

WATER PERMIT NO. 6550-3

Name of Applicant: Wayne or Jerad Simon

Address: 32461 146th St, Tolstoy SD 57475

Phone: 605 442-2550

Amount of Water Claimed: 3.78 cfs

Total Acres: 264 acres

Source of Water Supply: groundwater (6 wells)

Water to be used for: irrigation

County: Walworth

Type of Waste Disposal System:

Location: 4 miles north of Hoven

PRIORITY Date Received: 11-15-04

Application/License Fee: \$350

Corrected Application Received: 11-29-04

Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: SW ¼ Sec 14 and SE ¼ Sec 15;
all in T121N-R74W

Land to be Irrigated: SW ¼ Sec 14 and SE ¼ Sec
15; all in T121N-R74W

Depth of Well: 40 - 45 feet deep

Well Driller: : K & K Well Drilling

Remarks:

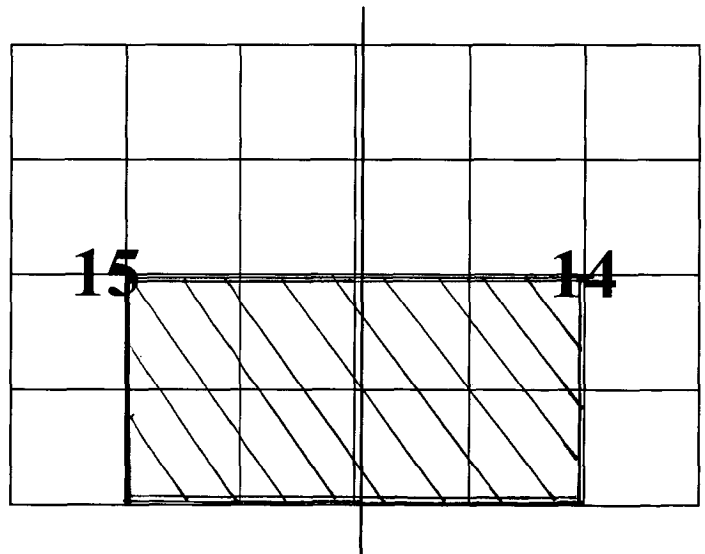
Type of Map: aerial

Prepared by: Wayne Stuwe

Reviewed and the Number Assigned on: 11-29-04

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>6550-3</u>	Hydrologic Unit <u>10130105</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Selby Record</u>	

RECEIVED
NOV 15 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 Wayne or Jerad Simon Phone 605-442-2550
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 32461 146th St. Tolstoy State S.D. 57475
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 3.78 *CFS or 1700 **GPM ***AF Total Acreage 264
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply ground water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 3 wells in SW1/4 of Sec 14-121-74 - 3 wells in SE1/4 of Sec 15-121-74
County Walworth
- County or counties where water will be used Walworth
- Annual period during which water is to be used April 1st thru Oct. 31
- 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>SW1/4 Sec 14-121-74</u>	<u>132</u>		
<u>SE1/4 Sec 15-121-74</u>	<u>132</u>		

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

irrigation of 2 center pivots.

STATE OF SOUTH DAKOTA) SS

County of Potter)

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, Jerad Simon, 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 Jerad Simon

Subscribed and sworn to before me this 13th day of November, 2004

W. A. Rader

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6550-3**

Date of first receipt of application November 15, 2004.

Date of return to applicant for corrections, amendments or changes November 15, 2004.

Date of receipt of corrected application November 29, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6550-3 to Wayne or Jerad Simon, 32461 146th St, Tolstoy SD 57475 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. 6550-3 appropriates 3.78 cubic feet of water per second from six wells to be completed into the Bowdle Hoven North Aquifer (approximately 40-50 feet deep) located in the SW ¼ Section 14 and SE ¼ Section 15 to irrigate 264 acres located in the SW ¼ Section 14 and SE ¼ Section 15; all in T121N-R74W.
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 31.
3. The date from which applicant may claim right is November 15, 2004.
4. The date of approval of Permit No. 6550-3 is January 31, 2005.
5. One-fifth of the construction is to be completed on or before July 31, 2007.
6. All construction is to be completed on or before January 31, 2010.
7. Water is to be put to beneficial use on or before January 31, 2014.
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 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 wells authorized by Permit No. 6550-3 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. The wells authorized by Permit No. 6550-3 must be located at least 1,320 feet from the existing wells on neighboring property.
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

FEB 22 2005

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

screen thickness 10-20 ft.

- a) Drill Hole Diameter 13" Depth 40-45'
- b) Casing Type PVC Diameter 8 Thickness SDR-21
- c) Screen Type slotted pipe Diameter 8 Thickness SDR-21
- d) Gravel Pack Bismark Northern Improvement Length of Gravel Pack 10-20'
- e) Depth to Top of Water Bearing Material 15-25'
- f) Depth to Water (ground surface to water level) 15-25'
- g) Distance to nearest existing domestic well:

On applicants property N/AOn property owned by others 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 _____

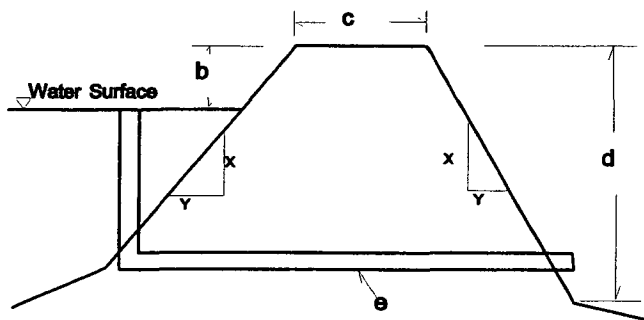
3. Dugout Information

- 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

07-92

Signature of Well Owner or Equitable Property Holder:

87-92

Signature of Well Owner or Exemptible Property Holder:

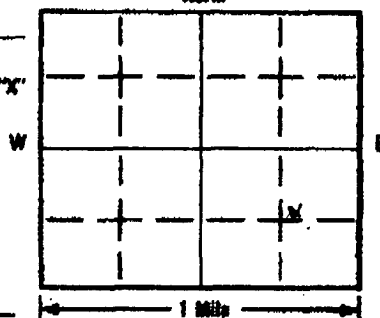
SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NE 1/4 SE 1/4 Sec 15 Twp 131 Rg 74
 County Walworth
Spartanburg
 North

Please mark well location with an "X"

NO-1
400 E of center
 Well Completion Date



LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1 mi. ft. from unknown (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

direct rotaryCASING DATA: ☐ Steel ☐ Plastic ☐ OtherIf other describe none

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	Feet	To
____	<u>1</u>	<u>beatenite</u> lb./gal	<u>6</u> ft.	<u>8</u> ft.
____	____	____ lb./gal	____ ft.	____ ft.

Describe grouting procedure beatenite - 48' - sack ground 9'
clay 18' - 5'

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ 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

Well Owner: Wayne Simon

Business Name: _____

Address: Haven 5D

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>gravel brown oxidized</u>	<u>0</u>	<u>26</u>
<u>gravel clark</u>	<u>26</u>	<u>37</u>
<u>clay lens - gray tal</u>	<u>37</u>	<u>40</u>
<u>gravel -</u>	<u>40</u>	<u>43</u>

STATIC WATER LEVEL est - 18 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

____ ft. After _____ Hrs. pumped _____ GPM

____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 432

And this report is true and accurate.

Drilling firm 24K Well Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

SOUTH DAKOTA WATER WELL COMPLETION REPORT

87-92

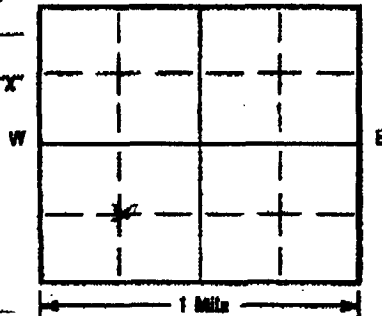
Location 1/4 SW 1/4 Sec 15 Twp 22N Rg 24
 County Walworth Center North

Please mark well location with an "X"

MD-3
center

Well Completion Date

NOV 8/04



Well Owner: Wayne Simon
 Business Name:
 Address: Novan, S-D,

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
gravel - brown	0	12
gravel - dark coarse	12	27
gravel - dark finer	27	43

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 1/2 mi. ft. from unknown (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Forward rotary

CASING DATA: ☐ Steel ☐ Plastic ☐ OtherIf other describe N/A

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
18/FT	IN	NOT CASED	FT	IN
18/FT	IN	FT	FT	IN
18/FT	IN	FT	FT	IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
		lb./gal	ft	ft
		lb./gal	ft	ft

Describe grouting procedure natural fill to 18' - clay fill to 5', sack formed to 3'

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ 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?

____ VCO, How

____ NO, Why Not?

laboratory sent to for water
 quality analysis

STATIC WATER LEVEL ? 18 Meters 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

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 432

And this report is true and accurate

Drilling firm Rock Well Drilling

Signature of License Representative:

Wayne Simon

Signature of Well Owner or Equitable Property Holder

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 SW 1/4 Sec 14 Twp 212 Rg 74
County WALWORTH North

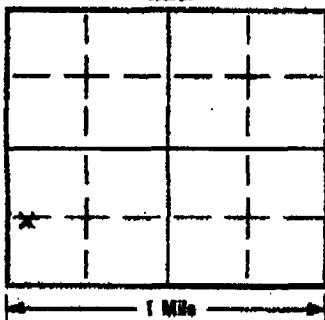
Please mark well location with an "X"

MO. 2 -

1100' E of Center.

Well Completion Date

4/8/04



LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well,

feed lot, etc.)? 1/2 mi. ft. from unknown (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Forward

CASING DATA: ☐ Steel ☐ Plastic ☐ OtherIf other describe ACME

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
____	____	____ lb./gal	____ ft.	____ ft.
____	____	____ lb./gal	____ ft.	____ ft.

Describe grouting procedure natural fill to 18' - clay to 5'
sack of mud to 3'SCREEN: ☐ Perforated pipe ☐ Manufactured NOTE

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ 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 _____Well Owner: Wayne Simon

Business Name: _____

Address: Huron, S.D.

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
gravel - brown	0	20
gravel - dark -	20	31
sil - gray	31	35
gravel - fine	35	48

STATIC WATER LEVEL 18' 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: _____☐ Sealed _____☐ 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 # 432

And this report is true and accurate.

Drilling firm K&K Well Drilling

Signature of License Representative:

Way Simon

Signature of Well Owner or Equitable Property Holder:

87-92

Signature of Well Owner or Equitable Property Holder:

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 29, 20 04

RECEIVED OF Wayne Simon, 32461 146th St., Tolstoy SD 57475-7411

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

Fee for Application for Permit No. <u>6550-3</u> to Appropriate Water, to construct and to put water to beneficial use	300	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>6550-3</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	350.00

No. 000013

By

David E. Eide

Chief Engineer

gm

Wayne Stuiwe
#759

2003 MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP.

L2

Transferred
to
Potter County

Transferred
to
Potter County

15

T1385

T1174

NHEL
1560

121-74

NHEL
154.4

6550-3

Walworth

T1254

T1175

L1

NHEL
5 33.0

NHEL
2 26.1

NHEL
5 154.0

14 NHEL
6 15.3

T1173

14-121-74

w. wheat

NHEL
3 77.4

NHEL
1 156.7

NHEL
4 76.8

121-74



November 15, 2004

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Wayne or Jerad Simon
32461 146th St
Tolstoy SD 57475

Dear Sirs:

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

- The application filing fee will be \$350.00.
- Please submit a well log or test hole log signed by a licensed South Dakota well driller.

If you have any questions, please contact me.

Sincerely,

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

REPORT ON WATER PERMIT APPLICATION NO. 6550-3
For Wayne or Jerad Simon
December 15, 2004

Application No. 6550-3 proposes to appropriate 3.78 cfs (1700 gpm) from six wells approximately 50 feet deep located in the SW ¼ of section 14 and the SE ¼ of section 15 to irrigate 264 acres located in the SW ¼ of section 14 and the SE ¼ of section 15; all in T121N R74W in Walworth County.

AQUIFER – BOWDLE HOVEN NORTH (B-HN)

The Bowdle aquifer consists of a surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer extends into Edmunds County to the east and into Potter County to the south. The Bowdle aquifer underlies 20,400 acres (32 square miles) and contains an estimated 60,000 acre-feet of water in storage in Walworth County (Kume, 1987). The Bowdle Hoven North aquifer underlies 10,900 acres and contains an estimated 24,000 acre-feet of recoverable water in storage in Walworth County (Hedges, 1982). The Bowdle Hoven North is roughly equivalent to the southern one-half of the Bowdle aquifer as mapped in the Kume report. Ground water movement is from northeast to southwest across the area of this application (Kume, 1987).

Six test wells were drilled for this application. The thickest part of the aquifer appears to be in section 14. The three test holes in the SW ¼ of 14 indicated gravel thicknesses of 40, 43 and 45 feet with an estimated static water level of about 18 feet below land surface. The test well logs in the SE ¼ of section 15 indicate gravel thicknesses of 28, 31 and 40 feet with a static water level of about 18 feet below land surface. It appears that the aquifer thickens to the east. Because of the aquifer is relatively thin there is the likelihood that it may require three or more wells to obtain sufficient water to operate a full size center pivot system.

Recharge to the aquifer has been estimated to be about 2.2 inches per year (Hedges, 1983). This equates to a volume of about 2,000 acre-feet annually. Reported irrigation use for this portion of the aquifer was 624 acre-feet in 2002 and 787 acre-feet in 2003. The report for 2003 appears to be significantly over reported. This permit application plus three recently issued permits since October of 2003 would authorize an additional four quarters (probably center pivots) of irrigation. Based upon water use records for this area it appears about 18 inches would be a good estimate for water use in a dry year. This would equate to about 960 acre-feet of annual water use for four new quarters (two for this application and one each for water permit Nos. 6467-3 and 6523-3). Water use could approach 1,600 acre-feet annually with full development of the new applications combined with the existing rights. These estimates indicate that the aquifer should be capable of sustaining additional development.

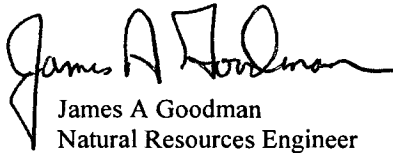
The Water Rights Program monitors four observation wells completed into the Bowdle Hoven North aquifer and within three miles of this application. Three of these observation wells WL-58B, WL-75V and WL-75W are located within one mile of this application. Hydrographs for these observation wells show good 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, 2001). Hydrographs for these three observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are three existing water permits/rights located within one mile of this application. Water Right No. 2719-3 is located in the NE ¼ of section 22, T121N R74W. The wells for this application must be located at least 1,320 feet from an existing well under this right. If the proposed wells are located near the test well sites then the new wells would be about one half mile from those existing wells. Water Permit Nos. 6467-3 and 6523-3 are located in the SW ¼ of section 15 and the NW ¼ of section 22 respectively. The proposed wells for these applications were not specified and can be located anywhere within the advertised area. The only condition was that under No. 6523-3 the production wells had to be located a minimum of 1,320 feet from an existing irrigation well. The purpose of this condition was to minimize any potential for interference.

CONCLUSIONS

1. Water is available from the Bowdle Hoven North aquifer. Based upon actual and estimated water use the aquifer is approaching full appropriation.
2. The aquifer is under water table conditions in this area. Pumping should not create significant drawdown. Interference is not expected to be a concern.
3. A spacing requirement of 1,320 feet from existing irrigation wells is a good idea. This spacing will minimize any potential impacts but also may alleviate concerns by adjacent well owners.
4. Because the aquifer is relatively thin, the production wells are expected to be low yield and it may require three production wells to obtain the amount of water necessary to operate a center pivot. Also, the water levels appear to change significantly due to drought. The observation well data indicates a 10 to 12 feet change in water level due to wet and dry years whether pumping occurs or not. In fact, water levels at present are 4 to 6 feet higher than the low readings of the early 1980's. This fact could prove to be significant where production wells are located in areas of little saturated thickness to begin with.
5. The wells authorized by this application must be constructed in accordance with SD Well Construction Standards.

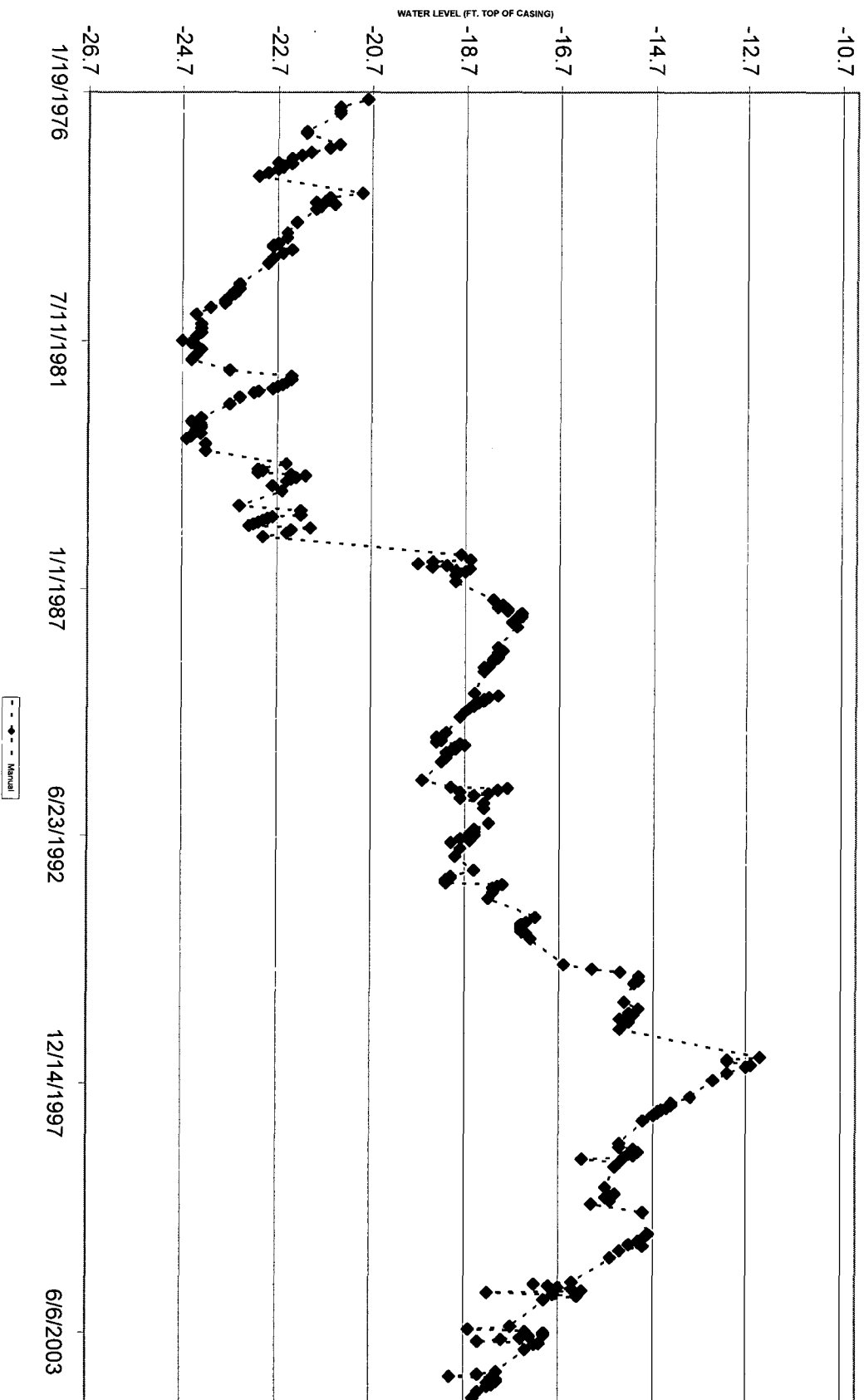


James A Goodman
Natural Resources Engineer

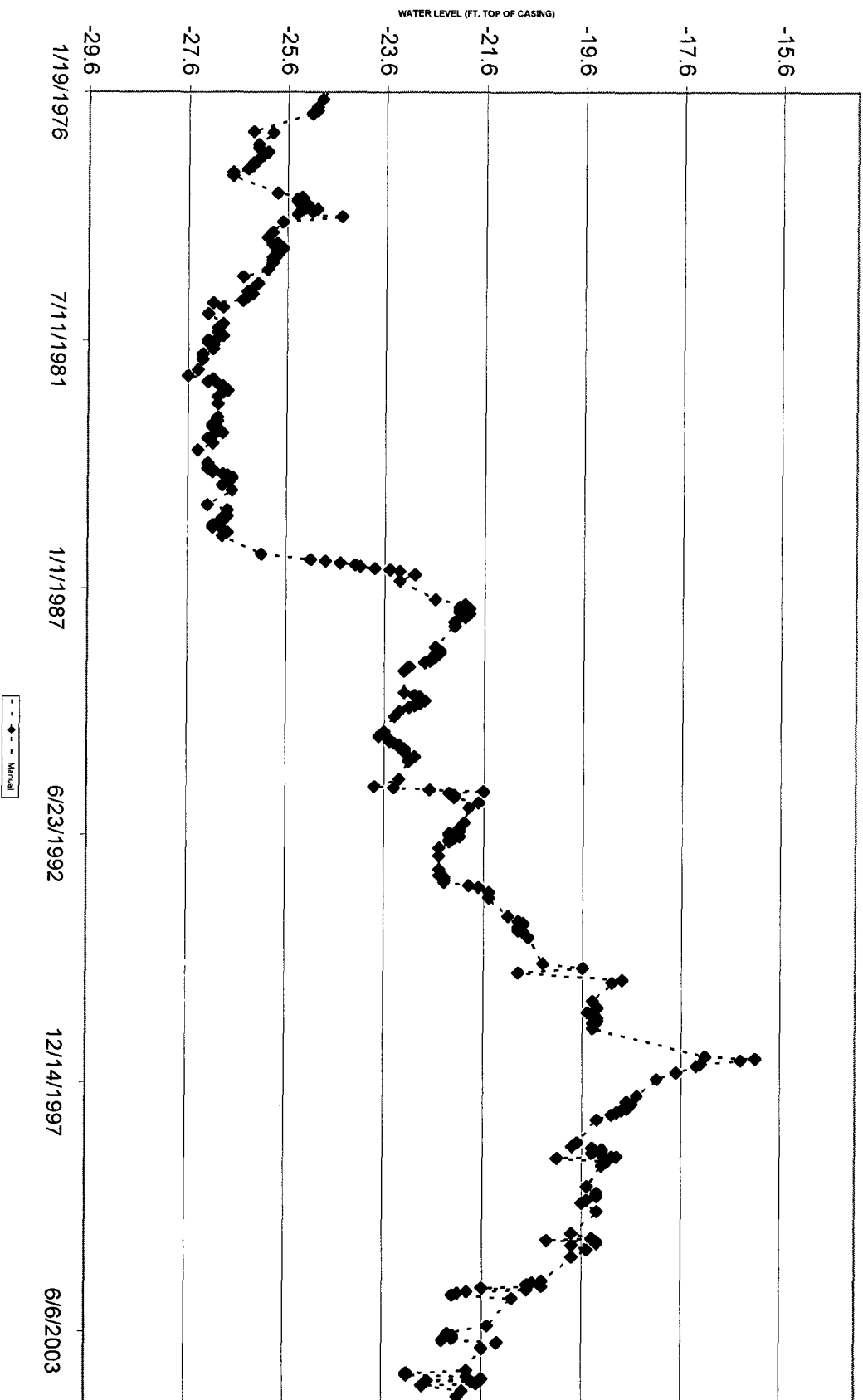
BIBLIOGRAPHY

- Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Hedges, L.S., and others, 1983, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7 Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Kume, J., L. Howells, 1987, Water Resources of Walworth County, South Dakota, Water Resources Investigations Report 85-4015, USGS, Huron, SD, 57350.
- Water Rights, 2004, Unpublished Observation Well Data for Walworth County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

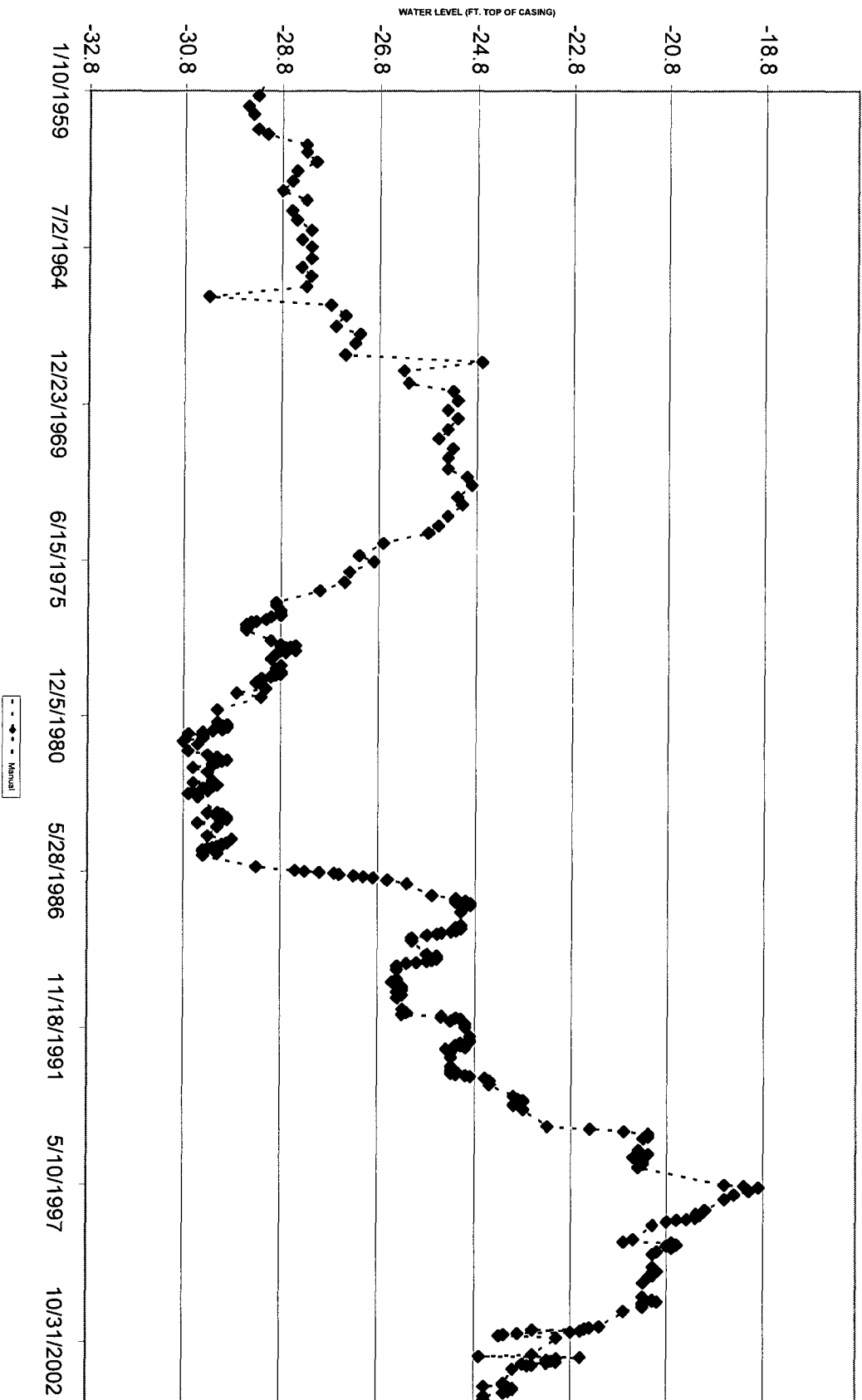
WATER RIGHTS' OBSERVATION WELL
WL-75V



WATER RIGHTS' OBSERVATION WELL
WL-75W



WATER RIGHTS' OBSERVATION WELL
WL-58B





**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. 6550-3, Wayne and Jerad Simon**

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. 6550-3, Wayne and Jerad Simon, 32461 146th Street Tolstoy SD 57475.

The Chief Engineer is recommending APPROVAL of Application No. 6550-3 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 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 wells authorized by Permit No. 6550-3 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. The wells authorized by Permit No. 6550-3 must be located at least 1,320 feet from the existing wells on neighboring property.
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
January 5, 2005



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 6, 2005

Selby Record
PO Box 421
Selby SD 57472-0421

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6550-3 to Appropriate Water to be published twice. Please publish the first notice on January 13, 2005 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 Wayne or Jerad Simon, 32461 146th St, Tolstoy, SD (Ph # 605-442-2550).

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. 6550-3

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

Date _____

We are in receipt of your letter of January 6, 2005 enclosing Notice to Appropriate Water by Application No. 6550-3 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.

January 6, 2005

Wayne or Jerad Simon
32461 146th St
Tolstoy SD 57475

Dear Mr. Simon:

Water Permit Application No. 6550-3 for irrigation 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 Selby Record printed at Selby, SD (Ph # 605-649-7866). 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.

Instruction to Newspaper - Publish first Notice on January 13, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6550-3 to Appropriate Water

Notice is given that Wayne or Jerad Simon, 32461 146th St, Tolstoy SD 57475 have filed an application for a water permit to appropriate 3.78 cubic feet of water per second from six wells to be completed into the Bowdle Hoven North Aquifer (approximately 40-50 feet deep) located in the SW ¼ Section 14 and SE ¼ Section 15 to irrigate 264 acres located in the SW ¼ Section 14 and SE ¼ Section 15; all in T121N-R74W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6550-3 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 January 31, 2005.

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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
 County of Walworth)

I, Sharon Wolff

certify that the attached printed Notice was taken

from the Selby Record

printed and published in Selby

County of Walworth and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

1-13-05

1-20-05

Cost of Printing 32.29

Sharon Wolff
 (Signature)

owner
 (Title)

1-20-05
 (Date Signed)

y Record, Page 9, January 13, 2005

LEGAL NOTICE

NOTICE OF APPLICATION NO. 6550-3 TO APPROPRIATE WATER

Notice is given that Wayne or Jerad Simon, 32461 146th St., Tolstoy SD 57475 have filed an application for a water permit to appropriate 3.78 cubic feet of water per second from six wells to be completed into the Bowdle Hoven North Aquifer (approximately 40-50 feet deep) located in the SW1/4 Section 14 and SE1/4 Section 15 to irrigate 264 acres located in the SW1/4 Section 14 and SE1/4 Section 15; all in T121N-R74W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6550-3 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, 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, 523E Capitol, Pierre SD 57501 (605/773-3352)" and the applicants' mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 31, 2005.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioners' 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.

Published in the Selby Record January 13 and 20, 2005.

RECEIVED

JAN 26 2005

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

FEB 22 2005

Wayne or Jerad Simon
32461 146th St
Tolstoy SD 57475

Dear Mr. Simon:

Enclosed is Water Permit No. 6550-3 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

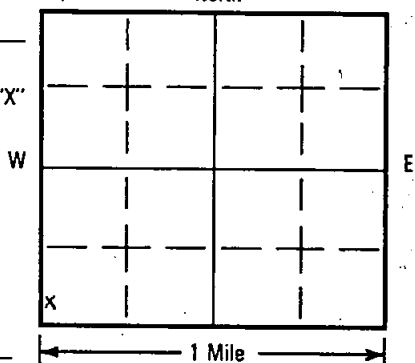
enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 SW 1/4 Sec 14 Twp 131 Rg 74
 County Walworth North

Please mark well location with an "X"



Well Completion Date

9-28-05

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1500 ft. from septic tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1655</u> LB/FT	<u>8</u> IN	<u>0</u> FT	<u>34</u> FT	<u>12 1/4</u> IN
<u>1655</u> LB/FT	<u>8</u> IN	<u>44</u> FT	<u>49</u> FT	<u>12 1/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Bentonite No. of Sacks 3.5 Grout Weight 8.8 lb./gal From 0 ft To 28 ft
 _____ lb./gal _____ ft _____ ft

Describe grouting procedure High Solids Bentonite Grout Pumped from 28' to Surface with 2" Tremie line

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 8 IN Length 10 FEET
 Material PVC
 Slot Size 051 Set From 34 Feet to 44 Feet
 Other information _____

WAS A PACKER OR SEAL USED?

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION:

Was well disinfected upon completion? YES, How: chlorinated water

_____ NO, Why Not? Flushed back

Laboratory sent to for water quality analysis _____

Well Owner: Wayne Simon

Business Name: _____

Address: Hoven, SD

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>1</u>
<u>Yellow sandy clay</u>	<u>2</u>	<u>3</u>
<u>Oxidized sand & gravel</u>	<u>3</u>	<u>27</u>
<u>Sand & Gravel</u>	<u>29</u>	<u>44</u>
<u>clay</u>	<u>44</u>	

STATIC WATER LEVEL 14' 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: Submersible Pump
☐ Bailed
☐ Other

Pumping Level Below Land Surface

31 ft. After 2 Hrs. pumped 200 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

Well #2

This well was drilled under license # 285

And this report is true and accurate.

Drilling firm Manikowski Well Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

RECEIVED

MAR 29 2006

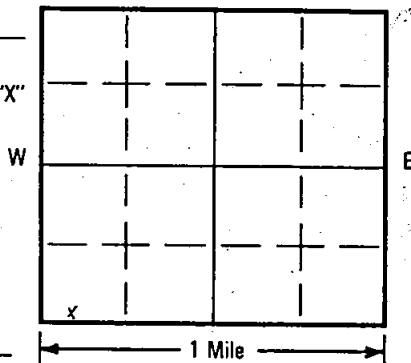
WATER RIGHTS PROGRAM

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 SW 1/4 Sec 14 Twp 121 N Rg 74
 County Walworth North

Please mark well location with an "X"



Well Completion Date

9-29-05

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1200 ft. from septic tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPE WEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>120</u> LB/FT	<u>8</u> IN	<u>0</u> FT	<u>32</u> FT	<u>12 1/4</u> IN
<u>120</u> LB/FT	<u>8</u> IN	<u>42</u> FT	<u>47</u> FT	<u>12 1/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	<u>3.5</u>	<u>8.8</u> lb./gal	<u>0</u> ft	<u>26</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure High Solid Bentonite Grout
Pumped from 26' to surface with 2" Tremie line

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 8 IN Length 10 FEET

Material PVC

Slot Size 1051 Set From 32 Feet to 42 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: chlorinate

_____, NO, Why Not? back with chlorinated water

Laboratory sent to for water quality analysis _____

Well Owner: Wayne Simon

Business Name: _____

Address: 1600 5D

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>3</u>
<u>oxidized sand & gravel</u>	<u>3</u>	<u>27</u>
<u>sand & gravel</u>	<u>27</u>	<u>42</u>
<u>Blue clay</u>	<u>42</u>	

STATIC WATER LEVEL

14' 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: submersible pump

☐ Bailed

☐ Other

Pumping Level Below Land Surface

31 ft. After 4 Hrs. pumped 250 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

well # 3

This well was drilled under license # 285

And this report is true and accurate.

Drilling firm Maniowski Well Drilling

Signature of License Representative:

Dan Maniowski

Signature of Well Owner or Equitable Property Holder:

Date: _____

6550-3

07-92

SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location SE 1/4 SE 1/4 Sec 15 Twp 121 Rg 74
County Walworth

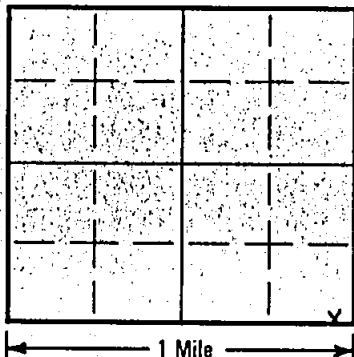
North

Please mark well location with an "X"

W

E

Well Completion Date

6-21-06

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1000 ft. from septic tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>Class 3</u> LB/FT	<u>8</u> IN	<u>41</u> FT	<u>32</u> FT	<u>12 1/4</u> IN
<u>Class 3</u> LB/FT	<u>8</u> IN	<u>42</u> FT	<u>46</u> FT	<u>12 1/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland cement</u>	<u>3</u>	<u>8.8</u> lb./gal	<u>0</u> ft	<u>32</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 8 IN Length 10 FEETMaterial PVCSlot Size 1051 Set From 32 Feet to 42 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: chlorine

____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Wayne Simon

Business Name: _____

Address: 32461 146th
Tulstok, SD 57445

WELL LOG:

DEPTH

FORMATION	FROM	TO
Top Soil	0	1
Yellow clay	1	8
Sand & Gravel	8	12
Oxidized sand	12	27
Medium to Coarse sand	27	42
Blue clay	42	46

STATIC WATER LEVEL 14' 3" 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: submersible pump☐ Bailed☐ Other

Pumping Level Below Land Surface

35 ft. After 2 Hrs. pumped 230 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

well #1 (second power-pole)This well was drilled under license # 285

And this report is true and accurate.

Drilling firm Maniowski Well Drilling, Inc.Signature of License Representative: Raymond Maniowski

RECEIVED

Signature of Well Owner or Equitable Property Holder: Wayne Simon

JUL 20 2006

WATER RIGHTS PROGRAM

Date: 7-11-06

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

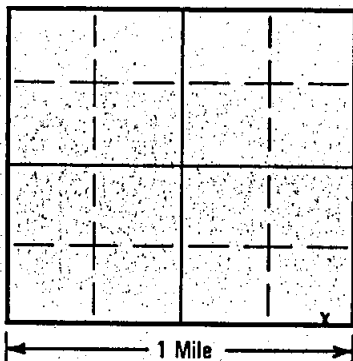
Location SE 1/4 SE 1/4 Sec 15 Twp 121 Rg 74
County Walworth North

Please mark well location with an "X"

W

E

Well Completion Date

6-22-06

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1000 ft. from Septic Tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1055</u> LB/FT	<u>8</u> IN	<u>1</u> FT	<u>33</u> FT	<u>12 1/4</u> IN
<u>1055</u> LB/FT	<u>8</u> IN	<u>43</u> FT	<u>47</u> FT	<u>12 1/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite Grout</u>	<u>3</u>	<u>8.8</u> lb./gal	<u>0</u> ft	<u>22</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Tracelined from 22' to top of holeSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 8 IN Length 10 FEETMaterial PVCSlot Size .051 Set From 33 Feet to 43 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: chlorine☐ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Wayne Simon

Business Name: _____

Address: 32461 146 St
Tolstoy, SD 57475

WELL LOG:

DEPTH

FORMATION

FROM

TO

Top Soil	0	1
yellow clay	1	7
Oxidized Sand & Gravel	7	10
oxidized sand	10	28
medium to coarse sand	28	43
Blue Clay	43	

STATIC WATER LEVEL 14' 4" 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: Submersible Pump☐ Bailed☐ Other _____

Pumping Level Below Land Surface

28 ft. After 1 Hrs. pumped 320 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

Well #2 (Third power pole)This well was drilled under license # 285

And this report is true and accurate.

Drilling firm Manikowsky Well Drilling, Inc.Signature of license Representative: Byron Manikowsky

RECEIVED

Signature of Well Owner or Equitable Property Holder: Wayne Simon

JUL 20 2006

WATER RIGHTS PROGRAM

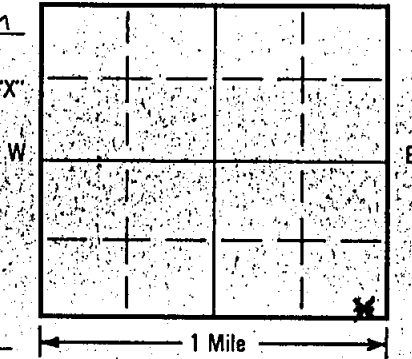
Date: 7-11-06

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 SE 1/4 Sec 15 Twp 121 Rg 74
County Walworth North

Please mark well location with an "X"



Well Completion Date

6-15-06

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 900 ft. from Septic Tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1650</u> LB/FT	<u>8</u> IN	<u>11</u> FT	<u>33</u> FT	<u>12 1/4</u> IN
<u>1650</u> LB/FT	<u>8</u> IN	<u>43</u> FT	<u>47</u> FT	<u>12 1/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland cement</u>	<u>3</u>	<u>8.8</u> lb./gal	<u>0</u> ft	<u>22</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure from line from 22'
To Top of boreholeSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 8 IN Length 10 FEETMaterial PVCSlot Size 1051 Set From 33 Feet to 43 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: chlorine

Laboratory sent to for water quality analysis _____

_____, NO, Why Not? _____

Well Owner: Wayne Siman
Business Name: _____
Address: 32461 146 st
Toilet, SD 57475

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top soil</u>	<u>0</u>	<u>1</u>
<u>Yellow clay</u>	<u>1</u>	<u>7</u>
<u>Yellow sandy clay</u>	<u>7</u>	<u>12</u>
<u>Oxidized sand</u>	<u>12</u>	<u>28</u>
<u>medium to coarse sand</u>	<u>28</u>	<u>43</u>
<u>Blue clay</u>	<u>43</u>	<u>47</u>

STATIC WATER LEVEL 13 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: Submersible Pump
☐ Bailed _____
☐ Other _____

Pumping Level Below Land Surface

25.5 ft. After 3 Hrs. pumped 250 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

Well # 3 (Fourth Power 2le)This well was drilled under license # 285

And this report is true and accurate.

Drilling firm Maniowski Well Drilling, Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Wayne SimanDate: 7-11-06

RECEIVED

JUL 20 2006

WATER RIGHTS

PROGRAM

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

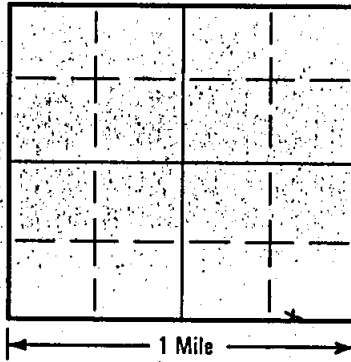
Location SE 1/4 SE 1/4 Sec 15 Twp 121 Rg 74
County Walworth North

Please mark well location with an "X"

W

E

Well Completion Date

6-20-06

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 2000 ft from Septic Tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1655 LB/FT</u>	<u>8 IN</u>	<u>11 FT</u>	<u>33 FT</u>	<u>12 1/4 IN</u>
<u>1655 LB/FT</u>	<u>8 IN</u>	<u>43 FT</u>	<u>47 FT</u>	<u>12 1/4 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>High Strength Grout</u>	<u>3</u>	<u>8.8 lb./gal</u>	<u>0 ft</u>	<u>22 ft</u>
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Trickle line from bottom to top of holeSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 8 IN Length 10 FEETMaterial PVCSlot Size 0.51 Set From 33 Feet to 43 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: Chlorine

NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Wayne Simon

Business Name: _____

Address: 32461 146 St
Toktoy, SD 57475

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
Yellow clay	1	4
Clay & Gravel	4	18
Oxidized sand	18	28
medium to coarse sand	28	43
Blue clay	43	47

STATIC WATER LEVEL 14.5 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: Submersible Pump☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

27 ft. After 3 Hrs. pumped 250 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

well # 4 (with power pole)This well was drilled under license # 285

And this report is true and accurate.

Drilling firm Markowski Well Drilling, Inc.Signature of License Representative: Wayne SimonSignature of Well Owner or Equitable Property Holder: Wayne SimonDate: 7-11-06

RECEIVED

JUL 20 2006

WATER RIGHTS PROGRAM

-20-06



6550-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: WAYNE OR JERAD SIMON, 32461 146TH ST, TOLSTOY, SD 57475

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6550-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 6550-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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) 6550-3 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 on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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.



6550-3

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WAYNE OR JERAD SIMON
32461 146TH ST
TOLSTOY SD 57475

Waiver of Signature ☐ YES ☐ NOPostmark
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Form 3800, May 2002

PSN: R0101000

WAYNE OR JERAD SIMON

32461 146TH St.

Tolstoy, SD 57475

605-442-2550(Wayne)

605-442-2581(Jerad)

RECEIVED

JAN 31 2007

**WATER RIGHTS
PROGRAM**

Dear Genny,

Thanks for your help on the phone.

The wells are from 20 to 42 ft. deep, and have 25 to 30# pressure.

If there is anything else you need, please let me know at one of the above phone numbers or fax to 442-2525 ro email at wbsimon@dakotablue.net.

Sincerely,

Wayne Simon



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2007

6550-3

Wayne or Jerad Simon
32461 146th St
Tolstoy SD 57475

Dear Sirs:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Permit No. 6550-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



6550-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: WAYNE OR JERAD SIMON, 32461 146TH ST, TOLSTOY, SD 57475
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6550-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 6550-3 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 11, 2009** 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) 6550-3 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 on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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.

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Waiver of Signature ☐ YES ☐ NO

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www.state.sd.us/denr

February 5, 2008

6550-3

Wayne or Jerad Simon
32461 146th St
Tolstoy SD 57475

Dear Sirs:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit No. 6550-3.

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

Permit No. 6550-3
Bowdle Hoven North Aquifer

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

To: Chief Engineer, Water Rights program, DENR, Joe Foss Bldg., Pierre, SD 57501

I have on this day, **August 19, 2013**, made a thorough examination of the water use system constructed by **Jerad Simon, 32461 146th St., Tolstoy, SD 57475**, holder of Water Permit No. **6550-3**, bearing the priority date of **November 15, 2004** and authorizing the diversion of **3.78 cubic feet per second (cfs)** from the **Bowdle Hoven North aquifer** for **irrigation** purposes in **Walworth County**.

I have the following to report on the conditions of the aforementioned system:

- 1) Works to divert water:
Eight wells in place, each with a 10 HP pump/motor.
- 2) Works used to transport water to place of use:
Well heads are located along the S ½ SE ¼ of Sec 15 and the SW ¼ SW ¼ of Sec 14; all in T121N R74W.
- 3) Works used to apply water to beneficial use:
Two 7 tower Valley center pivots.

The system is in the following condition: **excellent**. For organizational purposes, descriptions of the wells will be separated into the two sections in which irrigation is taking place under Water Permit No. 6550-3.

The location of each of the eight wells (four in section 14 and four in section 15) can be described as follows:

- 1) **50 feet north of and 1,150 feet west of the south east corner of Sec 15, T121N R74W. Lat 45.2896N, Lon 99.7542W.**
- 2) **50 feet north of and 950 feet west of the south east corner of Sec 15, T121N R74W. Lat 45.2896N Lon 99.7533W.**
- 3) **50 feet north of and 700 feet west of the south east corner of Sec 15, T121N R74W. Lat 45.2895N Lon 99.7523W.**
- 4) **50 feet north of and 450 feet west of the south east corner of Sec 15, T121N R74W. Lat 45.2895N Lon 99.7514W.**
- 5) **100 feet north of and 100 feet east of the south west corner of Sec 14, T121N R74W. Lat 45.2897N Lon 99.7429W.**
- 6) **400 feet north of and 90 feet east of the south west corner of Sec 14, T121N R74W. Lat 45.2905N Lon 99.7493W.**
- 7) **300 feet north of and 320 feet east of the south west corner of Sec 14, T121N R74W. Lat 45.2902N Lon 99.7484W.**
- 8) **100 feet north of and 400 feet east of the south west corner of Sec 14, T121N R74W. Lat 45.2897N Lon 99.7481W.**

132 acres in the SE ¼ of Sec 15, T121N R74W

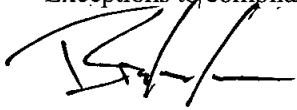
132 acres in the SW ¼ of Sec 14, T121N R74W

This breakdown of acres is a best estimate based on information provided and by viewing the 2012 FSA aerial using ArcMap.

The total area being irrigated under Water Permit No. 6550-3 in both sections is **264 acres** with a total diversion rate of **3.78 cfs**. The license should reflect these conditions.

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: **None** Date Report Completed: **August 28, 2013**

A handwritten signature in black ink, appearing to read 'B. Capen', with a horizontal line extending to the right.

Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR WATER PERMIT NO. 6550-3

DATE OF INVESTIGATION:	August 19, 2013
NAME & ADDRESS OF PERMIT HOLDER	Jerad & Wayne Simon 32461 146th St. Tolstoy, SD 57475
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Jerad Simon
DIVERSION POINT LEGAL LOCATIONS	50 feet north and 450, 700, 950, and 1,150 feet west of the southeast corner of section 15. 45.2895N/99.7514W, 45.2895N/99.7523W, 45.2896N/99.7533W, 45.2896N/99.7542W. 100 feet north and 100 feet east, 400 feet north and 90 feet east, 300 feet north and 320 feet east, 100 feet north and 400 feet east of the southwest corner of section 14. 45.2897N/99.7492W, 45.2905N/99.7493W, 45.2902N/99.7484W, 45.2897N/99.7481W. All in T121N R74W.

WELL INFORMATION:

- 1) Well Drilling Firm:
Manikowski Well Drilling, Inc.
- 2) Number of Wells: **8**
- 3) Depths: **40-47 feet**
- 4) Well Logs Available: **Yes**
- 5) Comment:

Pumps

- 1) Make:
- 2) Model:
- 3) Size:
- 4) Capacity: **212.5 GPM per well
(1700 GPM total)**

Casing

- 1) Diameter: **8 inches**
- 2) Length:
- 3) Type: **Plastic**

Screen

- 1) Type: **PVC**
- 2) Length: **10 feet for all wells**
- 3) Static Water Level: **13-14.5 feet**

Motor

- 1) Make:
- 2) Model No:
- 3) Power: **10 HP for each pump**

SYSTEM TYPE:

- 1) Make: **Valley**
- 2) Overall length: **1250 feet w/o end gun**
- 3) Number of Towers: **7**
- 4) Distance Between Tower:
- 5) End Gun: **One pivot includes end gun (section 15), one does not**
- 6) Pressure: **33 psi**
- 7) Capacity: **850 GPM per pivot (1700 GPM total)**

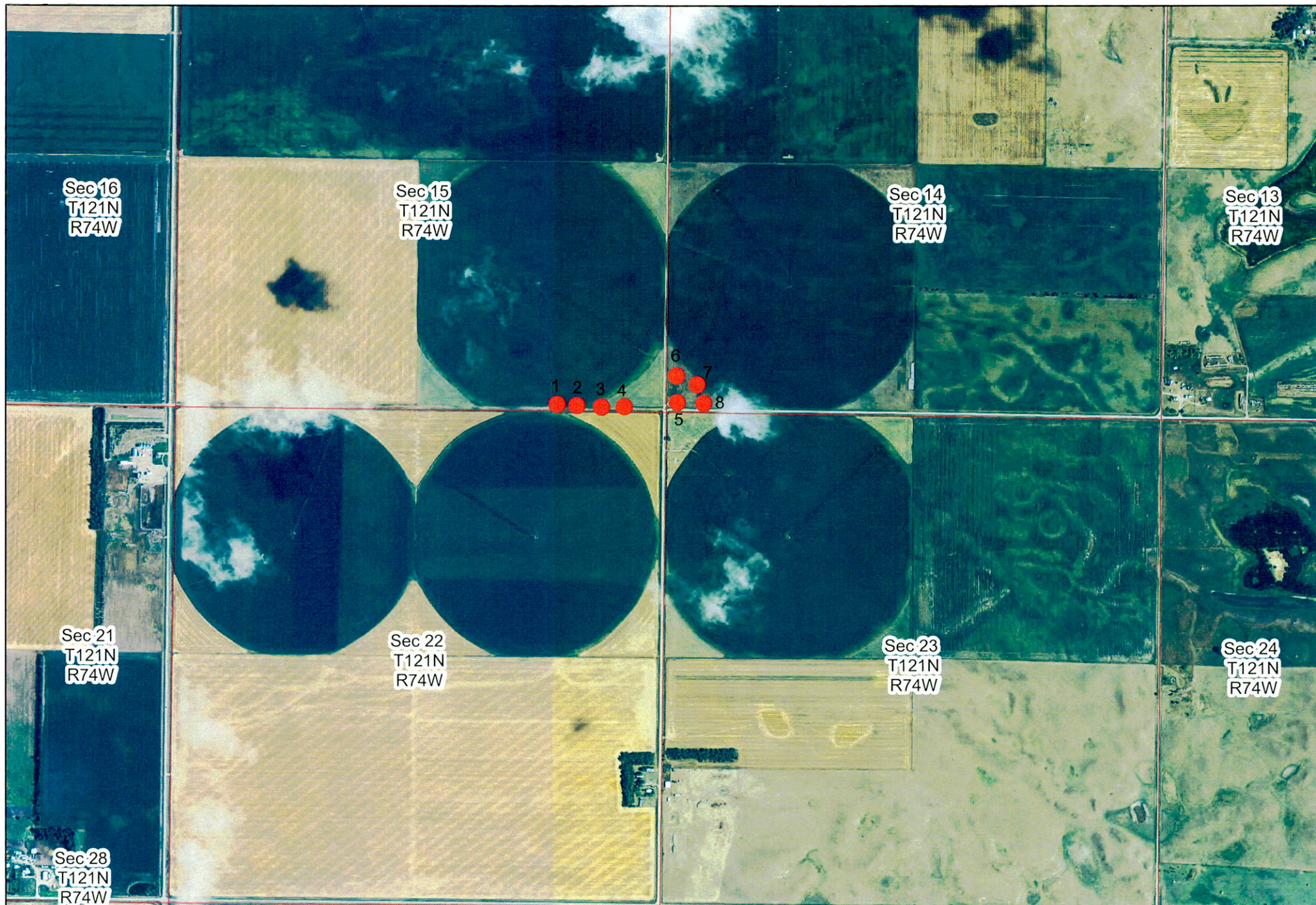
CHEMIGATION EQUIPMENT: Yes

PERMIT QUALIFICATIONS:

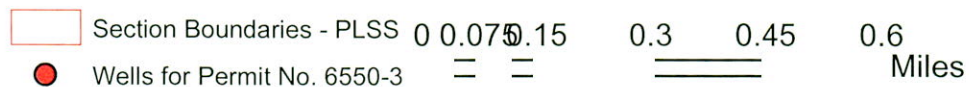
- 1) Special qualifications to permit being abided by: **No**
- 2) All structures, wells, and lands on map: **Yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period: **Yes**

COMMENTS:

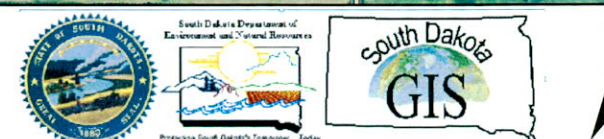
- 1) At time of inspection, only six wells were authorized under Water Permit no. 6550-3. An additional diversion point request was filed at the same time as the investigation report in order to accommodate for the addition two complete wells (eight total).
- 2) Well completion reports for all eight wells are on file.



Legend



B. Capen
Prepared by Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program



File No. 6550-3

Approval of Additional Diversion Point

NAME: Jerad Simon

ADDRESS: 32461 146TH St.

DATE: August 28, 2013

COUNTY: Walworth

TELEPHONE: (605) 442-2550

BACKGROUND:

Water Permit No. 6550-3 appropriates 3.78 cubic feet per second (cfs) from six wells completed into the Bowdle Hoven North aquifer at depths of approximately 42 to 47 feet. The wells are located in the S ½ SE ¼ of Sec 15 and SW ¼ SW ¼ of Sec 14; all in T121N R74W. The permit has a priority date of November 15, 2004 and is conditioned with well interference, well construction, and irrigation questionnaire qualifications.

During an inspection on August 19, 2013 it was noted that two additional wells had been completed for a total of eight. Mr. Simon explained that the additional wells were necessary in order to divert the full amount of water (3.78 cfs) allowed by Permit No. 6550-3. These new wells are completed to the same depth as, are in close proximity to, and are connected to the same irrigation system as the six originally planned wells. See attached map for well locations.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source is the same as permitted source and no additional water is appropriated.**

The water source authorized by Water Permit No. 6550-3 is the Bowdle Hoven North aquifer. The original wells were completed to depths of 42 to 47 feet deep. The two additional wells were completed within the same range of depths, ensuring that they are diverting from the same water source.

The additional diversion points are for the purposes of diverting the full permitted amount of water from the Bowdle Hoven North aquifer. No additional appropriation of water beyond the permitted amount is authorized. Water Permit No. 6550-3 appropriates 3.78 cfs and no additional diversion rate authority is being requested.

Review of Existing Conditions

The well completion report and water rights databases were reviewed for the nearest domestic wells and water rights on file. The nearest domestic wells are located approximately one mile to the north and to the west. The nearest water right is a series of wells being used for irrigation about 1,500 feet to the south. However, given that the new wells are in close proximity to the planned wells, and that distance between existing water rights and domestic wells is not decreased by the construction of these two additional wells, the potential for interference is not expected to increase.

Observation Well Data

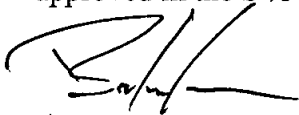
The Water Rights Program monitors several observation wells located in the Bowdle Hoven North aquifer. The closest observation well (WL-75V) is located approximately one mile to the north of the completed wells. The historic water levels within this well show small effects from season pumping which are almost entirely eclipsed by climatic conditions.

CONCLUSION:

- The completion of additional wells does not propose to appropriate additional water.
- The new wells are completed into the same formation, the Bowdle Hoven North aquifer.
- Given that distance between the wells associated with Water Permit No. 6550-3 and existing domestic wells and water rights does not decrease with the completion of the two additional wells, increased interference is not expected to occur.

RECOMMENDED ACTION:

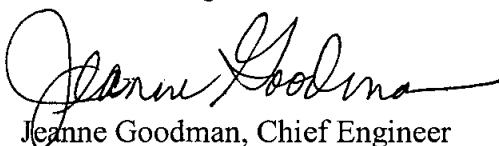
Based on the above criteria, it is recommended that the two additional diversion points be approved in the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec 15 and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of sec 14; all in T121N R74W.



Bracken Capen
Natural Resources Engineer

The Chief Engineer makes a finding pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14:01 that:

These additional diversion points do not increase the potential for adverse effects of existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6550-3

(1) Wayne or Jerad Simon, 32461 146th St, Tolstoy SD 57475 made Application No. 6550-3, November 15, 2004 for a water permit to divert 3.78 cubic feet of water per second from ground water (six wells – Bowdle Hoven North Aquifer) located in Walworth County, South Dakota for irrigation purposes. Permit No. 6550-3, with a priority date of November 15, 2004 was approved January 31, 2005 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before January 31, 2010 and for the application to beneficial use of water on or before January 31, 2014.

The inspection of the water use system found the addition of two additional wells to the project. Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14:01, the Chief Engineer made a finding that the additional diversion points do not increase the potential for adverse effects to existing diversions. The overall project is consistent with the original application.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and are entitled to divert 3.78 cubic feet of water per second for beneficial use. The wells are located as follows:

1. 50 feet N and 1,150 feet W of the SE corner of Section 15, T121N, R74W (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
2. 50 feet N and 950 feet W of the SE corner of Section 15, T121N, R74W (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
3. 50 feet N and 700 feet W of the SE corner of Section 15, T121N, R74W (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
4. 50 feet N and 450 feet W of the SE corner of Section 15, T121N, R74W (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
5. 100 feet N and 100 feet E of the SW corner of Section 14, T121N, R74W (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
6. 400 feet N and 90 feet E of the SW corner of Section 14, T121N, R74W (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
7. 300 feet N and 320 feet E of the SW corner of Section 14, T121N, R74W (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
8. 100 feet N and 400 feet E of the SW corner of Section 14, T121N, R74W (SW $\frac{1}{4}$ SW $\frac{1}{4}$)

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

- 132 acres – SE $\frac{1}{4}$ Section 15, T121N, R74W
- 132 acres – SW $\frac{1}{4}$ Section 14, T121N, R74W

(4) Pursuant to South Dakota Water Law 46-5-30.1 Wayne or Jerad Simon, 32461 146th St, Tolstoy SD 57475 the holders and/or owners of Water Right No. 6550-3 are issued a license to appropriate water, the right to use 3.78 cubic feet of water per second from ground water (eight wells – Bowdle Hoven North Aquifer) with a priority date of November 15, 2004 from the locations 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. 6550-3 and subject to the following qualifications:

- 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.

PAGE 2

Water License No. 6550-3

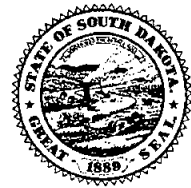
- The wells authorized by Permit No. 6550 shall be constructed by a licensed well driller and construction of the wells and installation of the pumps shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *All wells were drilled by Manikowski Well Drilling in 2005 and 2006. A copy of each well log is on file with the Water Rights Program.*
- The wells authorized by No. 6550-3 must be located at least 1,320 feet from the existing wells on neighboring property.
- 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 30 2013

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

AUG 30 2013

6550-3

Wayne or Jerad Simon
32461 146th St
Tolstoy SD 57475

Dear Sirs:

Enclosed is Water License No. 6550-3. 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 wells authorized by Water Right No. 6550-3, 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