

WATER PERMIT NO. 6424-3

Name of Applicant: Claremont Hutterian Brethren, Inc.

Address: 46271 184th St, Castlewood SD Phone: 605 793-2352

Amount of Water Claimed: 1.14 cfs Total Acres: 80

Source of Water Supply: groundwater

Water to be used for: irrigation County: Hamlin

Type of Waste Disposal System:

Location: ½ west of Castlewood

PRIORITY Date Received: 6-20-2003 Application/License Fee: \$275

Corrected Application Received: Period of Annual Use: April 1-November 1

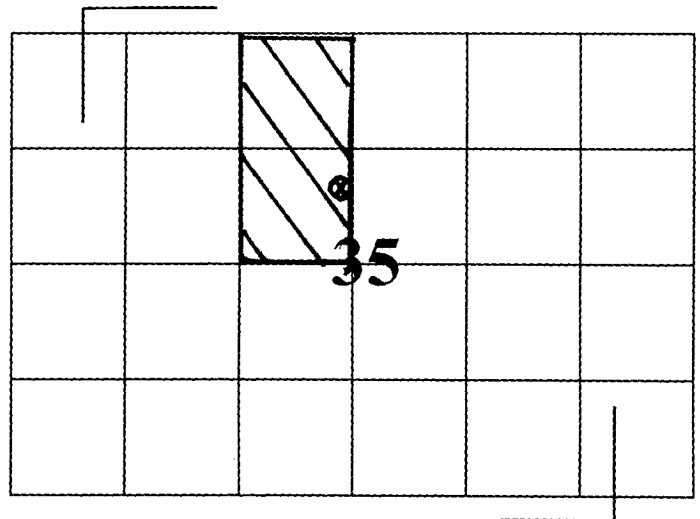
Remarks:

Diversion Point: SE ¼ NW ¼ Sec 35-T115N-

R52W

Land to be Irrigated: E ½ NW ¼ Sec 35-T115N-

R52W



Depth of Well: 40 feet

Well Driller: : Pullman Drilling, Inc.

Remarks:

Type of Map: aerial

Prepared by: David Beitelsprecher, Hamlin Co.

FSA

Reviewed and the Number Assigned on: XX

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6424-3</u> (office use only)
	Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Hamlin County Republican,</u> <u>Castlewood</u>

RECEIVED
JUN 20 2003
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

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

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

- Name of Applicant CLAREmont + Hutterian Brothers Inc. Phone 605-793-2352
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 46271 184th St Castlewood State So. Dak 57223
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.14 *CFS or 513 **GPM ***AF Total Acreage 80
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Hamlin
SE 1/4 NW 1/4 Sec 35 - T115N - R52W
- County or counties where water will be used Hamlin
- Annual period during which water is to be used During Summer or Grain Growing Season
4/1 to 10/1
- List below each forty acre division, 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>East 1/2 of NW 35 115-52</u>	<u>80</u>		
<u>As stated in the Trustee's Deed</u>			
<u>Claremont Hutterian Brothers Inc</u>			
<u>owns this land.</u>			

- Give a description of the project. (Attach sheet if more space is needed)

Plan to irrigate with center pivot

STATE OF SOUTH DAKOTA) SS

County of Hamlin

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

Claremont Hutterian Brothers Inc.
Jonathan Hallen, 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.

Applicant's signature Jonathan Hallen

Subscribed and sworn to before me this 18th day of June 2003

My Commission Expires
8-12-2003

Barbara L. Bergh
Notary Public signature

I hereby certify that this is a true
and exact copy of the original document
sent for recording.

Watertown Title & Escrow

Prepared by:
FOLEY LAW OFFICE, P.C.
P. O. Box 845
Watertown, SD 57201
Phone: 605-886-7281

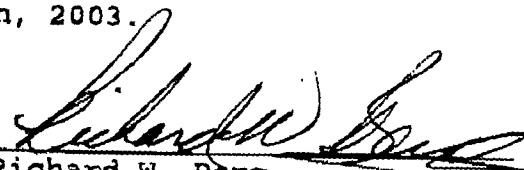
TRUSTEES' DEED

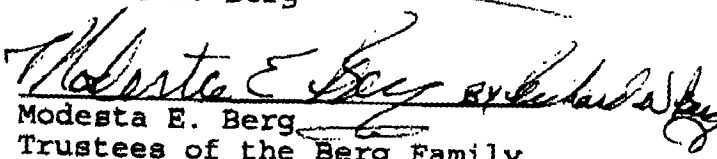
**RICHARD W. BERG and MODESTA E. BERG,
TRUSTEES OF THE BERG FAMILY REVOCABLE
LIVING TRUST AGREEMENT,
dated June 7, 1996**

Grantors, of Val Verde County, State of Texas, for and in consideration of One Dollar and other good and valuable consideration, hereby convey unto **CLAREMONT HUTTERIAN BROTHERS, INC.**, Grantee, of 46271 - 184th Street, Castlewood, South Dakota 57223, P.O., all of the right, title, interest and estate that the Trustees have acquired in the following described real estate in the County of Hamlin in the State of South Dakota:

The East Half of the Northwest Quarter, less the South 16 Rods of the North 18 Rods of the West 20 Rods of the East 80 Rods and less Lot H-2, of Section 35, Township 115 North, Range 52, West of the 5th P.M.

Dated this 12 day of March, 2003.


Richard W. Berg


Modesta E. Berg
Trustees of the Berg Family
Revocable Living Trust
Agreement, dated June 7, 1996

**SOUTH DAKOTA
WATER PERMIT NO. 6424-3**

Date of first receipt of application June 20, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6424-3 to Claremont Hutterian Brethren, Inc., 46271 184th St, Castlewood SD 57223 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. 6424-3 appropriates 1.14 cubic feet of water per second from one well (Big Sioux: Brookings Aquifer) 25 feet deep located in the SE ¼ NW ¼ Section 35 to irrigate 80 acres located in the E ½ NW ¼ Section 35; all in T115N-R52W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1- October 1.
3. The date from which applicant may claim right is June 20, 2003.
4. The date of approval of Permit No. 6424-3 is August 18, 2003.
5. One-fifth of the construction is to be completed on or before February 18, 2006.
6. All construction is to be completed on or before August 18, 2008.
7. Water is to be put to beneficial use on or before August 18, 2012.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6424-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

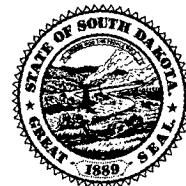
WATER MANAGEMENT BOARD

By: Garland Erbele

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

AUG 28 2003

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 _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

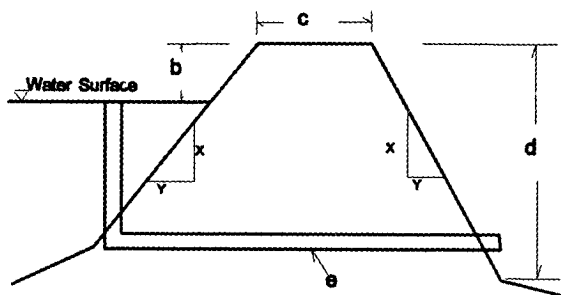
3. Dugout Information

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

4. 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date June 20, 2003

RECEIVED OF Clarmont Hutterian Brethren Inc., 46271 184th St., Castlewood SD 57223-5332

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

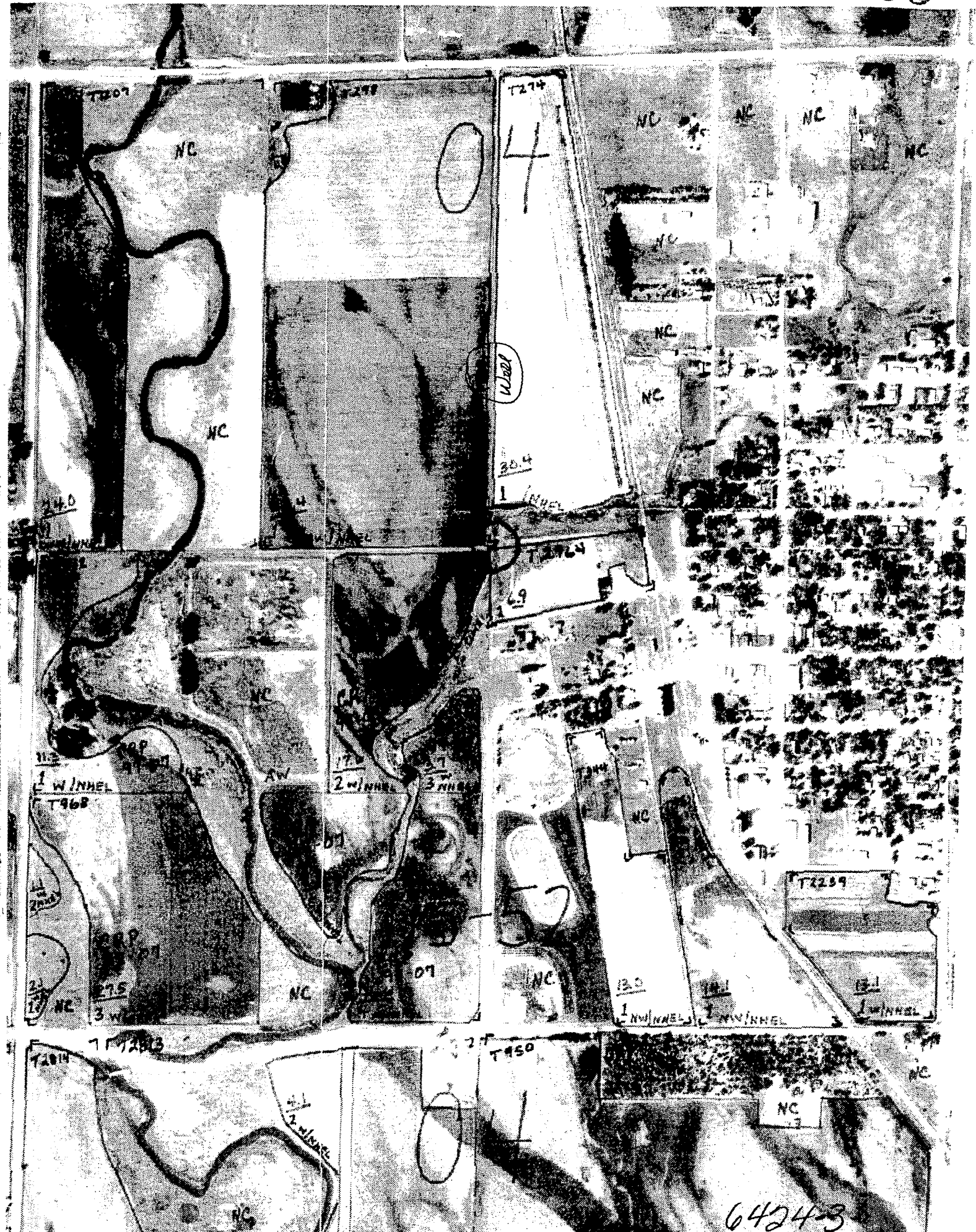
Fee for Application for Permit No. <u>6424-3</u> to Appropriate Water, to construct and to put water to beneficial use	3225	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6424-3</u>	50	00
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	275.00

No. 000005

By Darland White

Chief Engineer gm

2003



PULLMAN DRILLING, INC. - DRILLER'S LOG

Castelwood S.D.

(605) 883-4532
1-800-451-4884

Claremont Colony

6-9-03

RNO NO 11

Paul Weber
FOREMAN

JL No	DEPTH	TIME	LOCATION	REMARKS
1	20		0-20 Gravel	
2	40		20-25 Gravel 25-40 Yellow clay	
3				
4				
5			3" well	
6			T.O. 25'	
7			10' - 0.25 3" slotted	
8			15' 3" blank	
9			water head 9'	
10				
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12				
13			793 - 2448	
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REMARKS:

REPORT ON WATER PERMIT APPLICATION NO. 6424-3
For Claremont Hutterian Brethern, Inc.
July 21, 2003

Application No. 6424-3 proposes to appropriate 1.14 cfs (512 gpm) from one well approximately 25 feet deep located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 35 to irrigate 80 acres located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of section 35; all in T115N R52W in Hamlin County.

AQUIFER – BIG SIOUX BROOKINGS (BS-B)

The Big Sioux Brookings is a surficial outwash (sand and gravel) which is under water table conditions in this area. The entire Big Sioux aquifer underlies 113,920 acres and contains an estimated 480,000 acre-feet of recoverable water in storage in Hamlin County (Kume, 1985). The aquifer extends into Brookings County to the south, blends into the Big Sioux North aquifer to the north and is hydraulically connected to the Big Sioux River. Ground water movement is generally from north to south and toward the Big Sioux River or some area lakes. The river, local streams and lakes act as discharge areas most of the time during any given year. Recharge to the water table portion of the aquifer has been estimated to approach 6.57 inches per year (Koch, 1980). This would equate to an annual recharge volume of about 62,000 acre-feet. The water use for Hamlin County has probably never exceeded 6,000 acre-feet annually and would include domestic, municipal, rural water and irrigation uses.

A test well log provided with the application indicates gravel from the surface to a depth of 25 feet below land surface. The static water level was about nine feet below land surface which would mean a saturated thickness of about 16 feet. The test indicates the aquifer is present at this site, however, the saturated thickness is probably not sufficient to yield the requested 1.14 cfs. The water level record for this area also indicates a typical fluctuation of about eight feet between the highest and lowest water levels recorded. This means that during dry years less than 16 feet of saturated thickness will be the norm rather than the exception.

The Water Rights Program monitors two observation wells located within a one mile radius of this site. These are observation wells HN-77I and HN-57A. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2003). Hydrographs for these two observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water rights are for the City of Castlewood. One of the Castlewood city wells would be located about 1360 feet south and 860 feet east of the well for this application. Interference is not expected to be a concern. Drawdown created by pumping usually does not extend very far from individual production wells in this aquifer. There

should be sufficient distance between wells to minimize any potential effects. The observation well hydrographs show that water levels do not respond to existing pumping in any significant manner.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer.
2. The aquifer is under water table conditions and pumping at this rate should not create significant drawdown. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. It is likely, that a well constructed at this site will not be able to produce the amount of water requested by this application. More than likely two or three wells will be needed. This is based upon the test well data that shows a saturated thickness of only 16 feet.

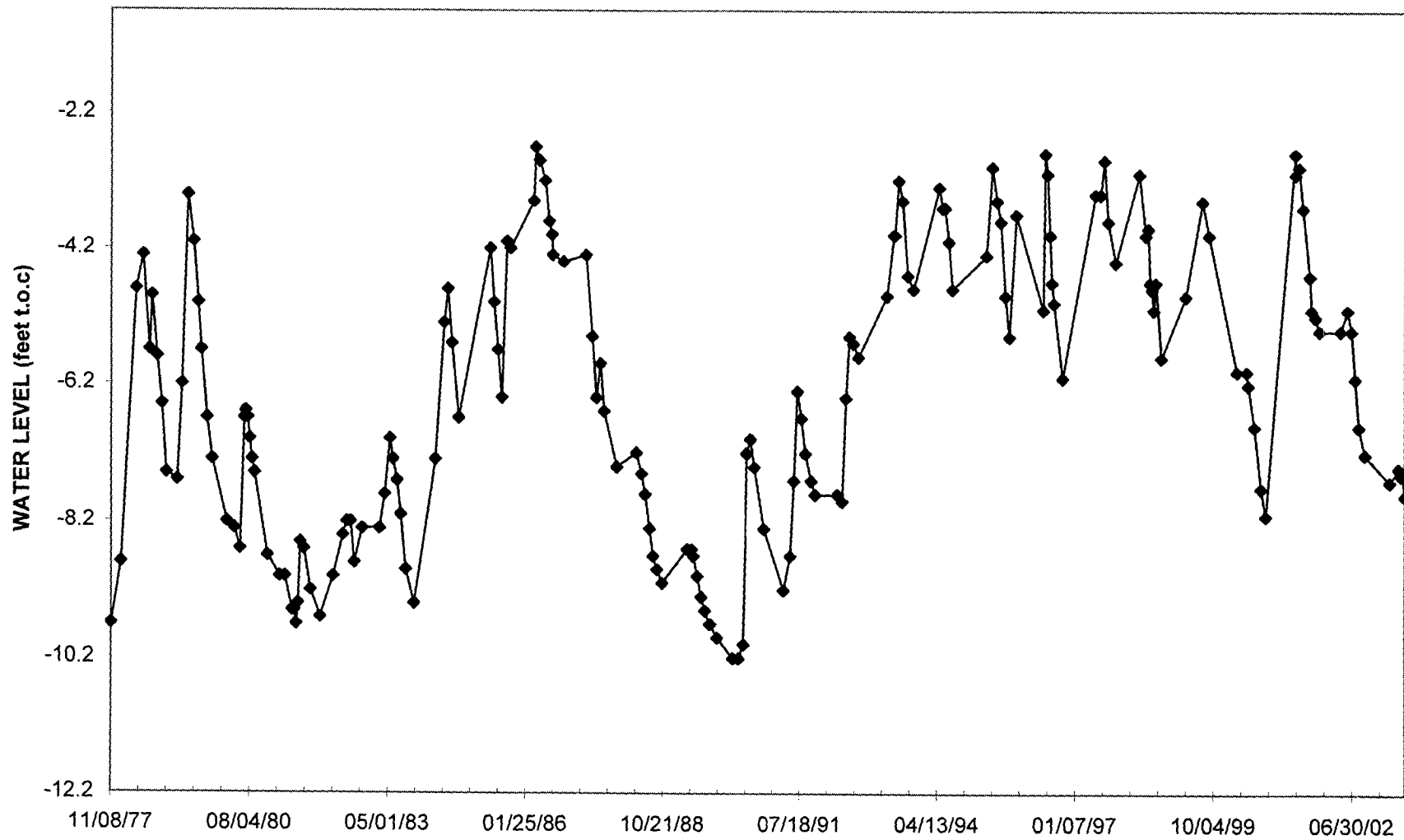


James A Goodman
Natural Resources Engineer

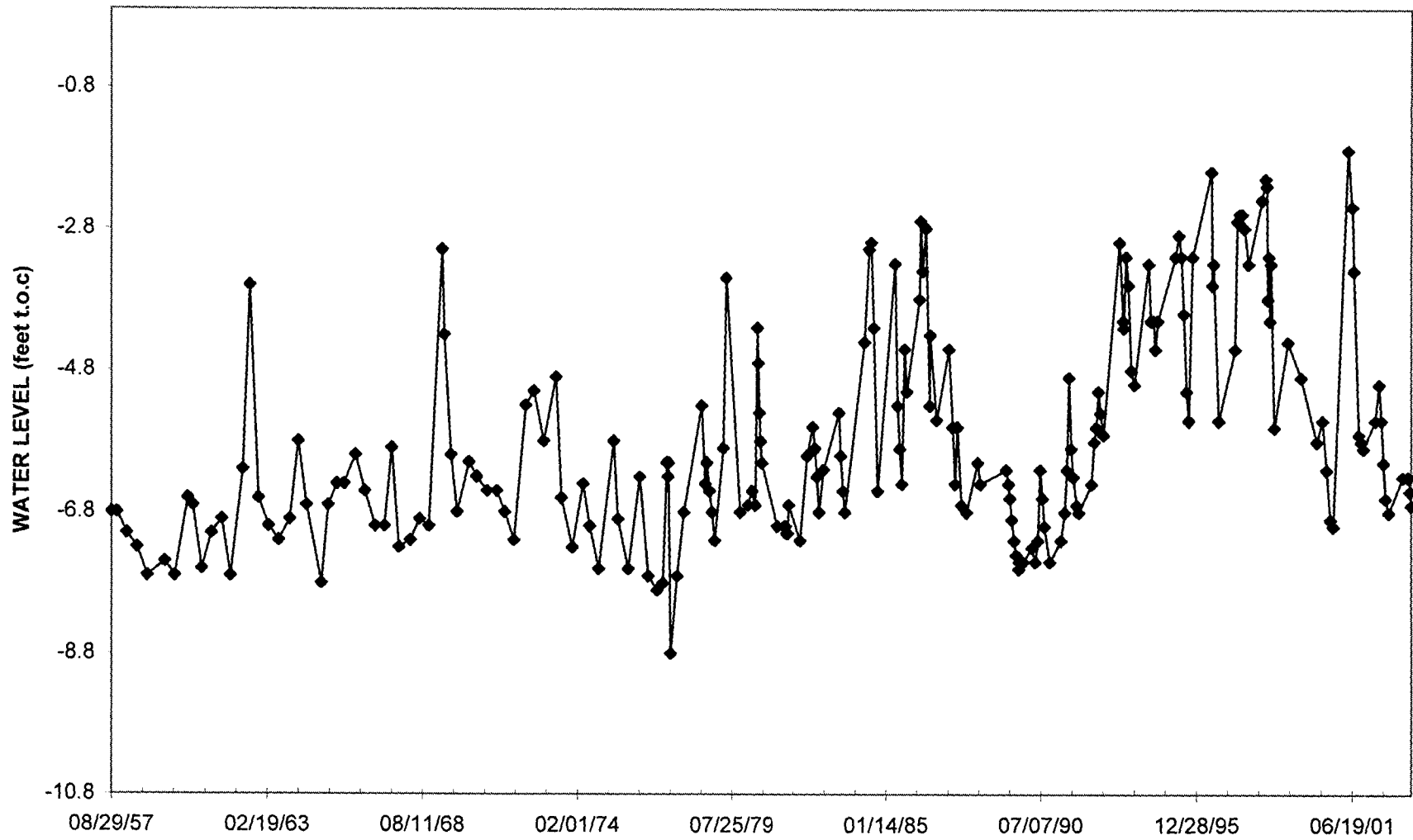
BIBLIOGRAPHY

- Koch, N.C., 1980, Appraisal of the Water Resources of the Big Sioux Aquifer, Brookings, Deuel, and Hamlin Counties, South Dakota, WRI 80-100, USGS, Huron, SD, 57350.
- Kume, J., 1985, Water Resources of Deuel and Hamlin Counties, South Dakota, WRI 84-4069, USGS, Huron, SD, 57350.
- Water Rights, 2003, Unpublished Observation Well Data for Hamlin County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
HN-771



**WATER RIGHTS' OBSERVATION WELL
HN-57A**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6424-3, Claremont Hutterian Brethren, Inc.**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6424-3, Claremont Hutterian Brethren, Inc., c/o Jonathan Wollman, 46271 184th Street, Castlewood SD 57223.

The Chief Engineer is recommending APPROVAL of Application No. 6424-3 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) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6424-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
July 23, 2003

NOTE: Based on the staff engineer's report on the application it is unlikely that one well will produce the 513 gallons per minute of water requested by the application. It may be necessary to construct another well. If it becomes necessary to drill an additional well there is a process to request additional diversion points if the Water Rights Program is contacted and we make a finding the additional well(s) will not adversely impair others.

Affidavit of Publication

STATE OF SOUTH DAKOTA, County of Hamlin, ss

LeeAnne Archer of said County and State being first duly sworn, on his oath says: That the Hamlin County Republican is a weekly newspaper of general circulation, printed and published in Castlewood in said County and State by LeeAnne Archer, that the said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; and has been such newspaper during the time hereinafter mentioned; and that I, LeeAnne Archer, the undersigned, am publisher of said newspaper, in charge of the advertising department thereof and have personal knowledge of all facts stated in this affidavit; and that advertisement headed:

Notice of Application

a printed copy of which is hereto attached, was printed and published the regular and entire issue of said newspaper and not in supplement once each week for 2 successive weeks, the first publication on the 30 day of July, 2003, and the last publication on the 6 day of Aug, 2003.

The 1st publication made on the 30th day of July, 2003

The 2nd publication made on the 6th day of Aug, 2003

The 3rd publication made on the _____ day of _____, 2003

The 4th publication made on the _____ day of _____, 2003

The 5th publication made on the _____ day of _____, 2003

The 6th publication made on the _____ day of _____, 2003

The 7th publication made on the _____ day of _____, 2003

The 8th publication made on the _____ day of _____, 2003

The 9th publication made on the _____ day of _____, 2003

The 10th publication made on the _____ day of _____, 2003

That the full amount of the fees for publication of the annexed notice \$ 38.57 and insures solely to the benefit of said public that no agreement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any person whomsoever.

LeeAnne Archer

Subscribed and sworn to before me this 25 day of August, 2003

Maureen Mennings

Notary Public

My commission expires My Commission Expires November 10, 2008.

NOTICE OF APPLICATION NO. 6424-3 TO APPROPRIATE WATER

Notice is given that Claremont Hutterian Brethren, Inc., c/o Jonathan Wollman, 46271 184th St., Castlewood, SD 57223, has filed an application for a water permit to appropriate 1.14 cubic feet of water per second from one well (Big Sioux Brookings Aquifer) 25 feet deep located in the SE 1/4 NW 1/4 Section 35 to irrigate 80 acres located in the E 1/2 NW 1/4 Section 35; all in T115N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6424-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the

hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 18, 2003.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Steven M. Pirner, Secretary
Director of Environment and Natural Resources
(publish July 30 and Aug. 6, 2003)

RECEIVED

AUG 26 2003

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

July 24, 2003

Hamlin County Republican
PO Box 50
Castlewood SD 57723-0050

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6424-3 to Appropriate Water to be published twice. Please publish the first notice on July 30, 2003 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 Claremont Hutterian Brethren Inc., % Jonathan Wollman, 46271 184th St., Castlewood SD (Ph # 605-793-2352).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6424-3

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

Date _____

We are in receipt of your letter of July 24, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6424-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

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

July 24, 2003

Claremont Hutterian Brethren Inc
% Jonathan Wollman
46271 184th St.
Castlewood SD 57223

Dear Mr. Wollman:

Water Permit Application No. 6424-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Hamlin County Republican printed at Castlewood, SD (Ph # 605-793-2293). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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.

Instruction to Newspaper - Publish first Notice on July 30, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6424-3 to Appropriate Water

Notice is given that Claremont Hutterian Brethren, Inc., c/o Jonathan Wollman, 46271 184th St, Castlewood SD 57223 has filed an application for a water permit to appropriate 1.14 cubic feet of water per second from one well (Big Sioux:Brookings Aquifer) 25 feet deep located in the SE ¼ NW ¼ Section 35 to irrigate 80 acres located in the E ½ NW ¼ Section 35; all in T115N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6424-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 28 2003

Claremont Hutterian Brethren Inc.
%Jonathan Wollman
46271 184th St
Castlewood SD 57223

Dear Mr. Wollman:

Enclosed is Water Permit No. 6424-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

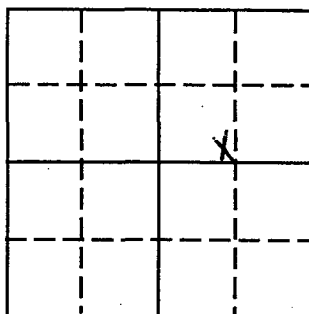
11-02

Location SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 34 Twp 115 Rg 52Well Owner: Claremont Colony

County

Hamlin

North



Please mark well location with an "X"

Well Completion Date

8/11/2004

1 Mile

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

? ft. from In Pasture (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	20.0 FT	24.00 IN

LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>	<u>50</u>	Lb/gal	<u>0</u> Ft	<u>20</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

LINE

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 10.0 FeetMaterial Stainless SteelSlot Size .060 Set From 20.0 Feet to 30.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No

If so, what material?

Pea Rock

Describe packer(s) and location

Pea rock @ 20 to 30

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How?
Pellets
☐ No, Why Not?

Lab sample sent to for water quality analysis

Business Name:

Address: RR2 Box 123ACity, State, Zip: Castlewood SD 57223

WELL LOG:

DEPTH

FORMATION	FROM	TO
Top Soil	0	6
Yellow Sand	6	10
Coarse Yellow Sand	10	20
Pearock	20	30
Blue Clay	30	31

STATIC WATER LEVEL 9.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: 500 gpm with turbine
☐ Bailed

☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc.

Signature of License Representative:

RECEIVED

OCT - 1 2004

WATER RIGHTS PROGRAM

Signature of Well Owner or Equitable Property Holder:

Date:

9-29-04



6424-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: CLAREMONT COLONY, JONATHAN WOLLMAN, 46271 184th ST, CASTLEWOOD, SD 57223

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaires

Our records indicate that the 2011 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2579-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 & 7193-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 & 7193-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2579-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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

6424-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 2012

Jonathan Wollman
Claremont Colony
46271 184th St
Castlewood SD 57223

RE: Water Permit or Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 & 7193-3

Dear Mr. Wollman:

I am writing to acknowledge receipt of the 2011 irrigation questionnaires for Claremont Colony.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 and 7193-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6424-3

I have this day, March 31, 2015, made a thorough examination of the water use system constructed by Claremont Hutterian Brethren, Inc., 46271 184th St., Castlewood SD 57223 of Permit No. 6424-3, bearing the priority of June 20, 2003 authorizing the diversion of 1.14 cu. ft. per second of the waters of Big Sioux Brookings aquifer for irrigation purposes, in Hamlin County.

Inspection contact & relationship **Jonathan Wollman**
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) 30 feet
- 4) Well log is available Yes If no, explain in comments

Comments: **Legal incorrect on completion report**

Casing:

- 1) Diameter 16 inches
- 2) Length 20 feet
- 3) Type Plastic

Screen:

- 1) Type Stainless steel
- 2) Length 10 feet
- 3) Static water level 9 feet

Pump:

- 1) Make Vertiline
- 2) Capacity 700 GPM

Motor:

- 1) Make U.S. Electrical
- 2) Frame No. 326TPH
- 3) Horsepower rating 50 hp

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 1,200 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Lockwood
- 2) Number of towers 8
- 3) End gun Yes
- 4) Capacity 700 GPM

Chemigation Equipment:

- 1) Does chemigate No

Comments: **Chemigation had occurred in the past based on evidence at the site. Mr. Wollman indicated no chemigation is occurring presently and equipment is lacking to do so in compliance with chemigation rules.**

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

List any extended period of nonuse: **none**

- 3) Exceptions to compliance are: none

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: Well: 2,550 feet south and 2,620 feet east from NW corner section 35-T115N-R52W (Long. -97.03696, Lat. 44.72467 – SE1/4 NW1/4).

2. The works are capable of diverting and conveying to the place of use 1.56 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: **All in section 35-T115N-R52W**

NE1/4 NW1/4 32 acres

SE1/4 NW1/4 32 acres

comprising a total of 64 acres of land and the license should be issued for 0.91 cfs.

3. All structures, wells and lands on map Yes

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

The application indicated a pivot was going to be installed and, based on the acreage, it would only swing a partial circle. Accordingly, the applicant could have been advised to revise the applied for pump rate to exceed 1 cfs per 70 acres based on the method of irrigation.



Ron Duvall

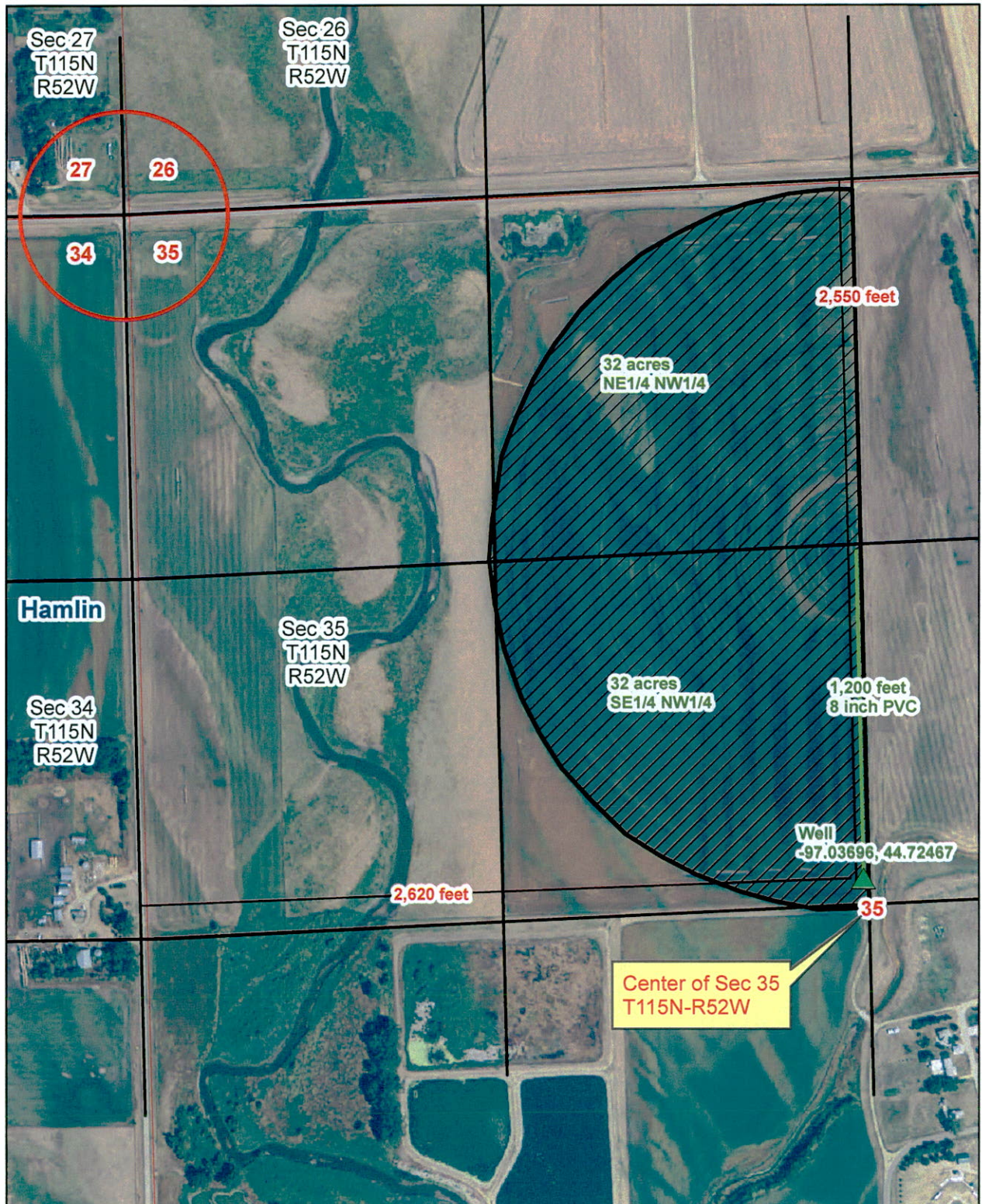
Water Rights Permitting Administrator
DENR, Water Rights Program

Date report completed: July 6, 2015

Scale: 1 inch = 542 feet

760

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:

Ron Duvall, WR Permitting Administrator
Water Rights Program

Diversion point(s) located using a Garmin eTrex 10 GPS

Date: June 22, 2015

Water Right No. 6424-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 27 2015

6424-3

Jonathan Wollman
Claremont Hutterian Brethren Inc
46271 184th St
Castlewood SD 57223

Dear Mr. Wollman:

Enclosed is Water License No. 6424-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6424-3, 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,

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

enclosures

Note: The inspection of your water use system found it capable of diverting 700 gallons per minute (1.56 cubic feet of water per second). With respect to the 64 acres developed for irrigation, the water license can only be issued for the statutory limit of approximately 410 gpm (0.91 cfs). You are not authorized to pump at a greater rate than specified in the water license.

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6424-3**

(1) Claremont Hutterian Brethren Inc., 46271 184th St, Castlewood SD 57223 made Application No. 6424-3, June 20, 2003 for a water permit to divert 1.14 cubic feet of water per second from ground water (one well, Big Sioux Brookings Aquifer), Hamlin County, South Dakota for irrigation purposes. Permit No. 6424-3, with a priority date of June 20, 2003 was approved August 18, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 18, 2008 and for the application to beneficial use of water on or before August 18, 2012.

(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 0.91 cubic feet of water per second for beneficial use. The location of the diversion point is 2,550 feet south and 2,620 feet east of the NW corner of Section 35, T115N, R52W (SE ¼ NW ¼).

(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 35, T115N, R52W	NE ¼ NW ¼	32 acres
	SE ¼ NW ¼	32 acres
	Total	64 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Claremont Hutterian Brethren Inc., 46271 184th St, Castlewood SD 57223 the holder and/or owner of Water Right No. 6424-3 is issued a license to appropriate water, the right to use 0.91 cubic feet of water per second from ground water (one well, Big Sioux Brookings Aquifer) with a priority date of June 20, 2003 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6424-3 and subject to the following qualifications:

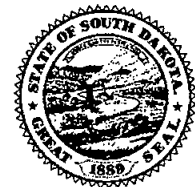
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6424-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *The well was completed in August, 2004 by Pullman Well Drilling Inc. A copy of the log is on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 27 2015

date





6424-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: CLAREMONT COLONY, JONATHAN WOLLMAN, 46271 184th ST, CASTLEWOOD, SD 57223

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2579-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2579-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: MVHIMM**

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



6424-3

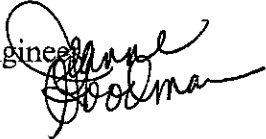
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 27, 2020

NOTICE OF ENTRY OF ORDER
FOR AMENDMENT AND ONE YEAR SUSPENSION OF WATER RIGHTS

TO: Jonathan Wollman, Claremont Colony, 46271 184th St, Castlewood SD 57223

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: Amendment of Water Right No. 2579-3 and One Year Suspension of Water Right Nos. 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3

On February 26, 2020, the Water Management Board took the following actions on Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3

The Board amended Water Right No. 2579-3 to add the following qualification effective immediately:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

The Board also ordered:

Effective March 26, 2020, Water Right Nos. 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 be suspended for the 2020 irrigation season for failure to submit the 2019 irrigation questionnaires.

If the 2019 irrigation questionnaires are received prior to March 26, 2020, the suspensions will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2020 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2020 unless the 2019 irrigation questionnaires are submitted by March 26th.

After March 26th, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2019 irrigation questionnaires and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 6-7, 2020, in Pierre, SD. The letter should include your reasons for not completing the 2019 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place. Please contact Genny McMath (605) 773-3352, if you have any questions.

6424-3

CERTIFICATION

I hereby certify that on February 27, 2020, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage; prepaid envelopes containing a Notice dated February 27, 2020 regarding Water Management Board action taken February 26, 2020 for Irrigation Questionnaire violations addressed as stated below:

One Year Suspensions:

Water Right No. 6947-3

Joel Adler, 48353 149th St, Milbank SD 57252

Water Permit No. 7655-3

Thomas Brady, 265 Antler Dr., Yankton SD 57078

Water Right Nos. 2698-2 & 2721-2

Neil & Lupita Fanning, 220 Rangely Ct., Simi Valley CA 93065

Water Right No. 5947-3

Sean Davis, Fish Lake Country Club, 24385 393rd Ave., Letcher SD 57359

Water Permit Nos. 7008A-3 and 7009A-3

Roger D Hanson, 615 E 72nd St., Kansas City MO 64131

Water Right No. 7043-3

Corey Johannsen, 502 Main St., Tolstoy SD 57475

Donald & Dianna Stotz, 14850 328th Ave, Tolstoy SD 57475

Water Right No. 876-1

Gene E Johnson, 19610 US Hwy 85, Belle Fourche SD 57717

Water Right No. 1213B-1

Charles & Cathy Kimbril, 19027 137th Ave, Vale SD 57788

Water Right No. 410B-2

Kathi Koester, PO Box 206, Custer SD 57730-0206

Water Permit No. 8253-3

James Makens, Makens Oak Tree LLP, 42563 168th St, Clark SD 57225

Water Permit Nos. 5849-3 and 6194-3

Josh Oakley, Meadow Creek Golf Course, PO Box 511, Volga SD 57071-0511

Water Right Nos. 2521-3 and 2934-3

Henry Decker, Pembroke Hutterian Inc., 35955 139th St, Ipswich, SD 57451 7103

Water Right Nos. 5566-3 & 7615-3 and Water Permit No. 7616-3

Wayne Reiersen, 30048 Reiersen Pl., Pollock SD 57648

Water Permit No. 2350-3

Bill Boyer, President, River Valley Farms, PO Box 486, Alcester SD 57001 0486

Water Right No. 4737-3

RUS Farms Real Estate LLC, 3283 Dogwood Ave., Rock Valley IA 51247

Water Right No. 2954-3

Lane Tekrony, 47840 180th St, Clear Lake SD 57226-5405

Water Right Nos. 6131-3 and 6132-3

Daniel Ulmer, PO Box 433, Menno SD 57045 0433

Water Right Nos. 2631A-3 and 5451-3
Merritt Ulmer, PO Box 433, Menno SD 57045-0433
Merritt & Marie-Ulmer, 1402 S Cage #217, Pharr TX 78577

Water Right No. 553-1
Richard W Kieffer, 14555 Hamlet Pl, Sturgis SD 57785

Three Year Suspensions:

Water Right No. 6168-3
Robert Hattum, 21744 W Bend Rd, Harrold SD 57536

Water Right No. 2106-2
Stuart Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701

Amendments:

Water Right Nos. 804-2 & 995-2
Robert Berry, 23331 Hwy 14, Midland SD 57552

Water Right No. 766-2
Gene Fortune, PO Box 60, Interior SD 57750 0060

Water Right Nos. 516-1 and 715-1
Lawrence Woodward, PO Box 220, Dupree SD 57623 0220

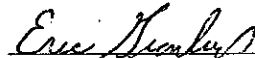
Both Suspend and Amendments

Water Right No. 960-3 and Water Permit No. 472A-3
Chad Binger, 18309 383rd Ave, Tulare SD 57476

Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3
Jonathan Wollman, Claremont Colony, 46271 184th St, Castlewood SD 57223

Water Right Nos. 3012-3 and 7323B-3
Mark Morlock, 33820 112th St., Eureka SD 57437-6005
Marvin Morlock, 11072 339th Ave, Eureka SD 57437-6003

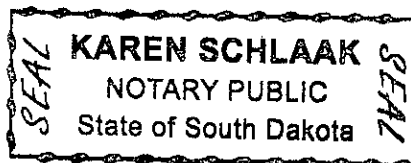
Water Right No. 399-2 and Water Permit No. 2668-2
Steve L Simunek, 27851 S Buffalo Gap Rd, Oral SD 57766


Eric Gronlund
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 27th day of February, 2020.


Karen Schlaak
Notary Public
My Commission expires April 1, 2025



6424-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 2020

Jonathan Wollman
Claremont Colony
46271 184th St
Castlewood SD 57223

RE: Water Right Nos. 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3

Dear Mr. Wollman:

On February 26th the Water Management Board ordered the above listed Water Rights suspended if the 2019 irrigation questionnaires were not received prior to March 26, 2020. The questionnaire information for your water rights has been received.

Since the irrigation questionnaires are on file, no violations have occurred, and no suspensions will take place. You may irrigate during the 2020 irrigation season.

If you have any questions, please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352

6424-3



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: CLAREMONT COLONY, JONATHAN WOLLMAN, 46271 184th ST, CASTLEWOOD, SD 57223

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: NNMIGU**

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

6424-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

March 1, 2022

Jacob Wollman
Claremont Colony
46271 184th St
Castlewood SD 57223

RE: Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3, 7491-3

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

April 24, 2024

6424-3

Claremont Colony
c/o Jacob Wollman
46271 184th St
Castlewood SD 57223

Dear Mr. Wollman:

I am writing in regard to your Water Right No. 6424-3. The water right authorizes diversion 0.91 cfs (approx. 410 gpm) of water from groundwater, one well, completed into the Big Sioux Brookings Aquifer, for the irrigation of 64 acres in the E ½ NW ¼ Section 35, T115N, R52W.

In reviewing your 2023 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Right No. 6424-3 allows you to use up to 2 acre-feet (ac-ft) (24 inches) of water, per acre, per year. On the questionnaire you reported substantially more water use. The following information is what was reported and what is authorized:

- 64 acres irrigated
- Reported water use – 159.09 ac-ft of water (approximately 29.8 inches)
- Authorized water use – 128 acre-feet (64 acres x 2 ac-ft per year)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 24 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water right and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTE: Water Right No. 6424-3 authorizes a diversion rate of 0.91 cubic feet or water per second (approx. 410 gallons per minute). The 2023 irrigation questionnaire you submitted lists a pump rate of 800 gpm.

enclosure