

WATER PERMIT NO. 6558-3

Name of Applicant: Marlow Christensen

Address: 29886 470th Ave, Beresford SD 57004

Phone: 605 957-4302

Amount of Water Claimed: 0.044 cfs (20 gpm)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial County: Union

Type of Waste Disposal System:

Location: 1 miles SW of Beresford

PRIORITY Date Received: 12-28-04

Application/License Fee: \$100

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: feedlot facility

Diversion Point: approximate center of SW ¼ Sec
7-T95N-R50W

Land to be Irrigated: NA

Depth of Well: 140 feet deep

Well Driller:

Remarks:

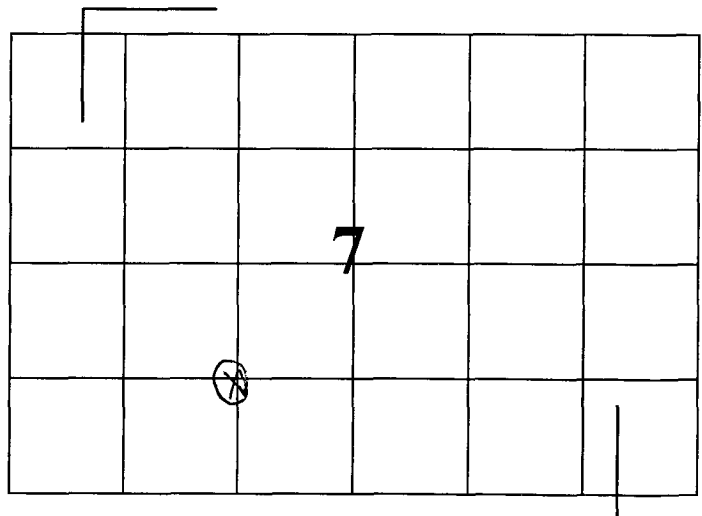
Type of Map: aerial

Prepared by: Dale F Leffers, PE

Reviewed and the Number Assigned on: 12-28-04

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



RECEIVED
DEC 28 2004
WATER RIGHTS
PROGRAM

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

No. <u>6558-3</u>	(office use only) Hydrologic Unit <u>10170102</u>
Basin <u>Vermillion River</u>	
Newspaper <u>Beresford Republic, Beresford</u>	

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: (check one)

☒ New	☐ Vested Right (Use predates Mar 2, 1955)	☐ Future Use Reservation
☐ 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.)

1. Name of Applicant	<u>Marlow Christensen</u>	Phone	<u>(605) 957-4302</u>
	(check one) ☒ Owner ☐ Tenant/lessee		
Mailing Address	<u>29886 470th AV</u>	State	<u>SD</u>
	(Street, RR, or Box and City)		<u>57004</u>
			(Zip Code)
2. Amount of water claimed	<u>0.044</u> *CFS or <u>20</u> **GPM		***AF
	(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)		
3. Source of water supply	<u>Well</u>		
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)	County <u>Union</u>		
<u>1 well in SW1/4 S7-T95N-R50W (approximate center)</u>			
5. County or counties where water will be used	<u>Union</u>		
6. Annual period during which water is to be used	<u>Jan 1 - Dec 31</u>		
7. 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)			

STATE OF SOUTH DAKOTA) SS
County of Union)

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, Marlow Christensen, 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 Marlow Christensen

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



Notary Public signature

[Signature]
my commission expires: 8/19/2010

**SOUTH DAKOTA
WATER PERMIT NO. 6558-3**

Date of first receipt of application December 28, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6558-3 to Marlow Christensen, 29886 470th Ave, Beresford SD 57004 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. 6558-3 appropriates 0.044 cubic feet of water per second (20 gallons per minute) from one existing well completed into the Brule Creek Aquifer (approximately 140 feet deep) located in the approximate center of the SW ¼ Section 7-T95N-R50W.
2. The water appropriated shall be used for the purpose of commercial use in a cattle feedlot operation 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. 6558-3 is February 14, 2005.
5. The date from which applicant may claim right is December 28, 2004.
6. One-fifth of the construction is to be completed on or before August 14, 2007.
7. All construction is to be completed on or before February 14, 2010.
8. Water is to be put to beneficial use on or before February 14, 2014.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Permit No. 6558-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 6558-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a) Chapter 74:54:01 Ground Water Quality Standards,
 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

FEB 28 2005

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6" Depth 140
- b) Casing Type Steel Diameter 5" Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material Unknown
- f) Depth to Water (ground surface to water level) Unknown
- g) Distance to nearest existing domestic well:
On applicants property only one well On property owned by others Unknown

2. Wastewater Disposal System Information

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

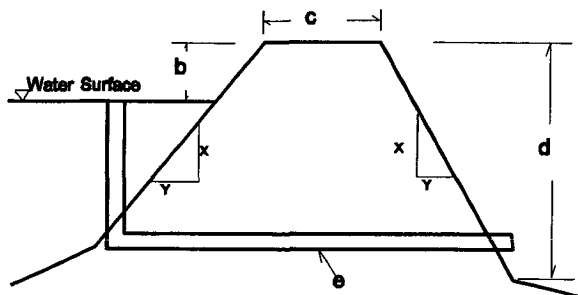
3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 28, 20 04

RECEIVED OF Settle Agri-Services & Engineering Inc., 4700 W Rock Creek Rd., Raymond NE

68428-4199

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

Fee for Application for Permit No. <u>1,550.3</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>1,550.3</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.

003.3

By

Darlene E. Ebele

Chief Engineer

gm

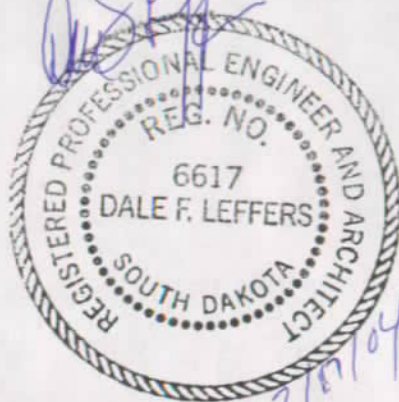
Marlow Christensen

Well Location



1000 0 1000 2000 Feet

- Wells
- Facility Boundary
- Section Lines



Settje Agri-Services & Engineering, Inc.

6558-3

Schlaak, Karen

From: Gronlund, Eric
Sent: Thursday, December 16, 2004 1:50 PM
To: Schlaak, Karen
Subject: Marlo Christianson in Union Cty

Talked with Dwayne with Settje Consultants in Nebraska. They are completing the water permit application for this existing feedlot facility. Not even sure whether the water use will exceed reasonable domestic use but they want to obtain the permit.

Talked to him about the map requirements. They are using GIS coordinates to locate on a USGS quad. They believe they'll be within 50 feet of the well. I told them that would be fine. They will properly sign the map with a PE stamp.

He indicated they have about 12 other facility they are working with that will be getting permits.

12/28/2004

REPORT ON WATER PERMIT NO. 6558-3
For Marlow Christensen
January 5, 2005

Application No. 6558-3 proposes to appropriate 0.044 cfs (20 gpm) from one existing well completed to a depth of approximately 140 feet and located in the approximate center of the SW ¼ of section 7, T95N R50W in Union County. The water is for commercial use in a cattle feedlot operation.

AQUIFER – BRULE CREEK (BRC)

The Brule Creek aquifer consists of both glacial and nonglacial sand and gravels (Niehus, 1994). Ground water movement is from northwest to southeast in this area and the aquifer underlies 180 square miles and contains an estimated 380,000 acre-feet of water in storage in Lincoln and Union Counties (Niehus, 1994). The aquifer extends into Clay County to the west and into Lincoln to the north and was referred to as the Lower Buried Outwash in the Water Supply Study for the City of Beresford (Baker, 1962). Test well logs drilled by the South Dakota Geological Survey for this study indicate sand and gravel lying directly upon the Niobrara Formation in the immediate vicinity of this application. Test hole M (Baker, 1962) indicates sand and gravel from 94-126 feet and Niobrara Chalk from 126 to 140 feet all in feet below land surface (this test hole is located about quarter mile from the well for this application). The Niobrara Formation is also considered an aquifer in this area and would be hydraulically connected to the sand and gravel Brule Creek aquifer in this area.

No well log was filed with this application. However, the total depth would indicate that this well is completed into either the Brule Creek or Niobrara aquifer. The sand and gravel of the Brule Creek aquifer seems to be the most logical choice. This fits pretty well with the geologic information in the city study and the nearby county studies.

The Water Rights Program monitors eight observation wells completed into the Brule Creek aquifer and located within a six mile radius of this site. The nearest is observation well LN-80A which is located about four miles north of this application. A hydrograph for this observation well is included with this report. In general, the water level fluctuates with 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, 2005).

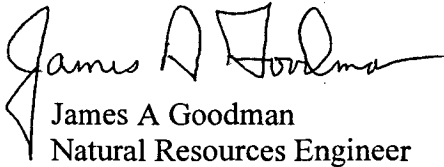
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is only one other water permits/rights in this area obtaining water from either the Brule Creek or Niobrara aquifers. The nearest permitted user is Water Right No. 5660-3 (irrigation of golf course – City of Beresford) and is located about two miles northeast of this application. However, this well (Brule Creek aquifer) has apparently been

abandoned by the golf course because of water quality issues and another permit from a different aquifer and better quality source has subsequently been obtained.

CONCLUSIONS

1. Water is available from the Brule Creek aquifer.
2. The aquifer is buried and under artesian conditions at this site. Drawdown created by pumping is not expected to be significant. Interference is not a concern.
3. Very little is known about this well other than the approximate depth. The construction of the well can not be evaluated.
4. Plans and specifications for the feedlot facility have been submitted to the department for review.



James A Goodman
Natural Resources Engineer

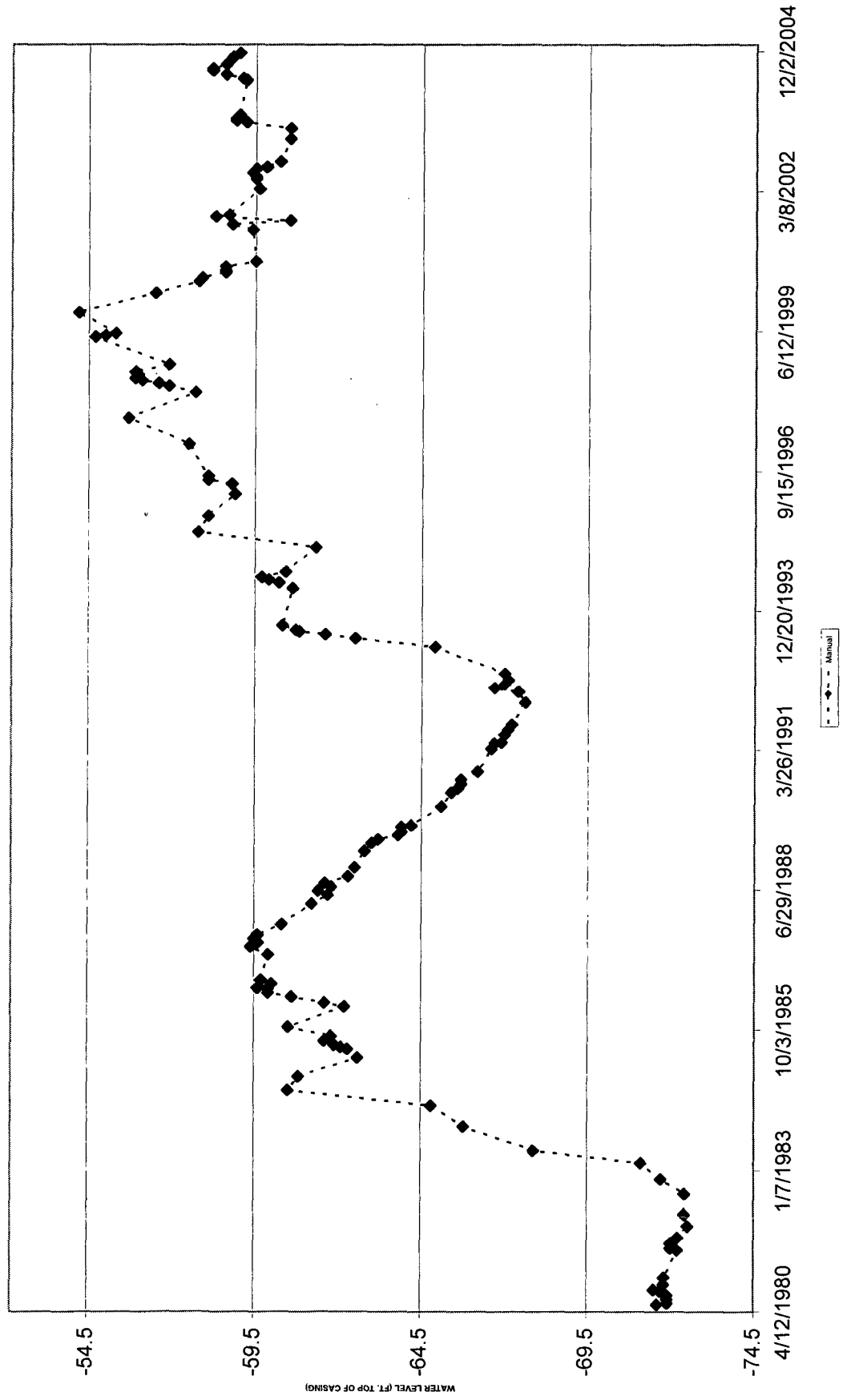
BIBLIOGRAPHY

Baker, G.K., 1962, Water Supply for the City of Beresford, Special Report 22, SD DENR, SDGS, Vermillion, SD, 57069.

Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, Water-Resources Investigations Report 93-4195, USGS, Rapid City, SD, 57702.

Water Rights, 2005, Unpublished Observation Well Records for Lincoln and Union Counties, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
LN-80A





**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. 6558-3, Marlow Christensen**

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. 6558-3, Marlow Christensen, 29886 470th Avenue, Beresford SD 57004.

The Chief Engineer is recommending APPROVAL of Application No. 6558-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Permit No. 6558-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 6558-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a) Chapter 74:54:01 Ground Water Quality Standards,
 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions.

See report on application for additional information.

Garland Erbele, Chief Engineer
January 18, 2005

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

SS

COUNTY: UNION

CITY: BERESFORD

NEWSPAPER: BERESFORD REPUBLIC

NOTICE OF APPLICATION NO. 6558-3

Appropriate Water

Notice is given that Marlow Christensen, 29886 470th Ave., Beresford SD 57004 has filed an application for a water permit to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from one existing well completed into the Brule Creek Aquifer (approximately 140 feet deep) located in the approximate center of the SW1/4 Section 7-T95N-R50W. The water is for commercial use in a cattle feedlot operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6558-3 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 February 14, 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. Pirmer, Secretary, Department of Environment and Natural Resources.

Publish Jan. 27 & Feb. 3, 2005

Judy Lundberg of said county, being first duly sworn, on oath, says: That she is the Business Manager of the said newspaper, a weekly newspaper published in said city and county, State of South Dakota: that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive, and has met all the requirements for at least one year next prior to the first publication of the attached public notice, and that said notice, a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper

per 2 time(s) as follows: that the first publication of said notice in said newspaper aforesaid was on Thursday the

27 day of January, 2004, and that the succeeding publications were severally on

Thursday, the 3 day of February, 2004;

Thursday, the ____ day of _____, 2004;

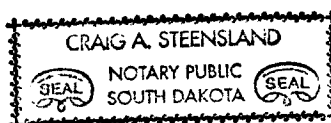
Thursday, the ____ day of _____, 2004

Affiant further says that the full amount of the fees charged for the publication of said notice inures to the benefit of the publishers of said newspaper; that no agreement of understanding for the division thereof has been made with any other person, that no part therefore has been agreed to be paid to any person whomsoever; and that the fees charges for the publication thereof are:

DOLLARS \$ 33.78

x Judy Lundberg
Subscribed and sworn to before me this 3 day of February, 2004.

[Signature]
Notary Public
My commission expires September 18, 2010



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FEB - 7 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

January 19, 2005

Beresford Republic
PO Box 111
Beresford SD 57004-0111

ATTENTION: Legal Public Notice

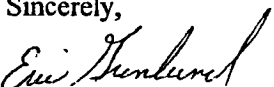
Enclosed is a Notice on Application No. 6558-3 to Appropriate Water to be published twice. Please publish the first notice on January 27, 2005 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Marlow Christensen, 29886 470th Ave., Beresford, SD (Ph # 605-957-4302).

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. 6558-3

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

Date _____

We are in receipt of your letter of January 19, 2005 enclosing Notice to Appropriate Water by Application No. 6558-3 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 January 27, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6558-3 to Appropriate Water

Notice is given that Marlow Christensen, 29886 470th Ave, Beresford SD 57004 has filed an application for a water permit to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from one existing well completed into the Brule Creek Aquifer (approximately 140 feet deep) located in the approximate center of the SW ¼ Section 7-T95N-R50W. The water is for commercial use in a cattle feedlot operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6558-3, 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 February 14, 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.



**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 19, 2005

Marlow Christensen
29886 470th Ave
Beresford SD 57004

Dear Mr. Christensen:

Water Permit Application No. 6558-3 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 Beresford Republic printed at Beresford, SD (Ph # 605-763-2006). 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

FEB 28 2005

Marlow Christensen
29886 470th Ave
Beresford SD 57004

Dear Mr. Christensen:

Enclosed is Water Permit No. 6558-3 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

6558-3

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

Date 3-15-05

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

FROM: Marlow ~~Christensen~~
(name)

29884 470th AV
(address)

Beresford S.D. 57004
(city, state, zip)

605-957-4302
(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6558-3 states that the water use system is to be constructed by _____
(date), and water is to be put to beneficial use by _____
(date)

The water use system was completed on _____
(date)

Applying the water to beneficial use was completed on _____
(date)

You may schedule an investigation so that the water license may be issued.

Marlow Christensen
(signature)

7-98 This is an existing well.



RECEIVED
APR - 4 2005
WATER RIGHTS
PROGRAM

Permit No. 6558-3
Big Sioux River - Water District

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

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

I have this day, **June 28, 2006**, made a thorough examination of the water use system constructed by **Marlow Christensen** of **29886 470th Ave, Beresford SD 57004** holder of Permit No. **6558-3**, bearing the priority of **December 28, 2004** authorizing the diversion of **0.044** cu. ft. per second of the waters of **Brule Creek Aquifer** for **commercial use** purposes, in **Union** County.

Inspection contact & relationship **Marlow Christensen's son**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: unknown
- 2) No. of Wells **1**
- 3) Depth(s) **140** feet
- 4) Well log is available **no**
- 5) Comment:

Casing:

- 1) Diameter **6** inches
- 2) Length _____ feet
- 3) Type **steel**

Screen:

- 1) Type **steel**
- 2) Length _____ feet
- 3) Static water level _____ feet

Pump:

- 1) Make **submersible**
- 2) Model
- 3) Size
- 4) Capacity **20** GPM

Motor:

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

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

- 1) Type **plastic**
- 2) Size **1 3/4** inches
- 3) Length **270** feet

C. Works used to apply water to beneficial use:

Water supply for barn and two water tanks at the feed lot.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by yes
- 2) Exceptions to compliance are: none

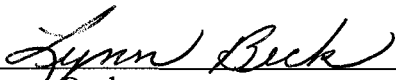
The system is in good condition with the point(s) of diversion located as follows: 1200' E and 1020' N of the SW corner Section 7-T95N-R50W (43.057459/-96.80118). The works are capable of diverting and conveying to the place of use 0.044 cu. ft. per second of water which is to be used for commercial use in a cattle feed lot operation. The license should be issued for 0.044 cfs.

All structures, wells and lands on map yes

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

The well is an existing well and a well log is not available.

The feedlot is permitted.



Lynn Beck

Natural Resources Engineer Specialist
DENR, Water Rights Program

Date report completed: September 20, 2006

WATER RIGHT NO. 6558-3
Marlow Christensen
September 20, 2006

R50W

T95N



SCALE



Lynn Beck

Lynn Beck
Natural Resources Engineer
DENR - Water Rights Program
September 20, 2006



South Dakota



South Dakota 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

NOV 01 2008

6558-3

Marlow Christensen
29886 470th Ave
Beresford SD 57004

Dear Mr. Christensen:

Enclosed is Water License No. 6558-3. This is the final water right document completing your process of obtaining a Water Right.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6558-3, 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,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6558-3

(1) Marlow Christensen, 29886 470th Ave, Beresford SD 57004 made Application No. 6558-3, December 28, 2004 for a water permit to divert 0.044 cubic feet of water per second from groundwater (one well), Union County, South Dakota for commercial purposes. Permit No. 6558-3, with a priority date of December 28, 2004 was approved February 14, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 14, 2010 and for the application to beneficial use of water on or before February 14, 2014.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6558-3 is issued a license, bearing a priority date of December 28, 2004 to appropriate 0.044 cubic feet of water per second from groundwater (one well) for commercial use in a cattle feedlot operation.

The diversion point is located: 1,200 feet east and 1,020 feet north of the southwest corner of Section 7-T95N-R50W (SW ¼ SW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6558-3 including the following now applicable qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- Permit No. 6558-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
- Permit No. 6558-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a) Chapter 74:54:01 Ground Water Quality Standards,
 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions.



Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

NOV 01 2006

date

