122N-55W-12DCCC	03/06/80	-30.8
DA-78C	122N-55W-12DCCC	04/16/80	-30.9
DA-78C	122N-55W-12DCCC	05/29/80	-33.1
DA-78C	122N-55W-12DCCC	06/23/80	-33.0
DA-78C	122N-55W-12DCCC	07/10/80	-33.5
DA-78C	122N-55W-12DCCC	07/24/80	-35.3
DA-78C	122N-55W-12DCCC	08/06/80	-34.1
DA-78C	122N-55W-12DCCC	08/20/80	-33.4
DA-78C	122N-55W-12DCCC	09/10/80	-33.3
DA-78C	122N-55W-12DCCC	10/29/80	-32.1
DA-78C	122N-55W-12DCCC	12/09/80	-31.9
DA-78C	122N-55W-12DCCC	03/10/81	-32.0
DA-78C	122N-55W-12DCCC	04/16/81	-31.6
DA-78C	122N-55W-12DCCC	05/20/81	-39.8
DA-78C	122N-55W-12DCCC	05/27/81	-34.0
DA-78C	122N-55W-12DCCC	06/10/81	-33.8
DA-78C	122N-55W-12DCCC	06/23/81	-33.0
DA-78C	122N-55W-12DCCC	07/08/81	-39.2
DA-78C	122N-55W-12DCCC	07/22/81	-39.5
DA-78C	122N-55W-12DCCC	08/05/81	-40.4
DA-78C	122N-55W-12DCCC	09/01/81	-38.4
DA-78C	122N-55W-12DCCC	10/21/81	-35.7
DA-78C	122N-55W-12DCCC	05/05/82	-33.3
DA-78C	122N-55W-12DCCC	05/25/82	-34.6
DA-78C	122N-55W-12DCCC	06/08/82	-33.8
DA-78C	122N-55W-12DCCC	06/22/82	-34.7
DA-78C	122N-55W-12DCCC	07/08/82	-35.5
DA-78C	122N-55W-12DCCC	07/20/82	-39.0
DA-78C	122N-55W-12DCCC	08/03/82	-40.1
DA-78C	122N-55W-12DCCC	08/18/82	-41.8
DA-78C	122N-55W-12DCCC	09/01/82	-37.7
DA-78C	122N-55W-12DCCC	09/29/82	-36.0
DA-78C	122N-55W-12DCCC	10/27/82	-35.0
DA-78C	122N-55W-12DCCC	02/28/83	-33.9
DA-78C	122N-55W-12DCCC	04/07/83	-33.8
DA-78C	122N-55W-12DCCC	05/24/83	-33.6
DA-78C	122N-55W-12DCCC	06/07/83	-37.5
DA-78C	122N-55W-12DCCC	06/20/83	-34.7
DA-78C	122N-55W-12DCCC	07/06/83	-34.6
DA-78C	122N-55W-12DCCC	07/19/83	-36.5
DA-78C	122N-55W-12DCCC	08/01/83	-37.3

13:37 THURSDAY, OCTOBER 20, 1988 1

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
DA-78C	122N-55W-12DCCC	08/18/83	-36.4
DA-78C	122N-55W-12DCCC	10/11/83	-35.1
DA-78C	122N-55W-12DCCC	11/02/83	-34.8
DA-78C	122N-55W-12DCCC	04/09/84	-34.0
DA-78C	122N-55W-12DCCC	05/02/84	-33.8
DA-78C	122N-55W-12DCCC	06/14/84	-34.3
DA-78C	122N-55W-12DCCC	06/27/84	-33.8
DA-78C	122N-55W-12DCCC	07/11/84	-35.4
DA-78C	122N-55W-12DCCC	07/25/84	-39.7
DA-78C	122N-55W-12DCCC	08/08/84	-37.6
DA-78C	122N-55W-12DCCC	08/20/84	-42.6
DA-78C	122N-55W-12DCCC	08/22/84	-39.1
DA-78C	122N-55W-12DCCC	09/26/84	-36.6
DA-78C	122N-55W-12DCCC	10/30/84	-36.0
DA-78C	122N-55W-12DCCC	05/14/85	-33.4
DA-78C	122N-55W-12DCCC	05/27/85	-34.1
DA-78C	122N-55W-12DCCC	06/11/85	-35.8
DA-78C	122N-55W-12DCCC	06/24/85	-34.2
DA-78C	122N-55W-12DCCC	07/08/85	-42.4
DA-78C	122N-55W-12DCCC	07/23/85	-43.9
DA-78C	122N-55W-12DCCC	08/07/85	-42.5
DA-78C	122N-55W-12DCCC	08/18/85	-43.9
DA-78C	122N-55W-12DCCC	09/11/85	-38.7
DA-78C	122N-55W-12DCCC	10/09/85	-37.4
DA-78C	122N-55W-12DCCC	03/25/86	-34.0
DA-78C	122N-55W-12DCCC	04/08/86	-34.0
DA-78C	122N-55W-12DCCC	04/22/86	-33.2
DA-78C	122N-55W-12DCCC	05/06/86	-32.4
DA-78C	122N-55W-12DCCC	06/03/86	-33.0
DA-78C	122N-55W-12DCCC	06/19/86	-31.1
DA-78C	122N-55W-12DCCC	07/02/86	-31.3
DA-78C	122N-55W-12DCCC	07/16/86	-30.9
DA-78C	122N-55W-12DCCC	07/31/86	-30.7
DA-78C	122N-55W-12DCCC	08/13/86	-30.3
DA-78C	122N-55W-12DCCC	09/04/86	-30.2
DA-78C	122N-55W-12DCCC	10/29/86	-29.8
DA-78C	122N-55W-12DCCC	04/08/87	-28.6
DA-78C	122N-55W-12DCCC	05/27/87	-28.8
DA-78C	122N-55W-12DCCC	06/10/87	-35.0
DA-78C	122N-55W-12DCCC	06/24/87	-39.7
DA-78C	122N-55W-12DCCC	07/09/87	-38.8
DA-78C	122N-55W-12DCCC	07/23/87	-35.1
DA-78C	122N-55W-12DCCC	08/06/87	-42.8
DA-78C	122N-55W-12DCCC	08/20/87	-38.1
DA-78C	122N-55W-12DCCC	08/25/87	-36.7
DA-78C	122N-55W-12DCCC	09/16/87	-33.9
DA-78C	122N-55W-12DCCC	11/19/87	-31.3
DA-78C	122N-55W-12DCCC	04/13/88	-30.2
DA-78C	122N-55W-12DCCC	05/05/88	-35.1
DA-78C	122N-55W-12DCCC	05/19/88	-34.9
DA-78C	122N-55W-12DCCC	06/01/88	-32.2
DA-78C	122N-55W-12DCCC	06/15/88	-35.2
DA-78C	122N-55W-12DCCC	06/29/88	-39.9
DA-78C	122N-55W-12DCCC	07/15/88	-43.6
DA-78C	122N-55W-12DCCC	08/12/88	-41.2

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
DA-78C	122N-55W-12DCCC	09/08/88	-36.9

13:37 THURSDAY, OCTOBER 20, 1988 3

N= 111

```
C:\type a:da78c      bd76d
*UM.D.TID=279(( wait ))ZOV0002 - UM.D.T IS NOT A VALID NAME IN OVERLAY FUNCTION      *UMRESET.TID=279(( wait ))ZAM0008 - UMRESE
IS AN INVALID PROGRAM NAME      *UM.RESET.TID=279(( wait ))UMS0022 - REQUESTED OPERATION COMPLETE
```



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
(605) 773-3352

October 28, 1988

NOTE:

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

Ivan Zochert
Zochert Farms, Inc.
Rt 1, Box 1-5
Webster, South Dakota 57274

Dear Mr. Zochert:

Your Application No. 5223-3 for a permit to appropriate water for
irrigation use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Reporter & Farmer

printed at Webster

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer

enclosures

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 28, 1988

Reporter & Farmer
Box 30
Webster, South Dakota 57274

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5223-3 to be published twice. Please publish the first notice on or before November 7, 1988 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Ivan Zochert, Zochert Farms, Inc., Rt 1, Box 155, Webster, SD 57274.

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

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE
No. _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on or before November 7, 1988 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5223-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is given that Zochert Farms, Inc., Route 1, Box 155, Webster, South Dakota 57274, has filed an application for a water permit to appropriate 2.0 cubic feet of water per second (cfs) from one additional well (Prairie Coteau Aquifer) 70 feet deep to irrigate 540 acres described on Water Right Nos. 4169-3 and 4595-3 and on Water Permit No. 4946-3. The well is to be located in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 12 and the irrigated acreage is located in the S $\frac{1}{2}$ Section 12; SE $\frac{1}{4}$ Section 11; NE $\frac{1}{4}$ Section 14; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13; all in T122N-R55W. The total water appropriation authorized by this application, if approved, and Water Right Nos 4169-3 and 4595-3 and Permit No. 4946-3 is not to exceed 1.0 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5223-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room Dakota A, Howard Johnson, 3300 W. Russell, Sioux Falls, SD on December 7, 1988 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by November 25, 1988. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by November 25, 1988.

This application is made pursuant to 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; ~~(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)~~ 46-5-32 thru 46-5-35; ~~(10,000 AF)~~ 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 AF)~~ 74:02:01:15:02 thru 74:02:01:15:05.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Day) ss.
County _____)

I, Orvilla Syverson hereby

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

Water was taken from the Reporter and Farmer

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the 7th

Day of November 1988
of _____

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

Nov. 7, 1988

Nov. 14, 1988

Orvilla Syverson
(Signature)

Bookkeeper

(Title)

Nov. 14, 1988

(Date Signed)



Cost of Printing: \$ 45.91

Hearing set

(First Nov. 7)

NOTICE OF HEARING ON APPLICATION NO. 5223-3 TO APPROPRIATE WATER

Notice is given that Zochert Farms, Inc., Route 1, Box 155, Webster, S.D. 57274 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second (cfs) from one additional well (Prairie Coteau Aquifer) 70 feet deep to irrigate 540 acres described on Water Right Nos. 4169-3 and 4595-3 and on Water Permit No. 4946-3. The well is to be located in the S1/2 SE1/4 Section 12 and the irrigated acreage is located in the S1/2 Section 12; SE1/4 Section 11; NE1/4 Section 14; NE1/4, N1/2SE1/4 Section 13; all in T122N-R55W. The total water appropriation authorized by this application, if approved, and Water Rights Nos. 4169-3 and 4595-3 and Permit No. 4946-3 is not to exceed 1.0 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends approval of Application No. 5223-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room Dakota A, Howard Johnson, 3300 West Russell, Sioux Falls, S.D. Dec. 7, 1988, at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualification, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by Nov. 25, 1988. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 East Capitol, Pierre, S.D. (605 773-3352)." 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by Nov. 25, 1988.

This application is made pursuant to 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, 46-2A-1 through 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 through 46-5-11, 46-5-13 through 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 through 74:02:01:15.

(Last Nov. 14)

■ ■

**SOUTH Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

MAR 3 1989

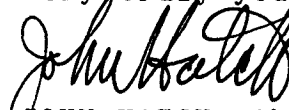
Ivan Zochert
Zochert Farms, Inc.
RR 1, Box 155
Webster SD 57274

Dear Mr. Zochert:

Enclosed is Water Permit No. 5223-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in Water Permit No. 5223-3.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,


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

JH: ks

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.

Day Co.

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 12-6-89TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181

FROM:

Zochert Farms Inc. R.1 Box 155
name addressHebster
city

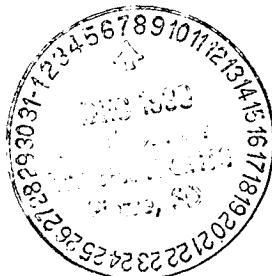
I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5223-3.

Water Permit No. 5223-3 states that the diversion system is to be constructed by Dec. 8-1993, and that the water it put to beneficial use by Dec-8-1997.

The diversion system was completed on about 7-10-89.

Applying the water to beneficial use was completed on 7-10-89.

You may schedule an inspection so that the Water License may be issued.

Ivan Zochert
signature

Permit No. 5223-3

James River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Zochert Farms of Webster, SD holder of Permit No. 5223-3, bearing the priority of 8/31/1988 authorizing the diversion of 2.0 cu. ft. per second and/or the storage of 0 acre-feet of the waters of ground water for irrigation purposes, in Day County.

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

A. Works used to divert the water:

A 12" Western Land Roller pump with an 800 gpm capacity.

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

10400' of 8" PVC

C. Works used to apply water to beneficial use:

*See James Wendte's inspection sheets

The system is in the following condition good. The point of diversion is located from the SW corner of the SE1/4 of Section 12-T122N-R55W, 1270'E 850'N. ^(Well #4) The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water and/or storing 0 acre-feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

*See James Wendte's inspection sheets - this permit should be incorporated with Water Right No. 4995-3 which allows for the diversion of 3.56 cfs to irrigate 540 acres. comprising a total of 540 acres of land and the license should be issued for 5.34 cfs and/or 0 acre-feet of storage.

Applicable permit qualifications have been complied with x Yes No

Exceptions to compliance are: none Date 8/27/1991



Mark D. Rath
Natural Resources Engineer II
DENR, Water Rights Division

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

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

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

REMARKS: This well is part of the irrigation system covered under Water Right No. 4995
The inspection for the licensing of Water Right No. 4995-3 was performed on 4/20/1988
James L. Wendte. I reinspected the system and found that the system has not been
changed and Jim Wendte's inspection sheets will be used for the rest of the irrigation
system information. Water Permit No. 5223-3 should be incorporated with Water Right No.
4995-3

4027-3
Permit No. 4169-3, 4595-3, 4946-3, & 4995-3

James River Water District
10160010

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

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

I have this day made a thorough examination of the water use system constructed by Ivan Zochert
Rt. 1 Box 155 of Webster, SD 57274 holder of
Permit No. See Addl. Shts., bearing the priority of See Addl. Sheets 19 authorizing
the diversion of 6.70 cu. ft. per second of the waters of groundwater (3 wells)
for irrigation purposes, in Day County.

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

A. Works used to divert the water: All 3 wells are $\approx$ 70' deep with 16" Steel Casing and 20' of St. Steel Screen. All 3 wells have National Pumps (Model # N-260). All 3 wells have U.S. Electrical Motors. (Wells 1 & 2 - 40 H.P.; Well 3 - 75 H.P.)

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

$\approx$ 14,300' of buried 8" PVC Pipe

C. Works used to apply water to beneficial use:

See Addl. Sheets.

The system is in the following condition good

The point of diversion is located See Addl. Sheets.

The works are capable of diverting and conveying to the place of use 3.56

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

Water has been put to beneficial use to the maximum extent as follows: Sec. 13 - 122 N - 55 W

NW 1/4 NE 1/4 - 30 acres NW 1/4 SE 1/4 - 3 acres

NE 1/4 NE 1/4 - 30 " NE 1/4 SE 1/4 - 3 "

SE 1/4 NE 1/4 - 35 " * (See Addl. Sheets For

SW 1/4 NE 1/4 - 35 " more acreage)

comprising a total of 540 acres of land and the license should be issued for 3.56 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date 4-20-88

James L. Wendt
(signature)

Pts. of Diversion

- Well #1 - SE $\frac{1}{4}$ NE $\frac{1}{4}$ of 13-122 N-55 W
1450' S & 1350' E of the NW corner of
the NE $\frac{1}{4}$ of Sec. 13.
- Well #2 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ of 13-122 N-55 W
820' S & 1420' E of the NW corner of
the NE $\frac{1}{4}$ of Sec. 13.
- Well #3 - SE $\frac{1}{4}$ SE $\frac{1}{4}$ of 12-122 N-55 W
1390' E & 120' N of the SW corner of
the SE $\frac{1}{4}$ of Sec. 12.

Addl. Irrigated Acreage

- Sec. 12 - 122 N-55 W
 - NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 22 acres
 - NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 15 "
 - SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 34 "
 - SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 25 "
 - NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 12 acres
 - SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 32 "
- Sec. 11 - 122 N-55 W
 - NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 33 acres
 - NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 33 acres
 - SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 33 acres
 - SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 33 "
- Sec. 14 - 122 N-55 W
 - NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 acres
 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 "
 - SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 acres
 - SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 "

Permit No. 4027-3 & 4169-3 have a priority date of June 6, 1977 From Wells #1 & #2 and a priority date of Nov. 2, 1983 From Well #3. (Combined rate of diversion from the 3 wells shall not exceed 1 cfs per 70 acres.)

Permit No. 4595-3 has a priority date of Dec. 30, 1980 From all 3 wells.

Permit No. 4946-3 has a priority date of Feb. 22, 1983 From all 3 wells.

- C.
- NE $\frac{1}{4}$ & Part of SE $\frac{1}{4}$ of 13-122 N-55 W
8 tower Electrogator center pivot with Nelson #100 end gun.
 - SE $\frac{1}{4}$ of 12-122 N-55 W
4 tower Electrogator center pivot with Nelson #100 end gun.
 - SW $\frac{1}{4}$ of 12-122 N-55 W
5 tower Electrogator center pivot with Nelson #100 end gun.
 - SE $\frac{1}{4}$ of 11-122 N-55 W
7 tower Reinke center pivot with end gun & operated at 52 psi.
 - NE $\frac{1}{4}$ of 14-122 N-55 W
8 tower Reinke center pivot with end gun & operated at 52 psi

LICENSE FOR PERMIT NUMBER 5223-3

1. Legal location of wells: from the SW corner of the SE1/4 Section 12-T122N-R55W,
1270'E 850'N

Dams and Structures

2. Well Information: Well Drilling Firm Pullman Drilling

Completion Report? Yes ☒ No No. of Wells 1 Depth(s) 80 feet

Casing a) diameter 16 inches Screen a) type stainless steel

b) length 60 feet b) length 20 feet

c) type PVC Static Water Level feet

Pump a) make Western Land Roller Motor a) make Lister

b) model b) model no. 6 cyl diesel

c) size 12" c) horsepower rating

d) capacity 800 GPM d) serial no.

e) turbine pump - no. of stages

f) operating PSI 70

3. Distribution lines or canals

a) size 8 inches

b) type PVC

c) length 10400 feet

5. System Type a) sideroll: b) towline:

c) gun: d) center pivot:

LICENSE FOR PERMIT NUMBER 4946-3 & 4995-3

1. Legal location of wells: Well #1, SE 1/4 NE 1/4 13-122-55
Well #2, NE 1/4 NE 1/4 13-122-55, Well #3 SE 1/4 SE 1/4 12-122-55

dams & structures: _____

2. Well Information: Well Drilling Firm Peckham

No. of wells 3 Depth ≈ 70'

Casing a) diameter 16" Screen a) type St. Steel
b) length ≈ 50' b) length 20'
c) type Steel Static Water Level _____

Pump Well #1 a) make National Motor Well #1 a) make U.S. Electrical
b) model N-260 b) ^{I.D.} model no. R-6229-04-193
c) size AM 8" c) horsepower rating 40
d) capacity 400 GPM d) motor efficiency rating _____
e) turbine pump no. of stages _____

3. Distribution lines:

a) size of lines 8"
b) type PVC (buried)
c) length ≈ 9700'

Well #2 National Pump U.S. Elec. Motor
8" N-260 R-6229-04-168
400 gpm 40 H.P.
Well #3 National Pump U.S. Elec. Motor
8" N-260 R-6326-05-096
800 gpm 75 H.P.

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

- i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) sideroll:

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

- b) towline:

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

5. System Type: c) center pivot ^{Sec. 11}

≈ 133 acres

- 1) make Reinke
- 2) number of towers 7
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 52
- 9) GPM 800

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

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

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

✓

✓

✓

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

2. Special Qualifications to permit being abided by.

3. All Structures, wells and lands on map.

REMARKS:

Sec. 14
Reinke
8 towers
End Gun - Yes
Low Pressure
52 psi
800 gpm

≈ 133 acres

South Dakota

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.
September 19, 1991

Pullman Drilling
R.E. Kuehl
Box 188
Hayes Street
Wolsey, SD 57384

Dear Mr. Kuehl

Our records indicate that you may have drilled an irrigation well for Ivan Zochert of Webster, SD. The well is located in the SE1/4 of Section 12-T122N-R55W in Day County, I have not been able to find the as complete well log for this production well. I would appreciate it if you would check your files for the well log and then send any information you have concerning this to me.

If you need any additional information, feel free to contact me.

Sincerely,



Mark D. Rath
Natural Resources Engineer II
Water Rights Division
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 9, 1992

Permit No. 5223-3

Zochert Farms, Inc.
% Ivan Zochert
RR 1, Box 155
Webster, SD 57274

Dear Mr. Zochert:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 5223-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Right No. 4995-3 will be incorporated into 5223-3.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads 'Cheryl F. Frost'.

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 21, 1992

SECOND NOTICE

PERMIT NO: 5223-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Zochert Farms, Inc.
% Ivan Zochert
RR 1, Box 155
Webster, SD 57274

Dear Mr. Zochert:

On July 9, 1992, you were notified the final inspection fee of \$50.00 is due before Water License No. 5223-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: 5223-3

Zochert Farms, Inc.
% Ivan Zochert
RR 1, Box 155
Webster, SD 57274

4a. Article Number
P 906 559 932

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
9-22-92

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

RECEIPT

413442

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ September 24, 19 92

RECEIVED OF Lenore Zochert, Zochert Farms, Inc., Rt 1 Box 155, Webster, SD 57274
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. <u>5223-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5223-3

(1) Zochert Farms, Inc., of RR #1 Box 155, Webster, SD 57274 made Application No. 5223-3, August 31, 1988 for a water permit to appropriate 2.00 cubic feet of water per second from groundwater (one additional well), Day County, South Dakota for irrigation purposes on 540 acres described on Water Right Nos. 4169-3, 4595-3 and Water Permit No. 4946-3. Permit No. 5223-3, with a priority date of August 31, 1988 was approved December 8, 1988 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 8, 1993 and for the application to beneficial use of said water on or before December 8, 1997. The permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" on December 7, 1989 which stated the diversion system was completed and water placed to use July 10, 1989.

Water Permit No. 4995-3 was issued to connect three existing wells to form a common distribution system to irrigate land covered under Water Right Nos. 4169-3, 4595-3 and Water Permit No. 4946-3. On October 24, 1990, the applicable portions of No. 4169-3, 4595-3 and Water Permit No. 4946-3 were incorporated into Water License No. 4995-3.

Water Permit No. 5223-3 authorizes diversion of 2.00 cfs from an additional well to irrigate acreage now described in Water License No. 4995-3. The applicable portions of Water Right No. 4995-3 have been incorporated into this Water License No. 5223-3.

Priority dates are as follows:

June 6, 1977 for Wells #1 & #2 to irrigate the land in Section 13 (established by No. 4169-3);
December 30, 1980 for Well #3 to irrigate the land in Section 12 (established by No. 4595-3);
February 22, 1983 for Well #3 to irrigate the land in Sections 11 & 14 (established by No. 4946-3);
November 2, 1983 for Wells #1 & #2 to irrigate lands in Sections 11, 12 & 14 (established by No. 4995-3);
August 31, 1988 for Well #4 to irrigate lands in Sections 11, 12, 13 & 14 (established by No. 5223-3)

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 5.34 cubic feet of water per second for beneficial use. The location of the diversion points are:

Well #1 - 1450'S and 1350'E of the NW corner of the NE¼ Section 13, T122N, R55W (SE¼ NE¼)
Well #2 - 820'S and 1420'E of the NW corner of the NE¼ Section 13, T122N, R55W (NE¼ NE¼)
Well #3 - 1390'E and 120'N of the SW corner of the SE¼ Section 12, T122N, R55W (SE¼ SE¼)
Well #4 - 1270'E and 850'N of the SW corner of the SE¼ Section 12, T122N, R55W (SW¼ SE¼)

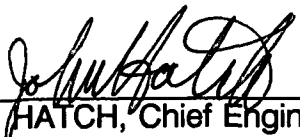
PAGE 2

**WATER LICENSE NO. 5223-3
ZOCHELT FARMS INC**

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land: all in T122N, R55W

Section 11 NW¼ SE¼ 33 acres NE¼ SE¼ 33 acres SW¼ SE¼ 33 acres SE¼ SE¼ 33 acres Section 12 NW¼ SW¼ 22 acres NE¼ SW¼ 15 acres SW¼ SW¼ 34 acres SE¼ SW¼ 25 acres NW¼ SE¼ 12 acres SW¼ SE¼ 32 acres	Section 13 NW¼ NE¼ 30 acres NE¼ NE¼ 30 acres SE¼ NE¼ 35 acres SW¼ NE¼ 35 acres NW¼ SE¼ 3 acres NE¼ SE¼ 3 acres Section 14 NW¼ NE¼ 33 acres NE¼ NE¼ 33 acres SW¼ NE¼ 33 acres SE¼ NE¼ 33 acres TOTAL 540 acres
--	--

(4) Pursuant to South Dakota Water Law 46-5-30.1 Zochert Farms Inc., of RR #1 Box 155, Webster, SD 57274 the holder and/or owner of Incorporated Water Permit No. 5223-3 is issued a license to appropriate water, the right to use 5.34 cubic feet of water per second from groundwater (four wells) with priority dates of June 6, 1977, December 30, 1980, February 22, 1983, November 2, 1983 and August 31, 1988 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5223-3 and subject to South Dakota State Law.



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

MAR 14 1994

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 14 1994

5223-3

Ivan Zochert
Zochert Farms, Inc.
RR 1, Box 155
Webster, SD 57274

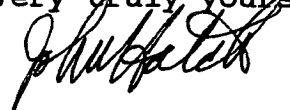
Dear Mr. Zochert:

Enclosed is Water License No. 5223-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413442 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5223-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,


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

gm
enclosures

NOTE: The applicable portions of Water Right No. 4995-3 have been incorporated into this Water License No. 5223-3.



COPY

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 20, 2008

Neil Zochert
13760 441st Avenue
Webster SD 57274

Dear Mr. Zochert:

The Water Rights Program received your request for a change of diversion point. Since Water Right No. 5223-3 authorizes four (4) wells with two (2) of those wells located in Section 12, I am asking that you identify which well is being replaced. Please mark and identify the existing well intended to be replace on the enclosed map and return in the self addressed stamped envelope.

Please contact me if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosure



5223-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 20, 2009

Neil Zochert
13760 441st Avenue
Webster SD 57274

Dear Mr. Zochert:

I am writing in regard to the request filed to authorize changing the location of one of the wells authorized by Water Right No. 5223-3.

Water Right No. 5223-3 appropriates 5.34 cfs from four wells completed into the Coteau Lakes Aquifer located in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 12 and E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 13 to irrigate 540 acres located in the SE $\frac{1}{4}$ Section 11, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 12, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13, NE $\frac{1}{4}$ Section 14; all in T122N, R55W.

This request is to change the location of existing well No. 3 which is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, T122N, R55W approximately 135 feet to the west of its present location. Upon review of the request and pursuant to SDCL 46-5-13.1, the change in the well location is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

Approval of a Change of Diversion Points

NAME: Zochert Farms, Inc

ADDRESS: 13760 441st Avenue, Webster SD 57274

DATE: May 19, 2009 **COUNTY:** Day **TELEPHONE:**

BACKGROUND:

Mr. Neil Zochert has filed an application to change the location of an irrigation well that is authorized by Water Right No. 5223-3.

Water Right No. 5223-3 appropriates 5.34 cfs from four wells completed into the Coteau Lakes Aquifer located in the S ½ SE ¼ Section 12 and E ½ NE ¼ Section 13 to irrigate 540 acres located in the SE ¼ Section 11, SW ¼, W ½ SE ¼ Section 12, NE ¼, N ½ SE ¼ Section 13, NE ¼ Section 14; all in T122N, R55W.

Mr. Zochert filed a request to change the location of the well in the SE ¼ SE ¼ Section 12, T122N, R55W which is known as Well No. 3 on the water license. This is a replacement well that is to be constructed approximately 135 feet west of the present well's location

AUTHORITY:

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

- **Developed water source same as permitted source and no additional water appropriated**

The water source authorized by Water Right No. 5223-3 is the Coteau Lakes Aquifer

No additional appropriation of water is requested. The water right authorizes a total diversion of 5.34 cfs from the four wells. No additional water will be appropriated by the change in the well location. This request is solely for a replacement well in close proximity to the original Well No. 3.

- **Review of Existing Diversions**

A review of domestic wells and existing water rights in the surrounding sections was conducted.

Using the Water Rights Program's well log database a total of three domestic wells are located in the same section where this irrigation well is located. All of these wells were drilled for Ivan Zochert who is the father to Neil Zochert. The closest domestic wells owned by other than Zochert Farms are in Section 18 which would be approximately 2,750 feet south east of the well to be replaced. It is presumed based on using ArcMap that these domestic wells are for homes along the south shore of Minnewasta Lake. The replacement well will be located slightly farther away than the present well.

A review of water rights in the area was also conducted. The Department of Game, Fish and Parks holds a number of water rights for lakes in the immediate area which will not be impacted by this groundwater

diversion. The nearest water right from ground water is over 3 miles southeast of this well. This water right is held by the SD Department of Game, Fish and Parks for three wells to supply Blue Dog State Fish Hatchery. These wells are defined as being completed into Coteau Lakes Aquifer. The change of diversion point by Zochert Farms does not move this well closer to the hatchery well. Given the distance between the wells, interference is not expected to be a concern.

The priority date for Well No. 3 on Water Right No. 5223-3 is December 30, 1980 and February 22, 1983. The priority date for the three wells at Blue Dog State Fish Hatchery is March 1, 1979. These diversions have co-existed for almost 30 years without report of problems.

CONCLUSION

- The change in the well location does not appropriate additional water.
- The well is completed into the Coteau Lakes Aquifer.
- Interference is not expected to be a concern.
- Existing domestic wells should not be adversely impacted by authorizing this change in well location.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the change of diversion point of Well No. 3 be authorized under Water Right No. 5223-3.


Eric Gronlund
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change of diversion point does not increase the potential for adverse effects to existing diversions.


Garland Erbele, Chief Engineer
Water Rights Program

RECEIVED

APR 20 2009

WATER RIGHTS
PROGRAM

April 16, 2009

Sirs:

I Am writing to request
to change the location of
an irrigation well in Section 12
of Racine twp. located in Day
County South Dakota. as
authorized by water right # 5223-3.
The new location would be
135 ft. west of present location.

Sincerely

Neil Zochert

Neil Zochert

13760 441st Ave

Webster SD 57274



RECEIVED

APR 27 2009

WATER RIGHTS
PROGRAM

SOUTH DAKOTA WATER WELL COMPLETION REPORT

5223-3

07-92

Location SE 1/4 SE 1/4 Sec 12 Twp 122N Rg 55W

County

Day

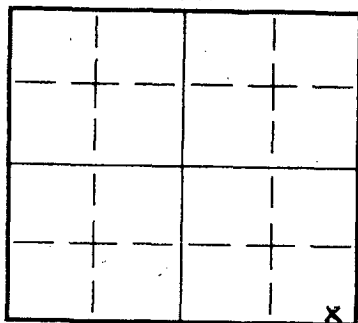
North

Please mark well location with an "X"

W

E

Well Completion Date

4/27/10

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from NONE (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200</u> LB/FT	<u>12</u> IN	<u>0</u> FT	<u>60</u> FT	<u>18 1/2</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Wyo-Ben</u>	<u>18</u>	<u>10</u> lb./gal	<u>0</u> ft	<u>50</u> ft
<u>one step</u>		_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Full hole grouting tremie line to 50'SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12" IN Length 20' FEETMaterial PVC Ever-FloSlot Size .070 Set From 60 Feet to 80 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

YES, How: _____☒ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Niel ZochertBusiness Name: Zochert FarmsAddress: 13758 441st AveWebster, S.D. 57274

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
top soil	0	2
yellow clay	2	10
Blue clay	10	43
COURSE SAND	43	80

STATIC WATER LEVEL 7' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? yes

WELL TEST DATA:

☐ PumpedDescribe: Air line☐ Bailed☒ Other

Pumping Level Below Land Surface

30 ft. After 1 Hrs. pumped 500 gal. GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

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WATER RIGHTS PROGRAM

This well was drilled under license # 480

And this report is true and accurate.

Drilling firm Wieber Well Drilling

Signature of License Representative:

Jerry Wieber

Signature of Well Owner or Equitable Property Holder:

Date: 12/30/10

Pitless Unit and Pump Record

1. Well Owner:

Name Zochert Farms

Date of Installation: 6/1/10

Address 13758 441st AVE, Webster, S.D
57274

2. Location:

County Day

SE 1/4, SE 1/4, SE 1/4 Section 12, Township 122, N., Range 55 West

3. Well Head Completion:

Pitless Unit brand name NONE, diameter _____ in., type of joint _____

depth of joint _____, inches above grade _____, other _____

4. Pump:

Type: submersible ☒ , jet _____, cylinder _____, turbine _____, other _____

Manufacturer's name Franklin McDonald

Model No. 750 GPM McDonald HP 75 Volts 460 3 Phase

Pump setting (depth), 52', pumping rate 750 gpm.

Is well vented? yes ☒ no _____, Is there a measuring port? yes ☒ no _____.

5. Pressure tank (if installed) Yes _____ No ☒.

Manufacturer's name _____ Model No. _____ Capacity _____ gallons.

above ground _____, below ground _____.

Pressure rating of pipe between well and tank _____.

6. Was well and other plumbing disinfected upon completion? Yes _____ No ☒.

Installers Certification

This installation was installed under my jurisdiction and this report is true to the best of my knowledge.

Wieber WELL Drilling
INSTALLER OR FIRM NAME

Lidgerwood, N.D 58053
ADDRESS

SIGNED BY

Jerry Wieber

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WATER RIGHTS
PROGRAM

480
CERTIFICATE NO.

12/30/10
DATE

SOUTH DAKOTA WATER WELL COMPLETION REPORT

5223-3

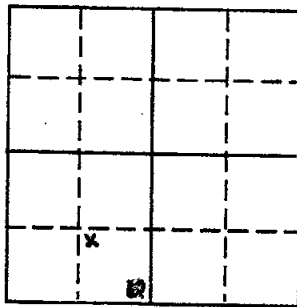
11-02

Location SE 1/4 SW 1/4 Sec 13 Twp 122 Rg 55

County

DAY

North



Please mark well location with an "X"

Well completion Date

6/26/15

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

? ft from in field (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

- ☐ Steel
☒ Plastic
☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SC440 LB/FT</u>	<u>16" IN</u>	<u>0 FT</u>	<u>56 FT</u>	<u>24" IN</u>
<u>LB/FT</u>	<u>IN</u>	<u>FT</u>	<u>FT</u>	<u>IN</u>
<u>LB/FT</u>	<u>IN</u>	<u>FT</u>	<u>FT</u>	<u>IN</u>

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Quickgrout</u>	<u>11</u>	<u>10 Lb/gal</u>	<u>0 FT</u>	<u>46 FT</u>
		<u>Lb/gal</u>	<u>FT</u>	<u>FT</u>

Describe grouting procedure Full hole grouting
from 110 to 46'

SCREEN:

- ☐ Perforated pipe
☒ Manufactured

Diameter 16 Inches Length 20 Feet

Material SS Johnson

Slot Size 070 Set From 56 Feet to 76 Feet

Other information

WAS A PACKER OR SEAL USED?

- ☐ Yes
☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

- ☐ Yes, How?
☒ No, Why Not?

Lab sample sent to for water quality analysis

Irrigation

Well Owner: Niel Zochert

Business Name:

Address1: 13758 441 Ave

Address2:

City, State, Zip: Webster, SD

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>top soil</u>	<u>0</u>	<u>2</u>
<u>yellow clay</u>	<u>2</u>	<u>20</u>
<u>Blue clay</u>	<u>20</u>	<u>30</u>
<u>Blue clay hard</u>	<u>30</u>	<u>56</u>
<u>COARSE Sand</u>	<u>56</u>	<u>76</u>

STATIC WATER LEVEL

6' 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? yes

WELL TEST DATA:

☒ Pumped Describe: Air line

☐ Bailed

☐ Other

Pumping Level Below Land Surface

40 Ft. After 3 Hrs. pumped 750 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: 900 GPM

REMARKS

RECEIVED

FEB 08 2016

WATER RIGHTS PROGRAM

COTEAU LAKES NR

This well was drilled under license # 480

And this report is true and accurate.

Drilling firm: Weber Well Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 6/26/15

523 E. Capitol Ave., Pierre SD 57501

Please return White Copy to DENR Water Rights

SOUTH DAKOTA WATER WELL COMPLETION REPORT

5223-3

11-02

Location SE 1/4 SW 1/4 Sec 12 Twp 122 Rg 55

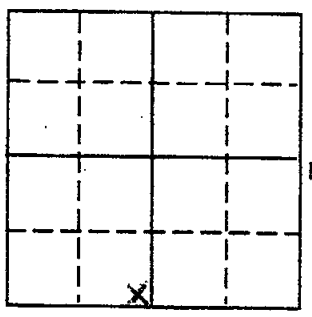
County Day

North

Please mark well location with an "X"

Well completion Date 6/3/15

Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) ? ft. from IN Field (identify source)



PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes

☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Forward Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
5CH40B/FT	16 IN	0 FT	60 FT	24 1/2 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Quick grout	12	10 Lb/gal	0 FT	45 FT
		Lb/gal	FT	FT

Describe grouting procedure Full hole grouting from line to 45'

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 16 Inches Length 20 Feet

Material SS Johnson

Slot Size .070 Set From 60 Feet to 80 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ Yes ☒ No

If so, what material? _____

Describe packer(s) and location _____

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How? _____

☒ No, Why Not? Irrigation

Lab sample sent to for water quality analysis _____

Well Owner: Niel Zochert

Business Name: _____

Address1: 13758 441 Ave

Address2: _____

City, State, Zip: Webster, S.D.

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
top soil	0	1
yellow clay	1	15
Blue clay	15	30
Blue clay harder	30	60
course water sand	60	80

STATIC WATER LEVEL 8 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? yes

WELL TEST DATA:

☒ Pumped Describe: Air line

☐ Bailed

☐ Other

Pumping Level Below Land Surface

FL After	Hrs. pumped	GPM
<u>50</u>	<u>2</u>	<u>750</u>

If pump installed, pump rate: 900 GPM

REMARKS

RECEIVED

FEB 08 2016

WATER RIGHTS PROGRAM

COTEAU LAKES MO

This well was drilled under license # 480

And this report is true and accurate.

Drilling firm: Wieber Well Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 6/13/15

Please return White Copy to DENR Water Rights

523 E. Capitol Ave., Pierre SD 57501