

WATER PERMIT NO. 6533-3

Name of Applicant: Redlin Farms

Address: PO Box 871, Summit SD

Phone: 605 886-7177

Amount of Water Claimed: 0.033

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial

County: Grant

Type of Waste Disposal System:

Location: 9 miles southwest of Summit

PRIORITY Date Received: 10-1-03

Application/License Fee: \$100

Corrected Application Received: 8-12-04

Period of Annual Use: January 1 – December 31

Remarks: For use at a lodge

Diversion Point: SW ¼ SW ¼ Sec 7-T120N-R51W

Land to be Irrigated: NA

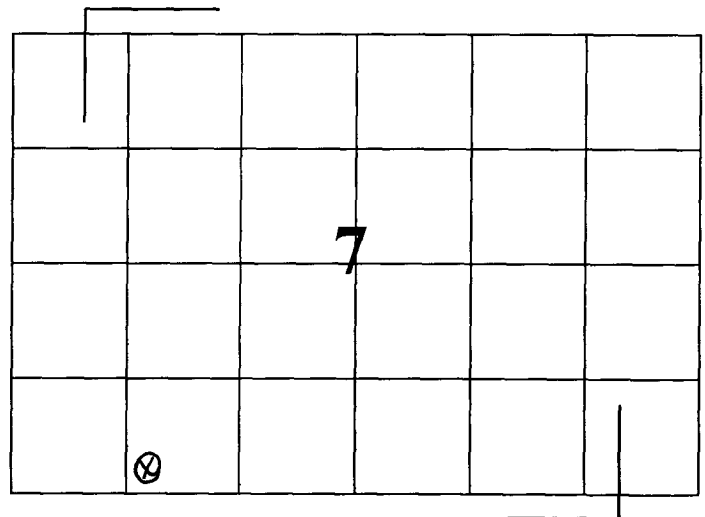
Depth of Well: 215 feet deep

Well Driller: : Wieber Well Drilling

Remarks:

Type of Map: aerial

Prepared by: D Johnson, NRCS



Reviewed and the Number Assigned on: XX

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for uses other than irrigation

Contact Person

Frank Redlin
(605) 398-6527

(Type or print)

Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

(office use only)
No. 6533-3 Hydrologic Unit 10170202
Basin SIOUX RIVER
Newspaper Grant Co. Review, Milbank

RECEIVED
OCT - 1 2003
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

☐ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☒ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☒ Domestic (over 18 gpm) ☐ Industrial ☐ Other

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

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

New

- Name of Applicant Redlin Farms Phone (605) 886-7177
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address Po Box 871 Summit State SD 57266
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.033 *CFS or 15 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Domestic Drilled well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
Grant County, Lura Twp, SW corner / SW 1/4
Section 7-120-51 County Grant
- County or counties where water will be used Grant
- Annual period during which water is to be used Year Round Jan 1-Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Lodge used for feeding and housing

STATE OF SOUTH DAKOTA)

County of Grant SS

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, Wallace Redlin, 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 Wallace Redlin CEO Redlin Farms

Subscribed and sworn to before me this 15 day of September 20 03

[Signature]
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6533-3**

Date of first receipt of application October 1, 2003.

Date of return to applicant for corrections, amendments or changes October 2, 2003.

Date of receipt of corrected application August 12, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6533-3 to Redlin Farms, c/o Wallace Redlin, PO Box 871, Summit SD 57266 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. 6533-3 appropriates 0.033 cubic feet of water per second (15 gallons per minute) from one well to be completed into the Prairie Coteau Aquifer (approximately 215 feet deep) located in the SW ¼ SW ¼ Section 7-T120N-R51W (Within former boundaries of Sisseton Whapeton Indian Reservation).
2. The water appropriated shall be used for the purpose of commercial use at a lodge and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 6533-3 is November 15, 2004.
5. The date from which applicant may claim right is August 12, 2004.
6. One-fifth of the construction is to be completed on or before May 15, 2007.
7. All construction is to be completed on or before November 15, 2009.
8. Water is to be put to beneficial use on or before November 15, 2013.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

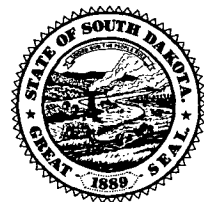
QUALIFICATION

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

WATER MANAGEMENT BOARD

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

DEC 07 2004
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6" Depth 225'
- b) Casing Type PVC Diameter 5" Thickness 1/4"
- c) Screen Type PVC slotted Diameter 6" Thickness 1/4"
- d) Gravel Pack 2" Length of Gravel Pack 40'
- e) Depth to Top of Water Bearing Material 189'
- f) Depth to Water (ground surface to water level) 102'
- g) Distance to nearest existing domestic well:
- On applicants property NO On property owned by others 300'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) septic tank drain
- b) System Capacity (gallons) 2000 Year Constructed 2003
- c) Connected to the City of NO Sanitary System _____

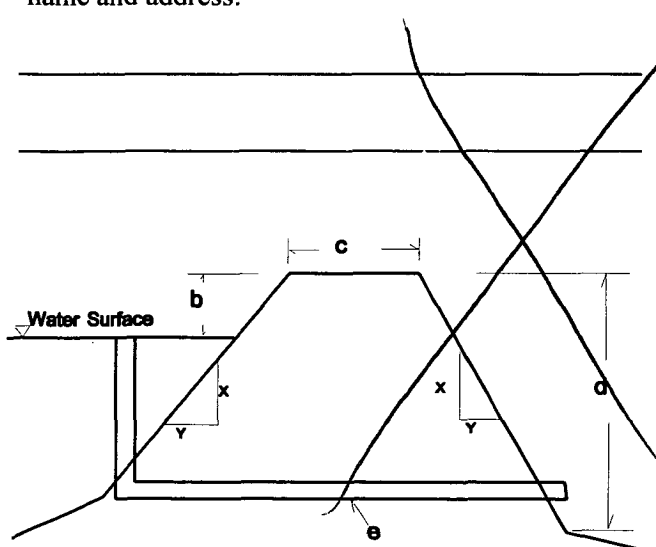
3. Dugout Information

- 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 October 1, 2003

RECEIVED OF Redlin Farms, 45496 152nd st. Summit SD 57266

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

Fee for Application for Permit No. <u>6533-3</u> to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6533-3</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	100.00

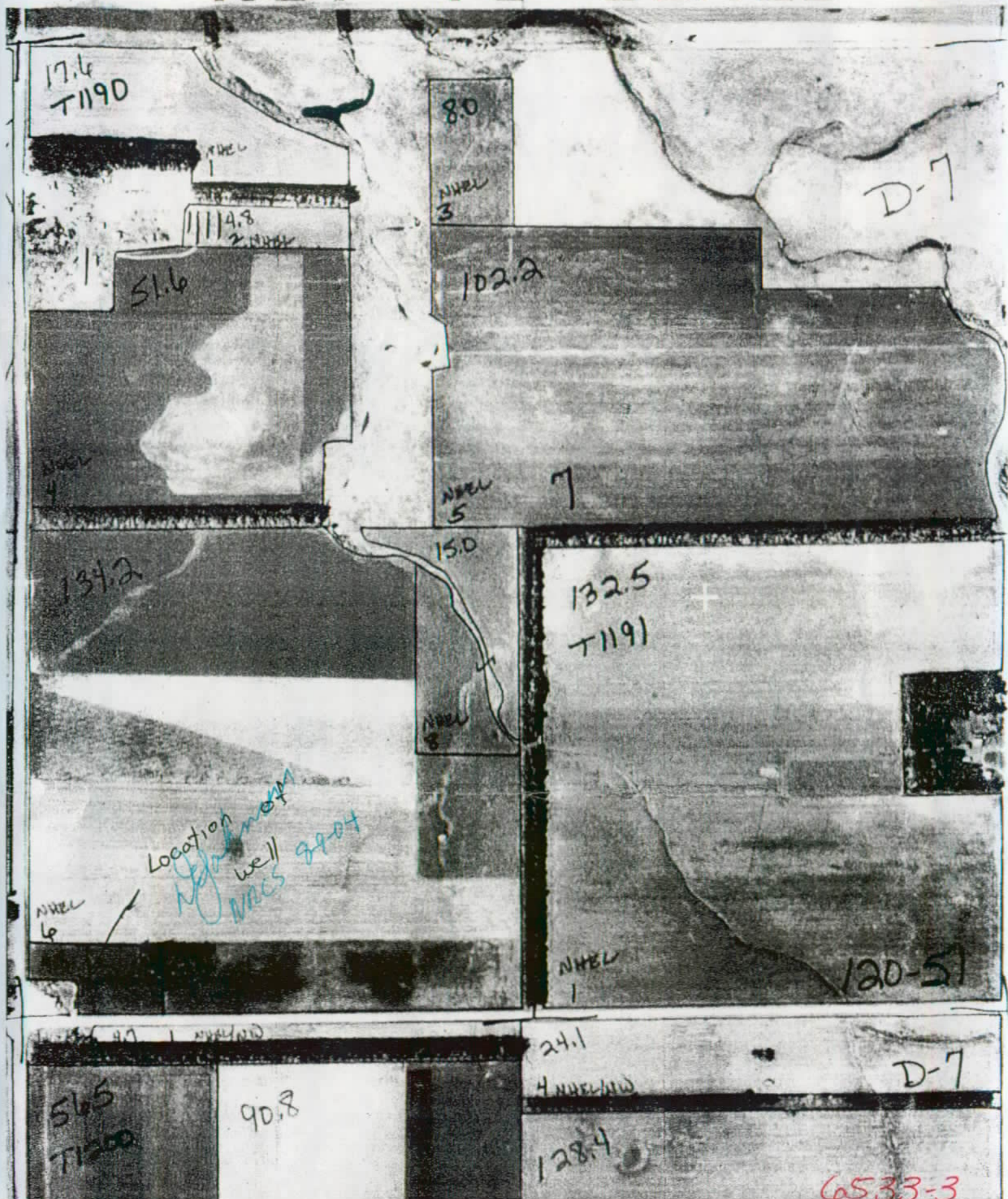
No.

000836

By

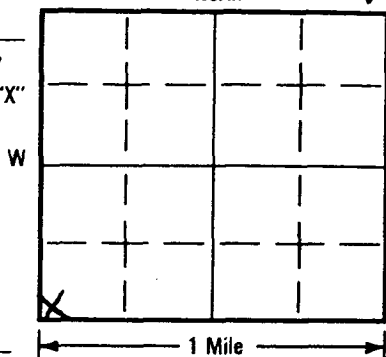
Darland E. White
Chief Engineer *gm*

NOT TO SCALE



SOUTH KOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 SW 1/4 Sec 7 Twp 120 R 51
County GRANT
Please mark well location with an "X"

Well Completion Date

12-20-2003

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 100 ft. from Septic field (Identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

ROTARY

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200 LB/FT</u>	<u>5" IN</u>	<u>0 FT</u>	<u>205 FT</u>	<u>8 1/2" 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>Wyd-B-B Step</u>	<u>8</u>	_____ lb./gal	<u>0</u> ft.	<u>210</u> ft.
<u>Upper of Next Cement</u>	<u>2</u>	_____ lb./gal	<u>6</u> ft.	<u>20</u> ft.

Describe grouting procedure _____

Pre-mixed pressure grout 1" steel lineSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5" IN Length _____ FEETMaterial PVCSlot Size .030 Set From 205 Feet to 215 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

Pierrie
EDW B001555
TO RETEST BACT.
NITRATE OK.
Well Owner: Redlin LodgeBusiness Name: % FRANK RedlinAddress: RR 1 Box 30ASummit SD 57266

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>TOPSOIL (BLACK)</u>	<u>0</u>	<u>1</u>
<u>yellow clay</u>	<u>1</u>	<u>20</u>
<u>Silt + clays</u>	<u>20</u>	<u>90</u>
<u>clay + silt</u>	<u>90</u>	<u>120</u>
<u>clay + silty sand lenses</u>	<u>120</u>	<u>150</u>
<u>Blue clay</u>	<u>150</u>	<u>180</u>
<u>Blue clay gray clay</u>	<u>180</u>	<u>195</u>
<u>mixed</u>	<u>195</u>	<u>205</u>
<u>BEST SAND</u>	<u>205</u>	<u>215</u>

STATIC WATER LEVEL

60'

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:

☒ PumpedDescribe: AIR☐ Bailed☐ Other

Pumping Level Below Land Surface

120 ft. After 2 Hrs. pumped50

GPM

_____ ft. After _____ Hrs. pumped

GPM

If pump installed, pump rate

25 series Borden

GPM

REMARKS

120' Borden pump RECEIVED

MAR 23 2004

WATER RIGHTS

PROGRAM

This well was drilled under license # _____

And this report is true and accurate.

Drilling firm

Weber Well Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Wally RedlinBy JWDate: 12-20-0312-20-2003

3.25.03



DEPARTMENT OF HEALTH

ADMINISTRATION

Public Health Laboratory

615 East Fourth Street
Pierre, South Dakota 57501-1700
(605) 773-3368 FAX: (605) 773-6129
www.state.sd.us/doh/lab/index.htm

* Page 1 of 1*

Date: 3/3/2004

Submitter copy to:

WIEBER WELL DRILLING-101799
134 WILEY AVENUE N
BOX 157
LIDGERWOOD, ND 58053

Spec #: E04WB001555

Subm #:

Lab: ENV CHEMISTRY

Tel #: (605) 773-3368

Source

REDLIN LODGE

Date Rcvd: 2/10/2004

Time Rcvd: 0800

Date Coll: 2/9/2004

Time Coll: 1530

Spec Type: WATER

Coll Site: WELL

Coll By: HERB

Miles S: 9

Miles W: 2

Supply Type: PRIVATE

Sample Purpose: ROUTINE

Final Results

Sulfate

141 mg/L

Sodium

17.6 mg/L

Conductivity

924 umho/cm

T. Coliform-5 Tube MPN

Bacteriologically unsafe for drinking or washing uncooked foods.

Nitrate

<0.1 mg/L

Limit: 10.0

NITRATE RESULT: SAFE AT TIME OF SAMPLING.



October 2, 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Redlin Farms
Frank Redlin
PO Box 871
Summit SD 57266

Dear Mr. Redlin:

Thank you for submitting the *Application for a Permit to Appropriate Water Within the State of South Dakota*. In order to complete the application the following is required.

Enclosed is the map submitted with the application. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).

Please submit a well log or test hole log signed by a licensed South Dakota well driller.

Your application also states the water is for use at a lodge. This type of use would be considered a commercial use and not domestic use as indicated on the application.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 31, 2003

Redlin Farms
Frank Redlin
PO Box 871
Summit SD 57266

Dear Mr. Redlin:

On October 1, 2003, you submitted an *Application for Permit to Appropriate Water Within the State of South Dakota* for commercial use at a lodge. You were notified what additional information was required to complete the application. A copy of that letter is enclosed. To date, we have not received the required information.

Obtaining a water permit that accurately reflects your water use ultimately benefits you by protecting your right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352

enclosures



March 10, 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

RECEIVED

AUG 12 2004

**WATER RIGHTS
PROGRAM**

Redlin Farms
Frank Redlin
PO Box 871
Summit SD 57266

Dear Mr. Redlin:

A review of our files indicates several months ago, you submitted an *Application for a Permit to Appropriate Water Within the State of South Dakota* for use at a lodge. As stated our previous letters, in order to complete the application the following is required.

- Enclosed is a copy of the map submitted with the application. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).
- Please submit a well log or test hole log signed by a licensed South Dakota well driller.
- Your application also states the water is for use at a lodge. This type of use would be considered a commercial use and not domestic use as indicated on the application.

Pursuant to South Dakota Laws 46-1-15, 46-5-9, 46-5-10 and 46-1-18, you must have a water permit prior to using water. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

REPORT ON WATER PERMIT NO. 6533-3
For Redlin Farms
September 30, 2004

Application No. 6533-3 proposes to appropriate 0.033 cfs (15 gpm) from one well approximately 215 feet deep located in the SW ¼ SW ¼ of section 7, T120N R51W within the former boundaries of the Sisseton Whapeton Indian Reservation in Grant County. The water is for commercial use at a lodge.

AQUIFER – PRAIRIE COTEAU (PCO)

The Prairie Coteau is a buried outwash (sand and gravel) that is under artesian conditions at this site. The aquifer underlies 760 square miles and contains an estimated 1.5 million acre-feet of water in storage in Grant and Codington Counties (Hansen, 1990). There was a lot of controversy in this area in the mid to late 1970's with the development of irrigation from the Prairie Coteau aquifer. Since that time however, the people living there have become used to the fluctuation in the water levels. The observation well hydrographs provided with this report illustrate this phenomena.

The driller's log filed with the application indicates sand beginning about 195 feet below land surface and continued to a depth of 215 feet. The completed well had a static water level of about 60 feet below land surface and was capable of producing 50 gpm with a 120 feet pumping level. Although the sand and gravel in this well log appears to be deeper than the observation wells it would seem likely that this is the same water source. The water levels appear to match better than the well depths.

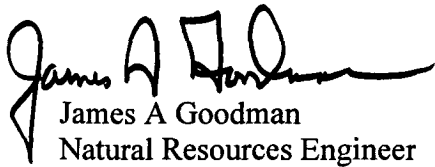
The Water Rights Program monitors three observation wells completed into the Prairie Coteau aquifer and within three miles of this application. Water levels for these wells show remarkable similarity. GT-76C is located about one mile north of this application and GT-77A is located about one and one-quarter miles south of this application. Hydrographs for both of these observation wells are included with this report (Water Rights, 2004). Note that irrigation pumping can cause a fluctuation of as much as 40 feet in this area.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest permitted user is located about three-quarters mile to the northwest and is an irrigation well authorized by Water Right No. 3503-3. Interference is not a concern. Pumping for this facility at a rate of 25 gpm will not create noticeable drawdown on the aquifer. The reverse however is likely. During the irrigation season, the pump in this well may have to be lowered in order to maintain the amount of water needed. The log indicates that the pump was installed at a depth of 120 feet below land surface. This depth should be sufficient to maintain water for this permit based upon historical water level records. But it still may be necessary at some later date to lower this pump as conditions in the aquifer change.

CONCLUSIONS

1. Water is available from the Prairie Coteau aquifer.
2. The aquifer is confined and under artesian conditions. The record indicates that water levels do fluctuate in response to irrigation withdrawals in the area. This application will not create adverse impacts on any existing user. Approval of this 25 gpm application is not significant.
3. The well authorized by this application has already been completed and is constructed in accordance with SD Well Construction Standards.
4. The water level record indicates that the aquifer does recharge and responds to climatic conditions and is capable of sustaining additional withdrawals.



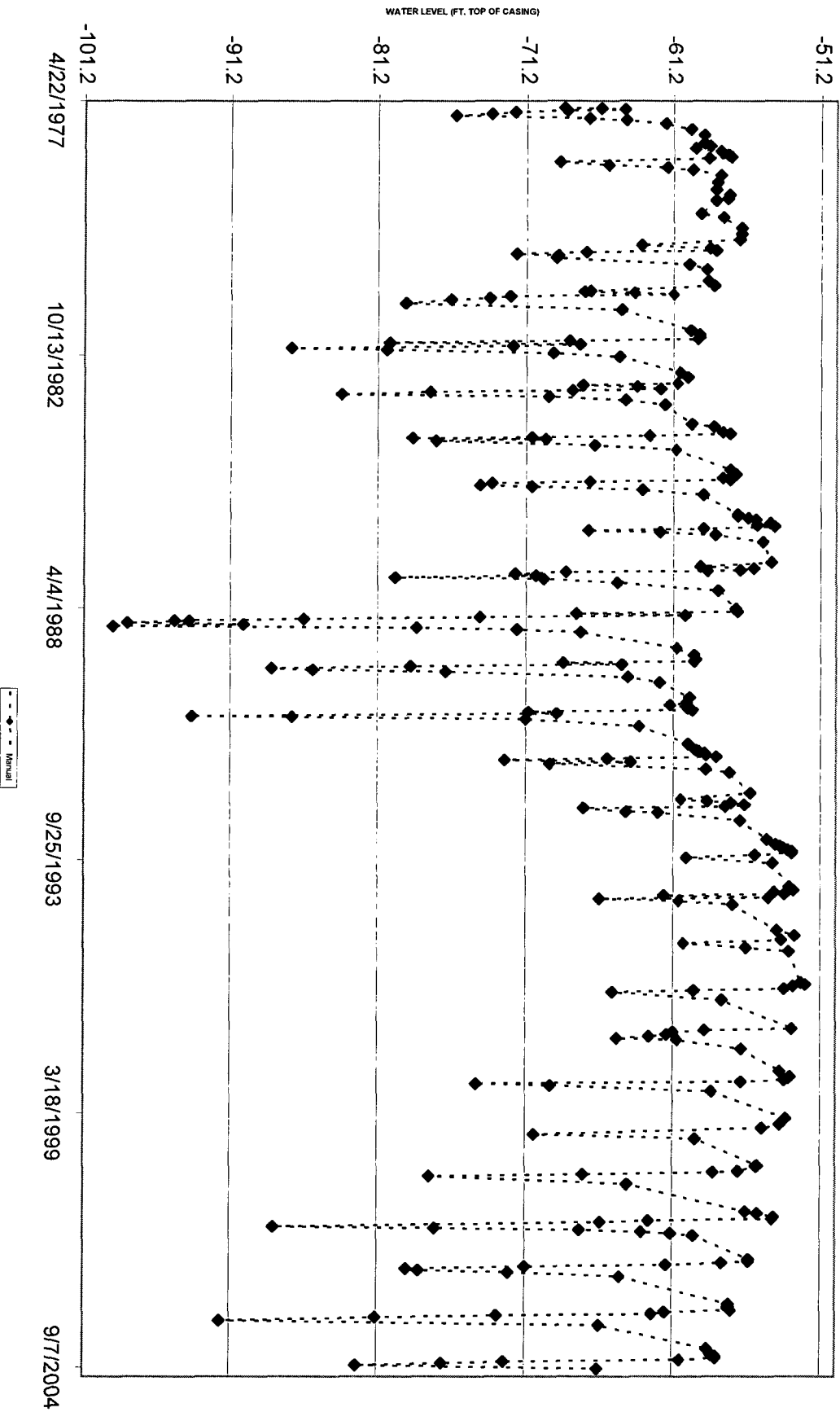
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hansen, D.S., 1990, Water Resources of Codington and Grant Counties, South Dakota, Water-Resources Investigations Report 89-4147, USGS, Huron, SD, 57350.

Water Rights, 2004, Unpublished Observation Well Data for Grant and Codington Counties, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
GT-76C



WATER LEVEL (FT. TOP OF CASING)

6/4/1977 11/25/1982 5/17/1988 11/7/1993 4/30/1999 10/20/2004

Legend: Manual

Manual



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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. 6533-3, Redlin Farms**

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. 6533-3, Redlin Farms, PO Box 871, Summit SD 57266.

The Chief Engineer is recommending APPROVAL of Application No. 6533-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualification:

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 18, 2004

Printer's Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF GRANT

} ss.

Holli Seehafer

of said County and State, being first duly sworn, on oath says that the Grant County Review is a legal weekly newspaper of general circulation, printed and published in Milbank, in said County of Grant and State of South Dakota, by Phyllis Justice, and has been such newspaper during the times hereinafter mentioned; that said newspaper is a legal newspaper; and that it has a bona fide circulation of more than two hundred copies weekly, and has been published within said County of Grant in the English language and has been admitted to the United States mail under second class mailing privilege, for at least one year next prior to the publication of the Notice herein mentioned, and has been printed wholly in an office maintained at the said place of publication, that I, the undersigned, Advertising Manager of said newspaper, in charge of the advertising department thereof, have personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice of

Application No. 6533-3 to appropriate
Water

a printed copy of

which, taken from the paper in which the same was published, is attached to this sheet and is made a part of this Affidavit, was published in said newspaper at least once each week for two successive weeks, on the day of each week on which the said newspaper was regularly published, to-wit:

<u>October 27 20 04</u>	<u>20</u>
<u>November 3 20 04</u>	<u>20</u>
<u>20</u>	<u>20</u>

That \$ 41.09, being the full amount of the fee charged for the publication of said Notice, inures to the benefit of the publisher of the Grant County Review; that no agreement or understanding for the division thereof has been made with any person, and that no part has been agreed to be paid to any person whomsoever.

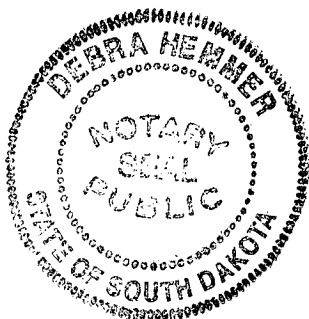
Holli Seehafer

Subscribed and sworn to before me 3rd this day of Nov 20 04

Debra L Hemmer

Notary Public, Grant County, South Dakota

DEBRA HEMMER
Notary Public, GRANT COUNTY, S. DAK.
My Commission Expires OCT 27, 2009



RECEIVED

NOV 05 2004

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION NO. 6533-3 to Appropriate Water

Notice is given that Redlin Farms, c/o Frank Redlin, PO Box 871, Summit, SD 57266 has filed an application for a water permit to appropriate 0.033 cubic feet of water per second (15 gallons per minute) from one well to be completed into the Prairie Coteau Aquifer (approximately 215 feet deep) located in the SW 1/4 SW 1/4 Section 7-T120N-R51W (Within former boundaries of Sisseton Wahpeton Indian Reservation). The water is for commercial use at a lodge.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6533-3 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 the 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 November 15, 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'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, Department of Environment and Natural Resources.

Oct. 27

Nov. 3

Publication Fee \$ 41.09
Notarial Fee \$
Total \$ 41.09



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.

October 19, 2004

Redlin Farms
% Frank Redlin
PO Box 871
Summit SD 57266

Dear Mr. Redlin:

Water Permit Application No. 6533-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Grant Co. Review printed at Milbank, SD (Ph # 605-432-0390). 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 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

October 19, 2004

Grant Co. Review
PO Box 390
Milbank SD 57252-0390

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6533-3 to Appropriate Water to be published twice. Please publish the first notice on October 27, 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 Redlin Farms, % Frank Redlin, PO Box 871, Summit (Ph # 605-886-7177).

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. 6533-3

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

Date _____

We are in receipt of your letter of October 19, 2004 enclosing Notice to Appropriate Water by Application No. 6533-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on October 27, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6533-3 to Appropriate Water

Notice is given that Redlin Farms, c/o Frank Redlin, PO Box 871, Summit SD 57266 has filed an application for a water permit to appropriate 0.033 cubic feet of water per second (15 gallons per minute) from one well to be completed into the Prairie Coteau Aquifer (approximately 215 feet deep) located in the SW ¼ SW ¼ Section 7-T120N-R51W (Within former boundaries of Sisseton Whapeton Indian Reservation). The water is for commercial use at a lodge.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6533-3 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 November 15, 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 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, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 07 2004

Redlin Farms
% Wallace Redlin
PO Box 871
Summit SD 57266

Dear Mr. Wallace:

Enclosed is Water Permit No. 6533-3 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

Permit No. 6533-3
Big Sioux River - Water District

Contact Person & Address: **Sally Bisgard, 15196 455th Ave, Summit SD 57266. Telephone 605-866-6144**

Report of Examination of Works

On, **June 16, 2017**, I made a thorough examination of the water use system constructed by **Redlin Farms** holder of Permit No. **6533-3**, bearing the priority of **August 12, 2004** authorizing the diversion of **0.033** cu. ft. per second of the waters of **ground water (Prairie Coteau Aquifer)** for **commercial** purposes, in **Grant** County.

Note: The new owner is **Bittersweet Lodge, attn: Sally Bisgard, 15196 455th Ave, Summit SD 57266.**

The system is in the following condition **good**. The point of diversion is located **From the SW corner of Sec 7 T120N R51W (res) 190 feet east and 95 feet north** with latitude of **45.18091** and a longitude of **-97.10219** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **0.033** cu. ft. per second of water which is to be used for **commercial use**. Water has been put to beneficial use to the maximum extent and the license should be issued for **0.033** cfs.

Review of Permit Qualifications and Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- 1) Well Drilling Firm: **Wieber** 2) No. of Wells **1** 3) Depth(s) **215** feet 4) Well log is available **yes**

Casing:

- 1) Diameter **5** inches 2) Length **210** feet 3) Type **PVC**

Screen:

- 1) Type **PVC** 2) Length **5** feet 3) Static water level **60** feet

Pump:

- 1) Make **Franklin** 2) Model **submersible** 3) Size **4** 4) Capacity **15** GPM

Motor:

- 1) Make **Franklin** 2) Model No. **submersible** 3) Horsepower rating **3** hp

DISTRIBUTION LINES OR CANALS:

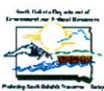
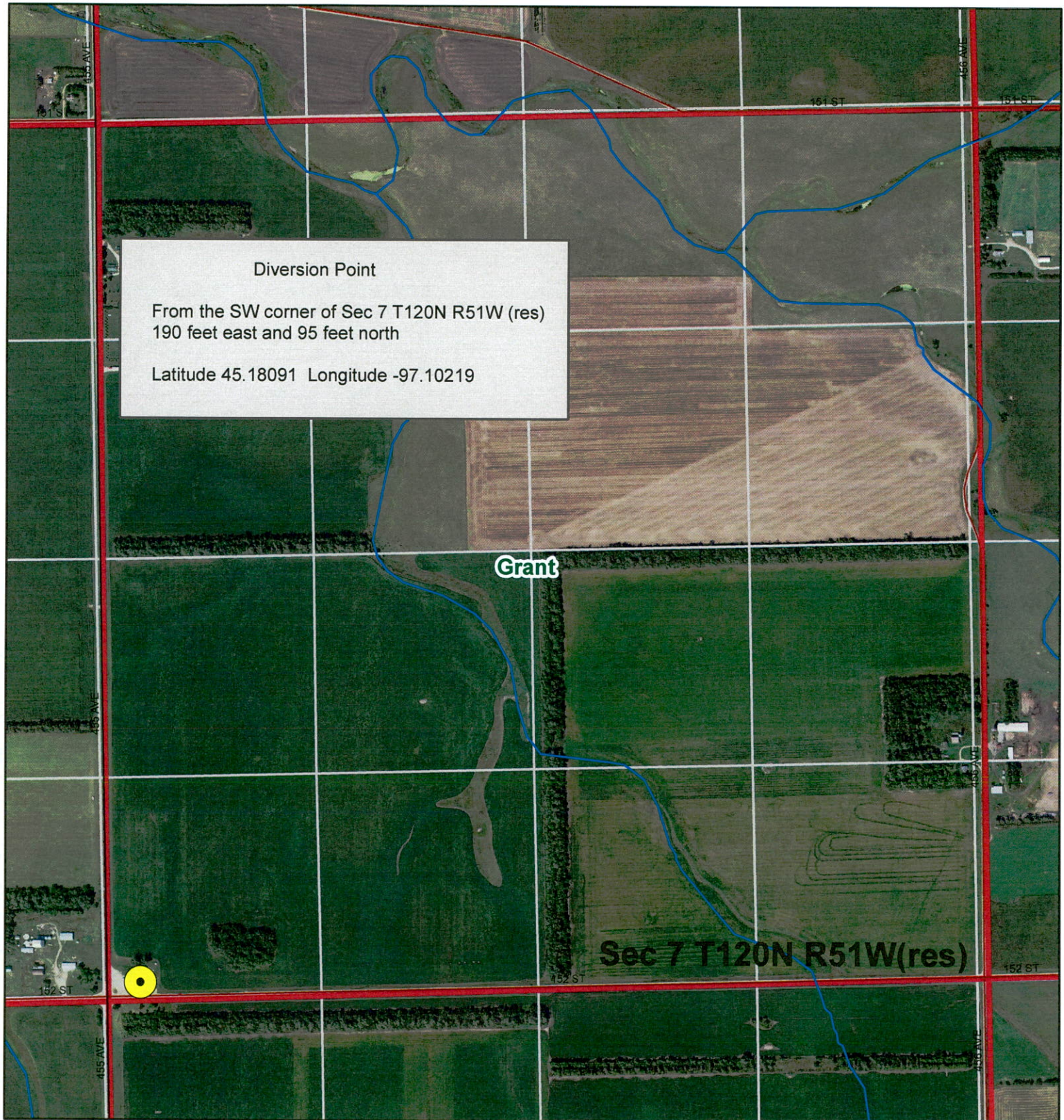
- 1) Type **Plastic** 2) Size **1.5** inches

Comments: **none**



June 2, 2017

Mark D. Rath
Natural Resources Engineer III
DENR, Water Rights Program



0 275 550 1,100 1,650 2,200 2,750 Feet

Mark D. Rath

Mark D. Rath
Natural Resources Engineer
SD DENR -Water Rights Program

June 1, 2017



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 21, 2017

6533-3

Sally Bisgard
Bittersweet Lodge
15196 455th Ave
Summit SD 57266

Dear Ms. Bisgard:

Recently, a staff engineer with our program met with you as part of a licensing investigation of Water Permit No. 6533-3. It is our understanding you have purchased the property from Redlin Farms. Prior to licensing, the water permit should be transferred to reflect current ownership.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Once the ownership change has been filed, the water license can be processed. If you have any questions, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 28, 2017

SECOND NOTICE
6533-3

Sally Bisgard
Bittersweet Lodge
15196 455th Ave
Summit SD 57266

Dear Ms. Bisgard:

In June, a staff engineer with our program met with you as part of a licensing investigation of Water Permit No. 6533-3, listed in the name of Redlin Farms. Prior to licensing, the water permit needs to be transferred to reflect current ownership. A transfer form was sent to you June 21st for changing ownership of the water right. To date, we have not received anything back from you.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Once the ownership change has been filed, the water license can be processed. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date October 10, 2007

RECEIVED OF Joel & Sally Biscard 15196 455th Avenue Summit 57266

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ 6533-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **08353**

By

Jeannie Goodman
Chief Engineer *lyn*

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 6533-3
Date: _____

I/We request that Water Permit No. 6533-3

formerly owned by: Redlin Farms

be transferred to: (name & address) Joel or Sally Bigard dba Bitter Sweet Lodge
15196 455th Ave, Summit, SD 57266
Telephone No. 886-6144

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

well located in the SW ¼ SW ¼ Section 7, T120N, R51W (within boundaries of reservation)

I/We understand that the validity of Water Permit No. 6533-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Joel or Sally Bigard, the new owner, certify that the above information is true and correct.

Sally Bigard
(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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

OCT 12 2017

6533-3

Joel or Sally Bisgard
Bitter Sweet Lodge
15196 455th Ave
Summit SD 57266

Dear Mr. & Mrs. Bisgard:

Enclosed is Water License No. 6533-3. 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 in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

A handwritten signature in cursive script that reads 'Jeanne Goodman'.

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6533-3

(1) Redlin Farms, Summit SD 57266 made Application No. 6533-3, October 1, 2003 for a water permit to divert 0.033 cubic feet of water per second from ground water, one well (Prairie Coteau Aquifer), Grant County, South Dakota for commercial purposes. Permit No. 6533-3, with a priority date of August 12, 2004 was approved November 15, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 15, 2009 and for the application to beneficial use of water on or before November 15, 2013.

Water Permit No. 6533-3 was transferred October 10, 2017 from Redlin Farms to Joel or Sally Bisgard, dba Bitter Sweet Lodge, 15196 455th Ave., Summit SD 57266.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the water supply system and are entitled to divert 0.033 cubic feet of water per second for beneficial use. The diversion point is located:

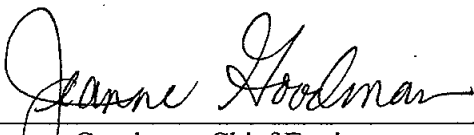
- in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, 190'E and 95'N of the SW corner of Section 7, T120N, R51W (res)
(Latitude 45.18091 and Longitude -97.10219)

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Joel or Sally Bisgard, dba Bitter Sweet Lodge, 15196 455th Ave., Summit SD 57266 the holders and/or owners of Water Right No. 6533-3 are issued a license to appropriate water, the right to use 0.033 cubic feet of water per second from ground water, one well (Prairie Coteau Aquifer) with a priority date of August 12, 2004 from the location specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6533-3 and subject to the following qualification:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.



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

OCT 12 2017
date

