

WATER PERMIT NO. 6513-3

Name of Applicant: Curtis Buhler

Address: 28455 396th Ave, Armour SD 57313

Phone: 605 779-6561

Amount of Water Claimed: 2.28 cfs

Total Acres: 160

Source of Water Supply: groundwater (3 wells)

Water to be used for: irrigation

County: Douglas

Type of Waste Disposal System:

Location: 6 miles southwest of Armour

PRIORITY

Date Received: 5-24-04

Application/License Fee: \$300

Corrected Application Received: 5-26-04

Period of Annual Use: May 1 – September 30

Remarks:

Diversion Point: SE ¼ Sec 35-T98N-R63W

Land to be Irrigated: SE ¼ Sec 35-T98N-R63W

Depth of Well: 38 feet

Well Driller: : Lacey Well Drilling, Inc.

Remarks:

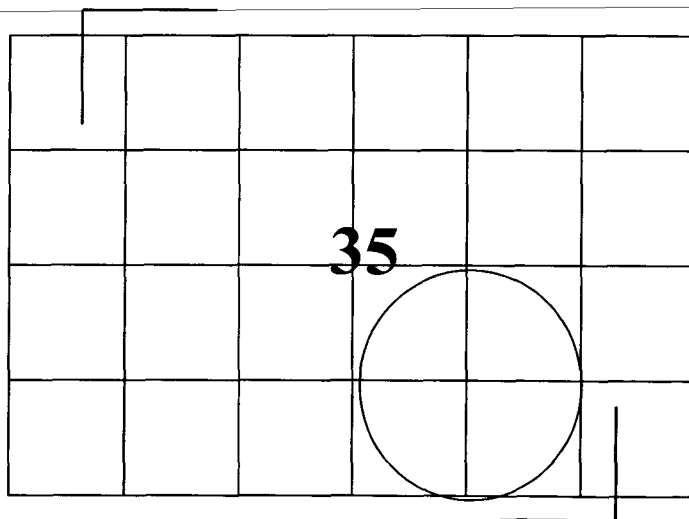
Type of Map: aerial

Prepared by: Todd R Hawley, Douglas Co FSA

Reviewed and the Number Assigned on: 5-26-04

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 6513-3**

Date of first receipt of application May 24, 2004.

Date of return to applicant for corrections, amendments or changes May 26, 2004.

Date of receipt of corrected application May 26, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6513-3 to Curtis Buhler, 28455 396th Ave, Armour SD 57313 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. 6513-3 appropriates 2.28 cubic feet of water per second from three wells (Delmont Aquifer) 38 feet deep located in the SE ¼ Section 35 to irrigate 160 acres located in the SE ¼ Section 35; all in T98N-R63W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is May 24, 2004.
4. The date of approval of Permit No. 6513-3 is July 23, 2004.
5. One-fifth of the construction is to be completed on or before January 23, 2007.
6. All construction is to be completed on or before July 23, 2009.
7. Water is to be put to beneficial use on or before July 23, 2013.
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 wells authorized by Permit No. 6513-3 must be located at least 1,320 feet from neighboring irrigation wells located in Section 36-T98N-R63W.
2. The wells 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.
3. The wells authorized by Permit No. 6513-3 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.
4. 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 13 2004

date



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>6513-3</u>	(office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>The Armour Chronicle, Armour</u>	

RECEIVED
MAY 24 2004
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 Curtis Buhler Phone 605-779-6561
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 28455 396th AVE ARMOUR State SD 57313
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.28 *CFS or 1028 **GPM ***AF Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Delmont Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
3 wells SE 1/4 Sec 35-98-63
County Douglas
- County or counties where water will be used Douglas
- Annual period during which water is to be used MAY thru Sept 30
- 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
NW 1/4 SE 1/4 Sec 35 98 63			
SW 1/4 SE 1/4 Sec 35 98 63			
NE 1/4 SE 1/4 Sec 35 98 63			
SE 1/4 SE 1/4 Sec 35 98 63			

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

to irrigate 1/4 section SE 1/4 - 35-98-63

STATE OF SOUTH DAKOTA) SS
County of Douglas

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)

I, Curtis Buhler, 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 Curtis Buhler

Subscribed and sworn to before me this 21 day of MAY 20 04

Randall Larson
Notary Public signature
REGISTER OF DEEDS

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 20" Depth 38
- b) Casing Type Steel Diameter 12" Thickness Schedule 40
- c) Screen Type Stainless Steel Diameter 12" Thickness 3/16
- d) Gravel Pack 3-4" Length of Gravel Pack 15 ft
- e) Depth to Top of Water Bearing Material 55
- f) Depth to Water (ground surface to water level) 10
- g) Distance to nearest existing domestic well:
- On applicants property 3/4 mile On property owned by others 1 1/2 mile

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 _____

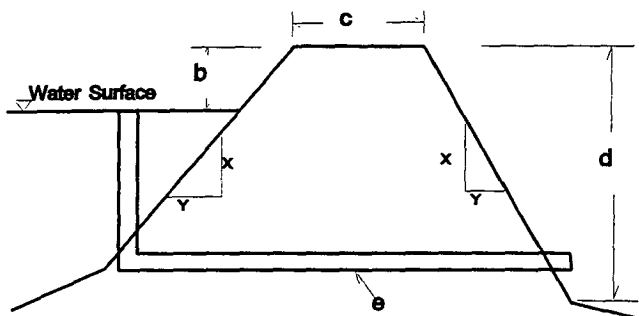
3. Dugout Information

- 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 MAY 24, 20 04

RECEIVED OF CURTIS BULLER, 28455 396TH AVE., ARMOUR SD 57313-5907

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

Fee for Application for Permit No. <u>6513-3</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. <u>6513-3</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	300.00

No.

By

Stanley E. Eide

Chief Engineer

gm



United States Department of Agriculture
Farm Service Agency

35-98-63

January 27, 2004

Douglas County

1997 Digital Orthophotography - Not To Scale



TRUE COPY
Tall P. Hawley P.T.
Douglas Co. FSA

6513-3



South Dakota State University

Oscar E. Olson Biochemistry Laboratories
Analytical Services Laboratory

Box 2170, Rm. 133 ASC
Brookings, SD 57007-1217
Telephone: (605) 688-6171
FAX: (605) 688-6295
WEB: <http://anserv.sdstate.edu>

Report of Analysis

CURTIS BUHLER
28455 396TH AVE.
ARMOUR, SD 57313

Reported: 04/23/2004
Received: 04/07/2004

04S-04711 IRRIGATION WATER SE1/4 35-98.63 DOUGLAS COUNTY

Alkalinity, ppm	328
Chloride, mg/L (ppm)	12.0
Electrical Conductivity, umhos/cm	1150
Electrical Conductivity, dS/M	1.15
Nitrate Nitrogen, mg/L (ppm)	3.17
pH	8.2
Sulfate, mg/L (ppm)	259.0
Boron, mg/L (ppm)	0.190
Calcium, mg/L (ppm)	137
Magnesium, mg/L (ppm)	43.4
Potassium, mg/L (ppm)	18
Sodium, mg/L (ppm)	57.2

ppm = parts per million

ug/g (ppm) = micrograms per gram (sample weight basis)

For additional information, please contact David German at the Water Resources
Institute, 688-4211 or David_German@sdstate.edu.

Reviewed By: Lawrence Novotny

CC: WATER RESOURCES INSTITUTE
SDSU AE 211 BOX 2120
BROOKINGS, SD 57007

In Water Since 1946

LACEY WELL DRILLING, INC.

47582 - 240th St.

Dell Rapids, South Dakota 57022

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Dewatering Work
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Down-Hole Camera
Water Specialists
Irrigation Supplies

5-16-04

Cart.

HERE'S A log on the TEST
hole in SE4 SEC 35, 98-63
0-1 topsoil 1-38 SAND & GRAVEL
gw / roughly 17'

Thanks

Jim
Lacey



May 24, 2004

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Curtis Buhler
29455 396th Ave
Armour SD 57313

Dear Mr. Buhler:

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

- Item No. 2 of the application indicates the amount of water claimed to be 1285 gallons per minute (gpm). State Statutes limit diversions to 1 cubic feet of water per second (cfs) for each 70 acres irrigated. This would mean that you are allowed approximately 1028 gpm or 2.28 cfs for the 160 acres to be irrigated. We understand that in order to accommodate certain methods of irrigation, a greater diversion rate is required. Please justify in writing your request for a diversion rate greater than the statutory limit.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

Water Rights Program - File Documentation

NAME: Curtis Buhler

ADDRESS: Armour SD

DATE: 5-26-04 **COUNTY:** DG **TELEPHONE:** 605 779-6561

RE: Pending application

COMMENTS:

Curtis Buhler called regarding my letter dated May 24th. Mr. Buhler indicated he just used the amounts authorized by his existing permit when completing this application.

Mr. Buhler indicated I should amend his application for the statutory limits which for irrigation of 160 acres will be **2.28 cubic feet of water per second** or 1028 gallons per minute.


Karen Schlaak
Environmental Scientist

WATER RIGHT NOS. 6513-3

**Water Rights Program - DENR
Conversation File Documentation**

NAME OF PERSON OR FILE: Curtis Buhler – Water Permit Application No. 6513-3

ADDRESS: COUNTY: Douglas

DATE: May 27, 2004 TELEPHONE:

RE: Notary signature on application.

COMMENTS:

I contacted Anissa Brambihler with the Secretary of State office at 773-3539. I explained that a water permit application requires a notary signature by statute. I asked about the ability of a Register of Deeds to be the signature authority. Ms. Brambihler stated that elected officials, such as Register of Deeds, are authorized to acknowledge signatures the same as notary publics.

For this reason I am accepting the signature on Mr. Buhler's application.

NAME:



REPORT ON WATER PERMIT APPLICATION NO. 6513-3
For Curtis Buhler
June 16, 2004

Application No. 6513-3 proposes to appropriate 2.28 cfs from three wells approximately 38 feet deep located in the SE ¼ of section 35 to irrigate 160 acres located in the SE ¼ of section 35; all in T98N R63W in Douglas County.

AQUIFER – DELMONT (D)

The Delmont is a surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 15,700 acres and contains an estimated 35,320 acre-feet of recoverable water in storage in Douglas County (Hedges, 1982). Recharge to the aquifer has been estimated to approximate 5.6 inches per year or about 7,300 acre-feet per year (Hedges, 1983). Ground water movement is from northeast to southwest across the area of this application (Kume, 1977). The aquifer extends into Charles Mix County to the south and is hydraulically connected to Choteau Creek.

The applicant has drilled a test well. The log indicates sand and gravel from 1 to 38 feet below land surface with a static water level of about 17 feet below land surface. No test pumping data is available for this well. This geologic information corresponds with existing well information for the surrounding area and the data from the county study.

The Water Rights Program monitors three observation wells within a one mile radius of this application and completed into the Delmont aquifer. These are observation wells CM-72A, DG-57A and DG-72B. Hydrographs for these three observation wells are included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2004).

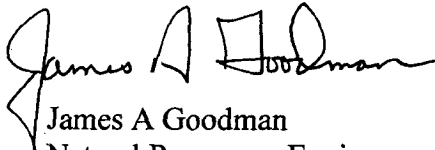
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing water right No. 4528-3 located just to the east of this application and an existing water permit No. 6299-3 just to the northwest (in the same section) of this application. Interference is not a concern. Drawdown created by pumping does not extend very far from the individual production wells. This is shown by the observation well record. The record does show that overall the pumping from the aquifer appears to have a slight effect on the water levels especially during extended drought periods. But as soon there is sufficient precipitation the water levels will rise indicating how rapidly recharge can occur.

CONCLUSIONS

1. Water is available from the Delmont aquifer.
2. The aquifer is under water table conditions in this area. Drawdown created by pumping is not expected to be significant. Interference is not a concern. These wells should be spaced at least 1,320 feet from an existing irrigation well.

3. The well(s) authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. The estimated recharge to the aquifer exceeds the largest reported annual water use of 2,167 acre-feet by over 5,000 acre-feet. However, most of the development is in a relatively small area and during extended drought periods the water levels in the aquifer can change significantly.
5. Initial development in the area was controversial, but there have been no water availability problems for the Delmont aquifer in the last twenty years.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

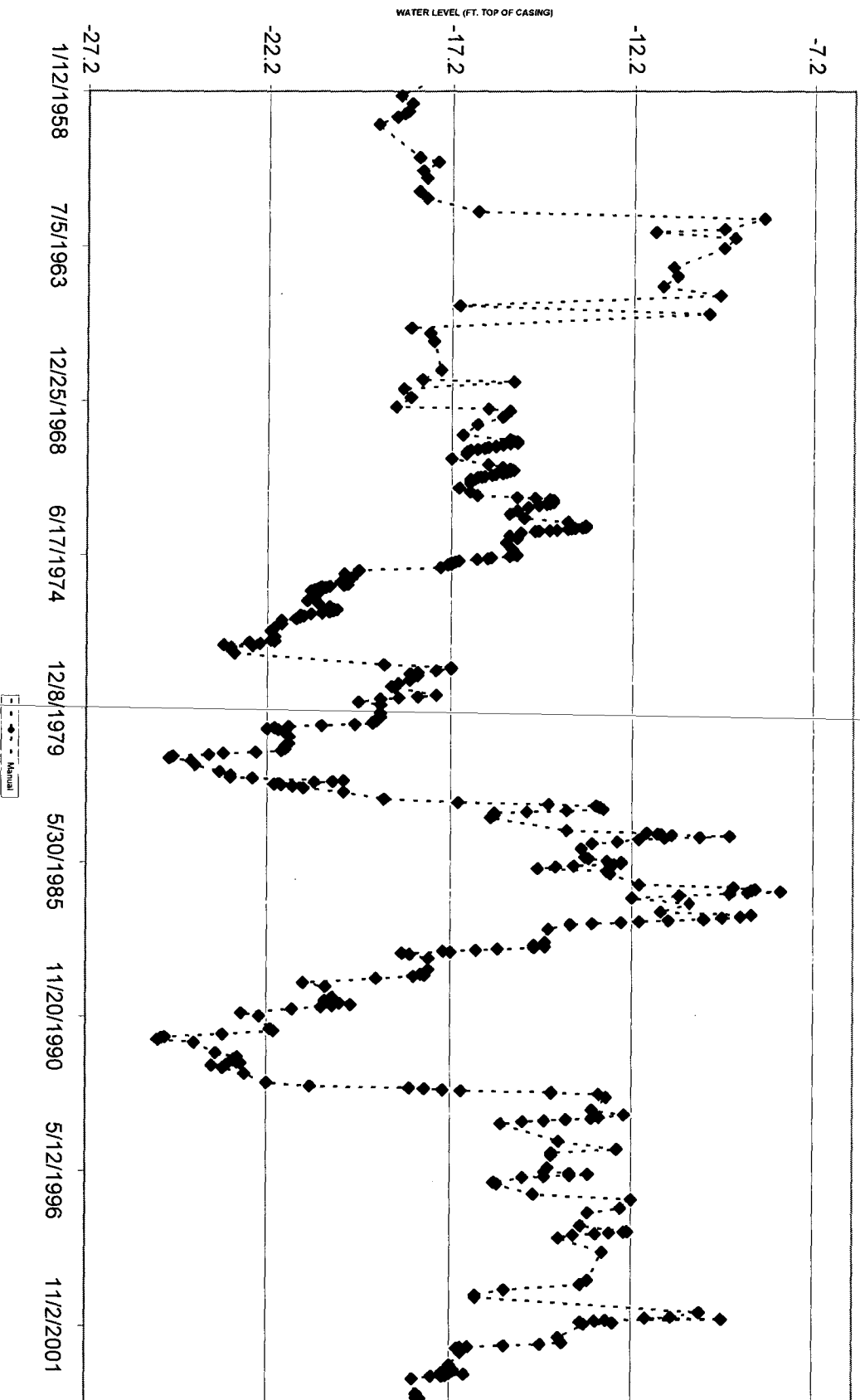
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Hedges, L.S., and others, 1983, Task 7: Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

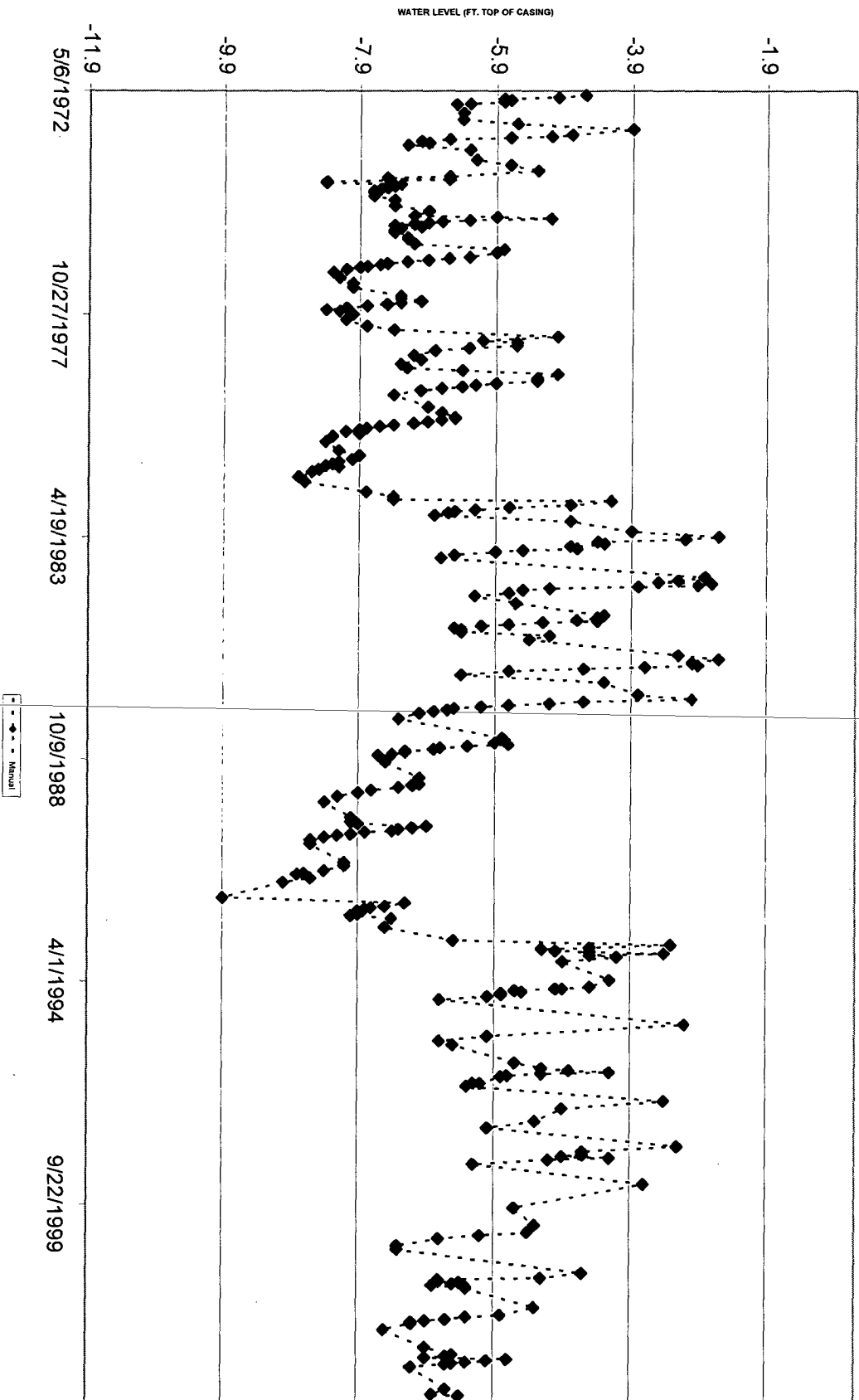
Kume, J., 1977, Geology and Water Resources of Charles Mix and Douglas Counties, South Dakota, Bulletin 22, Part II: Water Resources, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2004, Unpublished Observation Well Data for Douglas and Charles Mix Counties, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

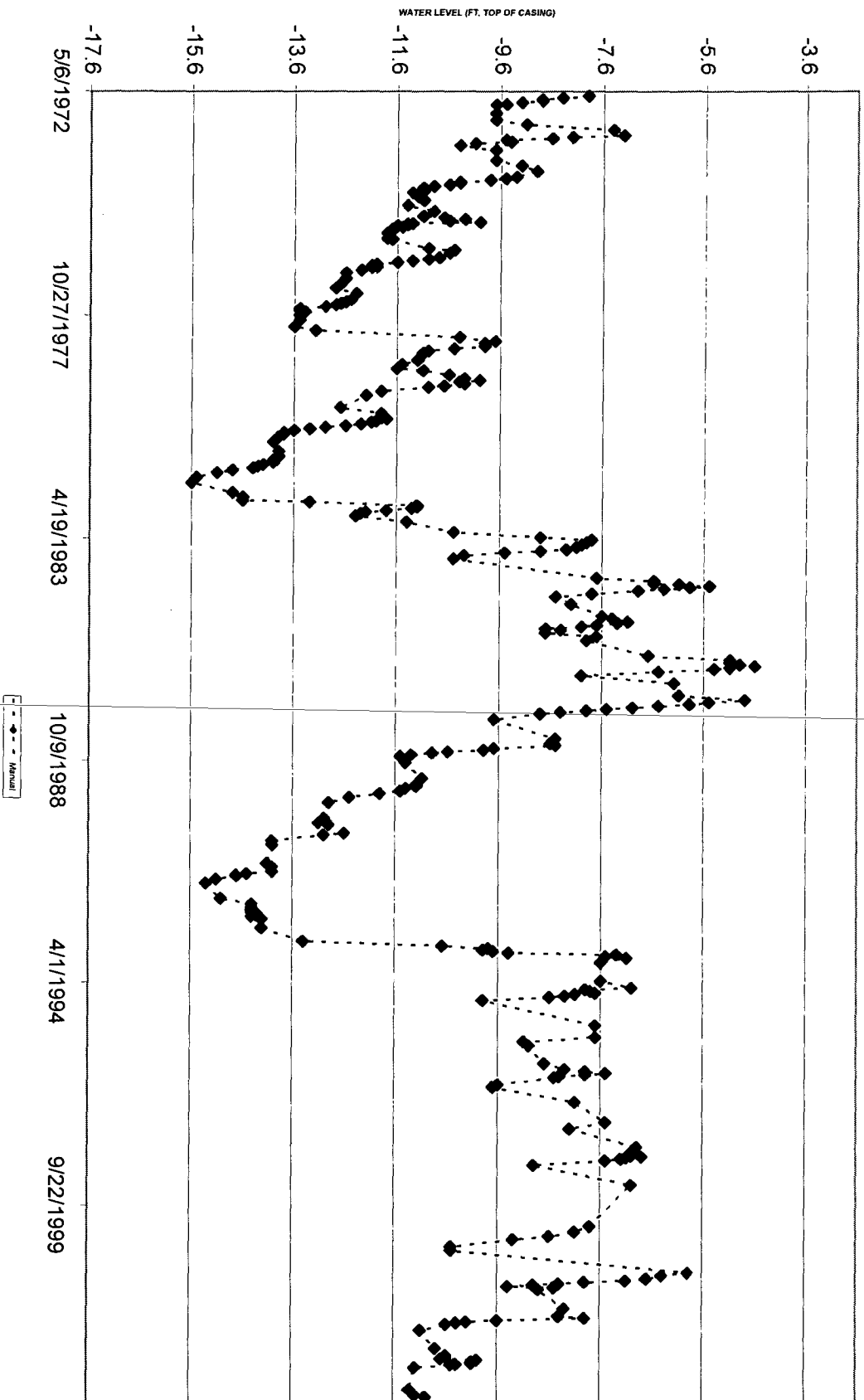
WATER RIGHTS' OBSERVATION WELL DG-57A



WATER RIGHTS' OBSERVATION WELL CM-72A



WATER RIGHTS' OBSERVATION WELL
DG-72B





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6513-3, Curtis Buhler**

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. 6513-3, Curtis Buhler, 28455 396th Avenue, Armour SD 57313.

The Chief Engineer is recommending APPROVAL of Application No. 6513-3 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 wells authorized by Permit No. 6513-3 must be located at least 1,320 feet from neighboring irrigation wells located in Section 36, T98N, R63W.
2. The wells 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.
3. The wells authorized by Permit No. 6513-3 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.
4. 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
June 30, 2004

Affidavit Of Publication

STATE OF SOUTH DAKOTA,

County of Douglas

MARY NEUGEBAUER of said County and State, being first duly sworn, on her oath says: THE DELMONT RECORD is a weekly newspaper of general circulation, published in Delmont, Douglas County, State of South Dakota by MARY NEUGEBAUER and has been such newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper; that it has a bona fide paid circulation of more than 200 copies weekly; that it has been published within said County of Douglas in the English language and has been admitted to the United States mail under the second class mailing privilege, for at least one year prior to the publication of such notices; that I the undersigned, am Editor and Publisher of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all of the facts stated in this affidavit; that the advertisement headed

Notice of Application No. 6513-3 to Appropriate Water

Notice is given that Curtis Buhler, 28455 396th Ave., Armour, S.D. 57313, has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from three wells (Delmont Aquifer) 38 feet deep located in the SE 1/4 Section 35 to irrigate 160 acres located in the SE 1/4 Section of 35; all in T98N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6513-3, 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, S.D. 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 July 23, 2004.

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 council, if legal council 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
Department of Environment and
Natural Resources 57a7/6-13c

Notice of Application
No. 6513-3 to
Appropriate Water

a printed copy of which is hereto attached, was printed and published in said newspaper

for two successive weeks and that said notice was published in the issues of said paper on the dates as follows, to-wit:

The first publication being made on July 6, 20 04,

the second publication being made on July 13, 20 04,

the third publication being made on _____, 20 _____,

the fourth publication being made on _____, 20 _____,

the fifth publication being made on _____, 20 _____,

the sixth publication being made on _____, 20 _____,

the seventh publication being made on _____, 20 _____,

and the eighth publication being made on _____, 20 _____,

that \$ 39.39 being the full amount of the fee for publication of the annexed notice, insures solely to the benefit of the publisher of said newspaper; that no arrangement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Mary Neugebauer

Subscribed and sworn to before me this 14th day of July, 20 04.

Beverly Greenstro

Notary Public, Douglas County, South Dakota

My Commission Expires

11-28-07

Instruction to Newspaper - Publish first Notice on July 6, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6513-3 to Appropriate Water

Notice is given that Curtis Buhler, 28455 396th Ave, Armour SD 57313 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from three wells (Delmont Aquifer) 38 feet deep located in the SE ¼ Section 35 to irrigate 160 acres located in the SE ¼ Section 35; all in T98N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6513-3 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**

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.

June 30, 2004

Curtis Buhler
28455 396th Ave
Armour SD 57313

Dear Mr. Buhler:

Water Permit Application No. 6513-3 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 Armour Chronicle printed at Armour, SD (Ph # 605-724-2747). 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. 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 30, 2004

The Armour Chronicle
PO Box 129
Armour SD 57313

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6513-3 to Appropriate Water to be published twice. Please publish the first notice on July 6, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Curtis Buhler, 28455 396th Ave, Armour SD (Ph # 605-779-6561).

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. 6513-3

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

Date _____

We are in receipt of your letter of June 30, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 6513-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 13 2004

Curtis Buhler
28455 396th Ave
Armour SD 57313

Dear Mr. Buhler:

Enclosed is Water Permit No. 6513-3 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

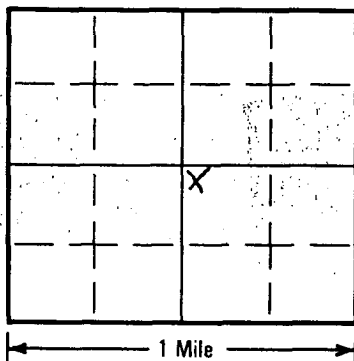
6513-3
07-92Location NW 1/4 SE 1/4 Sec 35 Twp 98 N Rg 63 W
County Douglas
North

Please mark well location with an "X"

W

E

Well Completion Date

4-26-05

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1/2 mile ft. from Homestead (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

BucketCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>50 LB/FT</u>	<u>12 IN</u>	<u>+2 FT</u>	<u>29 FT</u>	<u>20 IN</u>
_____ 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>	_____	_____ lb./gal	<u>0</u> ft.	<u>10</u> ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12 IN Length 7 FEETMaterial Stainless SteelSlot Size .080 Set From 29 Feet to 36 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

X YES, How: _____

NO, Why Not? _____

Laboratory sent to for water quality analysis

Chlorine in packWell Owner: Curt Bunker

Business Name: _____

Address: 28455 396th Ave.Delmont, S.D. 57330

WELL LOG:

DEPTH

FORMATION	FROM	TO
Topsoil	0	6
GRAVEL	6	12
Clean GRAVEL	12	29
Mud lens	29	
Clean GRAVEL	29	36

STATIC WATER LEVEL 12' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: _____☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

27' ft. After 1 Hrs. pumped 600 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 111

And this report is true and accurate.

Drilling firm Lacey Well Drilling Inc.

Signature of License Representative

Jean Reddy Lacey

Signature of Well Owner or Equitable Property Holder:

Curt BunkerDate: May 17 2005

RECEIVED

MAY 31 2005

WATER RIGHTS PROGRAM

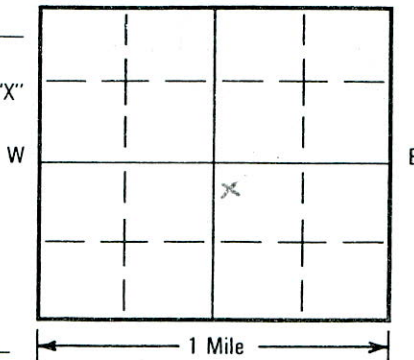
SOUTH DAKOTA WATER WELL COMPLETION REPORT

6513-3

07-92

Location NW 1/4 SE 35 Twp 98N Rg 63W
County Douglas North

Please mark well location with an "X"



Well-Completion Date

4-17-14

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1/2 mile ft. from Homesite (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Bucket - false casing

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>25</u> LB/FT	<u>14</u> IN	<u>1</u> FT	<u>23</u> FT	<u>20</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	_____	_____ lb./gal	<u>0</u> ft	<u>10</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure _____

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 14" IN Length 4 FEET

Material PVC class 110

Slot Size 100 Set From 23 Feet to 27 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: _____

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis

Log - No

Well Owner: Curtis Buhler

Business Name: _____

Address: 28455 396th Ave.
Delmont, S.Dak. 57330

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Topsoil</u>	<u>0</u>	<u>6</u>
<u>Clean Gravel</u>	<u>6</u>	<u>13</u>
<u>Very clean coarse grey sand</u>	<u>13</u>	<u>27</u>

STATIC WATER LEVEL 10' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: Sub

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

20' ft. After 1 Hrs. pumped 400 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

JUL - 3 2014

WATER RIGHTS PROGRAM

This well was drilled under license # 111

And this report is true and accurate.

Drilling firm Lacey Well Drilling

Signature of License Representative: _____

Jean Riddle Lacey

Signature of Well Owner or Equitable Property Holder: _____

Curtis Buhler

Date: May 14 2014

6513-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date November 2, 2020RECEIVED OF Buhler Farms, LLC 28326 Broadway St Delmont SD 57330

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$
Fee to retain Future Use Permit No. _____ after period of seven years.	\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$
Fee for Filing Transfer Form <u>6513-3</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law) TOTAL	\$50.00

By Eric Gronlund
 Chief Engineer *dm*

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

NOV - 2 2020

Ck# 2011

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

RECEIVED

NOV 02 2020

WATER RIGHTS
PROGRAMWater Right/Permit No. 6513-3Date: 10-30-2020I/We request that Water Right/Permit No. 6513-3 formerly owned by:Curtis Buhler

be transferred to:

New Owner Name:

Buhler Farms LLC

Address:

28326 Broadway St

City, State, Zip

DelmontSD57330

Telephone No.

605-661-0988

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

Sec 35-T098N-R63W, SE1/4 - 160.0 acres

☒ I understand that the validity of Water Right/Permit No. 6513-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Nya Goehring, the new owner, certify that the above information is true and correct.

Nya Goehring
(signed by new owner)

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

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

6513-3



DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

November 3, 2020

6299A-3
6513-3

Nya Goehring
Buhler Farms LLC
28326 Broadway St
Delmont SD 57330

Dear Ms. Goehring:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Permit Nos. 6299A-3 and 6513-3.

The ownership changes have been completed. The water permits formerly held by Curtis Buhler are now listed under Buhler Farms LLC.

Enclosed for your records are receipts for the filing fees you paid. If you have any questions, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent than the last name "McMath".

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

enclosures