

WATER PERMIT NO. 5807-3

Phone: 605-886-4221

Name of Applicant: Michael John Meyer

Post Office Address: HCR 62, Box 63, South Shore SD 57263

Amount of Water Claimed: 1.66 cfs Total Acres: 140

Source of Water Supply: groundwater

Water to be used for: irrigation County: Codington

About 11 miles E, 2N of South Shore

PRIORITY Date Received: 3-4-94 Fee: \$250.00 Remarks: _____

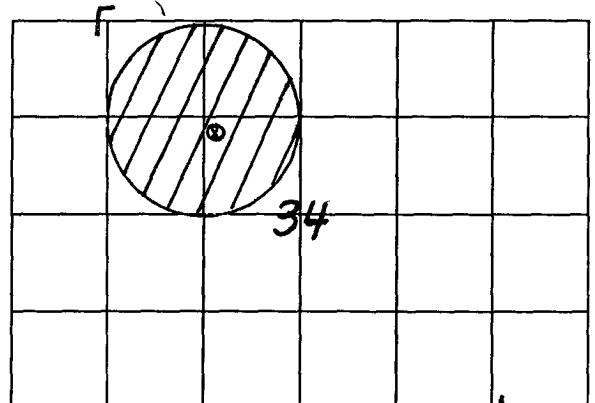
Corrected Application Received: _____ Period of Annual Use: May 1 - Sept 30

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

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

Diversion Point: SE 1/4 NW 1/4 Sec 34-T120N-R52W

Land to be Irrigated: NW 1/4 Sec 34-T120N-R52W



Well Log: Driller: CIADUSM Licensed YES X NO _____

Depth of Well: 135 REMARKS: TEST SOLES

Type of Map: aerial PREPARED BY: Arlene Jenson, SCS Reviewed and the Number

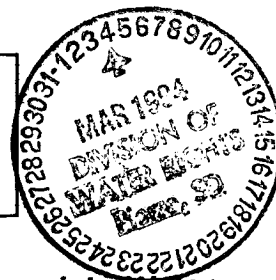
Assigned on: 3-4-94 By: Karen Schlaak

FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 5807-3 Hydrologic Unit 10170202
Basin Big Sioux River
Newspaper Public Opinion, PO Box 10, Watertown
Milbank/Grant Co Review (office use only)



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

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(check one) (Use predates Mar 2, 1955)

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

- Name of Applicant Michael John Meyer Phone 605-886-4221
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address HCR 62 Box 63 South Shore State SD 57263
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 1.66 *CFS or 750 **GPM - ***AF Total Acreage 140
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)
- Source of water supply well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 well in SE1/4 NW1/4 of section 34 - T120N - R52W
County Codington
- County or counties where water will be used Codington
- Annual period during which water is to be used May 1 - September 30
- List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>NW 1/4 of Sec. 34</u>	<u>140</u>		
<u>T120N-R52W</u>			

- Type of Irrigation: Gravity: ☐ Towline: ☐ Center Pivot: ☒ Gun: ☐ Other (Specify): _____
- Crops to be irrigated: corn, soybeans
- Give a description of the project. (Attach sheet if more space is needed)

I would like to drill 1 well and place a full size 1/4 section irrigation unit with 1300 ft. of boom in the center of this section. Plant corn and soybeans under the irrigation and alfalfa in the corners and everywhere else.

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

STATE OF SOUTH DAKOTA)

County of Codington)^{ss}

I, Michael J Meyer, 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 representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Michael John Meyer

Subscribed and sworn to before me this 3rd day of March 19 94

Julian R. Skoglund
Notary Public

comm. exp. 7-25-99

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 19 1/2" Depth 120 ft.
b) Casing Type fiberglass Diameter 12" Thickness 1/4 or .250
c) Screen Type spun fiberglass Diameter 12" Thickness 1/2"
d) Gravel Pack Thickness 4 inches Length of Gravel Pack 20 ft.
e) Depth to Top of Water Bearing Material 114 ft.
f) Depth to Water (ground surface to water level) 0
g) Distance to nearest existing domestic well:
On applicants property 1300 ft. On property owned by others 2500 ft.

2. Dugout Information

- 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 for each dam. The locations of the dams need to 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

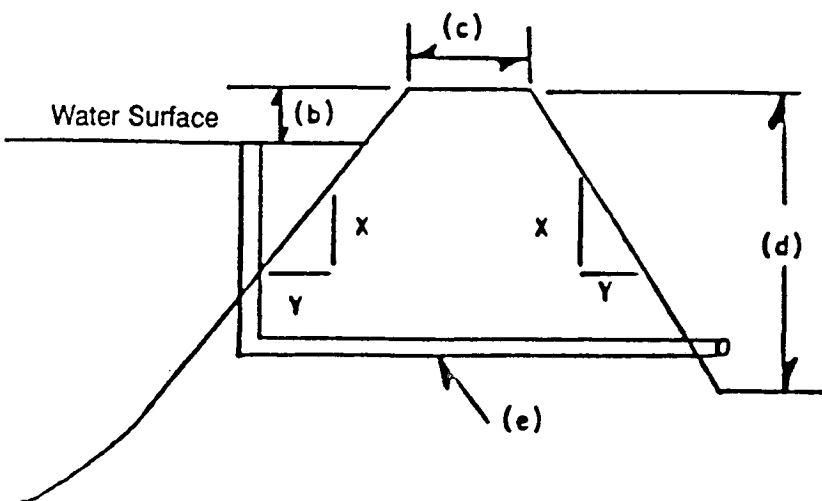
Upstream -

Downstream -

h) Surface Area of Impoundment -

i) Storage - Acre Feet

j) Drainage Area above Dam - Acres



SOUTH DAKOTA WATER PERMIT NO. 5807-3 FOR IRRIGATION

Date of first receipt of application March 4, 1994.

Date of return to applicant for corrections, amendments or changes. March 7, 1994.

Date of receipt of corrected application March 8, 1994.

The Water Management Board approved Water Permit Application No. 5807-3 on June 28, 1994 for Michael John Meyer, HCR 62, Box 63, South Shore SD 57263 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. 5807-3 appropriates 1.66 cubic feet of water per second from one well (Prairie Coteau) 120 feet deep located in the SE 1/4 NW 1/4 Section 34 to irrigate 140 acres located in the NW 1/4 Section 34; all in T120N-R52W (within former boundaries of the Sisseton Wahpeton Indian Reservation).
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: May 1 - September 30.
3. The date from which applicant may claim right is March 4, 1994.
4. One-fifth of the construction is to be completed on or before December 28, 1996.
5. All construction is to be completed on or before June 28, 1999.
6. Water is to be put to beneficial use on or before June 28, 2003.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

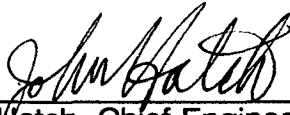
QUALIFICATIONS

1. The well authorized by Permit No. 5807-3 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 (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
2. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
3. 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.

(continued)

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

WATER MANAGEMENT BOARD

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

AUG 17 1994
date



PUBLIC NOTICE

US Army Corps
of Engineers

Omaha District

APPLICANT: MICHAEL JOHN MEYER
APPLICATION NO: 199830053
WATERWAY: WETLANDS

ISSUE DATE: MARCH 16, 1998
EXPIRATION DATE: APRIL 6, 1998

Regulatory Office, 28563 Powerhouse Rd, Room 120, Pierre, SD 57501

21 DAY NOTICE

JOINT NOTICE OF PERMIT PENDING

US ARMY CORPS OF ENGINEERS
AND
SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

The application of Michael John Meyer, South Shore, South Dakota, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, US Army Engineer District, Omaha, Nebraska.

The applicant requests authorization to perform site grading and dike construction activities in wetlands in connection with the construction of wild rice paddies. The project is located in the northwest quarter (1/4) of Section 34, Township 120 North, Range 52 West, Codington County, South Dakota.

The proposed project will consist of shaping/leveling the project site to the desired slope/gradient and constructing earthen dikes along the perimeter of the paddy areas. The interior of the paddies will require approximately 18,000 to 24,000 cubic yards of fill excavated from the high areas and moved to the low areas to achieve a slope of 6 inches in 100 feet. The dike construction will include the use of approximately 5,000 cubic yards of excavated material. Approximately 4,500 feet of subsurface drain tile will be installed to facilitate drainage from the paddies. The project construction will include a lift station and irrigation well water outlets. An estimated 19.3 acres of wetlands will be impacted by the proposed construction activities. The work will be performed with scraper and dozer equipment.

The purpose of the project is to create 30 acres of rice paddies for wild rice production. The project would retain water from winter snow melt and drainage from an upland center pivot irrigation system including auxiliary water from a well. The work is scheduled to begin in the fall of 1998 with completion by the fall of the year 2000. Preliminary plans include creating wildlife habitat in adjacent areas north and west of the rice paddies.

The South Dakota Department of Environment and Natural Resources, Division of Environmental Regulation, 523 East Capitol Avenue, Pierre, South Dakota 57501-3181, will review the proposed project for state certification in accordance with the provisions of Section 401 of the Clean Water Act. The certification, if issued, will express the State's opinion that the operations undertaken by the applicant will not result in a violation of applicable water quality standards. The South Dakota Department of Environment and Natural Resources hereby incorporates this public notice as its own public notice and procedures by reference (ARSD 74:03:02)...

Omaha District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. We have checked the National Register of Historic Places and "its current supplements," and no property listed in the Register or proposed for listing is located in the permit area. This is the extent of our knowledge about historic properties in the permit area at this time. However, we will evaluate input by the State Historic Preservation Officer and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area or check for unknown historic properties, if warranted.

In compliance with the Endangered Species Act, our preliminary review indicates that the proposed activity will not affect species designated as threatened or endangered pursuant to the Endangered Species Act or their critical habitat.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and, in general the needs and welfare of the people. In addition, the evaluation of the impacts of the project on public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

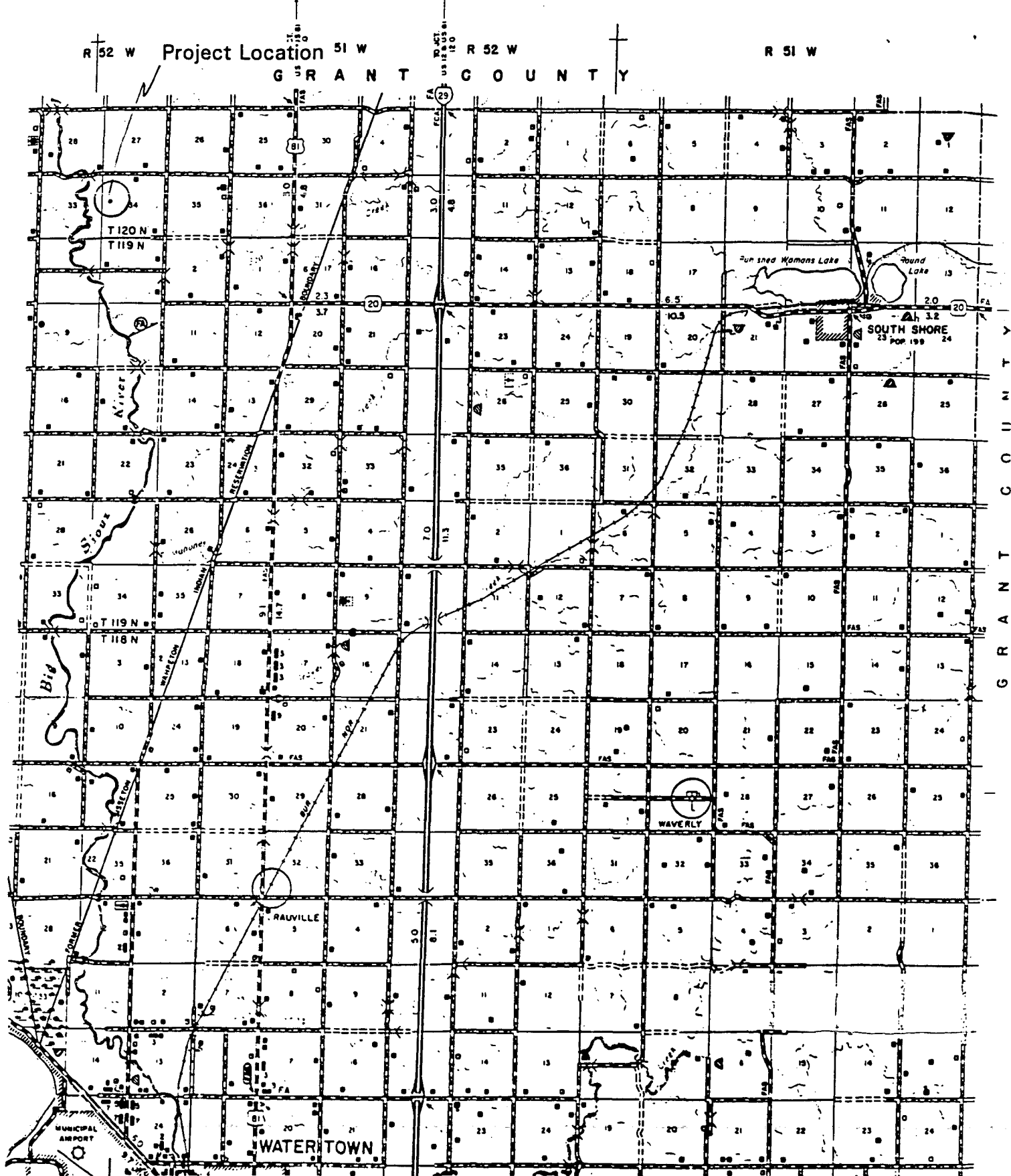
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reason for holding a public hearing. The request must be submitted to the US Army Corps of Engineers, South Dakota Regulatory Office, 28563 Powerhouse Road, Room 120, Pierre, South Dakota 57501.

Any interested party (particularly officials of any town, city, county, state, Federal agency, or local association whose interests may be affected by the proposed work) is invited to submit to this office, written facts, arguments, or objections on or before April 6, 1998. Any agency or individual having an objection to the proposed work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this permit application. All replies to the public notice should be addressed to the address listed in the previous paragraph. Thomas A. Lowin, telephone number (605) 224-8531, may be contacted for additional information.

Comments received after the close of the business day on the expiration date of this public notice will not be considered.

This project, if authorized, will be under the provisions of Section 404 of the Clean Water Act.

Drawings showing the location and extent of the work are attached to this notice.



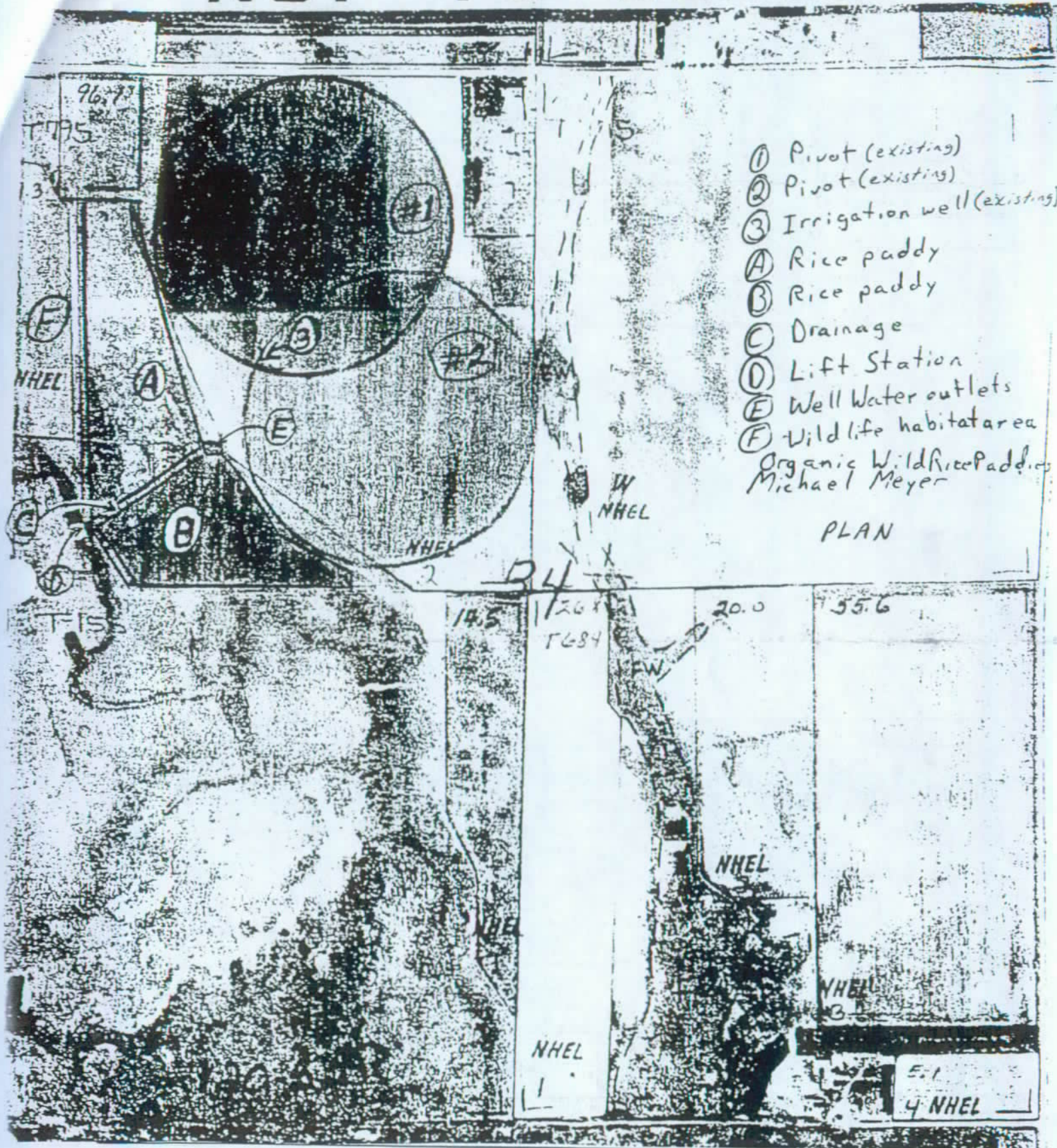
VICINITY MAP

PURPOSE: Rice Paddies
APPLICATION BY: Michael Meyer

ADJ. PROPERTY OWNERS:
1) Earling Johnson
2) Charles Lawrence

IN wetlands
AT Sec. 34/T120N/R52W
COUNTY Codington, SD
DATE 3/12/98
SHEET 1 of 5

NOT TO SCALE



PURPOSE: Rice Paddies
APPLICATION BY: Michael Meyer

ADJ. PROPERTY OWNERS:
1) Earling Johnson
2) Charles Lawrence

IN wetlands
AT Sec. 34/T120N/R52W
COUNTY Codington, SD
DATE 3/12/98
SHEET 2 of 5

North Rice Paddy

$\frac{1}{4}" = 4.36 \text{ rods}$

1584'

1320'

A

660'

Crosssection of Dike

$\frac{1}{4}" = 1 \text{ ft.}$

$1\frac{1}{2}$ to 1 slope
on sidewalls

water level

high 16"

low 6"

average 13"

3'

8'

17'

Organic Wild Rice Paddies
Rice Paddy A: plan view
Crosssection: Dike
Drainage Tile: dotted line
within A

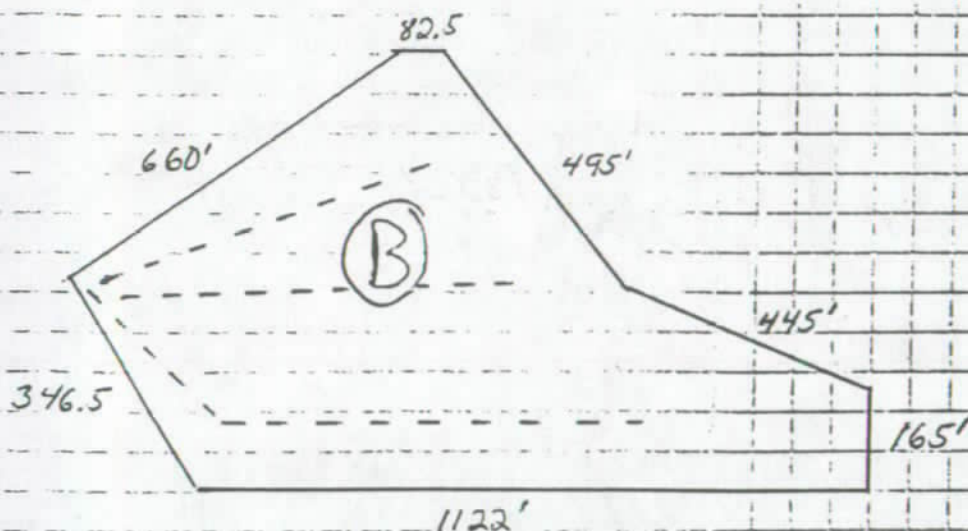
PURPOSE: Rice Paddies
APPLICATION BY: Michael Meyer

ADJ. PROPERTY OWNERS:

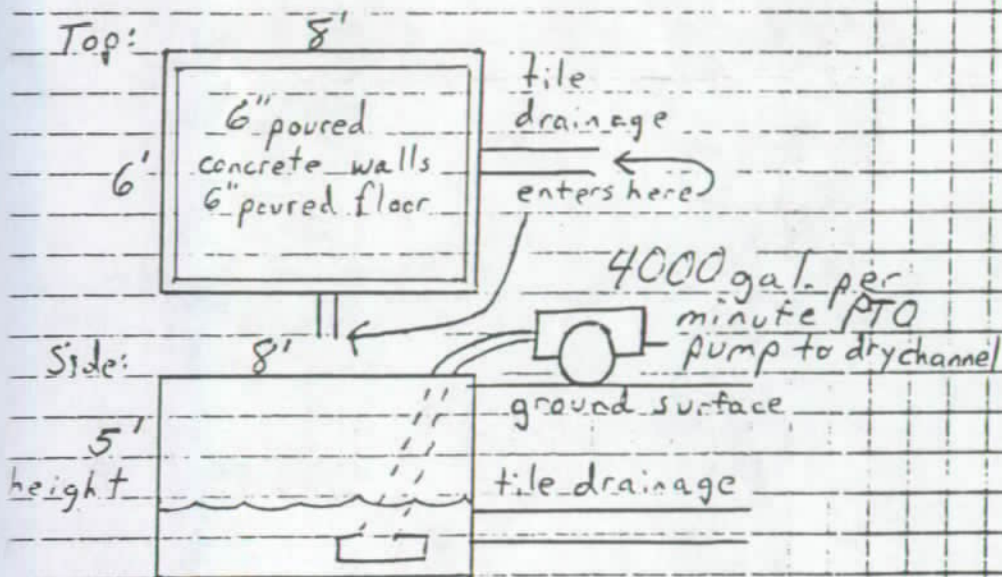
- 1) Earling Johnson
- 2) Charles Lawrence

IN wetlands
AT Sec. 34/T120N/R52W
COUNTY Codington, SD
DATE 3/12/98
SHEET 3 of 5

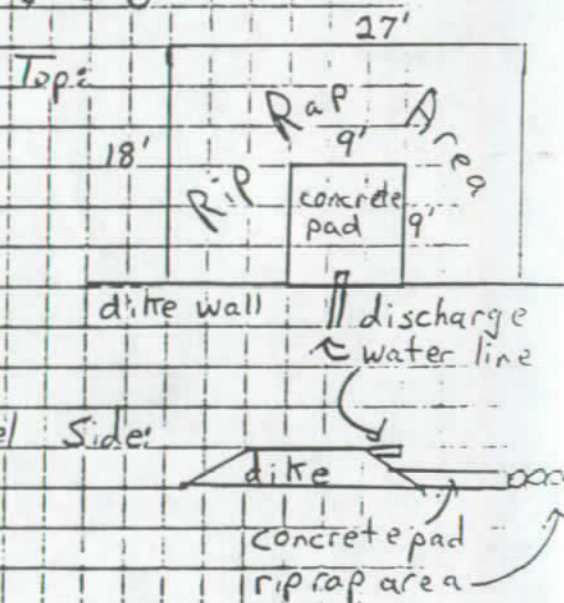
South Rice Paddy
 $\frac{1}{4}" = 4.36 \text{ rds}$



Lift station pit (D)
 $\frac{1}{4}" = 1 \text{ ft}$



Irrigation Well Outlets (E)
 $\frac{1}{4}" = 3'$



Organic Wild Rice Paddies
 Rice Paddy B: plan view
 Drainage tile: dotted line within (B)
 Lift station pit: Location (D) Map Plan
 2 Well water outlets: Location (E) Map Plan

PURPOSE: Rice Paddies
 APPLICATION BY: Michael Meyer

ADJ. PROPERTY OWNERS:
 1) Earling Johnson
 2) Charles Lawrence

IN wetlands
 AT Sec. 34/T120N/R52W
 COUNTY Codington, SD
 DATE 3/12/98
 SHEET 4 of 5

$I \hat{a} A$

WETLAND DETERMINATION

$W = \text{wetland}$

NW = Non Wetland

195

9.3

NHEL

/

3

6.1 Acres

13.2 Acres

NHEL

2 9is.!

W

NAHEL
1521

AS3.1

3

T684

120-527

2.

NHEL

3

54-

I. 2A

PURPOSE: Rice Paddies
APPLICATION BY: Michael Meyer

ADJ. PROPERTY OWNERS:
1) Earling Johnson
2) Charles Lawrence

IN wetlands
AT Sec. 34/T120N/R52W
COUNTY Codington, SD
DATE 3/12/98
SHEET 5 of 5

Location

Section: 27

T. 120N

R. 52W

Well: CD-76D

Car Owner:

Date: 6-16-76

Elevation: 1302.01

Samples: No

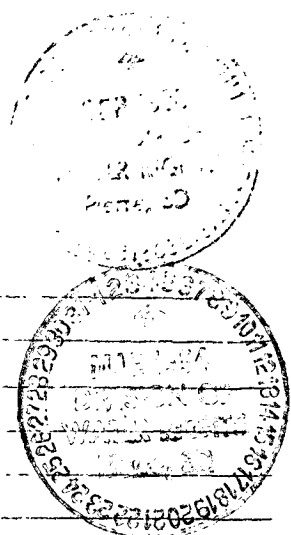
Drilling Company: Empire Drilling

Geologist: J Goodman

Auger:

Driller: B. Schell

SOUTH DAKOTA DEPARTMENT OF WATER AND LAND RESOURCES
Office of Technical Services
CHEMICAL ANALYSIS LABORATORY



Water Supply: CD-76D
City, County: _____
Source Sampled: Well# CD-76D Depth 151
Date drilled _____ Other _____
Type of Sample: Raw _____ Treated _____ Composite _____
Treatment Process(s): _____

Date Collected: _____
Collected By: _____
Report Mailed To: _____
Lat: _____ Long: _____
Comments: _____

Received By Lab: 7-26-90 AF
Report Sent By Lab: 9-4-90 AF

Parameter	Maximum Limit	Results	Parameter	Suggested Limit	Results
Arsenic (As)	50 ug/l		Chloride (Cl)	250 mg/l	11.5
Barium (Ba)	1000 ug/l		Iron (Fe)	0.3 mg/l	
Cadmium (Cd)	10 ug/l		Manganese (Mn)	0.05 mg/l	
Chromium (Cr)	50 ug/l		Sulfate (SO ₄)	250 mg/l	67.7
Lead (Pb)	50 ug/l		Tot. Diss. Solids (TDS)	500 mg/l	472
Mercury (Hg)	2 ug/l		pH	6.5-8.5	7.56
Nitrate (NO ₃) (as N)	10 mg/l	<0.1	Alkalinity-M (CaCO ₃)	mg/l	340
Selenium (Se)	10 ug/l		Alkalinity-P (CaCO ₃)	mg/l	0
Silver (Ag)	50 ug/l		Bicarbonate (HCO ₃)	mg/l	415
Fluoride (F)	2.4 mg/l		Carbonate (CO ₃)	mg/l	0
Gross alpha	15 pCi/l		Spec. Cond. @ 25 °C	umhos/cm	777
Gross radium	pCi/l		Calcium (Ca)	mg/l	102
Radium 226	5 pCi/l		Magnesium (Mg)	mg/l	35.7
OTHER PARAMETERS			Hardness (CaCO ₃) gpg:	mg/l	
Boron		0.30	Langelier Index		
SAR		0.35	Sodium (Na)	mg/l	16.0
Total Cations		8.8	Potassium (K)	mg/l	1.9
" Anions		8.5	Field temperature	°F	°C
			Nitrite (NO ₂) (as N)	mg/l	

LAB COMMENTS:

STATE HEALTH LABORATORY

500 E. Capital
PIERRE, SD 57501-5093

Percentage of Error:

WNR - 606R - 6/82

mg/l = milligrams/liter = parts/million (ppm)

ug/l = micrograms/liter = parts/billion (ppb)

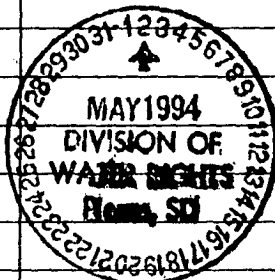
gpg = grains per gallon

pCi/l = picocuries per liter

LAB NUMBER:

904453

135	140
-----	-----



Mike Meyer
Tillable and seeded grass

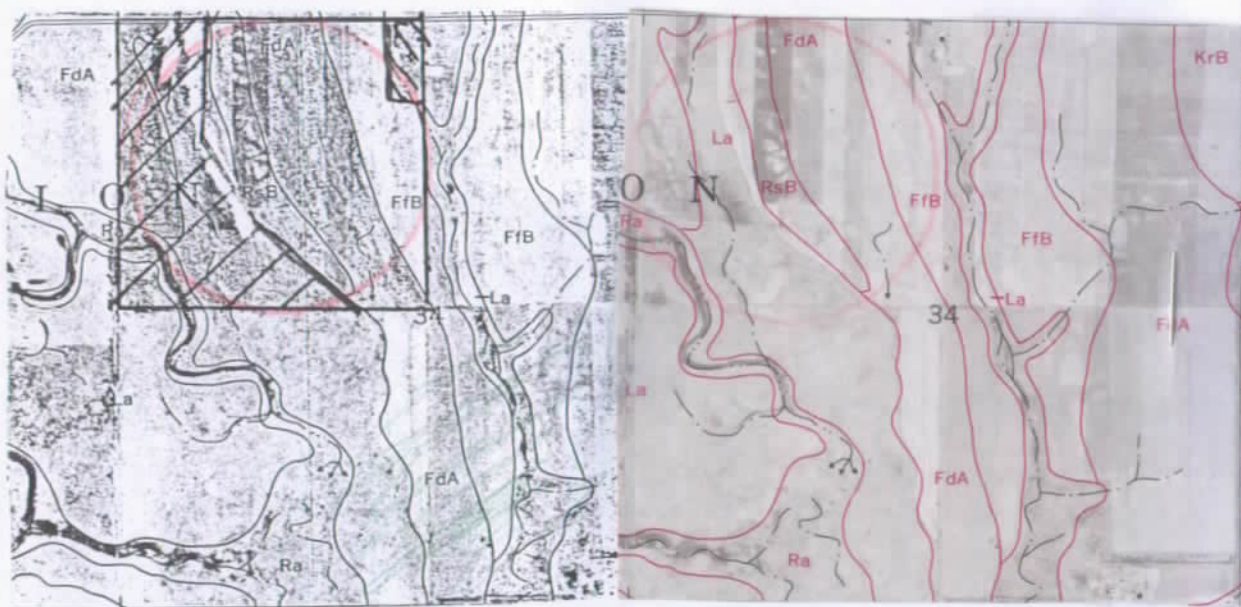


WEIGHTED SOIL USAGE RATING - STATE: SD

COUNTY CODE NAME	SYMBOL	SOIL NAME	SLOPE	CAPABILITY CLASS	RATING	RANGE SITE	% CROP USE
29 CODINGTON	FdA	Fordville silt loam	0-3(L-U)	IIs3	51.5	Si	50.0
	FfB	Fordville-Renshaw fine sandy loam	3-6(VG)	IIIe7, IVs2	40.3	Sy, SwB	30.0
	ReB	Renshaw-Sioux complex	3-6(VG)	IVs2, VI s3	24.4 P	SwG, VSw	15.0
	La-D	Lamoure silty clay loam	0-3(L-U)	IIw3	70.4	Sb	5.0

OVERALL PRODUCTIVITY RATING: 45.0

TOTAL %: 100



Pasture

WEIGHTED SOIL USAGE RATING - STATE: SD

COUNTY CODE NAME	SYMBOL	SOIL NAME	SLOPE	CAPABILITY CLASS	RATING	RANGE SITE	% CROP USE
29 CODINGTON	La-D	Lamoure silty clay loam	0-3(L-U)	IVw3	50.3	Sb	0.0
	FdA	Fordville silt loam	0-3(L-U)	IIs3	51.5	Si	0.0
	ReB	Renshaw-Sioux complex	3-6(VG)	IVs2	44.7	Sw	0.0

OVERALL PRODUCTIVITY RATING: 0.0

TOTAL %: 0

RECEIPT

414076

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, March 4, 19 94

RECEIVED OF Michael J Meyer, PO Box 393, Watertown, SD 57201

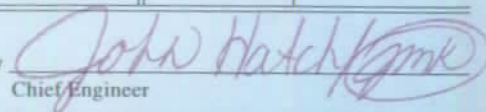
the following amount in fees for services rendered as provided for by law:

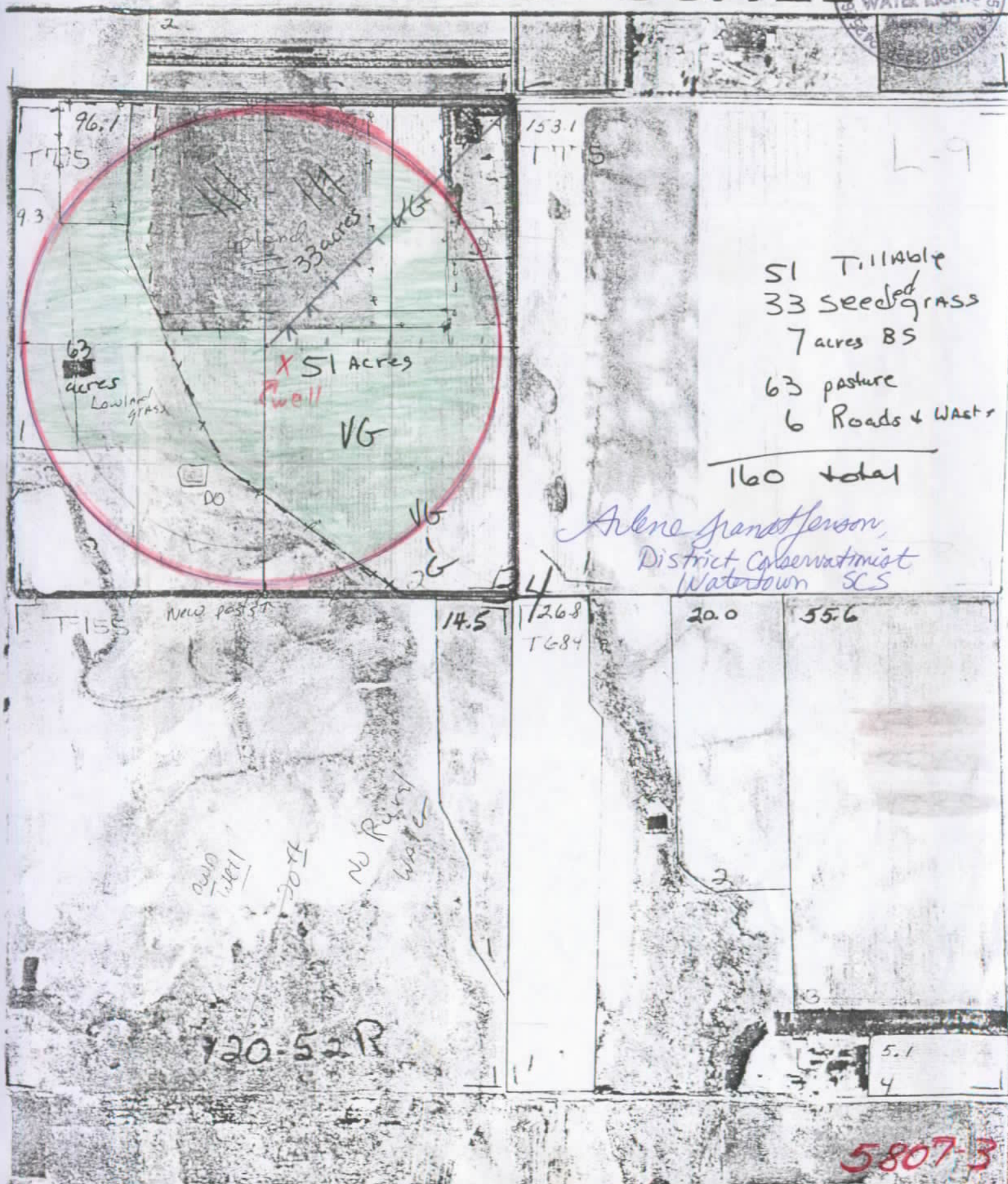
Fee for Application for Permit No. <u>5807-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	250	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	250 00

By

Chief Engineer







3/3

Mr. Jim Goodman,

I've sent along a copy of the well driller's log for S.D.W.C. test well CD-760. I have also taken a new sample of the water from that well to the Water Quality Lab at Brookings.

Harlan Stadheim tells me that he's sure he can get a test well dug for me sometime in the next few weeks.

Then we will have a water sample from the actual location of the irrigation well. As soon as we get that I'll take it down to Brookings and have it tested so that it can be used for the permit application.

Mike Meyer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 7, 1994

Michael John Meyer
HCR 62, Box 63
South Shore SD 57263

Dear Mr. Meyer:

We received your water permit application on March 4, 1994. There is a discrepancy on the application regarding the number of acres to be irrigated. Item No. 2 indicates irrigation of 160 acres. Item No. 7 indicates irrigation of 140 acres. These two amounts and the acreage outlined on the aerial must be the same. The area outlined on the aerial photo, appears to be 140 acres. If you disagree, and believe you will be irrigating more than 140 acres, please contact this office.

We are beginning to process your application for irrigation of 140 acres, however prior to publishing the notice of hearing a test hole log will need to be submitted.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
605 773-3352

enclosure

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Michael Meyer

ADDRESS: South Shore SD COUNTY: Codington

DATE: 3-8-94 TELEPHONE: 886-4221

RE: Pending application

COMMENTS:

Mr. Meyers called regarding my letter dated March 7, 1994. Mr. Meyers stated that he intended to irrigate 140 acres as stated on Item No. 7 of the application. Mr. Meyers further stated that his driller thought they would be able drill the well in approximately three weeks, weather permitting.

Karen Schlaak

Karen Schlaak
Environmental Scientist

REPORT ON APPLICATION NO. 5807-3
for Michael John Meyer
April 8, 1994

Application No. 5807-3 proposes to appropriate 1.66 cfs from one well approximately 120 feet deep located in the SE 1/4 NW 1/4 of section 34 to irrigate 140 acres located in the NW 1/4 of section 34; all T120N R52W in Codington County and within the former boundaries of the Sisseton Wahpeton Indian Reservation.

AQUIFER - PRAIRIE COTEAU (PCO)

The Prairie Coteau is a buried glacial outwash (sand and gravel) under confined or artesian conditions. The aquifer underlies 760 square miles and contains an estimated 1.5 million acre feet of water in storage in Grant and Codington Counties (Hansen, 1990). There are free flowing wells in the area to the south of this application from the Prairie Coteau aquifer and at this site, the irrigation well would probably flow seasonally during periods of high water levels. The applicant has not drilled test holes as of yet to determine site geology.

The Division of Water Rights monitors 15 observation wells completed into the Prairie Coteau aquifer in Grant and Codington Counties. Four of these wells, GT-76B, GT-77A, CD-76A and CD-76D are located within a 3 to 4 mile radius of this application. Water levels for these wells have two distinct characteristics. First, there are obvious fluctuations due to pumping which in this situation are for irrigation withdrawals. Second, are the more subtle climatic effects shown by the relative changes from year to year of the highest water levels. These appear to be strongly correlated with wet and dry years and would be considered recharge. The hydrographs for these wells are included with this report. The water level records indicate that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1994).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing diversion is about 1 1/4 mile north of this application and this is well #4 for Water Right No. 4417-3. Drawdown does occur as a result of pumping. This is shown by the observation well water levels in CD-76D (see hydrograph) which is located directly between the existing well and this proposed diversion. The maximum annual fluctuation occurred in 1988 and was 54 feet. The addition of this proposed well will increase the potential for drawdown in the area. So far, there is no indication that the overlapping drawdown caused by the existing irrigation diversions is adverse or causing impairment. There have been no reported problems with the existing irrigation wells.

This area has been controversial. There has been a well documented history of complaints associated with the development of irrigation starting in 1975. The controversy has centered over the drawdown caused by pumping which affected water levels in domestic wells and

particularly the effect upon the free flowing domestic wells in the area south of this application. Pumps had to be lowered, flowing wells ceased to flow and in some cases new wells had to be drilled. From a management standpoint the aquifer is sustaining the demands for irrigation as indicated by the hydrographs.

One other issue is that there is a deferred Water Permit Application No. 5047-3 (Leonard Sigestad) located about 2 miles north of this application. Application No. 5047-3 was deferred by the Water Management Board in May of 1990 for a period of 2 years because of protests concerning potential effects on domestic wells in the area. After the two year period, the Division of Water Rights sent Mr. Sigestad a letter asking what he wished to do with this application and gave him three options. Mr. Sigestad chose to request the permit remain in deferred status. In May of 1992 a Water Permit Application No. 5670-3 (Wendell Falk) also from the Prairie Coteau aquifer was filed and approved with qualifications.

CONCLUSIONS

1. Water is available from the Prairie Coteau aquifer.
2. The aquifer is confined (artesian) and pumping does cause drawdown. This is not expected to adversely affect existing water permits/rights.
3. The historical water level records indicate that the aquifer is capable of sustaining additional withdrawals.
4. The well authorized by this application must be completed in accordance with SD Well Construction Standards. This well may free flow at the land surface and it must be controlled to prevent the waste of water.
5. Test holes have not been drilled for this application. The applicant is in the process of drilling test holes to evaluate the geology of the site and will have this completed by the end of April weather permitting.
6. This area has a history of domestic well complaints. This proposed diversion is nearer to existing flowing wells and may exacerbate those problems.
7. This application is junior to an existing deferred water permit application. In addition, a water permit has already been issued which is junior to the deferred application.
8. The requirement for soil-water compatibility approval was repealed by the 1994 Legislature. Since the Water Management Board must consider public interest issues, soil-water compatibility may be raised as a public interest issue for future water permits for irrigation. However, soil-water compatibility has not been an issue in this area in the past.

Soil-water compatibility approvals for irrigation in this area have usually been given, with pertinent qualifications.



James A Goodman
Natural Resources Engineer

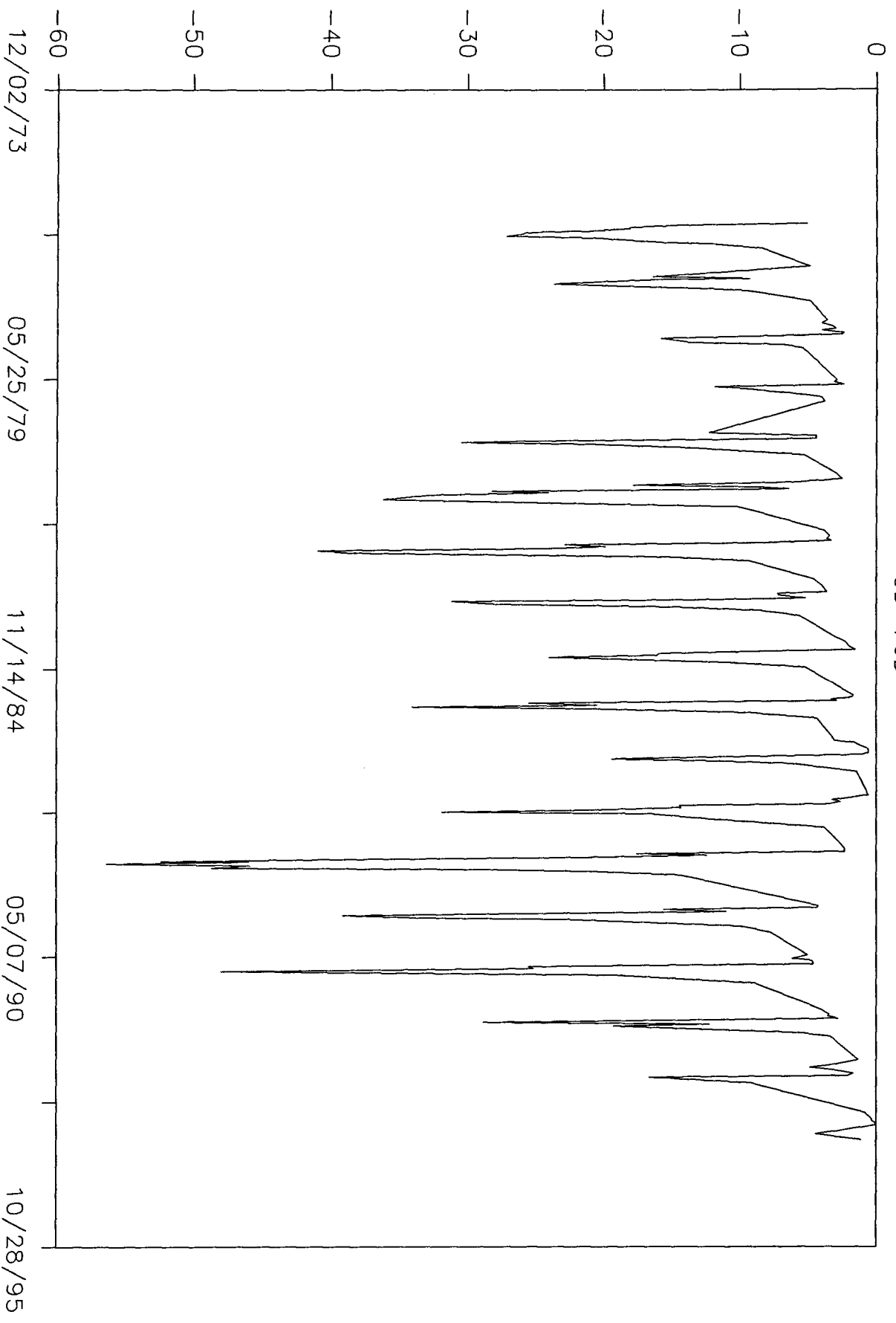
BIBLIOGRAPHY

Hansen, D., 1990, Water Resources of Codington and Grant Counties, SD, USGS WRI 89-4147, USGS, Huron, SD, 57350.

Water Rights, 1994, Unpublished Observation Well Records for the Prairie Coteau aquifer, SD DENR, Division of Water Rights, Pierre, SD, 57501.

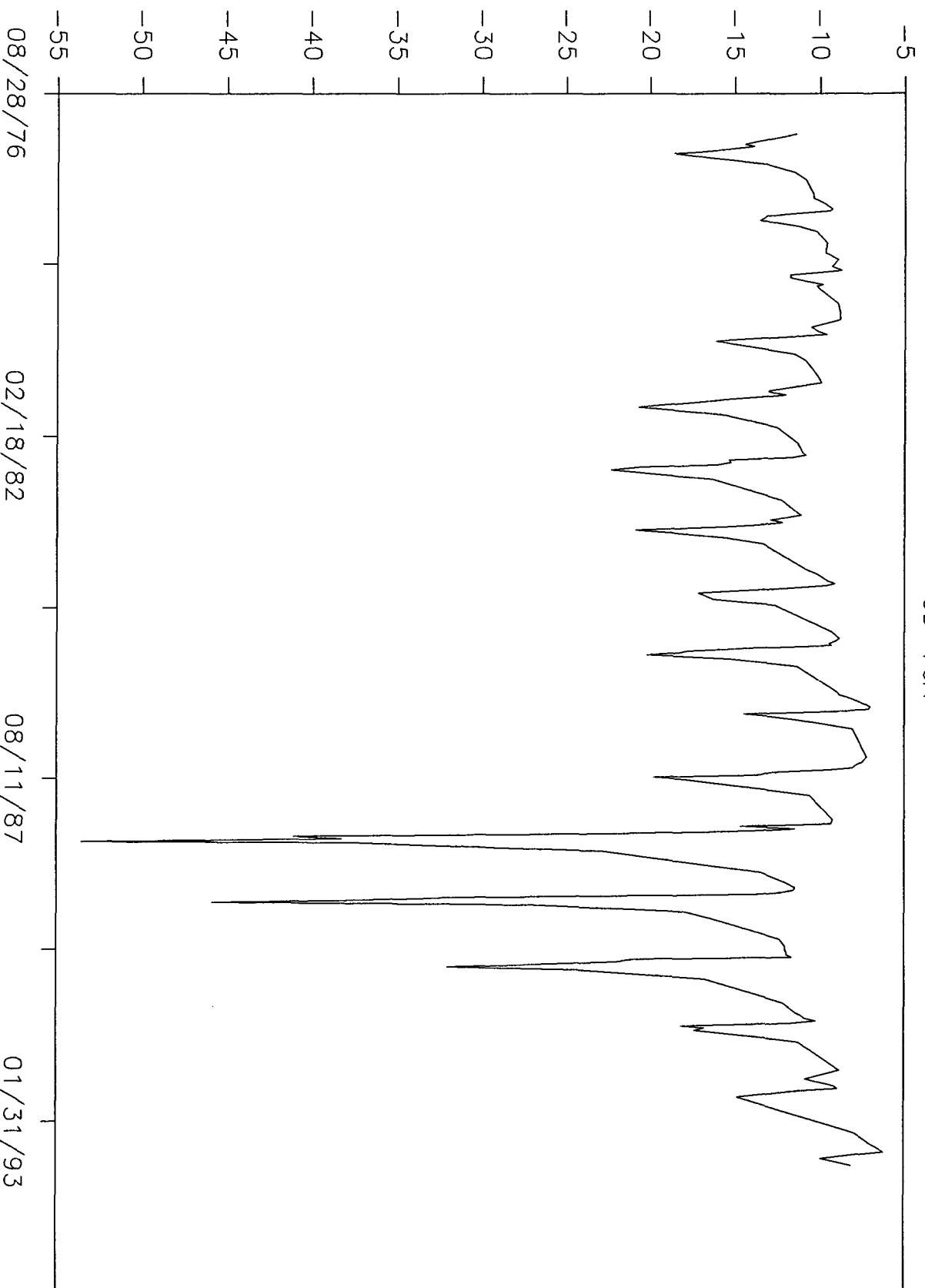
WATER RIGHTS OBSERVATION WELL

CD-76D



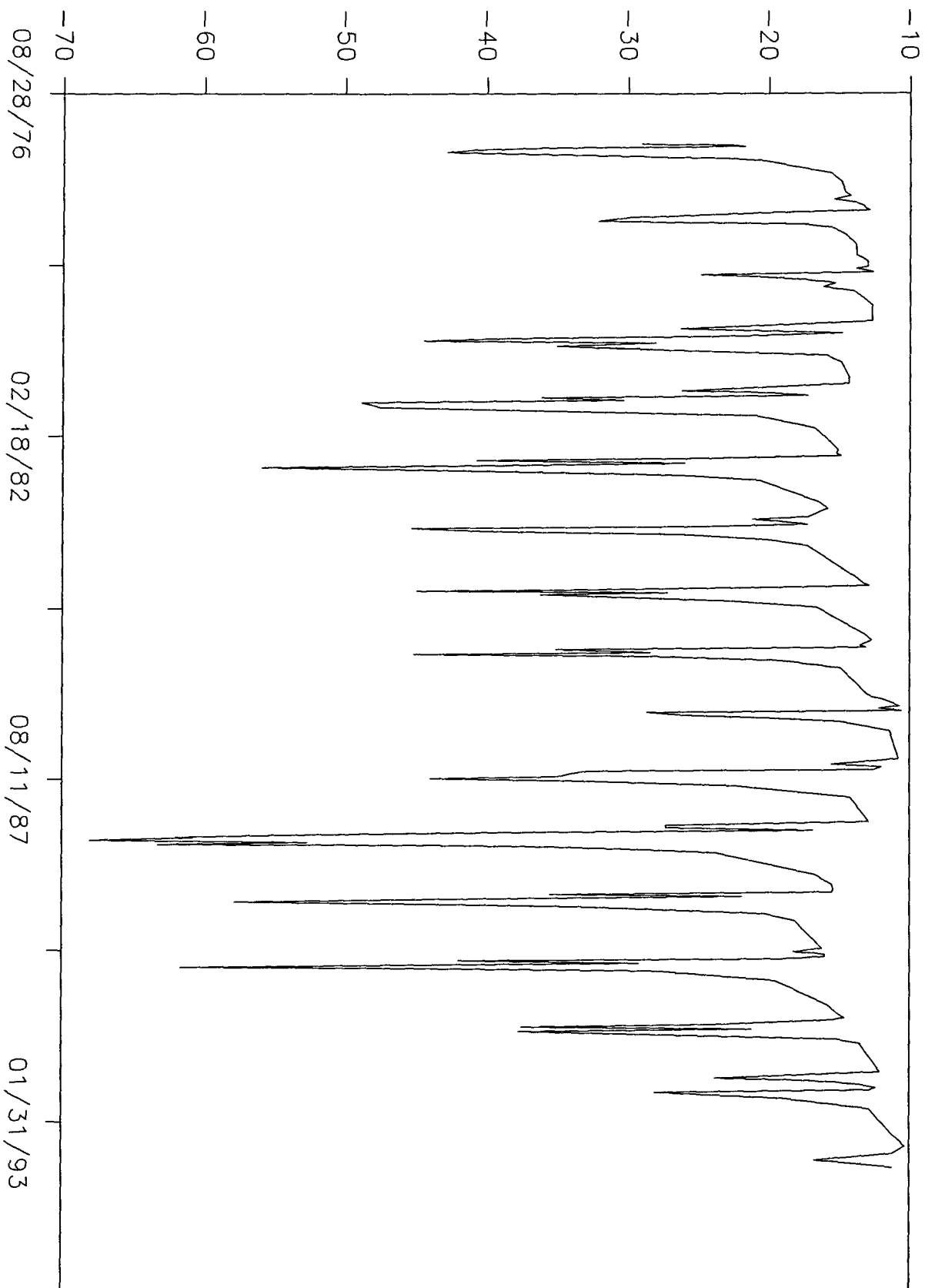
WATER RIGHTS OBSERVATION WELL

CD-76A



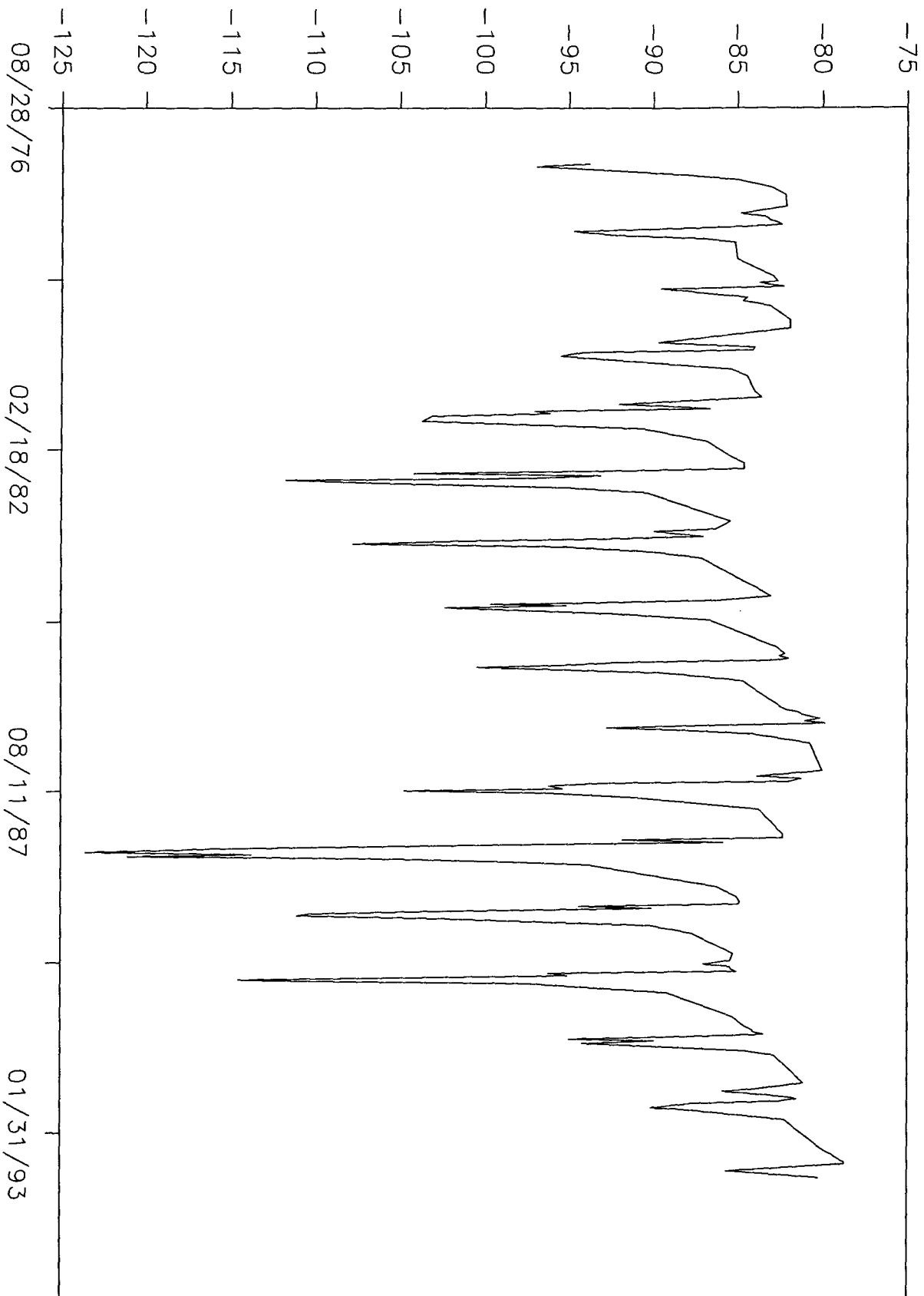
WATER RIGHTS OBSERVATION WELL

GT-76B



WATER RIGHTS OBSERVATION WELL

GT-77A



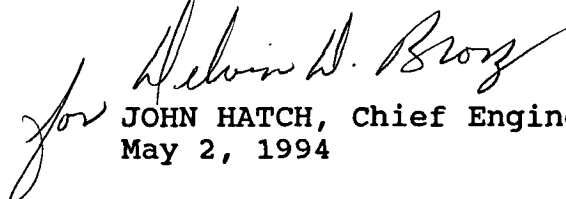
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5807-3, Michael John Meyer

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. 5807-3, Michael John Meyer, HCR 62 Box 63, South Shore, SD 57263.

The Chief Engineer is recommending APPROVAL of Application No. 5807-3 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 authorized by Permit No. 5807-3 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 (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
2. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
3. 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.
4. 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
May 2, 1994



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 3, 1994

Michael Meyer
HCR 62, Box 63
South Shore, SD 57263

Dear Mr. Meyer:

As per our phone conversation, your water permit application for irrigation of the NW¼ Section 34, T120N, R52W has been withdrawn from consideration at this time. Enclosed is a copy of your application. At such time in the future that you intend to proceed with this irrigation project, you will need file a new water permit application.

The \$250 application filing fee will be refunded to you. You should receive the refund check within the upcoming weeks.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Eric Gronlund
Water Rights Division
605 773-3352

enclosure.

*Ignore this letter
Mr. Meyer changed
his mind on 5/4/94*

ELG

PAYMENT REQUEST FORM

PAYEE: Michael Meyer
HCR 62, Box 63
South Shore, SD 57263

FROM: DENR
Water Rights Division
523 E. Capitol
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCT OR TRANSFER

Requested to withdraw application for water permit prior to advertising; therefore, applicant gets complete refund.

AMOUNT: \$250.00

FUNDING SOURCE:

GENERAL:

FEDERAL:

COMMENTS:

AUTHORIZATION:

Jo Sublette

5-3-94

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.



**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 NEWSPAPERS RIGHT AWAY.**

May 10, 1994

Michael John Meyer
HCR 62 Box 63
South Shore, SD 57263

Dear Mr. Meyer:

Water Permit Application No. 5807-3 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 Publishers of the Public Opinion printed at Watertown, SD (Ph # 886-6901) and the Grant County Review printed at Milbank, SD (Ph # 432-4516). 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 newspapers to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the papers can eliminate delays. The publishers have 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 newspapers have been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 10, 1994

Public Opinion
PO Box 10
Watertown, SD 57201-0010

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5807-3 to be published twice. Please publish the first notice on May 18, 1994, 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 Michael John Meyer, HCR 62 Box 63, South Shore, SD 57263 (Ph # 886-4221).

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 10, 1994

Grant County Review
Box 390
Milbank, SD 57252

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5807-3 to be published twice. Please publish the first notice on May 18, 1994, 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 Michael John Meyer, HCR 62 Box 63, South Shore, SD 57263 (Ph # 886-4221).

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
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 May 18, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5807-3 to Appropriate Water

Notice is given that Michael John Meyer, HCR 62 Box 63, South Shore, SD 57263 has filed an application for a water permit to appropriate 1.66 cubic feet of water per second from one well (Prairie Coteau) 120 feet deep located in the SE 1/4 NW 1/4 Section 34 to irrigate 140 acres located in the NW 1/4 Section 34; all in T120N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5807-3 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.

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 June 17, 1994. 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.

The Water Management Board will consider this application at 2:00 p.m., June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. 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. The June 28, 1994, 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 June 17, 1994.

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 June 17, 1994, 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. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Grant) ss



I, Clarence Justice

certify that the attached printed Notice was

taken from the _____

Grant County Review

printed and published in Milbank, SD

^s
 County of Grant and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

May 18 & May 25

Cost of Printing: 50.76

Clarence Justice

(Signature)

Associate Editor

(Title)

May 19, 1994

(Date Signed)

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. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

May 18

May 25

NOTICE OF HEARING on Application No. 5807-3 to Appropriate Water

Notice is given that Michael John Meyer, HCR 62 Box 63, South Shore, SD 57263 has filed an application for a water permit to appropriate 1.66 cubic feet of water per second from one well (Prairie Coteau) 120 feet deep located in the SE 1/4 NW 1/4 Section 34 to irrigate 140 acres located in the NW 1/4 Section 34; all in T120N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5807-3 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.

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 June 17, 1994. 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 petitioners legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 2:00 p.m., June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. 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. The June 28, 1994, 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 June 17, 1994.

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 June 17, 1994, at the above Water Rights Division

OK

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Codington) ss



I, Monica K. Saathoff

certify that the attached printed Notice was

taken from the _____

Watertown Public Opinion

printed and published in Watertown

County of Codington and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

May 18th, 1994

May 25th, 1994

Cost of Printing: \$98.82

Monica K. Saathoff
 (Signature)

Bookkeeper

(Title)

May 25th, 1994

(Date Signed)

NOTICE OF HEARING
on Application No. 5807-3 to
Appropriate Water

Notice is given that Michael John Meyer, HCR 62, Box 63, South Shore, SD 57263 has filed an application for a water permit to appropriate 1.66 cubic feet of water per second from one well (Prairie Coteau) 120 feet deep located in the SE 1/4 NW 1/4 Section 34 to irrigate 140 acres located in the NW 1/4 Section 34; all in T120N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5807-3 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.

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 June 17, 1994. 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.

The Water Management Board will consider this application at 2:00 p.m., June 28, 1994, Gallery D Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. 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. The June 28, 1994, 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 June 17, 1994.

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 June 17, 1994, 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. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

(May 18, 25, 1994)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 13, 1994

NOTICE

TO: Leonard Sigdestad
Loma Linda Animal Hospital, Inc.
2605 S. Waterman Ave.
San Bernadino, CA 92408
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Reconsideration of Water Permit Application No. 5407-3, Leonard Sigdestad

On May 2, 1990, the Water Management Board deferred Water Permit Application No. 5407-3 to irrigate 399 acres from wells to be constructed into the Prairie Coteau Aquifer for at least two years due to concern to domestic wells in the area and the possible effects of undeveloped permits. Enclosed is a copy of the original report and recommendation prepared on Application No. 5407-3.

A new water permit application for irrigation of 140 acres from a well constructed into the Prairie Coteau Aquifer has been filed by Michael John Meyer. A copy of the report, recommendation and notice of hearing to be published in the Watertown Public Opinion and Grant County Review on Water Permit Application No. 5807-3 is enclosed.

The Water Management Board will consider deferred Water Permit Application No. 5407-3 and new Water Permit Application No. 5807-3 at 2 pm, Gallery D, Ramkota Inn Best Western, 920 West Sioux Avenue, Pierre, SD.

Petitioners that intervened in deferred Application No. 5407-3 remain parties to the hearing and may provide testimony on the deferred application. However, anyone wishing to present testimony regarding Application No. 5807-3 must petition to intervene by June 17, 1994 as set forth in the notice of hearing.

Please contact Eric Gronlund, staff engineer (605 773-3352) if you have any questions.

enclosures

c: Diane Best, Assistant Attorney General
Michael John Meyer

5/7/90

(date)

page

Parties of Record before Water Management Board

Leonard Sigdestad Applic. No. 5407-3

Proponent

Mr. Leonard Sigdestad

2605 S. Waterman Ave

San Bernadino, CA 92408

Opponent

Orvil + Shirley Stormo

Rt 1 Box 58

Summit, SD 57266

Ray Bunde

RR Box 77

South Shore, SD 57263



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 17 1994

Michael John Meyer
HCR 62 Box 63
South Shore, SD 57263

Dear Mr. Meyer:

Enclosed is Water Permit No. 5807-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

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

enclosures

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

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

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Michael Meyer -- Water Permit No. 5807-3

ADDRESS: HCR 62, Box 63, South Shore, SD 57265 COUNTY: Codington

DATE: 1/16/96 TELEPHONE: 886-4221

RE: Call regarding qualification No. 2

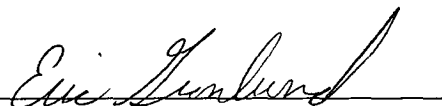
COMMENTS:

Mr. Meyer called regarding qualification No. 2 on Water Permit No. 5807-3. Mr. Meyer stated that in discussion with his well driller (Pullman) he intends to place a mound around the well at an elevation which causes the well not to flow. This is a somewhat common practice in the area near Watertown. Since the well will no longer flow is he required to comply with Qualification No. 2 and install a valve and pressure gauge.

I conferred with Jim Goodman on the necessity of this qualification. Jim stated the intent of the qualification is to control wells so that there is not a waste of water. If the well is constructed so that it does not flow then the qualification is not applicable. Jim made a follow-up statement that mounding the well to a sufficient height to stop it from flowing may be more expensive than the control mechanism.

I called Mr. Meyer back and relayed this information to him.

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: 



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

Date 7/6/97

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

FROM: Michael Meyer 45251 155th St (HCR62 Box 63)
(name) (address)
South Shore S.D. 57263 1-605-886-4221
(city) (state) (zip) (phone)

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. 5807-3.

Water Permit No. 5807-3 states that the diversion system is to be constructed by Aug 17 1999, and that the water is put to beneficial use by
(date)
same.
(date)

The diversion system was completed on July 1 1997.
(date)

Applying the water to beneficial use was completed on July 1 1997.
(date)

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

Michael John Meyer
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2001

Mike Meyer
45251 155th Street
South Shore SD 57263

Dear Mr. Meyer:

I am writing in regard to our phone conversation on January 17, 2001 concerning the licensing Water Permit No. 5807-3. You also indicated that you are seeking approval from the Corps on developing irrigation of some rice paddies.

Water Permit No. 5807-3 was approved June 28, 1994 with the construction period ending on June 28, 1999 for irrigation of 140 acres with a diversion rate of 1.66 cubic feet of water per second (745 gallons per minute). This permit does need to be licensed as we discussed on the phone and we will try to get an inspection scheduled as quickly as possible. The other issue was whether the rice paddy addition could be included in the water license for No. 5807-3 since the total permitted acres would not be increased over the current 140 acres. After discussing the matter in our office, I believe that you will need to make a new application for the rice paddy addition. The proposed work involves land leveling, construction of the paddies, and installing water lines from your well to the paddies. This would constitute construction of new works and all project works under No. 5807-3 were to be completed by the construction deadline of June 28, 1999.

Enclosed is a set of application forms for your addition. Please contact either Eric Gronlund or myself at (605) 773-3352 if you have questions completing the new application. As we discussed on the phone, there is no need for drilling another test well or gaining approval of a soil\water compatibility permit from the Department of Agriculture.

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosure



**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 26, 2007

5807-3

Mike Meyer
45251 155th St
South Shore SD 57263

Dear Mr. Meyer:

On July 12, 2006 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5807-3, was completed by Mike DeFea, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

One item we noticed in reviewing the files is that we have two well logs on file for you. One log (for a well drilled by Stadheim Drilling) is for the system being licensed for you in the NW ¼ Section 34, T120N, R52W. The second well log from Pullman Drilling is for a well in the NE ¼ of Section 34. Do you have a system in the NE ¼?

Please let us know when returning the license fee if we need to work with you to obtain a permit for the well in the NE ¼.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/9, 20 07

RECEIVED OF MICHAEL MEYER 45251 155TH ST SOUTH SHORE SD 57263

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	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5807-3</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

03024

By

Harland

Exchele

Chief Engineer

sg

RECEIVED

APR - 9 2007

WATER RIGHTS
PROGRAM

4/6/07

Dear Gerry McNath,

I have enclosed a check for 50 dollars for the issuance of the water license.

As to the two well logs on file, I think that may be a typo by Pullman's well drilling report.

Stadheim did my test well drilling on NW $\frac{1}{4}$ Section 34, T120N, R52W and filed the initial well report, but he didn't have a 16" well bit so he couldn't drill the actual irrigation well.

Pullman drilled my actual 16" irrigation well on the NW $\frac{1}{4}$ and if he filed the report with a NE designation instead of a NW that's wrong, my well was drilled on the NW quarter.

However there is a test well drilled on the NE quarter also, which I don't own. That test well was drilled before my time and may have been drilled by Pullman but I don't know, so that may be the source of the NE $\frac{1}{4}$ of Sec 34 report.

Thanks, Mike Meyer

Permit No. 5807-3
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, July 12, 2006, made a thorough examination of the water use system constructed by Mike Meyer of 45251 155th St, South Shore, SD 57263 holder of Permit No. 5807-3, bearing the priority of March 4, 1994 authorizing the diversion of 1.66 cu. ft. per second of the waters of Prairie Coteau Aquifer for Irrigation purposes, in Codington County.

Inspection contact & relationship **Mike Meyer 886-4221**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 137 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 16 inches
- 2) Length 114 feet
- 3) Type Plastic

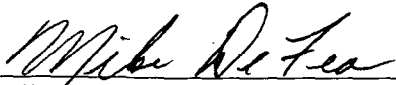
Screen:

- 1) Type PVC
- 2) Length 20 feet
- 3) Static water level 9 feet

Pump:

- 1) Make Mid-America
- 2) Model MA-27940-97
- 3) Type 6P 11W
- 4) Capacity 450 GPM

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



Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: **February 27, 2007**

Motor:

- 1) Make Ford
- 2) Model No. 2715E Ser. # S-809242

B. Works used to apply water to beneficial use:

Center pivot:

- 1) Make 2 Renke Pivots with Valley Controls
- 2) Overall length 760 feet
- 3) Number of towers 6
- 4) Distance between towers 126 feet
- 5) End gun Y
- 6) High or low pressure Low
- 7) Capacity 450 GPM

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows: Approximately 1540 feet south and 1370 feet east of the NW corner of Section 34-T120N-R52W (N 45.13289, W -97.15941). The works are capable of diverting and conveying to the place of use 1.0 cu. ft. per second of water which is to be used for Irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

Section 34-T120N-R52W

NE ¼ NW ¼ -34 acres

NW ¼ NW ¼ -19 acres

SE ¼ NW ¼ -36 acres

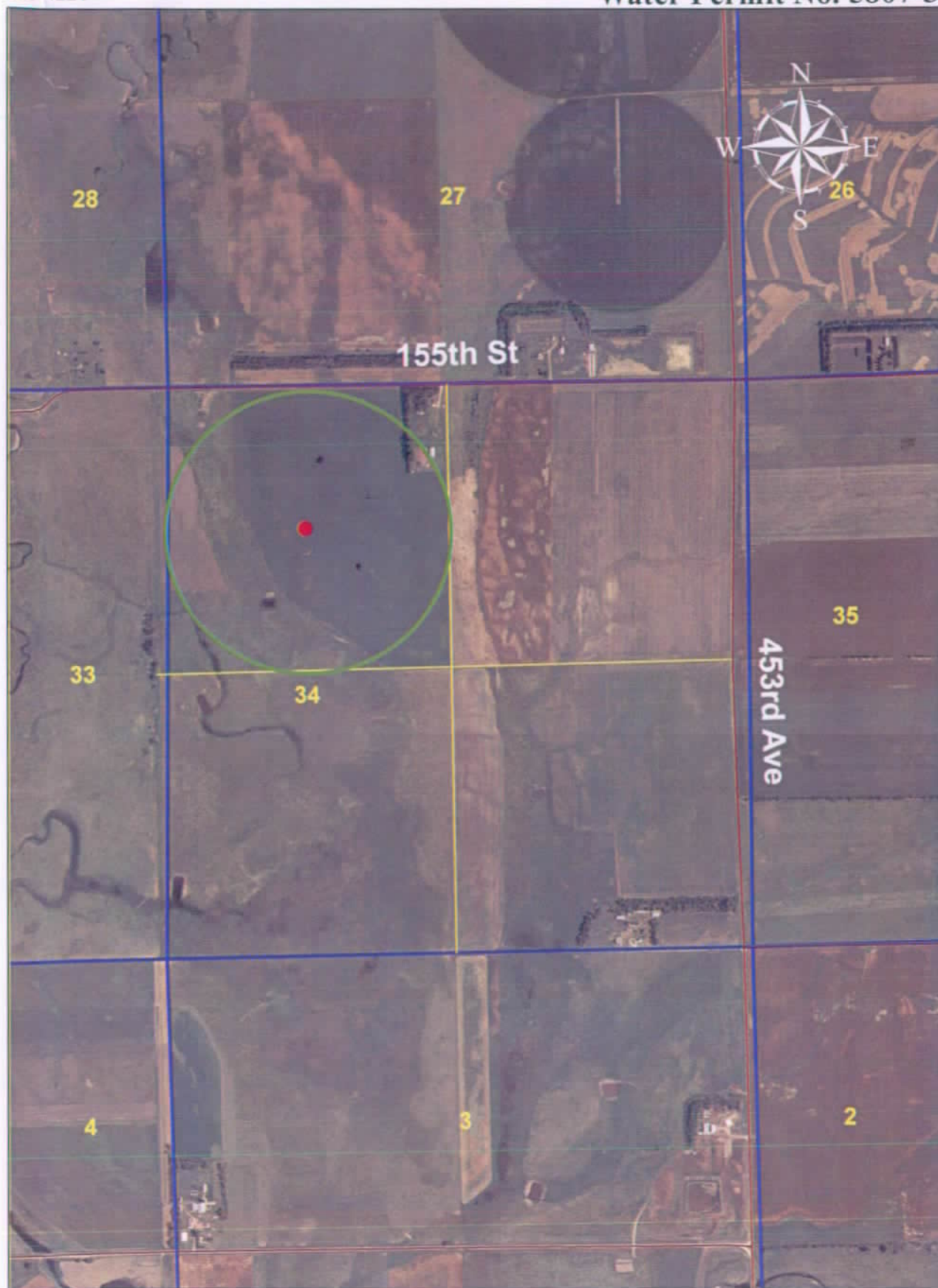
SW ¼ NW ¼ -6 acres

comprising a total of 95 acres of land and the license should be issued for 1.0 cfs.

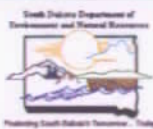
All structures, wells and lands on map Y

Michael Meyer
HCR 62, Box 63
South Shore, SD 57263
886-4221

Water Permit No. 5807-3



Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
July 6, 2006



0 900 1,800 3,600 Feet

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5807-3

(1) Michael John Meyer, 45251 155th St, South Shore SD 57263 made Application No. 5807-3, March 4, 1994 for a water permit to divert 1.66 cubic feet of water per second from ground water (one well – Prairie Coteau Aquifer), Codington County, South Dakota for irrigation purposes. Permit No. 5807-3, with a priority date of March 4, 1994 was approved June 28, 1994 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 28, 1999 and for the application to beneficial use of said water on or before June 28, 2003.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.00 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 1,540 feet south and 1,370 feet east of the NW corner of Section 34, T120N, R52W (SE ¼ NW ¼) within the former boundaries of the reservation.

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

Section 34, T120N, R52W (R)			
NE ¼ NW ¼	34.0 acres	NW ¼ NW ¼	19.0 acres
SE ¼ NW ¼	36.0 acres	SW ¼ NW ¼	6.0 acres
Total 95 acres			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Michael John Meyer, 45251 155th St, South Shore SD 57263 the holder and/or owner of Water Right No. 5807-3 is issued a license to appropriate water, the right to use 1.00 cubic feet of water per second from ground water (one well – Prairie Coteau Aquifer) with a priority date of March 4, 1994 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 5807-3 and subject to the following qualifications:

- The well authorized by Permit No. 5807-3 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 (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
- The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
- 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 in needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- This water right is approved subject to the irrigation water use questionnaire being submitted each year.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 10 2007

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 10 2007

5807-3

Mike Meyer
45251 155th St
South Shore SD 57263

Dear Mr. Meyer

Enclosed is Water License No. 5807-3. 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. Also enclosed is Receipt No. 03024 in the amount of \$50.00 which you paid for the investigation 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. 5807-3, 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.

Sincerely,

A handwritten signature in black ink that reads "Garland Erbele".

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures