

Considered: _____

WATER PERMIT NO. 5675-3

Phone: 983-5930

Name of Applicant: Siouxland Store & Campground

Post Office Address: RR 3, Box 110, Arlington SD 57212

Amount of Water Claimed: 0.09 cfs (⁴²~~45~~ gpm) Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial use County: Hamlin

About 13 miles north of Arlington

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 6-18-92 Fee: \$50 Remarks _____

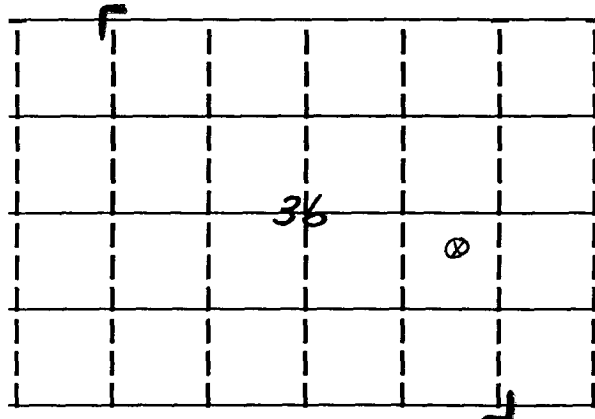
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: NE 1/4 SE 1/4 Sec 36-T113N-R53W

Land to be Irrigated: _____



Well Log: Driller: Huron Drilling Licensed YES X NO _____

Depth of Well: 84' REMARKS _____

Type of Map: aerial PREPARED BY: Roger Mueller Reviewed and the Number

Assigned on 6-18-92 By Karen Schlaak

No. 5675-3 Hydrologic Unit 10170201
 Map No. _____ Basin Big Sioux River
 Newspaper Estelline Journal, Box 159

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☐ Commercial ☒ Municipal ☐ Other Common-Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant SIouxLAND STORE & CAMPGROUND Phone No. 983-5930

Post Office Address RR 3, BOX 110 ARLINGTON State SD 57212
(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s.) 42 GAL PER MIN. (0.09 cfs)

3. Source of water supply WELL

4. Location of point of diversion NE 1/4 SE 1/4 SECTION 36 TOWNSHIP 113 N
RANGE 53 W

County HAMLIN

5. Counties where water will be used HAMLIN

6. Annual period during which water is to be used JAN 1, THRU DEC. 31

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Well to be used as water supply for Restaurant, Convenience Store, Campground (10 full hookups) & Bathhouse (70 total Campsites) & Mobile Home Park - (25 spots)

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
 County of HAMLIN)^{ss}

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

Signed Rose Pedersen

Subscribed and sworn to before me this 16th day of June 19 92

Barker Miller
 Notary Public COMM EXPIRES: 6-25-94

**SOUTH DAKOTA
WATER PERMIT No. 5675-3**

Date of first receipt of application June 18, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5675-3 to Siouxland Store & Campground, RR 3, Box 110, Arlington SD 57212 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. 5675-3 appropriates 42 gallons per minute (0.09 cubic feet of water per second) from one well (Big Sioux:Brookings Aquifer) 84 feet deep located in the NE 1/4 SE 1/4 Section 36-T113N-R53W.
2. The water appropriated shall be used for the purpose of supplying water to a restaurant, convenience Store, campground and mobile home park and may not exceed the amount of water needed for beneficial use for commercial purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 5675-3 is September 10, 1992.
5. The date from which applicant may claim right is June 18, 1992.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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.

WATER MANAGEMENT BOARD

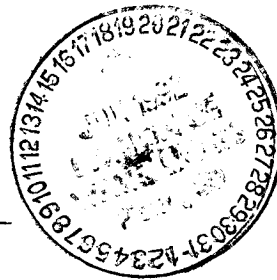
By: John Hatch
John Hatch, Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

NOV 23 1992

date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ 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: 1/4 MILE -

On applicants property _____ On property owned by others YES, GARY
CHRISTENSEN
NEIGHBOR

2. Dugout Information Estimates

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

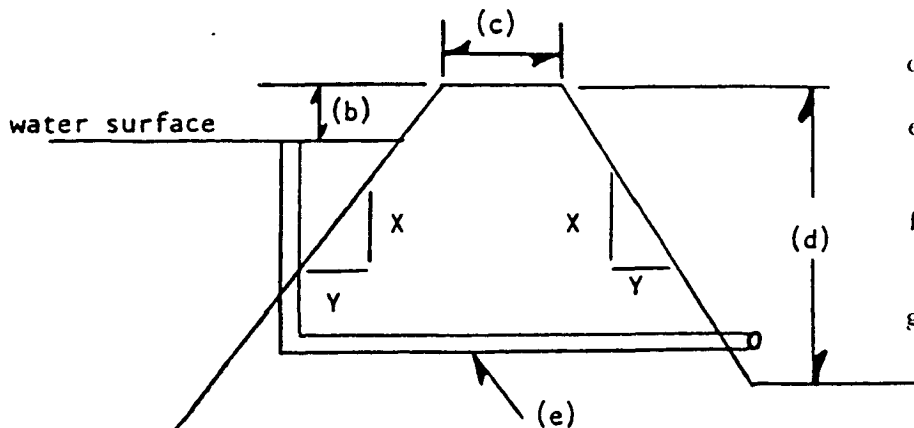
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Rose M Pedersen
 Signature of Applicant

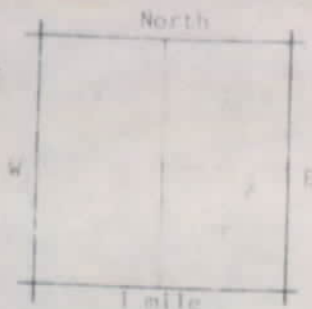
STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location NE 1 SE 2 Sec 36 Twp 113 R 54 S3

County

Hanlin

Please mark well location with an "X"



Well Completion Date January 18, 1985

PROPOSED USE:

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

Method of Drilling:

Rotary

WELL CONSTRUCTION:

Diameter of hole 17 1/2 inches Depth 84 feet

Casing: ☐ Steel ☒ Plastic ☐ Other
Specify _____

Pipe Weight Diameter From To
40 lb/ft 8 inches 0 feet 74 feet
lb/ft: _____ inches _____ feet _____ feet

Was a well screen used? ☒ Yes ☐ No

If Not Specify _____

Screen Type Johnson/Hamilton Slot Size 40

Length 10 ft Diameter 8"

Was Casing left open end? ☐ Yes ☒ No

Was a Packer or seal used? ☒ Yes ☐ No

If so what material? Bentonite

Was well gravel packed? ☒ Yes ☐ No

Was well grouted? ☒ Yes ☐ No

Describe grouting procedure Cemented down

outside of pipe against frame line
To what depth? 0-45 Feet

What was grouting material? Cement

If cement, how many sacks? 40

Location of packer(s) and screen or perforated pipe 45-60 74-84

WAS WELL PLUGGED OR ABANDONED / Yes ☒ No
If so how and with what material?

Well Owner:

Name James Pope

Address Arlington SD

Well Log:

Depth

Formation

From

To

See the Attached Log

STATIC WATER LEVEL 4 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? _____

WELL TEST DATA:

☒ Pumped

☐ Bailed

☐ Other

55 GPM

Describe: _____

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 # 74
and this report is true and accurate.

Drilling Firm Hansen Drilling Co.

Signed by James Pope

Date 2-14-85

HURON DRILLING INC. DRILLERS LOG

SE 1/4 36 113-52-53 - Hamilton Co.

PAGE NO.

JOB NAME

LOCATION

DATE

RIG NO.

FOREMAN

PI No.	DEPTH	TIME	REMARKS
1	20		0-3
2	110		3-17
3	60		17-33
4	80		33-39
5	100		39-59
			59-80
			80-84



CAMERA OPERATOR

Application No 5675-3

NOT TO SCALE



T1379

(25.7)

T1441
23.6 (15.4)

(8.2)

39.0

479-215

10

Golf Course

2

35.4

P.

T2006

1 HEL

3

6.9

36

T1528
6.6

Wet
Location

11

90.4

1 HEL

T1527

37.5

Roger Mueller
District Conservationist
SCS

113-53

2

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413251

Pierre, June 18, 19 92

RECEIVED OF Siouxland Store & Campground, RR 3 Box 110, Arlington SD 57212

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

Fee for Application for Permit No. <u>5675-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for 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	50 00

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

October 25, 1991

SIouxLAND STORE AND CG
ALLAN & ROSE PETERSEN
RR 3 BOX 110
ARLINGTON SD 57212

Dear MR. & MRS PETERSEN:

I am contacting you regarding the possibility that you may need a permit to appropriate water for use in your facility. We have reviewed our records after receiving information from the Office of Drinking Water and can not locate a water permit for your facility.

Pursuant to South Dakota Codified Laws 46-1-15 and 46-5-10, a water permit is required to use water from any water source, except for private domestic use. Examples of commercial use that require permits for private water supplies are: truckstops, motels, restaurants, tourist attractions, commercial campgrounds and any other business operation. Examples of noncommercial use that require permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute or use water outside of the school building. A vested water right can be claimed for water uses beginning on or prior to February 28, 1955, for ground water or March 2, 1955, for surface water.

An existing business without a water permit has no legal right to the use of water. Water users without a water permit are not protected if their water use is interfered with by someone who has a water right. If you believe you already have a water permit or if you have a permit issued under another name, please contact us.

Enclosed are water permit application forms and an instruction sheet. Please complete and return the application with the required fee to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by November 29, 1991. If you have questions or need assistance contact Don Frye, Natural Resources Analyst (605-773-3352).

Very truly yours,

Ron Duvall, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 21, 1992

Allan & Rose Petersen
Siouxland Store and CG
RR 3 Box 110
Arlington SD 57212

Dear Mr. & Mrs. Petersen:

I am writing to follow-up on my October 24, 1991 letter regarding the possibility that you may need a permit to appropriate water for use in your facility. We have reviewed our records and can not locate a water permit for your facility.

Pursuant to South Dakota Codified Laws 46-1-15 and 46-5-10, a water permit is required to use water from any water source, except for private domestic use. Examples of commercial use that require permits for private water supplies are: truckstops, motels, restaurants, tourist attractions, bars, clubs, commercial campgrounds and any other business operation. Examples of noncommercial use that require permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute or use water outside of the school building. A vested water right can be claimed for water uses beginning on or prior to February 28, 1955, for ground water or March 2, 1955, for surface water.

An existing business without a water permit has no legal right to the use of water. Water users without a water permit are not protected if their water use is interfered with by someone who has a water right. If you believe you already have a water permit or if you have a permit issued under another name, please contact us.

Enclosed are water permit application forms and an instruction sheet. Please complete and return the application with the required fee to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by February 21, 1992. If you have questions or need assistance contact Don Frye, Natural Resources Analyst (605-773-3352).

Very truly yours,

Ron Duvall, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1992

Allan & Rose Petersen
Siouxland Store and CG
RR 3 Box 110
Arlington SD 57212

Dear Mr. & Mrs. Petersen:

I am writing to follow-up on my October 24, 1991 and January 21, 1992 letters regarding the need for a permit to appropriate water for use in your facility. Based on the information we have, we believe you need a permit. We would appreciate your earliest attention to this matter.

Pursuant to South Dakota Codified Laws 46-1-15 and 46-5-10, except for private domestic use, a water permit is required to use water from any water source. Examples of commercial enterprises that require permits for private water supplies are: truckstops, motels, restaurants, tourist attractions, bars, clubs, commercial campgrounds and any other business operation. Examples of institutions that require permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute or use water outside of the school building.

An existing business or institution without a required water permit has no legal right to the use of water. Water users without a water permit are not protected if their water use is interfered with by someone who has a water right. If you believe you already have a water permit or if you have a permit issued under another name, please contact us.

We have previously sent you water permit application forms and an instruction sheet. Please complete and return the application with the required fee to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501". If you have questions, or don't believe you need a water permit, contact Don Frye, Natural Resources Analyst (605-773-3352).

Very truly yours,

RON DUVAL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

REPORT ON APPLICATION NO. 5675-3
for Siouxland Store and Campground
July 28, 1992

Application No. 5675-3 proposes to appropriate 42 gpm (0.09 cfs) from one well approximately 84 feet deep located in the NE 1/4 SE 1/4 of section 36, T113N R53W in Hamlin County. The water is for commercial use for a restaurant, convenience store, campground and mobile home park.

AQUIFER - BIG SIOUX BROOKINGS (BS-B)

The Big Sioux Brookings is a confined glacial outwash (sand and gravel) in this area and under artesian conditions. The driller's log submitted with this application indicates that the top of the aquifer was encountered at a depth of 59 feet and continued to a depth of 84 feet. The well had a static water level of 4 feet below land surface and was capable of producing 55 gpm. The Big Sioux Brookings underlies 88,500 acres and contains an estimated 331,880 acre feet of recoverable water in storage in Hamlin County (Hedges, 1982). The Big Sioux Brookings aquifer extends to the south into Brookings County and is hydraulically connected to the Big Sioux River, the Big Sioux North aquifer to the north and to area lakes such as Lake Poinsett. Ground water movement in this area is basically from northwest to the southeast towards Lake Poinsett (Kume, 1985).

The Division of Water Rights monitors 21 observation wells completed into the Big Sioux Brookings aquifer in Hamlin County. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. The nearest observation well to this application is HN-76E. The water level record for this observation well indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1992).

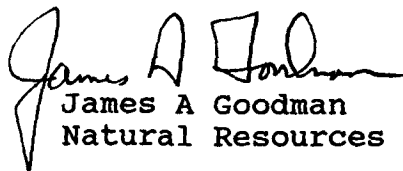
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Water Right No. 4372-3 (irrigation of a golf course) which is located approximately 1/2 mile northwest of this application. Interference is not expected to be a concern. The distance between diversion points and the relatively small diversion rate requested by this application should minimize any potential effects. This is an existing well and has been in use since 1985 with no apparent problems.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer.
2. The aquifer is confined and under artesian conditions at this site. Drawdown is not expected to be significant. Interference should not be a problem.

3. This is an existing well drilled in 1985. The well is completed in accordance with SD Well Construction Standards.
4. This facility is hooked up to a wastewater collection system in the Lake Poinsett Sanitary District.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S., etal, 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., 1985, Water Resources of Deuel and Hamlin Counties, South Dakota, USGS WRI 84-4069, USGS, Huron, SD, 57350.
- Water Rights, 1992, Unpublished Observation Well Records for Hamlin County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

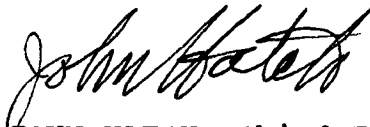
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5675-3, Siouxland Store and Campground

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. 5675-3, Siouxland Store and Campground, c/o Rose Pedersen, RR 3 Box 110, Arlington, SD 57212.

The Chief Engineer is recommending APPROVAL of Application No. 5675-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

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.

See report on application for additional information.



JOHN HATCH, Chief Engineer
August 4, 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.

August 7, 1992

Rose Pedersen
Siouxland Store and Campground
RR 3 Box 110
Arlington, SD 57212

Dear Ms. Pedersen:

Water Permit Application No. 5675-3 for commercial 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 Estelline Journal printed at Estelline, SD (Ph # 873-2475). For your information, a copy of the notice, the recommendation 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 application.

Sincerely,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 7, 1992

Estelline Journal
Box 159
Estelline, SD 57234

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5675-3 to be published twice. Please publish the first notice on August 13, 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 Siouxland Store & Campground, RR 3 Box 110, Arlington, SD 57212 (Ph # 983-5930).

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 application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

No. _____

TO: Eric Gronlund
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 August 13, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5675-3 to Appropriate Water

Notice is given that Siouxland Store and Campground, RR 3 Box 110, Arlington, SD 57212 has filed an application for a water permit to appropriate 42 gallons per minute (0.09 cubic feet of water per second) from one well (Big Sioux:Brookings Aquifer) 84 feet deep located in the NE 1/4 SE 1/4 Section 36-T113N-R53W. The water is for commercial use for a restaurant, convenience store, campground and mobile home park.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5675-3 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 application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application 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 recommendation. 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 August 31, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5675-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for September 10, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the September 10, 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 September 10, 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 application. The request for an automatic delay must be filed by August 31, 1992.

If a hearing is held, 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 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 Eric Gronlund by August 31, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is 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, 46-2A-20, 46-2A-21; 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Hamlin) ss.

I, _____
 certify that the attached printed Notice was taken
 from the Estelline Journal

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

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

8-13-92

8-20-92

[Signature]

(Signature)

[Signature]

(Title)

8-20-92

(Date Signed)

Cost of Printing: 62.64



117-2x-August 13, 20
NOTICE OF HEARING
 on Application No. 5675-3
 to Appropriate Water

Notice is given that Siouxland Store and Campground, RR 3 Box 110, Arlington, SD 57212 has filed an application for a water permit to appropriate 42 gallons per minute (0.09 cubic feet of water per second) from one well (Big Sioux: Brookings Aquifer) 84 feet deep located in the NE 1/4 SE 1/4 Section 36-T113N-R53W. The water is for commercial use for a restaurant, convenience store, campground and mobile home park.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5675-3 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 application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application 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 recommendation. 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 August 31, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5675-3 and 2) the chief engineer's recommendation, a meeting of the Division of Water Rights office to hear this application is scheduled for September 10, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the September 10, 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 September 10, 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 application. The request for an automatic delay must be filed by August 31, 1992.

If a hearing is held, 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 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-

continued to page 8

Public Notices

Continued from page 9

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 Eric Gronlund by August 31, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is 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; 46-2A-20, 46-2A-21; 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.

ROBERT E. ROBERTS
Secretary, Department of Environment and Natural Resources





NOV 23 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Rose Pedersen
Siouxland Store & Campground
RR 3 Box 110
Arlington, SD 57212

Dear Ms. Pedersen:

Enclosed is Water Permit No. 5675-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

Permit No. 5675-3
Big Sioux - 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 Sioux Land Store and Campground of RR 3, Box 110, Arlington, SD 57212 holder of Permit No. 5675-3, bearing the priority of June 18, 1992 authorizing the diversion of 0.09 cu. ft. per second of the waters of Big Sioux Brookings Aquifer for commercial purposes, in Hamlin County.

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

- A. Works used to divert the water:
One 84' deep well with 74' of 8" pvc casing and 10' of Johnson stainless steel screen. Submersible pump and motor, 5 hp and 42 gpm capacity.
- B. Works used to transport water to place of use:
Network of 1" black plastic to the store, restaurant, campground and mobile home park.
- C. Works used to apply water to beneficial use:
Commercial use for the above.

The system is in the following condition good. The point of diversion is located 430' W and 460' S of the E 1/4 corner Sec. 36-T113N-R53W. The works are capable of diverting and conveying to the place of use 0.09 cu. ft. per second of water which is to be used for commercial purposes. Water has been put to beneficial use to the maximum extent as follows:

Commercial use at the store, restaurant, campground and mobile home park.
The license should be issued for 0.09 cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: none Date: 7-1-93



Lynn Beck
Natural Resources Engineer
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 5675-3

DATE: 7-1-93

Other permit(s) associated with the project: none

DIVERSION POINT LEGAL LOCATION: 430' W and 460' S of the E 1/4 corner Sec. 36-T113N-R53W.

WELL INFORMATION:

- 1) Well Drilling Firm: Huron Drilling Inc.
- 2) No. of Wells 1
- 3) Depth(s) 84 feet
- 4) Well log is available Y
- 5) Comment:

Casing:

- 1) Diameter 8 inches
- 2) Length 74 feet
- 3) Type pvc

Screen:

- 1) Type Johnson Stainless Steel
- 2) Length 10 feet
- 3) Static water level 4 feet

Pump:

- 1) Make Submersible
- 2) Model
- 3) Size
- 4) Capacity 42 GPM

Motor:

- 1) Make Submersible
- 2) Model No.
- 3) Horsepower rating 5 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type Black Plastic
- 2) Size 1 inches
- 3) Length feet

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit
N/A
- 2) Special qualifications to permit being abided by Y

- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A

NOT TO SCALE

JUN 1992
DIVISION OF
WATER RIGHTS



Prepared by:

Lynn Beck

Lynn Beck
Natural Resource Engineer
DENR, Water Rights Division

5675-3

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5675-3

(1) Sioux Land Store and Campground of RR 3, Box 110, Arlington SD 57212 made Application No. 5675-3, June 18, 1992 for a water permit to appropriate 0.09 cubic feet of water per second from groundwater (one well), Hamlin County, South Dakota for commercial purposes. Permit No. 5675-3, with a priority date of June 18, 1992 was approved September 10, 1992 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(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 0.09 cubic feet of water per second for beneficial use. The location of the diversion point is 430 feet W and 460 feet S of the E 1/4 corner Section 36-T113N-R53W (NE 1/4 SE 1/4).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Sioux Land Store and Campground of RR 3, Box 110, Arlington SD 57212 the holder and/or owner of Water Permit No. 5675-3 is issued a license to appropriate water, the right to use 0.09 cubic feet of water per second from groundwater (one well) with a priority date of June 18, 1992 from the location specified in (2) of this license. The water is to be used for commercial purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 5675-3 and subject to South Dakota State Law.



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

AUG 19 1994

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 10, 1994

5675-3

Rose Pedersen
Siouxland Store and Campground
RR 3, Box 110
Arlington, SD 57212

Dear Ms. Pedersen:

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. 5675-3, 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.

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 24, 1994

SECOND NOTICE
Permit No: 5675-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Rose Pedersen
Siouxland Store and Campground
RR 3, Box 110
Arlington, SD 57212

Dear Ms. Pedersen:

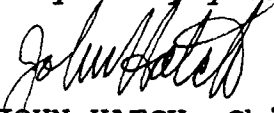
On January 10, 1994, you were notified the final inspection fee of \$50.00 is due before Water License No. 5675-3 can be issued. As of this date, the fee has not been received.

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.

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

According to South Dakota Water Law 46-5-30.1, you may not divert water until the License fee is paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division
(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:

5675-3

Rose Pedersen
Siouxland Store and Campground
RR 3, Box 110
Arlington, SD 57212

4a. Article Number

P 318 052 640

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

3-25-94

5. Signature (Addressee)

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

6. Signature (Agent)

Rose Pedersen

PS Form 3811, December 1991

★U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

RECEIPT

414123

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ April 1, 19 94

RECEIVED OF Siouxland Store & Campground, RR 3 Box 110, Arlington, SD 57212

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>5675-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	5000

By

Chief Engineer

John Hatch 



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 19 1994

5675-3

Rose Pedersen
Sioux Land Store and Campground
RR 3, Box 110
Arlington, SD 57212

Dear Ms. Pedersen:

Enclosed is Water License No. 5675-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414123 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. 5675-3, 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

rd
enclosures



5675-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 12, 2004

Lake Poinsett Estates
Rob Pederson
19555 Hwy 81
Arlington SD 57212

Dear Mr. Pederson:

I am writing in regard to well driller's reports filed by Kaiser Well Drilling. The reports show two wells were completed for Lake Poinsett Estates on June 15, 2004. A review of our files indicates that Sioux Land Store and Campground holds Water Right No. 5675-3 for 40 gallons per minute (gpm) from one well approximately 84 feet deep located in the NE ¼ SE ¼ Section 36-T113N-R53W.

Is the Lake Poinsett Estates another project? If so, a water permit is needed for the commercial use of water. Enclosed are application forms and an instruction sheet to be completed. If the wells are a replacement well and additional well which do not increase the total appropriation of 40 gpm, please let me know.

South Dakota Codified Law 46-5-13.1 provides that a point of diversion 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.

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

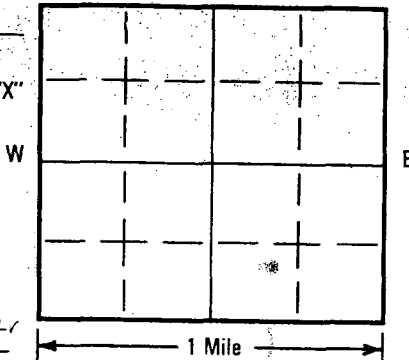
enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location 1/4 1/4 Sec 36 Twp 113 N Rg 53 W
County Hauke

Please mark well location with an "X"



Well Completion Date

6-15-04

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 50 ft. from Lake (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Direct Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SDR21</u> LB/FT	<u>5"</u> IN	<u>369</u> FT	<u>90</u> FT	<u>8 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>Portland Cement</u>	<u>20</u>	<u>94</u> lb./gal	<u>0</u> ft	<u>80</u> ft
		lb./gal	ft	ft

Describe grouting procedure pressure pack

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 5" IN Length 10 FEET

Material plastic

Slot Size 6035 Set From 90 Feet to 100 Feet

Other information

WAS A PACKER OR SEAL USED? ☒ YES ☐ NO

If so, what material? mud from pack

Describe packer(s) and location?

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: HTH Tablets

☐ NO, Why Not?

Laboratory sent to for water quality analysis

None

Well Owner: LPI - Lake Pointe Estn
Business Name: Bob Pederson
Address: 9555 Hwy 81 PO Box
Lake Norden SD 57248

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	6"
yellow sand	6"	12
yellow Clay	12	28
Blue Clay	28	32
yellow ground well rocks	32	100
Med. blue		
Blue Clay	100	110

STATIC WATER LEVEL 6 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? _____

RECEIVED

WELL TEST DATA:

☒ Pumped Describe: SEP 22 2004

☐ Bailed

☐ Other

Pumping Level Below Land Surface

15 ft. After 35 Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

mailed to State
9-21-04

This well was drilled under license # 689

And this report is true and accurate.

Drilling firm Kas - Well Drilling

Signature of License Representative:

[Signature]

Signature of Well Owner or Equitable Property Holder:

[Signature]

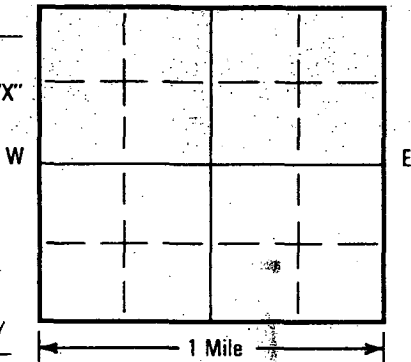
Date: 6/28/04

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location 1/4 36 Twp 113N Rg 53W
County Hamlin North

Please mark well location with an "X"



Well Completion Date

Nov 6-15-04

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 10 ft. from to Spill site (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Direct Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
SDR21 LB/FT 5 IN 3469 FT 50 FT 8 1/2 IN
____ LB/FT ____ IN ____ FT ____ FT ____ IN
____ LB/FT ____ IN ____ FT ____ FT ____ IN

GROUTING DATA

Grout Type portland cement No. of Sacks 10 Grout Weight 94 lb./gal From 0 ft To 45 ft
____ lb./gal ____ ft ____ ft

Describe grouting procedure pressure pull method

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 5 IN Length 10 FEET

Material plastic
Slot Size .075 Set From 50 Feet to 60 Feet

Other information

WAS A PACKER OR SEAL USED? ☒ YES ☐ NO

If so, what material? And from tank

Describe packer(s) and location?

DISINFECTION: Was well disinfected upon completion?

YES, How: HTT Tablets

____ NO, Why Not? ____

Laboratory sent to for water quality analysis

Perline

Well Owner: LPE / Lake Poinsett Estate
Business Name: Bob Pedersen
Address: 19555 Hwy 81 PO Box
Lake Poinsett SD 57248

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1 1/2
yellow sand	1 1/2	18
yellow clay	18	22
yellow medium gravel	22	60
w/L 15' liq. s.		
Blue Clay	60	70

STATIC WATER LEVEL

6 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? _____

WELL TEST DATA:

☒ Pumped Describe: SEP 22 2004

☐ Bailed

☐ Other

Pumping Level Below Land Surface

16 ft. After 8 Hrs. pumped 35 GPM

____ ft. After ____ Hrs. pumped ____ GPM

If pump installed, pump rate _____ GPM

REMARKS

mailed to state 9-21-04

This well was drilled under license # 689

And this report is true and accurate.

Drilling firm Kaiswell Drilling

Signature of License Representative: [Signature]

Signature of Well Owner or Equitable Property Holder: [Signature]

Date: 6/28/04

Schlaak, Karen

5675-3

From: Gronlund, Eric
Sent: Wednesday, October 27, 2004 1:12 PM
To: Schlaak, Karen
Subject: Well Completion Reports for Rob Pederson

Mr. Pederson called. You sent him a letter in regards to the two wells recently drilled. This is for the store/campground authorized by Water Right No. 5675-3. He said the wells are not hooked up yet so he doesn't have a flow capacity of either well. These are two new wells in addition to his existing well. He does not intend to abandon the old well.

I explained the process for requesting add'l diversion points if uses the same source and the diversion rate does not exceed the 42 gpm authorized by the existing right. I also told him if the water source was different or the diversion rate increase, a new permit would be required. He said he truly doesn't know at this point what the diversion rate will be when all three wells are on line. He does not intend to put pumps in them and hook them up until next spring.

I left him that we will contact him next May to find out the diversion rate and then make a determination how to handle. In the interim he will make sure to get the pump capacity information when that work is done.

Put this on your scheduler to flag you about this next May and have your letter and a copy of this e-mail scanned onto the file for Right No. 5675-3.

Eric

10/29/2004



5675-3

**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 4, 2005

Lake Poinsett Estates
Rob Pederson
19555 Hwy 81
Arlington SD 57212

Dear Mr. Pederson:

Last fall we wrote you regarding two well driller's reports we had received from Kaiser Well Drilling for Lake Poinsett Estates. At that time, you spoke with Eric Gronlund, from this office and indicated that the pumps would not be put in the wells until this spring. Have the wells been installed and if so, have you determined what the diversion rate from the wells will be? It appears that all three wells are from the same water source.

As Mr. Gronlund indicated last fall, 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.

Please let us know if the pumps have been installed and what the pump capacities are. From this information, we can determine how to proceed.

If you have any questions, please contact Eric Gronlund or me.

Sincerely,

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

2005 South Dakota Water Use Questionnaire

5675-3

To:

SIOUXLAND STORE/CAMPGRD
ROSE PEDERSEN, 19555 HWY 81
ARLINGTON SD 57212

Address correction requested:

Lake Poinsett Estates
Robby Pedersen, 19551 Hwy 81
LAKE NORDEN, SD 57248

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit\Right No. 5675-3. If you have other permits\rights in the same water source, also include water use under those permits\rights on this questionnaire.

Water Source: GROUNDWATER

County: HAMLIN

Aquifer: BIG SIOUX

Pumping Pt. Legal: SEC 36-T113N-R53W

Management Unit: BROOKINGS

Type of Water Use: COMMERCIAL

1) Please estimate your year 2005 water use from the above water source: 150,000 gallons

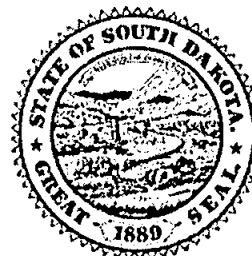
2) If no water use in 2005, please list the reason(s) why in the comments section.

Comments: This water system is now under the mangement
of Lake Poinsett Estates.

Contact Person:

Robby Pedersen

Telephone No:

605 520-2300

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2005 water use questionnaire.

Water Rights on the Web: www.state.sd.us/dcnr/wr

RECEIVED

FEB 22 2006

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

February 23, 2006

5675-3

Lake Poinsett Estates
c/o Robby Pedersen
19551 Hwy 81
Lake Norden SD 57248

Dear Mr. Pedersen:

The 2005 SD Water Use Questionnaire which you returned to our office indicated an ownership change for Water Right No. 5675-3. Enclosed is a partially completed "Notice of Transfer" form for filing an ownership change. The water permit is currently listed in the name of Siouxland Store/Campground.

The transfer form should be completed, 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.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

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

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 24, 2006

RECEIVED OF Lake Poinsett Estates, % Robby Pedersen, 19551 Hwy 81 Lake Norden SD 57248

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>5675-3</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.

02373

By

Darland Eide
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
MAR 24 2006
WATER RIGHTS
PROGRAM

No. 5675-3

Date: _____

I/We request that Water Right/Permit No. 5675-3

formerly owned by: Siouxland Store/Campground

be transferred to: (name & address) Lake Poinsett Estates, c/o Robby Pedersen,
19551 Hwy 81, Lake Norden SD 57248

Telephone No. 605 520-2300

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

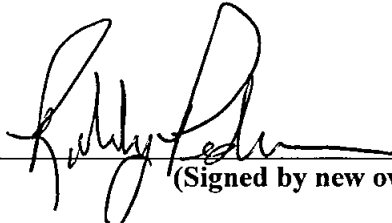
one well – NE ¼ SE ¼ Section 36-T113N-R53W

I/We understand that the validity of Water Right/Permit No. 5675-3 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 Lake Poinsett Estates, the new owner, certify that the above information is true and correct.


(Signed by new owner) President

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 28, 2006

5675-3

Robby Pedersen
Lake Poinsett Estates
19551 Hwy 81
Lake Norden SD 57248

Dear Mr. Pedersen:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for Water Permit No. 5675-3. The transfer has been completed. The water permit formerly listed in the name of Siouxland Store and Campground is now listed in the name of Lake Poinsett Estates.

Enclosed is your Receipt No. 02372 in the amount of \$2.50. 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

enclosure