

WATER PERMIT NO. 6582-3

Name of Applicant: De Haan Livestock & Grain Farms, Inc.

Address: 36543 284th St, Platte SD 57369-6413 Phone: 605 337-3084

Amount of Water Claimed: 0.156 cfs Total Acres: NA

Source of Water Supply: groundwater (3 wells)

Water to be used for: commercial County: Charles Mix

Type of Waste Disposal System:

Location: 7 miles south of Platte

PRIORITY Date Received: 2-1-05 Application/License Fee: \$200

Corrected Application Received: Period of Annual Use: January 1 – December 31

Remarks: cattle feedlot

Diversion Point: SW ¼ SW ¼, SE ¼ SW ¼ Sec 19
NE ¼ NE ¼ Sec 25; all in T98N-R68W

Land to be Irrigated: NA

Depth of Well: approximately 900 and 1060 feet

Well Driller: Hutmacher Bros. Drilling Co.

Remarks:

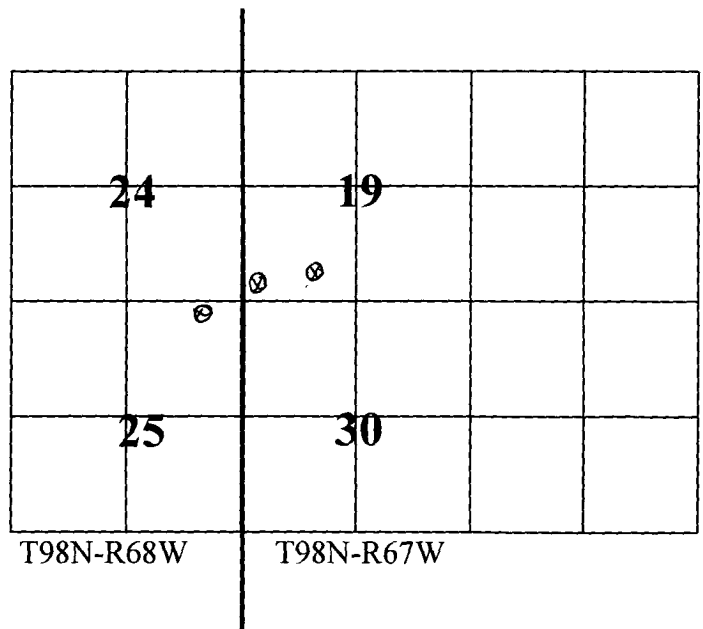
Type of Map: plat

Prepared by: Gregory G Grabs, PE

Reviewed and the Number Assigned on: 2-1-05

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

No. 6582-3 (office use only)
Hydrologic Unit 10140101
Basin Missouri River
Newspaper Platte Enterprise, Platte

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FEB - 1 2005
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

- | | | | |
|---|---|--|--|
| ☐ Municipal | ☐ Suburban Housing | ☐ Recreational | ☐ Institutional |
| ☐ Rural Water System | ☐ Commercial | ☐ Fish & Wildlife | ☐ Geothermal Heat |
| ☐ Domestic (over 18 gpm) | ☐ Industrial | ☒ Other <u>Livestock</u> | |

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 DeHaan Livestock & Grain Farms, Inc. Phone (605) 337-3084
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 36543 284th St. Platte State SD 57369-6413
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.156 *CFS or 70 **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 Three Wells
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Charles Mix
3 Wells Total: 1 well (oldest) SW 1/4, SW 1/4, Section 19, T 98 N, R 67 W; 1 well (2nd Oldest) NE 1/4, NE 1/4, Section 25, T 98 N, R 68 W; 1 well (newest) SE 1/4, SW 1/4, Section 19, T 98 N, R 67 W
5. County or counties where water will be used Charles Mix
6. Annual period during which water is to be used Year Around Jan 1 - Dec 31
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)

Application for existing wells to serve 5,000 head open beef feedlot.

STATE OF SOUTH DAKOTA)

County of Charles Mix SS

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

I, Dennis DeHaan, 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 Dennis DeHaan

Subscribed and sworn to before me this 31st day of JAN 20 05

[Signature]

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6582-3**

Date of first receipt of application February 1, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6582-3 to DeHaan Livestock & Grain Farms, Inc., 36543 284th St, Platte SD 57369-6413 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. 6582-3 appropriates 0.156 cubic feet of water per second from three existing wells completed into the Dakota Formation (approximately 900 to 1,060 feet deep) located in the S ½ SW ¼ Section 19-T98N-R67W and NE ¼ NE ¼ Section 25-T98N-R68W.
2. The water appropriated shall be used for the purpose of commercial use in a cattle feedlot 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. 6582-3 is March 28, 2005.
5. The date from which applicant may claim right is February 1, 2005.
6. One-fifth of the construction is to be completed on or before September 28, 2007.
7. All construction is to be completed on or before March 28, 2010.
8. Water is to be put to beneficial use on or before March 28, 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 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. Permit No. 6582-3 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. 6582-3 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.

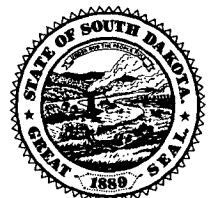
WATER MANAGEMENT BOARD

By: Garland Erbele

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

APR 19 2005

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction Newest Well

- a) Drill Hole Diameter 8.75" Depth 1,060 feet
- b) Casing Type Steel Diameter 5" Thickness
- c) Screen Type Steel Diameter 3" Thickness
- d) Gravel Pack Unknown Length of Gravel Pack
- e) Depth to Top of Water Bearing Material
- f) Depth to Water (ground surface to water level) 160'
- g) Distance to nearest existing domestic well:
- On applicants property 900 Feet On property owned by others 9,900 feet (unconfirmed)

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

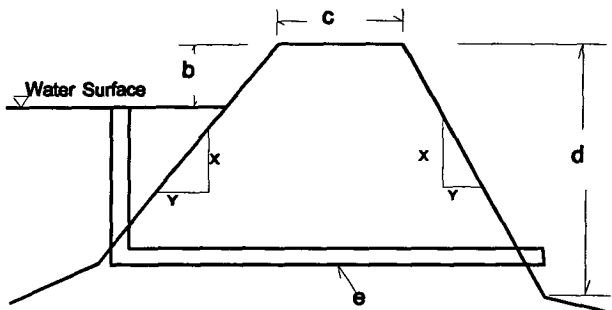
3. Dugout Information

- 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

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

(Two oldest wells, no data available)

- a) Drill Hole Diameter Unknown Depth >900 feet
- b) Casing Type _____ Diameter Unknown Thickness _____
- c) Screen Type _____ Diameter Unknown Thickness _____
- d) Gravel Pack Unknown Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____ Unknown
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property 900 feet On property owned by others 9,900 feet (unconfirmed)

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

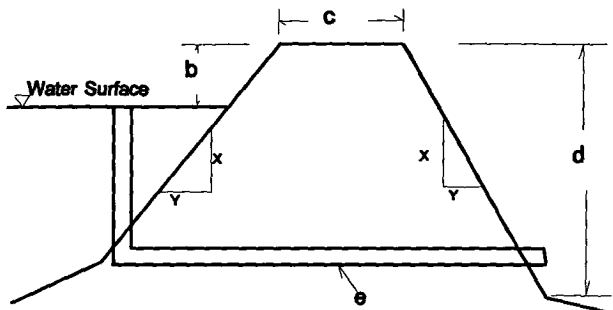
3. Dugout Information

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

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- 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 February 1, 20 05

RECEIVED OF Dehaan Livestock & Grain Farms Inc., 36543 284th St., Platte SD 57369

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

Fee for Application for Permit No. <u>6582-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	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>6582-3</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	200.00

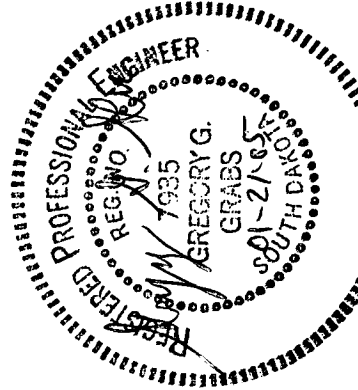
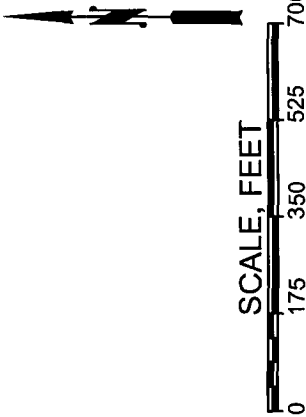
No.

001784

By

Darland Ebeli
Chief Engineer
gm

GENERAL NOTES



DeHaan, Grabs & Associates, LLC
Registration Number: C-1341

No.	Revision/Issue	Date

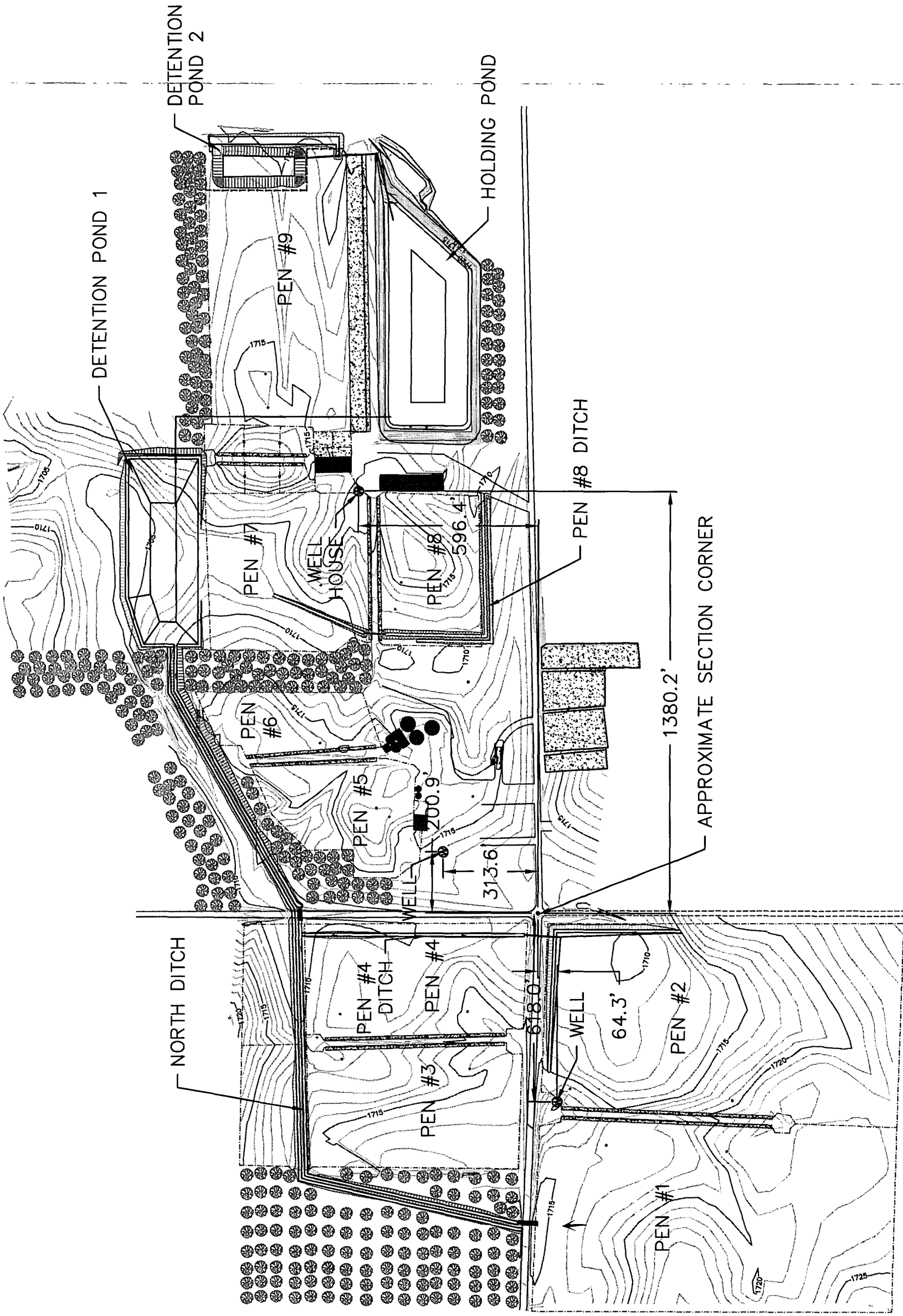
**DeHaan, Grabs
& Associates, LLC**
Consulting Engineers
PO Box 522, Mandan, ND 58554
(701) 663-1116, FAX: (701) 667-1356
www.dgaengineering.com

PROJECT NAME AND ADDRESS:
**DeHAAN LIVESTOCK &
GRAIN FARMS, INC.**

SE 1/4, SECTION 24 & NE 1/4, SECTION 26,
T 98 N, R 68 W &
SW 1/4, SECTION 19 & NW 1/4, SECTION 30,
T 98 N, R 67 W
CHARLES MIX COUNTY, SD

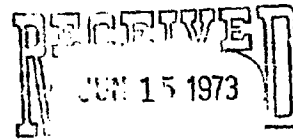
WELL LOCATION MAP

DATE:	JAN 20, 2005	SHEET:	1
SCALE:	1" = 350'		
DRAWN BY:	DAD		
CHECKED BY:	DLD		



6582-1

NOTICE OF WELL CONSTRUCTION



STATE OF S.D.
PIERRE, SOUTH DAKOTA

(1) WELL CONSTRUCTION

Location of well: SE 1/4 SW 1/4 Section 19 Township 98 N Range 67 W
 Well owner DeHaan Livestock Co. Platte, S.D.
 (Name) (Address)
 Date well drilling completed 18 May 73 Purpose of well Domestic
 (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	
0---190	clay- yellow blue	860	ft.
		160	ft.
190-387	Pierre. Dk Bl	Name of producing aquifer (if known)	Dakota
387-561	Niobr. Lt. Gr. Wh.	Total depth of drill hole	1060 ft.
561-655	Codell. Bl. Gr.	Depth to bottom of casing	1060 ft.
655-696	Greenhorn. Gr.	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.	
696-860	Graneros. Dk. Gr.		
860-1060	Dakota. Tan. Wh.	1 1/2 Lgh. of 5 1/2" steel 15 lbs. p/ft.	
		38 Lgh. of 3" steel 7.7 lbs. p/ft.	
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.	
		80' of 3" pipe w/ round perf.	
		If a flowing well, flow of completed well _____ G.P.M.	

Attach sheet if more space is needed

Hutmacher Bros Drilling Co.

Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump Dempster HP 2
 Type of pump Sub. Capacity of installed pump 15 G.P.M.
 Depth of pump placement 250 ft., Date of pump installation 25 May 73

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Hutmacher Bros Drilling Co

Name of Pump Installation Contractor



**DeHaan, Grabs
& Associates, LLC**

Consulting Engineers

PO Box 522, Mandan, ND 58554
(701) 663-1116, Fax: (701) 667-1356
www.dgaengineering.com

Eric Gronlund
Water Rights Program
Joe Foss Building
523 E Capital
Pierre, SD 57501-3181

January 20, 2005

Dear Eric,

Enclosed you will find an *Application For Permit To Appropriate Water Within The State of South Dakota* for DeHaan Livestock & Grain Farms, Inc. near Platte in Charles Mix County.

Please let me know if you need any additional information to process this application.

Sincerely,

Greg Grabs, PE
Vice-President

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REPORT ON WATER PERMIT APPLICATION NO. 6582-3
For DeHaan Livestock and Grain Farms, Inc.
February 15, 2005

Application No. 6582-3 proposes to appropriate 0.156 cfs (70 gpm) from three wells approximately 900 to 1060 feet deep located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of section 19, T98N R67W and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 25, T98N R68W in Charles Mix County. The water is for commercial use in a cattle feedlot.

AQUIFER – DAKOTA FORMATION (DKOT)

The Dakota aquifer consists of sand, sandstone and clay that is under artesian conditions in this area. The aquifer underlies 1,134 square miles and contains an estimated 14.15 million acre-feet of recoverable water in storage in Charles Mix County (Hedges, 1982). The aquifer extends into Gregory County to the west, Brule and Douglas Counties to the north and Hutchinson County to the east and Nebraska to the south. Ground water movement is from north to south in the area of this application (Kume, 1977). The water levels are greatly influenced by the free flowing Dakota wells located at lower elevations surrounding this area.

One well completion report is available for this site. This is a well drilled in 1973 to a depth of 1060 feet, had a static water level of 160 feet below land surface and originally was pumped at 15 gpm. One of the other two wells is mentioned in an USGS report with the following information reported, 870 feet deep, drilled in 1965, and had a static water level of about 100 feet below land surface (Nietzert, 1995). There is no information available for the third well (located in section 25). The available information indicates that these wells were completed in accordance with SD Well Construction Standard 74:02:04:35 ("slim hole" wells) and would not be adequate construction for a commercial well under existing standards.

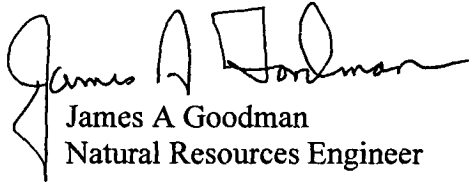
The Water Rights Program monitors a Dakota aquifer observation well GY-89A located about 35 miles west of this site. Water levels for this well show that in general the water levels for the Dakota Formation are declining at a rate of about 10 feet in 15 years (about 0.66 feet per year) (Water Rights, 2005). Uncontrolled flowing wells in the low areas are the main reason for lowering of the potentiometric surface (Kume, 1977) of the Dakota aquifer. A hydrograph for GY-89A is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water permit/right from the Dakota aquifer is located about three miles north of this site. This is water permit No. 6298-3 for 0.10 cfs for a hog confinement facility. Interference is not a concern. Even though the aquifer is under artesian conditions and drawdown will be created by pumping the distance between these facilities and the relatively small pump rates should be sufficient to minimize any potential impacts.

CONCLUSIONS

1. Water is available from the Dakota Formation.
2. Interference is not expected to be a concern.
3. None of the existing wells are apparently constructed in accordance with existing SD Well Construction Standards for commercial use. If or when any of these wells need replacement the Standards would have to be followed.
4. Plans and specifications for the facility have been approved by the Department in December of 2004.

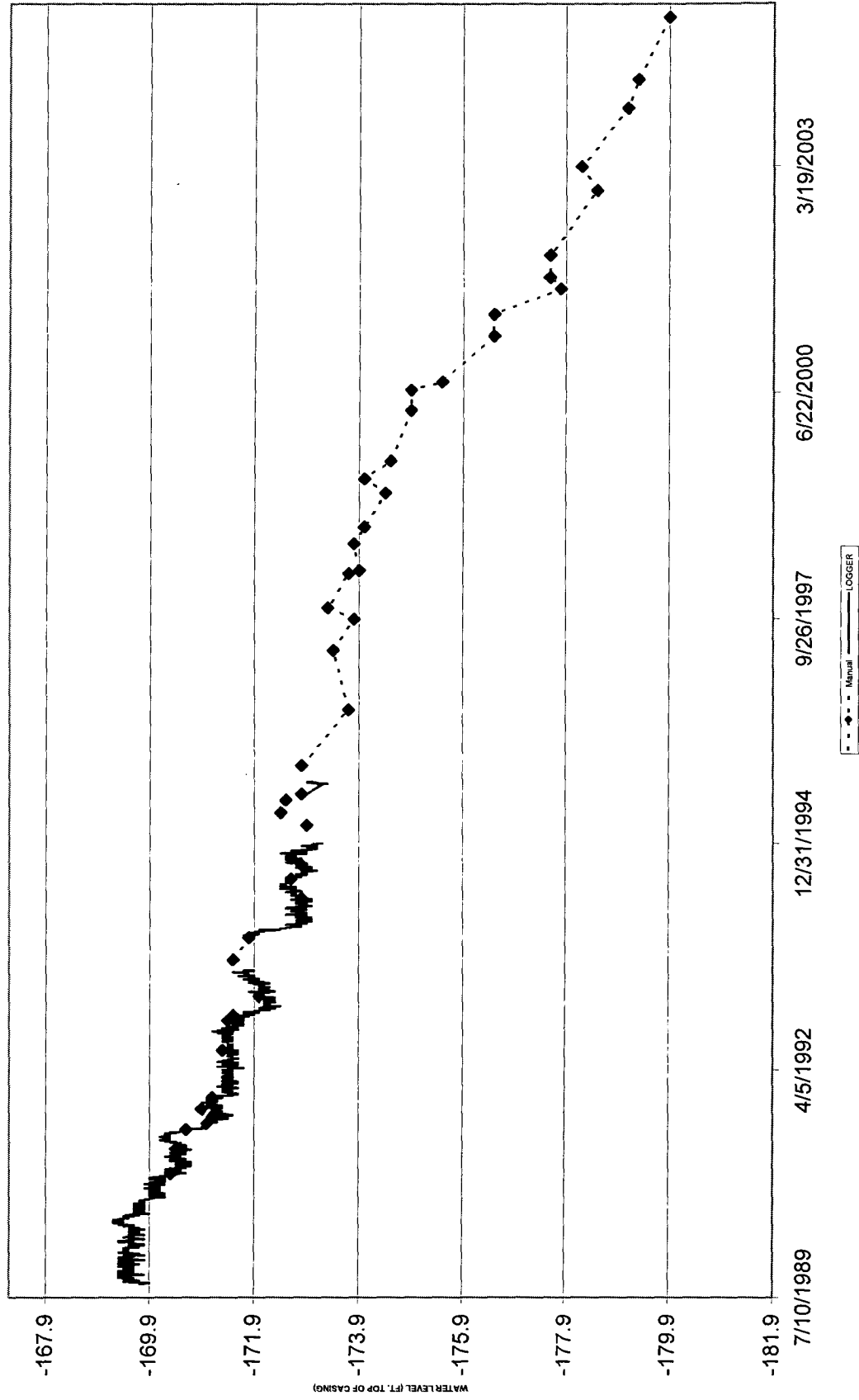


James A Goodman
Natural Resources Engineer

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.
- Kume, J., 1977, Geology and Water Resources of Charles Mix and Douglas Counties, South Dakota, Bulletin 22, SDGS, Vermillion, SD, 57069.
- Nietzert, K.M., 1995, Records of Well and Chemical Analyses of Ground Water in Charles Mix and Douglas Counties, South Dakota, Open-File Report 95-153, USGS, Rapid City, SD, 57702.
- Water Rights, 2005, Unpublished Observation Well Data for the Dakota Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
GY-89A





**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. 6582-3, DeHaan Livestock & Grain Farms, Inc.**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6582-3, DeHaan Livestock & Grain Farms, Inc., 36543 284th Street, Platte SD 57369-6413.

The Chief Engineer is recommending APPROVAL of Application No. 6582-3 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 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. Permit No. 6582-3 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. 6582-3 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
February 28, 2005

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Charles Mix) SSI, Sharon Luizonga

certify that the attached printed Notice was taken

from the Platte
Enterpriseprinted and published in PlatteCounty of Charles Mix and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

3-10-053-17-05Cost of Printing \$38.02Sharon Luizonga
(Signature)Owner

(Title)

3-17-05

(Date Signed)

NOTICE OF APPLICATION
NO. 6582-3 TO APPROPRIATE WATER

Notice is given that DeHaan Livestock & Grain Farms, Inc. % Dennis DeHaan, 36543 284th St., Platte, SD 57369-6413 has filed an application for a water permit to appropriate 0.156 cubic feet of water per second from three existing wells completed into the Dakota Formation (approximately 900 to 1,060 feet deep) located in the S1/2SW1/4 Section 19-T98N-R67W and NE1/4NE1/4 Section 25-T98N-R68W. The water is for commercial use in a cattle feedlot.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6582-3 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 March 28, 2005.

The petition may be informal, but must include a statement describing 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. Pimer,
Secretary
Department of Environment
and Natural Resources
(3-10, 3-17)

RECEIVED
MAR 18 2005
WATER RIGHTS
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Instruction to Newspaper - Publish first Notice on March 10, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6582-3 to Appropriate Water

Notice is given that De Haan Livestock & Grain Farms, Inc. % Dennis De Haan, 36543 284th St, Platte SD 57369-6413 has filed an application for a water permit to appropriate 0.156 cubic feet of water per second from three existing wells completed into the Dakota Formation (approximately 900 to 1,060 feet deep) located in the S ½ SW ¼ Section 19-T98N-R67W and NE ¼ NE ¼ Section 25-T98N-R68W. The water is for commercial use in a cattle feedlot.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6582-3_ because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 1, 2005

Platte Enterprise
PO Box 546
Platte SD 57369-0546

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6582-3 to Appropriate Water to be published twice. Please publish the first notice on March 10, 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 De Haan Livestock & Grain Farms Inc., % Dennis De Haan, 36543 284th St., Platte SD (Ph # 605-337-3084).

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. 6582-3

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

Date _____

We are in receipt of your letter of March 1, 2005 enclosing Notice to Appropriate Water by Application No. 6582-3 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.**

March 1, 2005

De Haan Livestock & Grain Farms Inc
% Dennis De Haan
36543 284th St
Platte SD 57369-6413

Dear Mr. De Haan:

Water Permit Application No. 6582-3 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 Platte Enterprise printed at Platte, SD (Ph # 605-337-3101). 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

cc: Greg Grabs, DeHaan Grabs & Associates, PO Box 522, Mandan ND 58554

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**

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www.state.sd.us/denr

APR 19 2005

DeHaan Livestock & Grain Farms Inc
% Dennis DeHaan
36543 284th St
Platte SD 57369-6413

Dear Mr. DeHaan:

Enclosed is Water Permit No. 6582-3 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

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Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6582-3

I have this day, 27 October 2015, made a thorough examination of the water use system constructed by DeHaan Livestock & Grain Farms, Inc., 36543 284th St., Platte, SD 57369-6413 ~~and current address~~ of Permit No. 6582-3, bearing the priority of 1 February 2005 authorizing the diversion of 0.156 cu. ft. per second of the waters of the Dakota aquifer for commercial use in a cattle feedlot purposes, in Charles Mix County.

Inspection contact & relationship **Tom Dehaan, owner**
to permit holder, if applicable:

A. Works used to divert the water:

Well₁ (west well) Information:

- 1) Well Drilling Firm: Hutmacher Drilling
- 2) No. of Wells 1
- 3) Depth(s) 1060 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 12 inches
- 2) Length 23 feet
- 3) Type steel

Screen:

- 1) Type stainless steel
- 2) Length 7 feet
- 3) Static water level 8 feet (12 Jan. 2004)

Pump:

- 1) Make Goulds submersible
- 2) Model 25GS30412
- 3) Size 3 HP
- 4) Capacity 23 GPM

Well₂ (house well/Backup) Information:

- 1) Well Drilling Firm: Unknown
- 2) No. of Wells 1
- 3) Depth(s) unknown feet
- 4) Well log is available No

Casing:

- 1) Diameter unknown inches
- 2) Length unknown feet
- 3) Type unknown

Screen:

- 1) Type unknown
- 2) Length unknown feet
- 3) Static water level unknown feet

Pump:

- 1) Make Goulds submersible
- 2) Model 25GS30412
- 3) Size 3 HP
- 4) Capacity 22 GPM

Well₃ (east well):

- 1) Well Drilling Firm: unknown
- 2) No. of Wells unknown
- 3) Depth(s) unknown feet
- 4) Well log is available No If no, explain in comments

Comments: Old well, log not available at time of application, driller unknown.

Casing:

- 1) Diameter unknown inches
- 2) Length unknown feet
- 3) Type unknown

Screen:

- 1) Type unknown
- 2) Length unknown feet
- 3) Static water level unknown feet

Pump:

- 1) Make Goulds submersible
- 2) Model 25GS30412
- 3) Size 5 HP
- 4) Capacity 25 GPM

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

- 1) Type black poly
- 2) Size 1 inches

Comments: **Well₁** supplies water to feed lots west of buildings,
Well₂ is a backup supply,
Well₃ supplies water to feed lots east of buildings,
 One 50 gallon Well-X pressure tank at **Well₁**
 Two 50 gallon Well-X pressure tanks at **Well₂**

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes

If no, describe: na

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

List any extended period of nonuse: **na**

3) Exceptions to compliance are: **na**

E. Condition and Location:

1. The system is in **good** condition with the point(s) of diversion located as follows:

**Well₁: 73 feet south and 718 feet west of the SW corner of Sec.19, T98N-R67W,
(lat/lon: 43.28314/-98.82722)**

**Well₂: 314 feet north and 167 feet east of the SW corner of Sec.19, T98N-R67W,
(lat/lon: 43.28415/-98.82389)**

**Well₃: 589 feet north and 1292 feet east of the SW corner of Sec.19, T98N-R67W,
(lat/lon: 43.28494/-98.81966).**

2. The works are capable of diverting and conveying to the place of use **0.156** cu. ft. per second of water which is to be used for **commercial use in a cattle feedlot.**

The license should be issued for **0.156** cfs.

3. All structures, wells and lands on map **yes**

If no, describe: **na**



Ken Buhler
DENR, Water Rights Program

Date report completed: **18 January 2016**

6582-3

1292'

167'

73'

314'

589'

718'

SW Corner
Sec. 19, T98N-R67W

Legend

-  Well 1
-  Well 2
-  Well 3
-  Sections



660 330 0 660 Feet

Base Layer: FSA-2012-State

Bureau of Land Management and U.S. Forest Service

KB
22 Nov. 2015

Handwritten signature





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

MAY 02 2016

6582-3

DeHann Livestock & Grain Farms Inc
36543 284th St
Platte SD 57369

Dear Sir:

Enclosed is Water License No. 6582-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6582-3

(1) DeHann Livestock and Grain Farms, Inc., 36543 284th St, Platte SD 57369 made Application No. 6582-3, February 1, 2005 for a water permit to divert 0.156 cubic feet of water per second from three wells – Dakota Formation, Charles Mix County, South Dakota for commercial use purposes. Permit No. 6582-3, with a priority date of February 1, 2005 was approved March 28, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 28, 2010 and for the application to beneficial use of water on or before March 28, 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. 6582-3 is issued a license, bearing a priority date of February 1, 2005 to appropriate 0.156 cubic feet of water per second from three wells – Dakota Formation for commercial use purposes at a cattle feedlot.

The diversion points are located:

Well #1 – 73 feet south and 718 feet west of the SW corner of Section 19-T98N-R67W (NE 1/4 NE 1/4 Section 25-T98N-R68W)

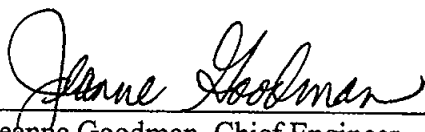
Well #2 – 314 feet north and 167 feet east of the SW corner of Section 19-T98N-R67W (SW 1/4 SW 1/4)

Well #3 – 589 feet north and 1,292 feet east of the SW corner of Section 19-T98N-R67W (SE 1/4 SW 1/4)

Well #2 – maintained as a backup supply.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6582-3 including 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. Permit No. 6582-3 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. 6582-3 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.



Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

MAY 02 2016

date

