

Considered: _____

WATER PERMIT NO. 5637-3

Phone: 605 384-3164

Name of Applicant: Gerrit L Juffer

Post Office Address: PO Box 220, Wagner SD 57380-0220

Amount of Water Claimed: 2.23 cfs Total Acres: 156

Source of Water Supply: groundwater

Water to be used for: irrigation County: Charles Mix

About 2 miles North of Wagner

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 12-10-91 Fee: \$250 Remarks _____

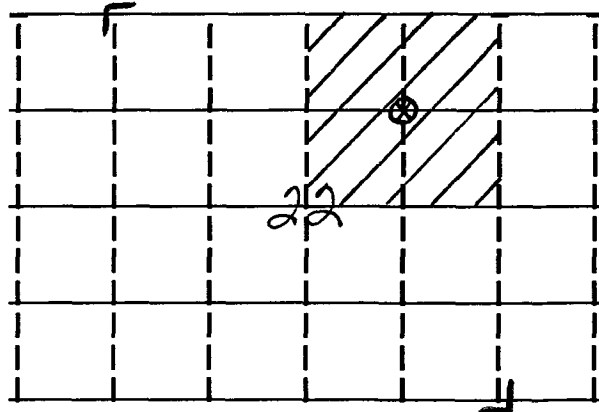
Corrected Application Received 3/1/92 Period of Annual Use April 1 - Nov 30

WATER QUALITY APPROVAL RECEIVED 3/17/92 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: center NE 1/4 Sec 22-T96N-R63W

Land to be Irrigated: NE 1/4 Sec 22-T96N-R63W



Well Log: Driller: Sargent Irrigation Co. Licensed YES X NO _____

Depth of Well: 225' REMARKS _____

Type of Map: aerial PREPARED BY: Les Labahn, SCS Reviewed and the Number

Assigned on 3-12-92 By Karen Schlaak

No. 5637-3 Hydrologic Unit 10170101
Basin Missouri River
Newspaper Wagner Post, Box 187, Wagner

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

1. Name of Applicant Gerard L. Juffer Phone No. 605-384-3164
Post Office Address P.O. Box 220 WABNER State SD 57380-0220
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) 2.23 Total acres irrigated 156
3. Source of Water supply WELLS
4. Location of point of diversion #1 CENTER OF NE 1/4 SECTION 22 TWP. 96 Rge. 63 (Proposed)
#2 ~~existing well~~

County CHARLES MIX

5. Counties where water will be used CHARLES MIX

6. Annual period during which water is to be used APRIL - NOVEMBER 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.
NE 1/4 NE 1/4 22-96-63	39
NW 1/4 NE 1/4 22-96-63	39
SW 1/4 NE 1/4 22-96-63	39
SE 1/4 NE 1/4 22-96-63	39

Attach sheet if more space is needed

Land Description	No. Acres Irr.

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: ☒ Gun: ☒ Other: lateral move (Specify)

9. Crops to be Irrigated: Corn, Barley, Sunflowers, Soybeans, Alfalfa, etc.

10. Give a description of proposed project. (Attach sheet if more space is needed)

sprinkler irrigation system supplied from new well.

- start with big gun or lateral move system.
- Eventually install center pivot.

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 Charles Mix)^{SS}

I, Gerrit L. Jaffe, 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

Subscribed and sworn to before me this 7th day of Dec 1991

Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5637-3 FOR IRRIGATION

Date of first receipt of application December 10, 1991.
Date Soil/Water Compatibility Permit received March 17, 1992.
Date of return to applicant for corrections, amendments or changes
December 11, 1991.
Date of receipt of corrected application January 30, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5637-3 to Gerrit L. Juffer, PO Box 220, Wagner SD 57380-0220 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. 5637-3 appropriates 2.23 cubic feet of water per second from one well (Choteau West Aquifer) 225 feet deep located in the center of the NE 1/4 Section 22 to irrigate 156 acres located in the NE 1/4 Section 22; all in T96N-R63W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - November 30.
3. The date from which applicant may claim right is March 17, 1992.
4. The date of approval of Permit No. 5637-3 is April 28, 1992.
5. One-fifth of the construction is to be completed on or before October 28, 1994.
6. All construction is to be completed on or before April 28, 1997.
7. Water is to be put to beneficial use on or before April 28, 2001.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 5637-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.

(continued)

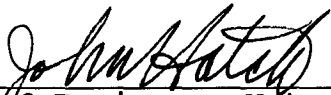
Water Permit No. 5637-3

Page 2

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

WATER MANAGEMENT BOARD

By:



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

AUG 6 1992

date

Supplemental Information

(type or print in ink)



3:45PM

1. Well Information - Proposed construction

- a) Drill Hole Diameter 24 in. Depth 225 ft.
- b) Casing Type PVC Plastic Diameter 16 in. Thickness _____
- c) Screen Type Slotted Diameter 16 in. Thickness _____
- d) Gravel Pack Thickness 4 in. Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property 3800 ft. On property owned by others 5,300 ft.

2. Dugout Information Estimates

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

3. Water Storage Dams

NA

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

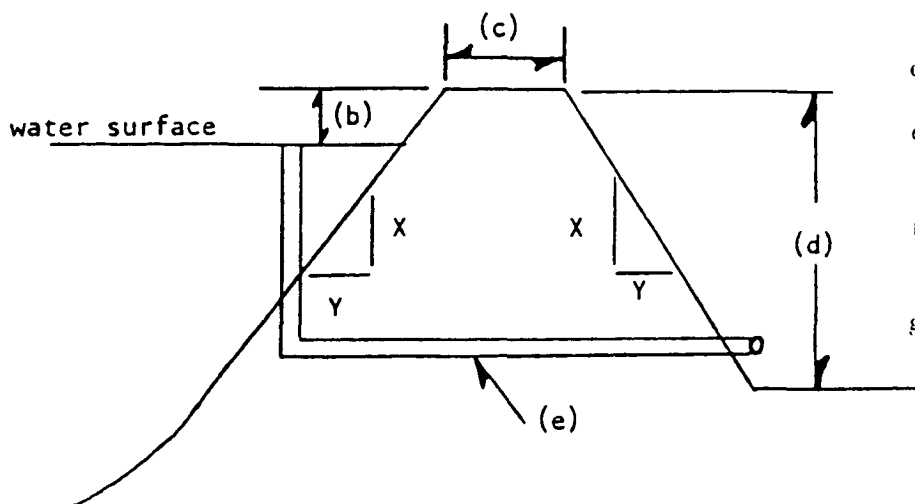
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

SARGENT IRRIGATION CO.

NELIGH, NEBRASKA 68756

PHONE (402) 887-4112

TEST WELL LOG

TO:

Leo Holzbauer

DATE:

1-21-92

ADDRESS:

Wagner, S.D.

NE 1/4

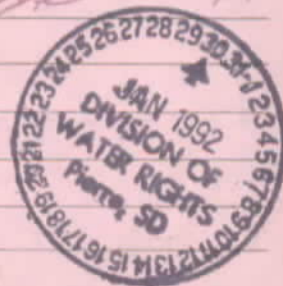
0	15	Clay top Soil like stone Particls Fine Sand & a few gravel stones
15	30	Clay with a few Gravel Stone's 1' Blue Clay
30	45	Blue & Brown Clay a few stone's
45	60	Blue Clay
60	75	3' Clay Fine to Med Gravel & Stone's
75	90	Fine to Med Gravel & Stone's Possible Rock's
90	105	Fine to Med Gravel & Coarse Sand & Stone's Rock's
105	120	Gravel Stone's & Clay
120	135	Mostly sticky Clay & some Sand layers
135	150	Mostly clay layers & Sand layers
150	165	Coarse Sand to Fine Gravel
165	180	Fine to Med Gravel & some P.S.
180	195	Fine Gravel & Coarse Sand
195	210	Fine Gravel some Med & Coarse Sand
210	225	1' Clay Layer & Hard Ridge Fine to Med Gravel & P.S. Clay
225	240	Clay layers 11' some & Coarse Sand Mix
240	255	8' Med to Coarse Sand & Clay layers
255	270	12' Fine to Med Sand & Clay layers
270	285	10' Fine to Med Sand & Clay layers
285	300	
300	315	
315	330	
330	345	
345	360	
360	375	
375	390	
390	405	
405	420	
420	435	
435	450	
450	465	
465	480	
480	495	
495	510	
510	525	
525	540	
540	555	
555	570	
570	585	
585	600	

Cased with 2" PVC

140 Perf

110 Plain

250"

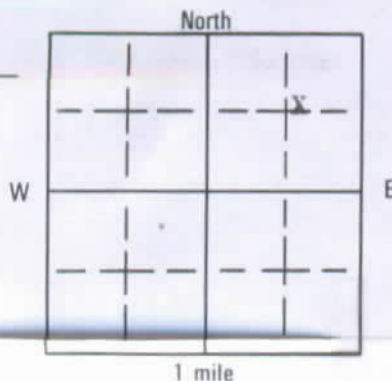


SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location 1/4 NE 1/4 Sec 22 Twp 96 Rg 63

County

CHARLES MIXPlease mark well
location with
an "X"Well Completion Date MAY 12, 1992

PROPOSED USE:

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

Method of Drilling:

REVERSE ROTARY

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>36.91</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>110</u> FT	<u>30</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? 22 FEETWhat is grouting material? CONCRETE GROUTIf cement, number of sacks? 50Describe grouting procedure TREMIE PIPEWhat was grout weight? 12 to 16 LB/GALSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 16 IN Length 140 FEETMaterial STEEL SLOTTEDSlot Size .100 Set From 110 Feet To 250 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

so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain HTHBacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name GERRIT JUFFERAddress WAGNER, SD 57380-0220

Well Log:

Depth 250'

Formation	From	To
clay, top soil, fine sand	0	15
clay with a few gravel stones	15	29
blue clay	29	30
blue & brown clay, few stones	30	45
blue clay	45	60
clay	60	63
fine to med gravel & stones	63	75
fine med grav & stones, poss rocks	75	90
fine med grav, coarse sand, st, rock	90	105
gravel stones & clay	105	120
mostly sticky clay & sand layers	120	135
mostly clay layers	135	145
sand layers	145	150
coarse sand to fine gravel	150	165 *
fine med gravel & some crs sand	165	180 *
fine gravel & coarse sand	180	195 *
fine grav, some med & coarse sand	195	210 *
clay layer & hard ledge	210	211 *
fine med grav & crs sand, clay stky	211	225 *
clay layers	225	229 *
coarse sand mixed	229	240 *
medium to coarse sand	240	248 *
clay layers	248	255 *
fine to medium sand	255	267 *
clay layers	267	270 *
fine to medium sand	270	280 *
clay layers	280	285

STATIC WATER LEVEL 57 Feet

If flowing: closed in pressure _____ PSI

GPM flow 900 through 8 inch pipeControlled by ☐ Valve ☐ Reducers ☐ OtherIf other; specify SPRINKLER SYSTEMCan well be completely shut in? YES

WELL TEST DATA:

☒ Pumped☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

71 ft. After 1 Hrs. pumped 1000 GPM765 ft. After 1 Hrs. pumped 1500 GPM87 ft. After 1 Hrs. pumped 2200 GPM

REMARKS:

This well was drilled under license # 273

And this report is true and accurate.

Drilling firm CHAS. SARGENT IRRIGATION CO., INC.

Signature of License Representative:

by Mike White

Signature of Well Owner:

Date

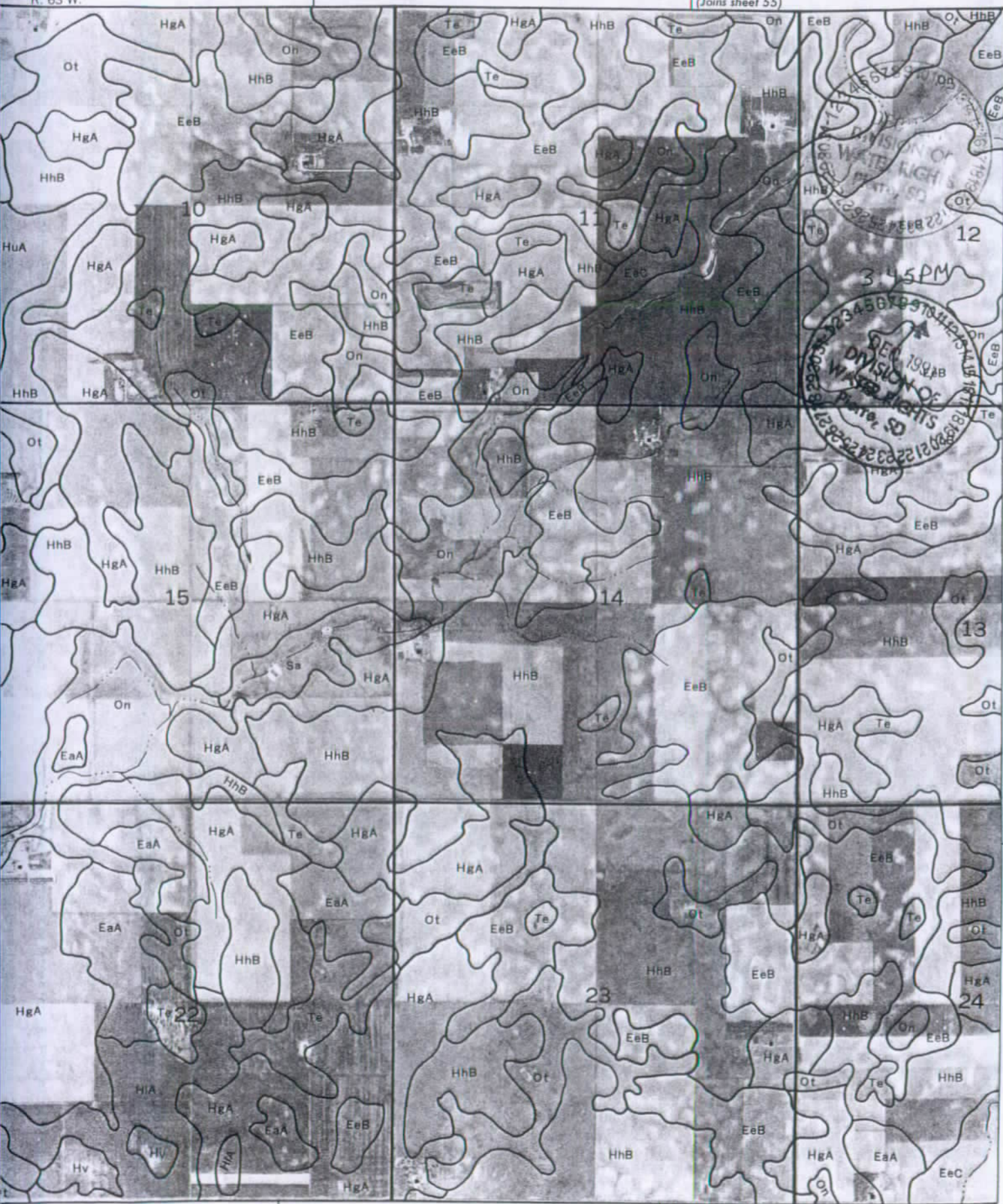
12-14-92

NE 1/4 Sec. 22 T. 96 R. 63

R. 63 W.

(Joins sheet 55)

63



1 Mile
5,000 Feet

(Joins sheet 64)

2,500 FEET

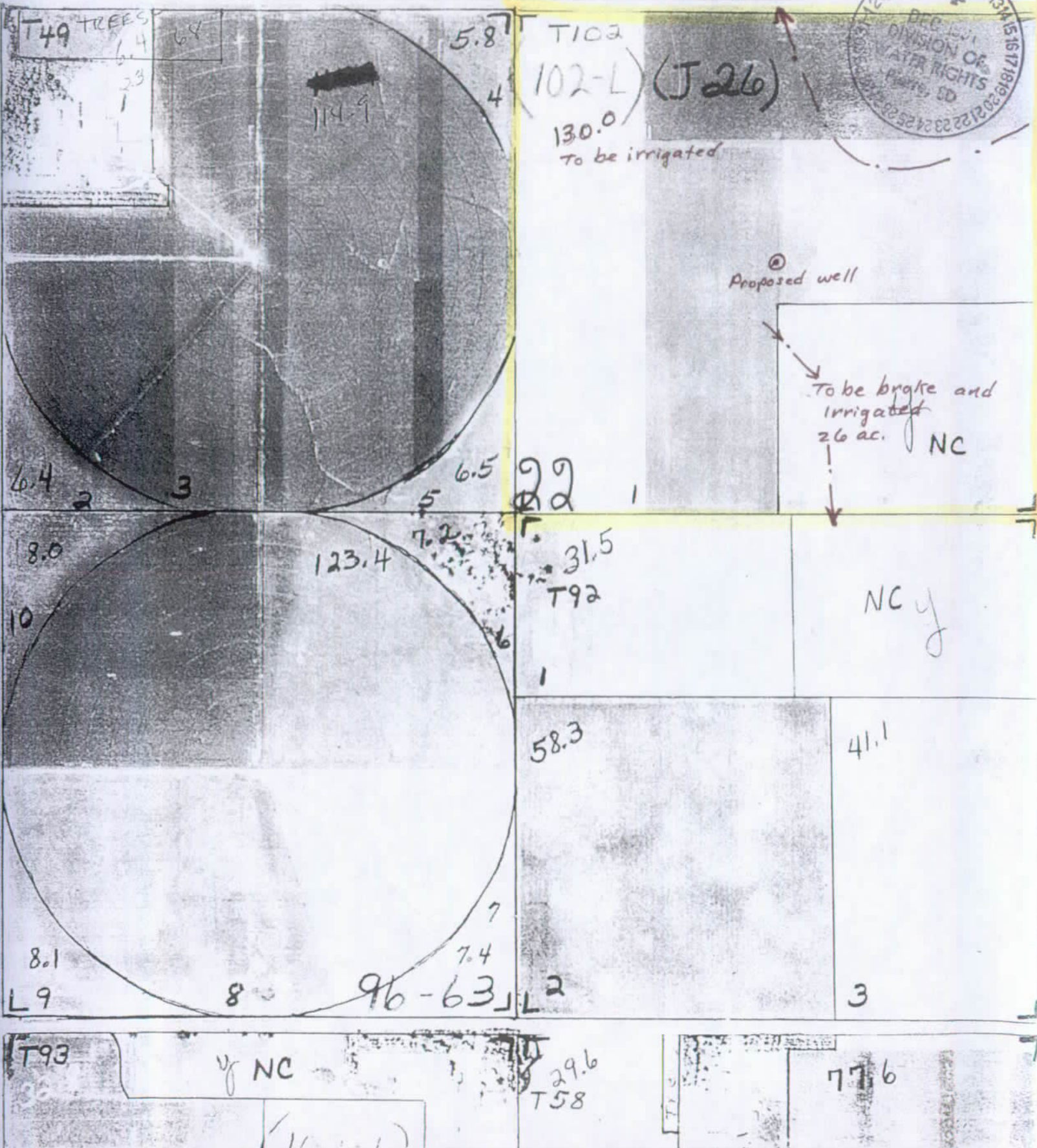
2,555,000 FEET (Joins sheet 71)

AVON (VIA S.DAK. 50) 14 MI. Y
YANKTON 52 MI

NOT TO SCALE

Res. Nabahn, DC
Soil Conservation Service
Lake Andes, S.D.

3:45 PM



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, February 3, 1992

RECEIVED OF Gerrit L. Juffer, P.O. Box 220, Wagner, SD 57380-0220

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

Fee for Application for Permit No. <u>5637-3</u> to Appropriate Water, to construct works and to put water to beneficial use	250	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	250 00

By John Hatch (Signature)
Chief Engineer

Department of Agriculture

WI#1

5/87



SOIL/WATER COMPATIBILITY PERMIT

Division of Conservation

Office Use Only

4687

WR#

OWNERS NAME: JUPFER, GERRIT L.

OWNERS ADDRESS: PO BOX 220

WAGNER, SD 57380-0220

COUNTY LAND LOCATED IN: CHARLES MIX PHONE: 384-3164

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION: CENTER OF NE 1/4 22-T96N-R63W

Depth: _____

Legal Description	Acres	Legal Description	Acres
NE 1/4 NE 1/4 22-T96N-R63W	39		
SE 1/4 NE 1/4 22-T96N-R63W	39		
SW 1/4 NE 1/4 22-T96N-R63W	39		
NW 1/4 NE 1/4 22-T96N-R63W	39		

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

3. CROPS TO BE IRRIGATED: CORN, BARLEY, SUNFLOWERS, SOYBEANS, ALFALFA, ETC.

WATER QUALITY:

4. WATER SAMPLE NUMBER: 92-0026

7. ADJUSTED (SAR): 13.36

5. SALINITY (EC X 10⁶): 2250

8. PERCENT SODIUM: 51.86

6. SODIUM (SAR): 5.53

Requirements:

(SEE MANAGEMENT PLAN)

Russell J. Lane

Director, Division of Conservation

MARCH 10, 1992

Date

XXX APPROVED

DISAPPROVED

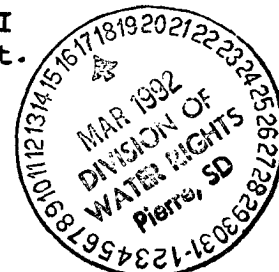
WAIVER

XXX REQUIREMENTS

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

*amnd***GERRIT JUFFER FARM IRRIGATION MANAGEMENT PLAN**

The NE $\frac{1}{4}$ of Section 22, T96, R63, was purchased by me in 1991. It is my intent to develop this land with an irrigation system for production of alfalfa, small grain, corn, beans, sunflowers, potatoes and possible other crops. During discussion of the last several months, I have been made quite aware that the water that was found on this land, the water that I wish to irrigate with, is of marginal quality for irrigation development. I am aware that with water of this quality, there are problems other places in South Dakota and even 7 or 8 miles from this location. The irrigation water that I am proposing to irrigate with has a SAR of 5.53 adjusted for the possible precipitation of calcium to 13.36. It's electrical conductivity is about 2250.



I fully understand that if problems occur, the negative impact from this water may not be seen until perhaps as long as 10 to 15 years from now. Management is important to ensuring long term success. The following are management practices that I am proposing that I believe will result in sustainable irrigation of this land.

1. I will assure adequate leaching with each irrigation. At least an inch to an inch and a half will be applied with each irrigation. The only exception to this will be when I need to apply 1/3 of an inch of water to activate a herbicide or to initiate germination of a seeding. This will insure continued leaching of the effective root zone and minimize sodium build up close to the surface, where it is the greatest problem.
2. Sodium problems are greatly reduced when high amounts of organic matter are applied or left on the soil surface. I will attempt to maintain as high a concentration of organic matter at the soil surface as I possibly can. When corn is grown, only the grain will be harvested with the stubble being left for cover and as a organic matter builder. (In drought years I may need to take a minimum amount of silage to assure a feed supply) No livestock grazing will be done in a wet spring. Minimum tillage will be used when possible to reduce the decomposition of the organic matter at the surface.
3. In addressing the question of adequate drainage for leaching, there may be the need for artificial drainage; such as, tile drainage. To address this question, I propose that the installation of artificial drainage be based on soil sampling.

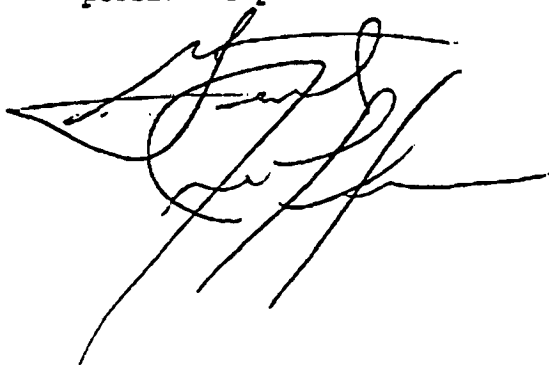
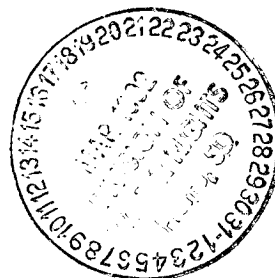
I agree to install artificial drainage when the soils salinity exceeds 2,000 micromhos/cm, or the Exchangeable Sodium Percentage exceeds 6.0, in top root zone of 12 inches in irrigated land. In keeping with this, I agree to pay up to \$500.00 of cost incurred for sampling and analysis on a five-year cycle.

MANAGEMENT PLAN (CONT.)

Page 2

4. I agree to undertake the use of soil amendments, as necessary, to protect the soils.

5. It is my intent to work with the Department of Agriculture and South Dakota State University to ensure that the effective salinity of the root zone stays as low as possible. Proven, innovative, and new ways of increasing agronomic productivity will be reviewed for possible implementation.

A large, stylized handwritten signature in black ink, appearing to be 'J. L. Smith' or similar, written over the text of item 5.

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Leo Holzbauer

ADDRESS: RR1 Box 170, Wagner, SD 57380 COUNTY: Charles Mix

DATE: 12/10/91 TELEPHONE: 384-3350

RE: Submittal of Applications for Gerrit Juffer and Leo Holzbauer

COMMENTS:

Mr. Holzbauer stopped in the office today with 3 permit applications (two for Gerrit Juffer and one for Leo Holzbauer). I went through the applications with to ensure that they were correct. On two of the applications a driller's test log was required to complete the application. Mr. Holzbauer wrote the checks for the application filing fees but asked that the checks for the two incomplete applications be held until we receive the test logs. I said generally we receipt checks right away but Mr. Holzbauer stated he did not want them cashed until the application was complete.

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

NAME: Eric J. Juffer



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 11, 1991

Gerrit L. Juffer
PO Box 220
Wagner SD 57380-0220

Dear Mr. Juffer:

In regard to your water permit application received on December 10, 1991, the following information needs to be submitted in order to process your application.

1. A driller's test log signed by a South Dakota licensed well driller must accompany the application.
2. A water sample must be submitted to the Water Quality Laboratory.

The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. As requested, the application filing fee will not be receipted until the test log is received.

Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

Karen Schlaak
Natural Resources Analyst
605 773-3352

REPORT ON APPLICATIONS NOS. 5637-3 AND 5638-3
for Gerrit Juffer
March 25, 1992

Application No. 5637-3 proposes to appropriate 2.23 cfs from one well approximately 225 feet deep located in the center of the NE 1/4 of section 22 to irrigate 156 acres located in the NE 1/4 of section 22; all in T96N R63W in Charles Mix County.

Application No. 5638-3 proposes to appropriate 2.23 cfs from an existing well approximately 240 feet deep located in the center of the NW 1/4 of section 22 to irrigate 156 acres located in the NE 1/4 of section 22; all in T96N R63W in Charles Mix County.

AQUIFER - CHOTEAU WEST (CH-W)

The Choteau West consists of confined outwash (sand and gravel) and western origin stream deposits (Kume, 1977). The Choteau West underlies 169,600 acres and contains an estimated 1.23 million acre feet of recoverable water in Charles Mix County (Hedges, 1982). The Choteau West is hydraulically connected to the Niobrara Formation, possibly the Codell Sandstone and also extends into Douglas, Hutchinson and Bon Homme counties. The aquifer is under artesian conditions and water levels do fluctuate in response to pumping. The test well log submitted with application no. 5637-3 indicates the top of the Choteau West was at 150 feet and extended to 225 feet below land surface. Both above and below this unit the log indicated sand and gravel layers within clay.

The Division of Water Rights monitors four observation wells (CM-72B, CM-72C, CM-68F and CM-80D) completed into the Choteau West aquifer within three miles of these applications. Water levels for these wells can fluctuate from 35 to 45 feet annually because of area irrigation withdrawals. In general the water levels do show response to climatic conditions, that is, gradually rising water levels during wet years due to recharge and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1992). Hydrographs for the four wells mentioned previously are included with this report.

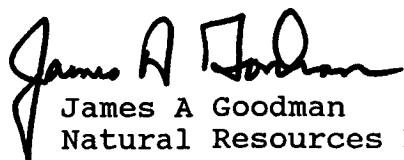
There is no estimate available for the rate of recharge to the Choteau West aquifer. Since 1987 water levels have gradually declined to present. This also occurred in the past, in fact water levels declined until 1983 before rising during an interval of wet years. The aquifer does recharge and is sustaining existing withdrawals but with the effect of gradually declining water levels. The total net decline in water levels has been in the 10 to 15 feet range. This is not very significant when dealing with an artesian aquifer with a lot of water in storage; however, the aquifer is relatively sensitive to pumping.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are six existing irrigation wells within a radius of approximately 1 mile of the proposed diversion point for Water Permit No. 5637-3. Interference does occur now. The water levels for the area observation wells indicate that drawdown does occur due to pumping. Apparently this drawdown does not adversely affect the ability of the existing wells to produce water.

CONCLUSIONS

1. Water is available from the Choteau West aquifer.
2. The Choteau West aquifer is confined and under artesian conditions. Water level fluctuations are occurring as a result of pumping high capacity wells. Even though drawdown is occurring this is apparently not adversely affecting existing wells.
3. The new well authorized by Water Permit Application No. 5637-3, if approved, must be constructed in accordance with SD Well Construction Standards.
4. The combined diversion rate for Water Permit Applications Nos. 5637-3 and 5638-3 cannot exceed the statutory limit of 1 cfs per 70 acres or 2 acre feet per acre.
5. The Choteau West aquifer does recharge, however, the response is not immediate. Subtle changes both up and down are shown by the hydrographs, but water levels have generally declined over the entire period of record. This decline has not adversely impacted the ability of the aquifer to produce water, but must be given consideration in the issuance of new permits. The aquifer has a tremendous amount of water in storage and is sensitive to pumping. Limiting issuance of water permits because of relatively small declines in water levels would curtail any development of the aquifer.



James A Goodman
Natural Resources Engineer

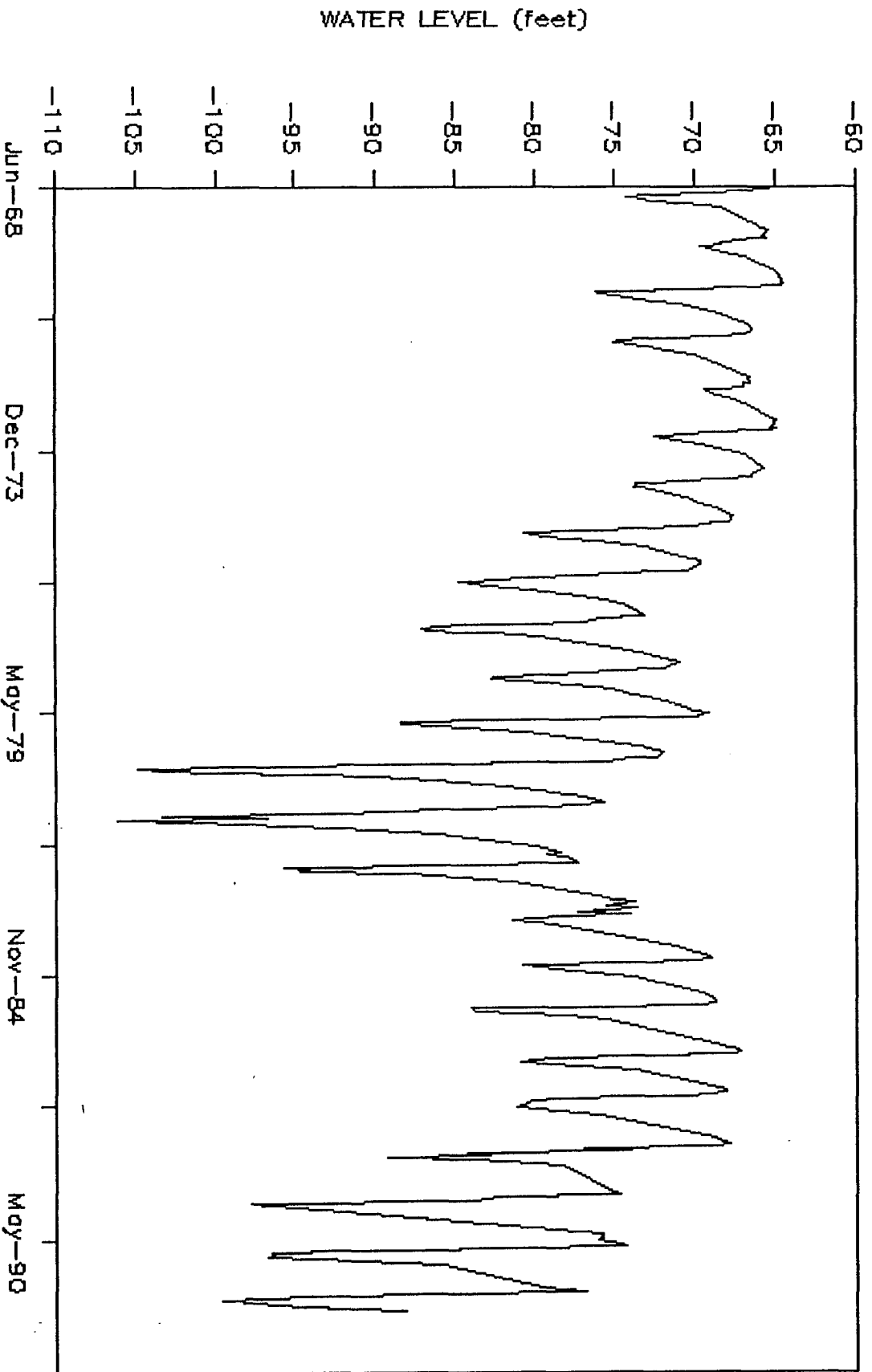
Hedges, L.S., et al, 1982, Evaluation of Ground Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Kume, J., 1977, Geology and Water Resources of Charles Mix and Douglas Counties, South Dakota, Part II: Water Resources, Bulletin 22, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1992, Observation Well Records for the Choteau West Aquifer, unpublished, SD DENR, Division of Water Rights, Pierre, SD, 57501.

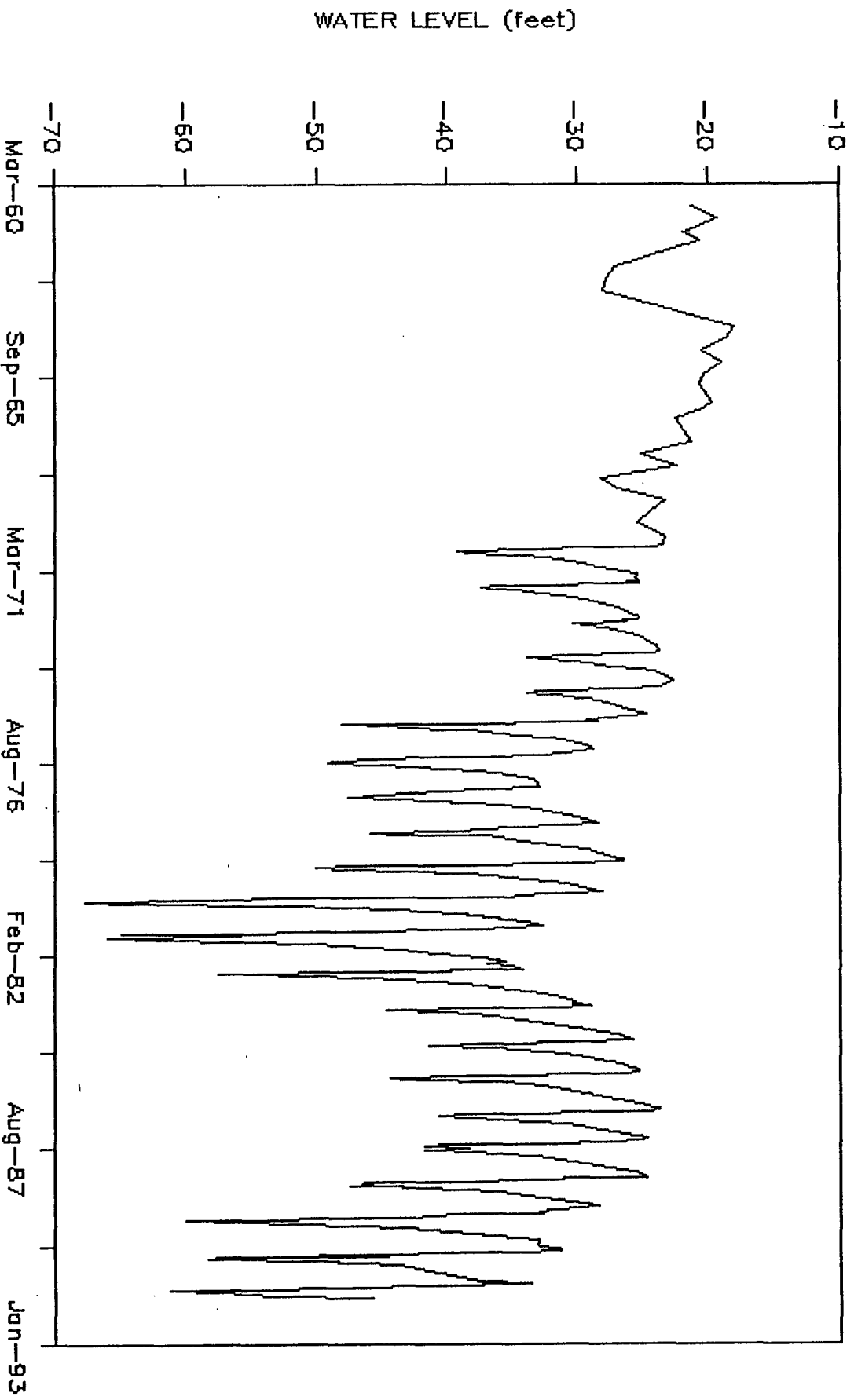
WATER RIGHTS OBSERVATION WELL

CM68F



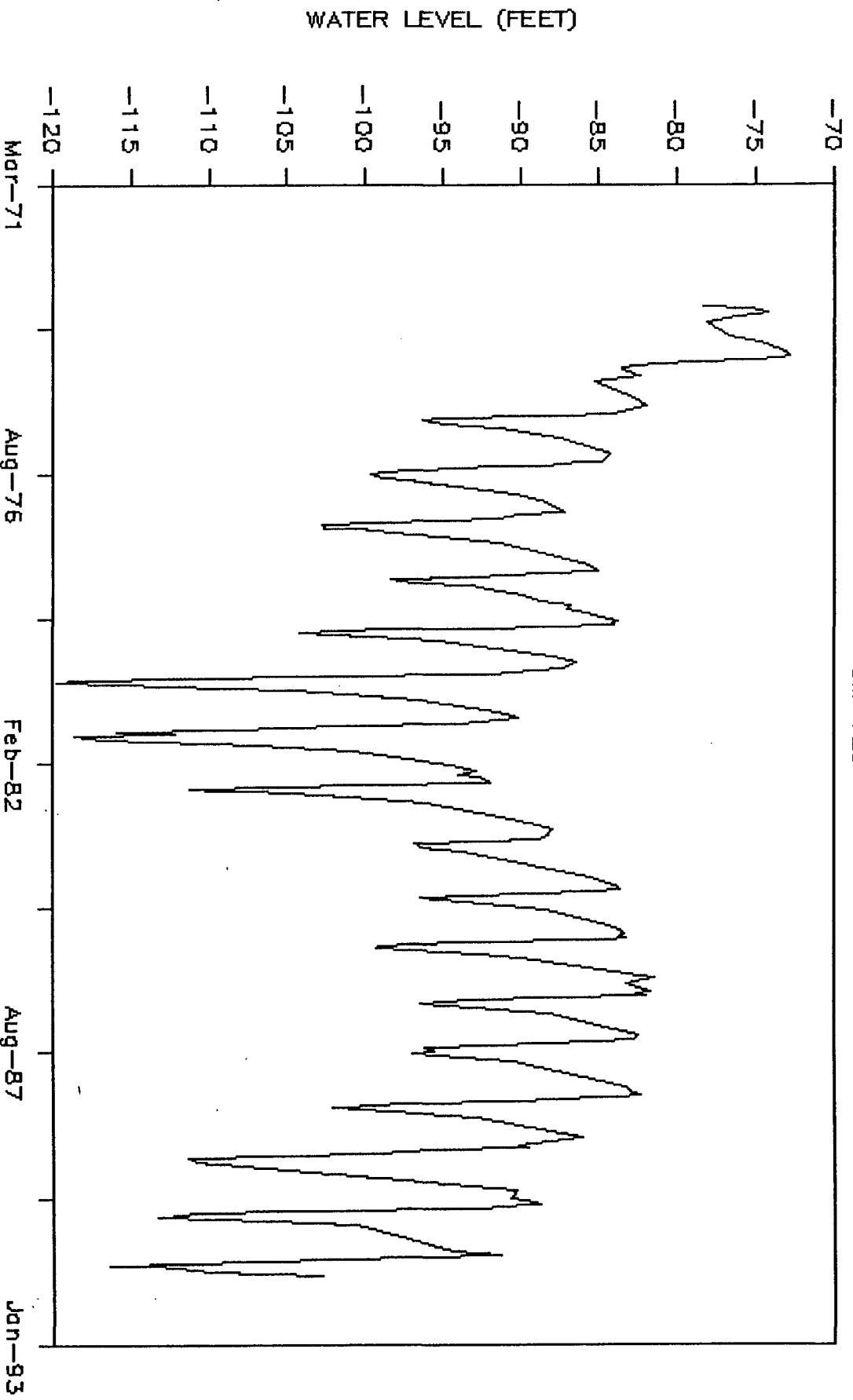
WATER RIGHTS OBSERVATION WELL

CM80D



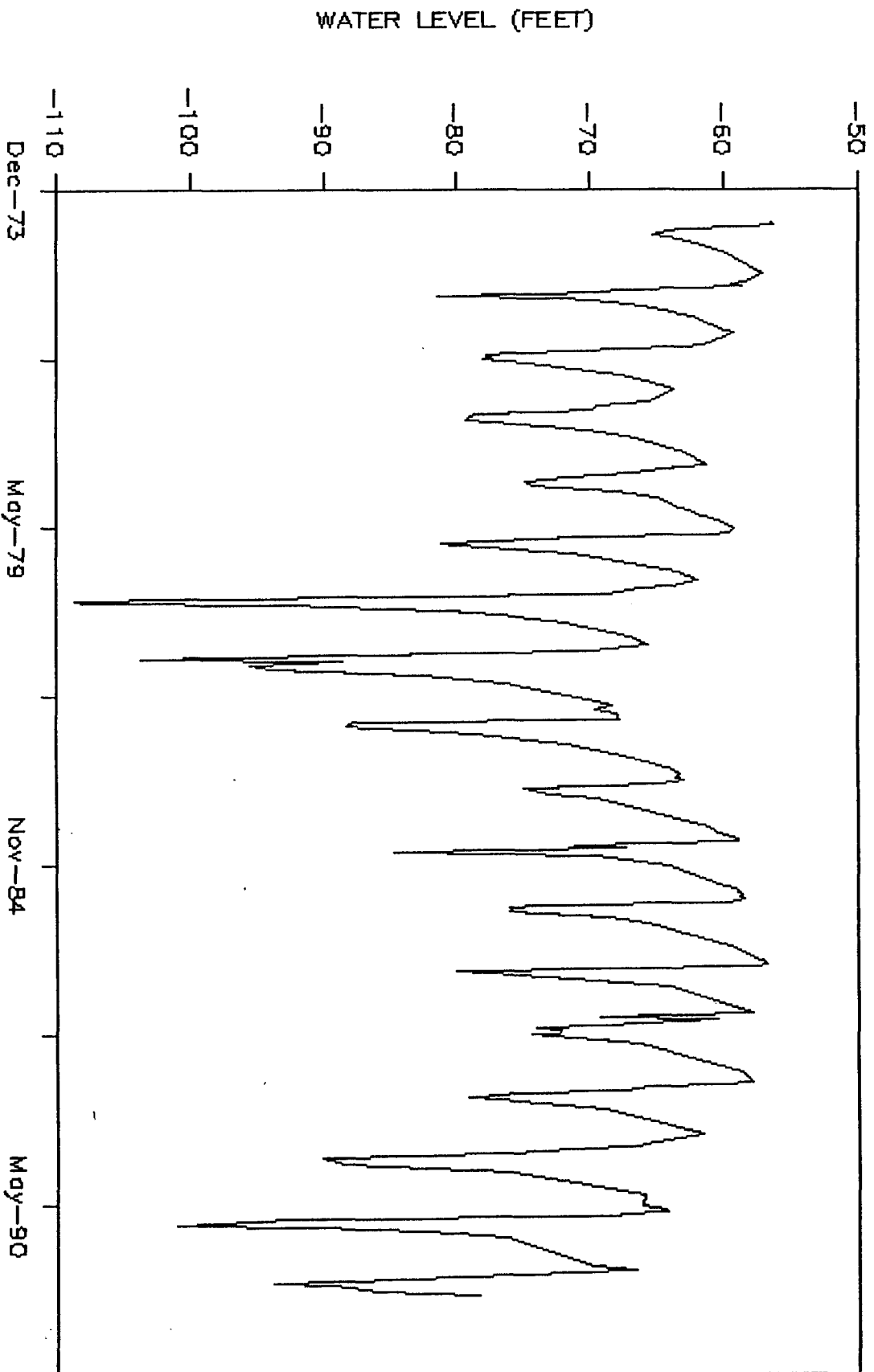
WATER RIGHTS OBSERVATION WELL

GM-72C



WATER RIGHTS OBSERVATION WELL

CM-72B



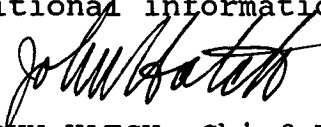
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5637-3, Gerrit L Juffer

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5637-3, Gerrit L Juffer, PO Box 220, Wagner, SD 57380-0220.

The Chief Engineer is recommending APPROVAL of Application No. 5637-3 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 well authorized by Permit No. 5637-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


JOHN HATCH, Chief Engineer
March 30, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

March 30, 1992

Gerrit L Juffer
PO Box 220
Wagner, SD 57380-0220

Dear Mr. Juffer:

Water Permit Application Nos. 5637-3 and 5638-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Wagner Post printed at Wagner, SD (Ph # 384-5616). For your information, a copy of the notice, the recommendations of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 30, 1992

Wagner Post
Box 187
Wagner, SD 57380

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5637-3 and 5638-3 to be published twice. Please publish the first notice on March 31, 1992, 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 Gerrit L Juffer, PO Box 220, Wagner, SD 57380-0220 (Ph # 384-3164).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on March 31, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application Nos. 5637-3 and 5638-3 to Appropriate Water

Notice is given that Gerrit L Juffer, PO Box 220, Wagner, SD 57380-0220 has filed applications for water permits.

Water Permit Application No. 5637-3 appropriates 2.23 cubic feet of water per second (cfs) from one well (Choteau West Aquifer) 225 feet deep located in the center of the NE 1/4 Section 22 to irrigate 156 acres located in the NE 1/4 Section 22; all in T96N-R63W.

Water Permit Application No. 5638-3 appropriates 2.23 cfs from one existing well (Choteau West Aquifer) 200 feet deep located in the center of the NW 1/4 Section 22 to irrigate 156 acres located in the NE 1/4 Section 22; all in T96N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5637-3 and 5638-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider the applications and the chief engineer will issue the permit as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

Any person interested in opposing or supporting the applications must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April ~~20~~, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application Nos. 5637-3 and 5638-3 and 2) the chief engineer's recommendations, a meeting at the Division of Water Rights office to hear the applications is scheduled for April ~~28~~, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If the applications are opposed or the recommendations are contested, the April ~~28~~, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The April ~~28~~, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by April ~~20~~, 1992.

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 1, 1992

Gerrit L Juffer
PO Box 220
Wagner, SD 57380-0220

RE: Water Permit Application Nos. 5637-3 and 5638-3

Dear Mr. Juffer:

Enclosed please find a copy of the report and recommendations in regard to the above-referenced matter.

Sincerely,

Jaci R Konop

Jaci R Konop
Water Rights Division

Enclosure

Affidavit of Publication

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF CHARLES MIX)



Carol Harrell, of said County and State being first duly sworn on her oath says: That The Wagner Post is a legal newspaper of general circulation, printed and published in Wagner, in said County and State, by Carol Harrell, and has been such newspaper during the time herein mentioned; and that I, Carol Harrell, the undersigned, am publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed—

Notice of Hearing
on Application Nos.
5637-3 and 5638-3 to
Appropriate Water

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in supplement, once each week for 2 successive weeks.

1st publication made on 1st day of Apr., 1992
2nd publication made on 8th day of Apr., 1992
3rd publication made on _____ day of _____, 19____
4th publication made on _____ day of _____, 19____
5th publication made on _____ day of _____, 19____
6th publication made on _____ day of _____, 19____

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Charles Mix for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in an office maintained in Wagner, South Dakota, the place of publication of said newspaper. That the full amount of the fee for the publication of the annexed notice is \$ 64.85.

Carol Harrell

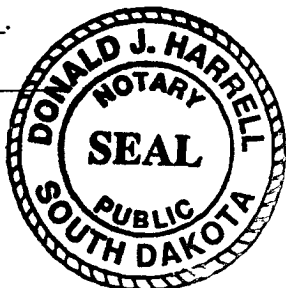
Subscribed and sworn to before me this 8th day
of April, 1992.

Donald J. Harrell

Notary Public

Charles Mix County, South Dakota

My commission expires 11-13-97



Public Notice

NOTICE OF HEARING on Application Nos. 5637-3 and 5638-3 to Appropriate Water

Notice is given that Gerrit L. Juffer, P.O. Box 220, Wagner, SD 57380-0220 has filed applications for water permits.

Water Permit Application No. 5637-3 appropriates 2.23 cubic feet of water per second (cfs) from one well (Choteau West Aquifer) 225 feet deep located in the center of the NE 1/4 Section 22 to irrigate 156 acres located in the NE 1/4 Section 22; all in T96N-R63W.

Water Permit Application No. 5638-3 appropriates 2.23 cfs from one existing well (Choteau West Aquifer) 200 feet deep located in the center of the NW 1/4 Section 22 to irrigate 156 acres located in the NE 1/4 Section 22; all in T96N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5637-3 and 5638-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the applications

or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider the applications and the chief engineer will issue the permit as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

Any person interested in opposing or supporting the applications must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre, SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 20, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application Nos. 5637-3 and 5638-3 and 2) the chief engineer's recommendations, a meeting at the Division of Water Rights office to hear the applications is scheduled for April 28, 1992, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, SD. If the applications are opposed or the recommendations are contested, the April 28, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The April 28, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by April 20,

1992.

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

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1

thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Pub: April 1, 8, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 6 1992

Gerrit L Juffer
PO Box 220
Wagner, SD 57380-0220

Dear Mr. Juffer:

Enclosed are Water Permit Nos. 5637-3 and 5638-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

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 systems and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water Licenses may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permits within the five year construction period, usually without affecting the priority date provided an application to amend your permits are 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.

CM



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

Date 10-13-92

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

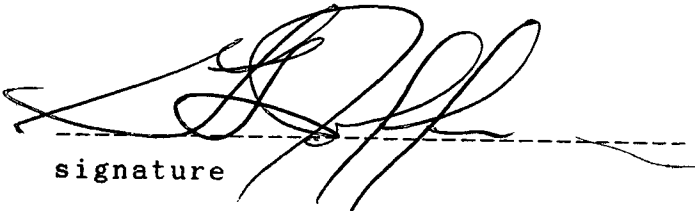
FROM: Gerard L. Tuller P.O. Box 220 WAGNER, SD 57578
name address city

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. 5637-3.

Water Permit No. 5637-3 states that the diversion system is to be constructed by April 28, 1997, and that the water it put to beneficial use by April 28, 2001.

The diversion system was completed on June 15, 1992
Applying the water to beneficial use was completed on June 15, 1992

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


signature

Permit No. 5637-3
Missouri River - Water District

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

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

On this day, April 19, 1995, I made a thorough examination of the water use system constructed by Gerrit L. Juffer of PO Box 220, Wagner, SD 57380 holder of Permit No. 5637-3, bearing the priority of March 17, 1992 authorizing the diversion of 2.23 cu. ft. of water per second from groundwater for irrigation purposes, in Charles Mix County.

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

- A. Works used to divert the water:
A 100 HP 6 cylinder caterpillar diesel motor with an 800 GPM pump.
- B. Works used to transport water to place of use:
110' of stainless steel casing and 140' of stainless steel screen.
- C. Works used to apply water to beneficial use:
A 10 tower Valley center pivot rated at 800 GPM.

The system is in the following condition: good. The point of diversion is located 1320 feet S and 1320 feet W from the NE corner of Section 22; T96N R63W (center of the NE1/4). The works are capable of diverting and conveying to the place of use 1.78 cu. ft. of water per second which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>T96N R63W</u>	<u>SECTION 22</u>	<u>NW1/4 NE1/4</u>	<u>33 acres</u>
		<u>NE1/4 NE1/4</u>	<u>33 acres</u>
		<u>SW1/4 NE1/4</u>	<u>33 acres</u>
		<u>SE1/4 NE1/4</u>	<u>33 acres</u>

comprising a total of 132 acres of land and the license should be issued for 1.78 cfs.

****NOTE:** The renter of this property is Stanley Peters, Wagner, SD 57380. Telephone: (605) 384-3135.

Permit qualifications have been complied with: Yes X No

Exceptions to compliance are: None Date: April 19, 1994


Barry A. McLaury
Environmental Scientist
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 5637-3

DATE OF INSPECTION: April 19, 1994

Other permit(s) associated with the project: None

Name of inspection contact: Gerrit Juffer

Contact relationship to permit holder: Owner

Name/address of permit holder: Gerrit L. Juffer, PO Box 220, Wagner, SD 57380

DIVERSION POINT LEGAL LOCATION: 1320 feet S and 1320 feet W from the NE corner of Section 22; T96N R63W (center of the NE1/4).

WELL INFORMATION:

1) Well Drilling Firm: Sargent Irrigation Co.

2) No. of Wells 1

Well depth 250' (Hm)
3) ^{Hole} / Depth(s) 285 feet

4) Well log is available Y

Casing:

1) Diameter 16 inches

2) Length 110 feet

3) Type Stainless Steel

Screen:

1) Type Stainless Steel

2) Length 140 feet

3) Static water level 57 feet

Pump:

1) Make ?

2) Model ?

3) Capacity 800 GPM

Motor:

1) Make Caterpillar

2) Model No. 3605 Diesel

3) Horsepower rating 100 hp

NOTE: At the time of inspection, it was raining and was too muddy to approach the well.

SYSTEM TYPE:

Center pivot:

1) Make Valley

2) Overall length 1260 feet

3) Number of towers 10

4) End gun Y

5) High or low pressure High

6) Capacity 800 GPM

CHEMIGATION EQUIPMENT:

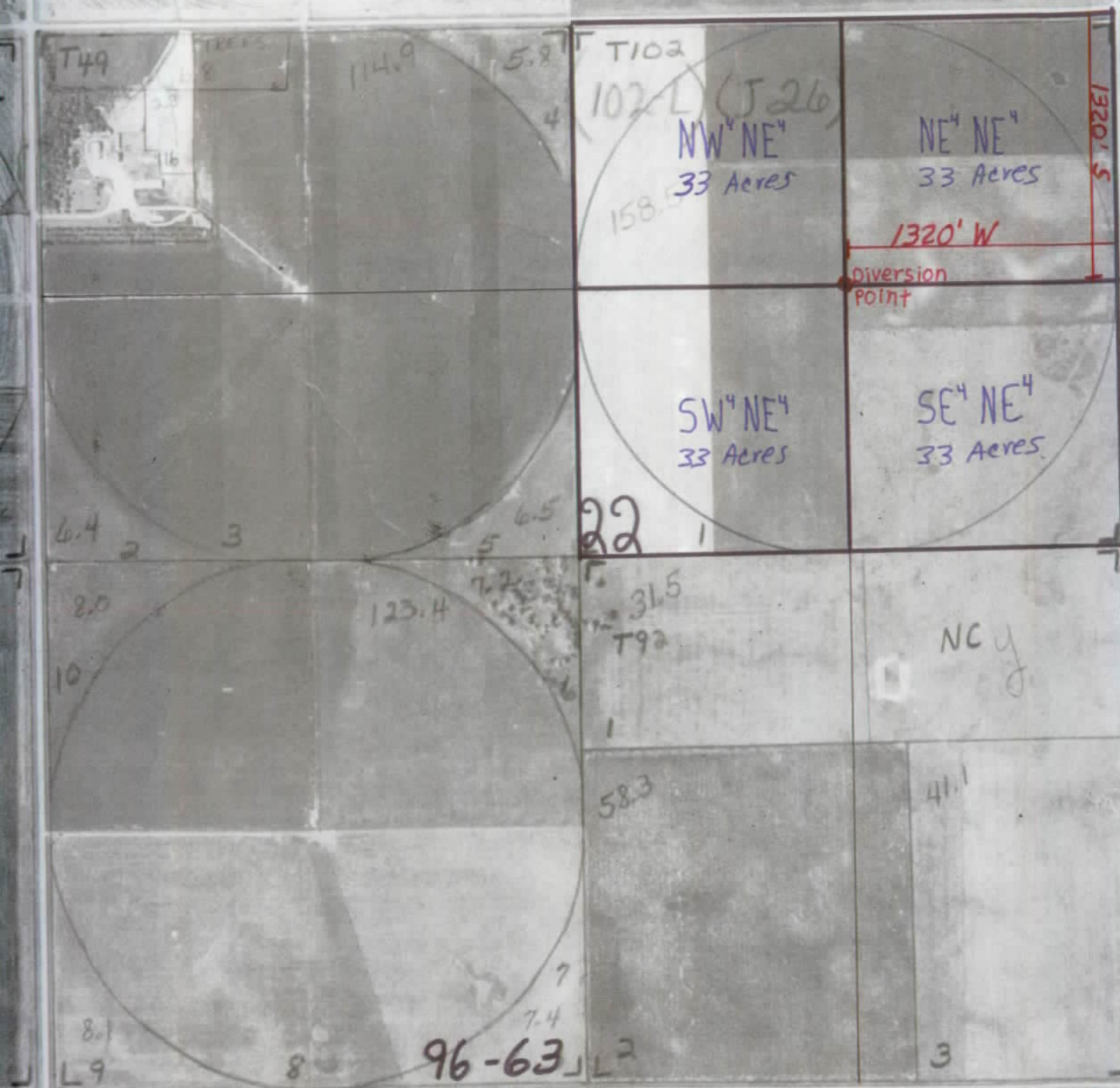
- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

****NOTE:** The renter of this property is Stanley Peters, Wagner, SD 57380. Telephone: (605) 384-3135.

NOT TO SCALE



Barry McLaury
Environmental Scientist
Division of Water Rights
Date 2-8-95

Barry McLaury

5637-3

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5637-3

(1) Gerrit L. Juffer of PO Box 220, Wagner SD 57380 made Application No. 5637-3, December 10, 1991 for a water permit to appropriate 2.23 cubic feet of water per second from groundwater (one well), Charles Mix County, South Dakota for irrigation purposes. Permit No. 5637-3, with a priority date of March 17, 1992 was approved April 28, 1992 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 28, 1997 and for the application to beneficial use of said water on or before April 28, 2001.

The permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" on October 15, 1992. The "Notice" stated the diversion system was completed on June 15, 1992 and the water applied to beneficial use on June 15, 1992.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 1320 feet south and 1320 feet west of the northeast corner of Section 22-T96N-R63W (center of the NE 1/4).

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

Section 22-T96N-R63W	NW 1/4 NE 1/4	33 acres
	NE 1/4 NE 1/4	33 acres
	SW 1/4 NE 1/4	33 acres
	SE 1/4 NE 1/4	33 acres
	Total	132 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Gerrit L. Juffer of PO Box 220, Wagner SD 57380 the holder and/or owner of Water Permit No. 5637-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of March 17, 1992 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 Water Permit No. 5637-3 and subject to South Dakota State Law.



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

MAR 29 1995

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 1995

5637-3

Gerrit L. Juffer
P.O. Box 220
Wagner, SD 57380

Dear Mr. Juffer:

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. 5637-3, has been completed. Your final water right document, the Water License, can now be issued.

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.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501-3181**

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,

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.

RECEIPT

414411

Division of Water Rights

South Dakota Department of Environment and Natural Resources

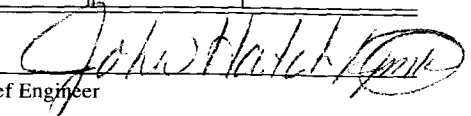
Pierre, _____ February 21 _____, 19 95

RECEIVED OF Gerrit Juffer, PO Box 220, Wagner, SD 57380-0220

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>5637-3</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 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 29 1995

5637-3

Gerrit L. Juffer
P.O. Box 220
Wagner, SD 57380

Dear Mr. Juffer:

Enclosed is Water License No. 5637-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414411 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. 5637-3, 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



October 30, 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

5637-3

Lee Rohrs
PO Box 220
Syracuse NE 68446

Dear Mr. Rohrs:

Enclosed, as we discussed, is a partially completed Notice of Transfer of Ownership form for use in filing an ownership change with Water Right No. 5637-3. I have included a copy of the water right for you to keep for your records.

Please review the transfer form and complete as needed. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed is set of water permit application forms. You indicated that you would like to put up a pivot system on land you are purchasing in the SE $\frac{1}{4}$ of Section 22 using the well located in the NE $\frac{1}{4}$ Section 22 (No. 5637-3). A well log will not be required because we have a copy on file.

It will take in excess of two months to obtain a water permit for the additional land. If you would like to start irrigation on the land next spring, you should start the application process as soon as possible.

If you have any questions, please give us a call.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2003

Lee Rohrs
Box 220
Syracuse NE 68446

Dear Mr. Rohrs:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation. In order to complete the application the following is required.

Enclosed is the map submitted with the application. This map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office). The existing signature on the map was placed there as it related to the licensing inspection of Water Right No. 5637-3 in 1995.

Also, enclosed is another partially completed *Notice of Transfer* form for use in filing an ownership change on Water Right No. 5637-3. The transfer form should be checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$2.50.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

RECEIPT
WATER RIGHTS PROGRAM
South Dakota Department of Environment and Natural Resources

Date February 4, 2003

RECEIVED OF Commercial Travelers, 20 E. 110, Syracuse NE 68446

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	50	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>5837-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

000637

By

Darlene & Ebele

Chief Engineer

[Signature]



February 5, 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

5637-3

Lee Rohrs
PO Box 220
Syracuse NE 68446

Dear Mr. Rohrs:

The transfer of ownership for Water Right No. 5637-3 has been completed. The water right, formerly held by Gerrit L Juffer is now listed as follows:

- Nancy Rohrs Revocable Trust, an undivided $\frac{1}{2}$ interest
- Jerry L Wiebusch Revocable Trust, an undivided $\frac{1}{4}$ interest, and
- Connie R Wiebusch Revocable Trust, an undivided $\frac{1}{4}$ interest

As requested by the trustees, all mailings concerning this water right and the water right to amend No. 5637-3 will be directed to you as the agent.

Enclosed is Receipt No. 000637 in the amount of \$2.50 which was paid for filing the ownership change. You may keep this for your records.

If you have any questions, please give us a call.

Sincerely,

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

enclosures

ATTACHMENT TO FORM 2:
APPLICATION FOR IRRIGATION IN SOUTH DAKOTA
AMENDMENT TO PERMIT NO: 5637-3

1. Name of Applicant: Lee Rohrs, et al.
2. The Owners of the property covered by existing Permit No: 5637-3 and the land to be added thereto are as follows:

Nancy Rohrs Revocable Trust, an undivided $\frac{1}{2}$ (50%) interest, of 1609 Thorne Street – Box 220, Syracuse, Nebraska, 68446; Jerry L. Wiebusch Revocable Trust, an undivided $\frac{1}{4}$ (25%) interest; and Connie R. Wiebusch Revocable Trust, an undivided $\frac{1}{4}$ (25%) interest, of 4401 Birchhollow Drive, Lincoln, Nebraska, 68516

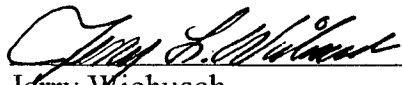
Telephone # for Nancy Rohrs is (402) 269-2587.

Telephone # for Jerry Wiebusch and Connie Wiebusch is (402) 423-8867.

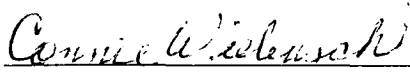
3. Lee Rohrs, the spouse of Nancy Rohrs will be the responsible person for notice under this Application.
4. We, Nancy Rohrs, Jerry Wiebusch and Connie Wiebusch, being the Trustees of the above and aforementioned Trust, hereby appoint Lee Rohrs as our agent under this permit.



Nancy Rohrs



Jerry Wiebusch



Connie Wiebusch

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 5637-3

Date: 1/30/03

I/We request that Water Right No. 5637-3

formerly owned by: Gerrit L Juffer

be transferred to: (name & address) Nancy Rohrs Revocable Trust, an undivided 1/2 (50%) interest, of 1609 Thorne St. Box 220, Syracuse, NE 68446
and Jerry L. Wiebusch Revocable Trust, an undivided 1/4 (25%) interest and Connie R. Wiebusch Revocable Trust, an undivided 1/4 (25%) interest, of 4401 Birchhollow Drive, Lincoln, NE Telephone No. (402) 269-2587 68516

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

132 acres - NE 1/4 Section 22, T96N, R63W

I/We understand that the validity of Water Right No. 5637-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

Nancy Rohrs,
Connie R. Wiebusch &

I/We Jerry L. Wiebusch, the new owner, certify that the above information is true and correct.

Nancy Rohrs
Nancy Rohrs

Connie R. Wiebusch
Connie R. Wiebusch

Jerry L. Wiebusch
Jerry L. Wiebusch (Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

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

RECEIVED

FEB - 4 2003

WATER RIGHTS
PROGRAM

ANDERSON LAW OFFICE, P.C.

120 Second St. SE
P.O. Box 425
Wagner, SD 57380

BRUCE V. ANDERSON
DAVA A. WANTOCH
ATTORNEYS AT LAW

TELEPHONE
605-384-5970
FAX 605-384-3679

December 14, 2005

Department of Environment & Natural Resources
Division of Environmental Services
523 East Capitol Avenue
Pierre, SD 57501-3181

Re: Charles Mix County Water Transfer Permits (Rohrs/Wiebusch/Evans)

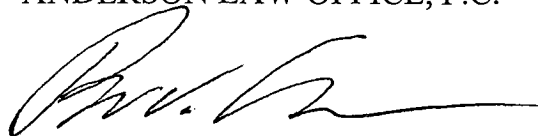
To Whom It May Concern:

Enclosed you will find three Notice of Transfer of Ownership forms transferring ownership of the water rights/permits from Nancy Rohrs, Lee Wiebusch and Connie Wiebusch to Roger and Maureen Evans. I am also enclosing a check in the amount of \$7.50 for the filing fees.

Should you have any questions, please contact this office.

Sincerely,

ANDERSON LAW OFFICE, P.C.



Bruce V. Anderson

BVA:ja
enclosure

RECEIVED
DEC 15 2005
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 15, 20 05

RECEIVED OF Anderson Law Office, PO box 425, Wagner SD 57380

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	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>5637-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	2.50	

No.

0020

By

Darland Erbe
Chief Engineer
gin

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 5637-3

Date: _____

I/We request that Water Right/Permit No. 5637-3

formerly owned by: Nancy Rohrs Revocable Trust 1/2 interest, of Syracuse NE 68446,
Jerry Wiebusch Revocable Trust 1/4th interest, Lincoln NE 68516 and Connie R.
Wiebusch Revocable Trust 1/4th interest, Lincoln NE 68516
be transferred to: (name & address) Roger W. Evans and Maureen A. Evans, P.O. Box 42,
Sioux Center Iowa 51250

Telephone No. 712-332-7082

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

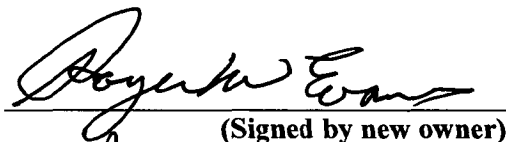
see schedule A attached

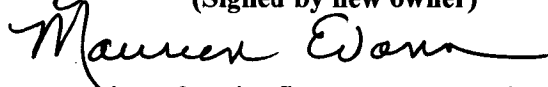
I/We understand that the validity of Water Right/Permit No. 5637-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Roger Evans & Maureen Evans, the new owner, certify that the above information is true and correct.


(Signed by new owner)



NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

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

RECEIVED

DEC 15 2005

**WATER RIGHTS
PROGRAM**



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 19, 2005

5635-3
5637-3
6391-3

Bruce V Anderson
Anderson Law Office PC
PO Box 425
Wagner SD 57380

Dear Mr. Anderson:

I am writing to acknowledge receipt of the ownership changes you submitted for transferring Water Right Nos. 5635-3, 5637-3 and Water Permit No. 6391-3. The transfers have been completed. The water rights and water permit formerly held by Nancy Rohrs Revocable Trust, Connie Wiebusch Revocable Trust and Jerry Wiebusch Revocable Trust are now listed in the names of Roger W and Maureen A Evans.

Enclosed are your Receipt Nos. 002075, 002076 and 002077 in the amounts of \$2.50 each which you paid for filing the ownership changes.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

c: Roger W and Maureen A Evans



5637-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 8, 2011

Roger & Maureen Evans
PO Box 147
Thermopolis WY 82443

Dear Mr. & Mrs. Evans:

I am writing in regard to a well driller's report filed by Sargent Irrigation Company. The report shows a new well was completed for you on June 25, 2010. A review of our files indicates that you hold Water Right No. 5637-3 for 800 gallons per minute (gpm) from one well, approximately 250 feet deep located in the center of the NE ¼ Section 22-T96N-R63W for irrigation use.

South Dakota Codified Law 46-5-13.1 provides that a point of diversion (well) may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Is the new well a replacement well or an additional well? If it is an additional well, does the well increase the total appropriation of 800 gpm authorized by Water Right No. 5637-3? Once we determine the status of the new well, we can determine what, if any additional action needs to be taken.

If you have any questions, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

SD EForm - 1621 V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE 22 Twp 96 Rg 63

County

Charles Mix Co.

North

Please mark well
location with an "X"

W

E

Well Completion Date

6/25/2010

1 Mile

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

? ft. from (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
37.0 LB/FT	16.00 IN	0.0 FT	110.0 FT	30.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite		14.0 Lb/gal	20.0 Ft	110.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Tremmie

SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 16.00 Inches Length 140.0 FeetMaterial 26 SDR PVCSlot Size .085 Set From 110.0 Feet to 250.0 Feet

Other information

Gravel

WAS A PACKER OR SEAL USED? ☒ Yes ☐ NoIf so, what material? Concrete

Describe packer(s) and location

20' to Surface

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH☐ No, Why Not?Lab sample sent to for
water quality analysisWell Owner: Roger Evans

Business Name:

Address: P.O. Box 147City, State, Zip: Thermopolis WY 82443

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
clay, top soil, fine sand	0	15
clay with a few gravel stones	15	20
blue clay	20	45
blue & brown clay, few stones	45	60
blue clay	60	63
clay	63	75
fine to med gravel & stones	75	90
fine med gravel & stones, some rocks	90	105
fine med gravel, coarse sand, st. rock	105	120
gravel coarse & clay	120	135
mostly sticky clay & sand layers	135	145
mostly clay layers	145	165
sand layers	165	180
coarse sand to fine gravel	180	195
fine med gravel & some coarse sand	195	210
fine gravel & coarse sand	210	215
fine gravel, some med & coarse sand	215	225
clay layer & hard ledge	225	235
fine med gravel, sand, clay mix	235	240
clay layers	240	245
coarse sand mixed	245	255
medium to coarse sand	255	267
clay layers	267	270
fine to medium sand	270	280
clay layers	280	285
fine to medium sand	285	290
clay layers	290	295

STATIC WATER LEVEL

46.0 FEET

If flowing: closed in pressure

PSI

GPM flow 800.0 through 8.62 inch pipeControlled by ☐ Valve ☐ Reducers ☒ Other Sprinkler System

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

55.0 Ft. After 1.0 Hrs. pumped 700.0 GPM62.0 Ft. After 1.0 Hrs. pumped 1,400.0 GPMIf pump installed, pump rate: 800.0 GPM

REMARKS

This well was drilled under license #

273

And this report is true and accurate.

Drilling firm: Sargent Irrigation Co.

Signature of License Representative:

Sargent Irr Co B. Doe Schuler

Signature of Well Owner or Equitable Property Holder:

5637-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 5637-3, Roger Evans

ADDRESS: PO Box 147, Thermopolis WY COUNTY: Charles Mix

DATE: February 14, 2011 TELEPHONE:

RE: Call regarding letter received on well completion report filed.

Mr. Evans called regarding the letter he received from the Water Rights Program regarding the well completion report filed on his property. Mr. Evans indicated that the existing well was failing. He is a non-resident landowner who leases the property and to his knowledge the casing may be collapsing. Therefore, they drilled a new well in very close proximity to the existing well and the old well is no longer in use. I asked if the old well was plugged. He said that he told them to plug the old well but since he hasn't been on the property he can not verify that it was done. He said he would check to make sure the well is plugged.

The original permit is for a well in the center of the NE 1/4 Section 22, T96N, R63W. I inquired about the proximity of the new well to the existing well to determine whether he'd need to make a formal request to change the diversion point under SDCL 46-5-13.1. He said since he hasn't been on the property he doesn't know the exact distance but that it is very close since they didn't need additional piping to get the water to the pivot.

Based on his response, no additional water permitting is required. This is because the new well is 1) in basically the same location as the failing well, 2) statement that the old well is not in use and his commitment to make sure the old well is plugged, 3) same source and 4) no additional appropriation of water..

NAME:

Eric Henderson



5637-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: ROGER W & MAUREEN A EVANS, PO BOX 147, THERMOPOLIS, WY 82443 0147
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5635-3, 5637-3 & 6391-3. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5635-3, 5637-3 & 6391-3 qualification:

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

The hearing will be held at **10:00 am, March 7, 2012** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5635-3, 5637-3 & 6391-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 27, 2012

5635-3
5637-3
6391-3

Roger & Maureen Evans
PO Box 147
Thermopolis WY 82443 0147

Dear Mr. & Mrs. Evans:

I am writing to acknowledge receipt of your 2011 irrigation questionnaires.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right Nos. 5635-3 & 5637-3 and Water Permit No. 6391-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

5637-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

FEB 01 2016

5637-3
6391-3

Roger W & Maureen A Evans
PO Box 147
Thermopolis WY 82443-0147

Dear Mr. & Mrs. Evans:

Enclosed is Water License No. 6391-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6391-3, 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.

The applicable portions of Water Right No. 5637-3 have been incorporated into Water License No. 6391-3. As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

c: Dale Glanzer, Clearfield Colony, 40248 293rd St, Delmont SD 57330