

WATER PERMIT NO. 6596-3

Name of Applicant: **Jerry Schley**

Address: **40017 143rd St, Stratford SD 57474** Phone: **605 395-6611**

Amount of Water Claimed: **0.14 cfs** Total Acres: **NA**

Source of Water Supply: **groundwater (4 wells)**

Water to be used for: **commercial** County: **Brown**

Type of Waste Disposal System:

Location: **3 miles east of Stratford**

PRIORITY Date Received: **2-22-05** Application/License Fee: **\$200**

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

Remarks: **cattle feedlot operation**

Diversion Point: **NW ¼ NW ¼ Sec 7-T121N-R61W**

Land to be Irrigated: **NA**

Depth of Well: **1230,1156,1180 & 1215 feet deep**

Well Driller:

Remarks:

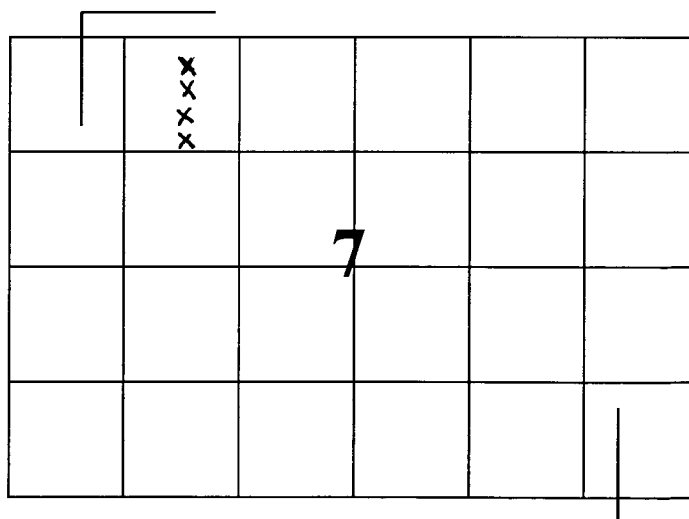
Type of Map: **plat**

Prepared by: **Gregory G Grabs, PE**

Reviewed and the Number Assigned on: **2-22-05**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



RECEIVED

FEB 22 2005

WATER RIGHTS
PROGRAM

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

No. 6596-3 (office use only)
Hydrologic Unit 10160005
Basin James River
Newspaper American News, Aberdeen

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 Jerry Schley Phone (605) 395-6611
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 40017 143rd St. Stratford State SD 57474
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.14 *CFS or 62 **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 four wells
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Brown
4 wells in NW 1/4, Section 7, T 121 N, R 61 W (NW 1/4 NW 1/4)
5. County or counties where water will be used Brown
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)

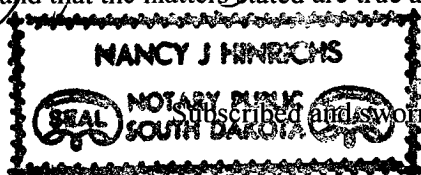
Application for existing wells to serve a maximum of 4,500 head open beef feedlot. Water usage will fluctuate to actual number of head in the lot and weather conditions. Peak usage is estimated at 4,500 head using 20 gallons each per day. This equals an average of 62 gallons per minute. The current wells have the capacity to meet the supply requirements.

STATE OF SOUTH DAKOTA)

County of Brown 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, Jerry Schley, 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

Subscribed and sworn to before me this 17th day of February 2005

Nancy J. Hennrichs

Commission Expires 12-19-05 Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6596-3**

Date of first receipt of application February 22, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6596-3 to Jerry Schley, 40017 143rd St, Stratford SD 57474 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. 6596-3 appropriates 0.14 cubic feet of water per second (62 gallons per minute) from four wells completed into the Dakota Formation (1230, 1156, 1180 and 1215 feet deep) located in the W ½ NW ¼ Section 7-T121N-R61W.
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. 6596-3 is June 6, 2005.
5. The date from which applicant may claim right is February 22, 2005.
6. One-fifth of the construction is to be completed on or before December 6, 2007.
7. All construction is to be completed on or before June 6, 2010.
8. Water is to be put to beneficial use on or before June 6, 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. 6596-3 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. 6596-3 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

JUN 23 2005

date



(type or print in ink)

1. Well Information - Proposed Construction

May 11, 1963

- a) Drill Hole Diameter _____ Depth 105'/1180'
- b) Casing Type Steel Diameter 3"/2" Thickness _____
- c) Screen Type Unknown Diameter _____ 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) _____
- g) Distance to nearest existing domestic well:
- On applicants property 450' 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

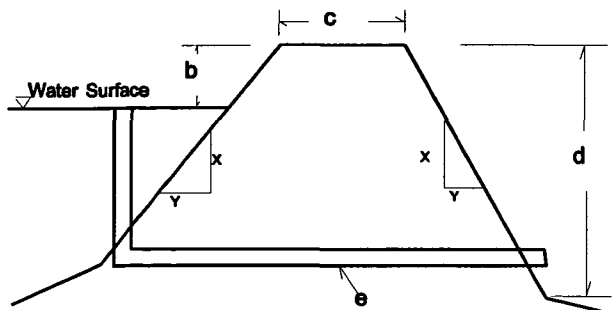
3. Dugout Information

- 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

(type or print in ink)

1. Well Information - Proposed Construction June 18, 1962

- a) Drill Hole Diameter _____ Depth 1215'
- b) Casing Type Copper Diameter Unknown Thickness _____
- c) Screen Type Unknown Diameter _____ 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) _____
- g) Distance to nearest existing domestic well:
- On applicants property 450' 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

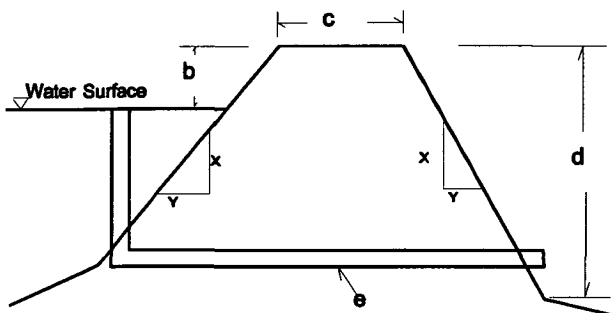
3. Dugout Information

- 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

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

Aug 11, 1992

- a) Drill Hole Diameter 8.9"/7.9" Depth 270'/1230'
- b) Casing Type Plastic Diameter 5"/3" Thickness _____
- c) Screen Type PVC Diameter 3" Thickness _____
- d) Gravel Pack yes Length of Gravel Pack _____ Unknown
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____ 10 feet
- g) Distance to nearest existing domestic well:
- On applicants property 1,040 feet 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

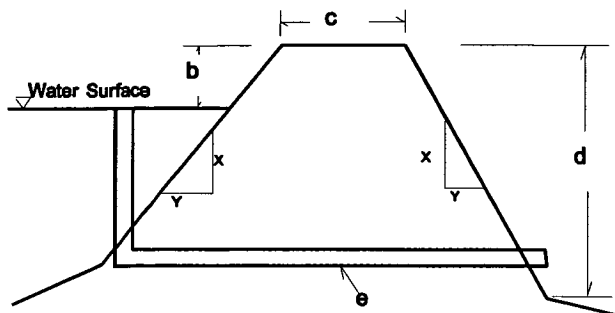
3. Dugout Information

- 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

(type or print in ink)

1. Well Information - Proposed Construction Nov 13, 1965

- a) Drill Hole Diameter _____ Depth 105'/1156'
- b) Casing Type Steel Diameter 3"/2" Thickness _____
- c) Screen Type Unknown Diameter _____ 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) _____
- g) Distance to nearest existing domestic well:
- On applicants property 540 feet 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

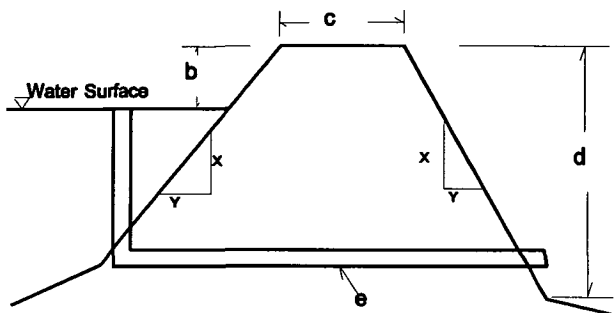
3. Dugout Information

- 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 February 22, 20 05

RECEIVED OF Schley Farms, Inc. 40017 143rd St, Stratford SD 57474

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

Fee for Application for Permit No. <u>6596-3</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>6596-3</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.

By

Garland Eibels

Chief Engineer

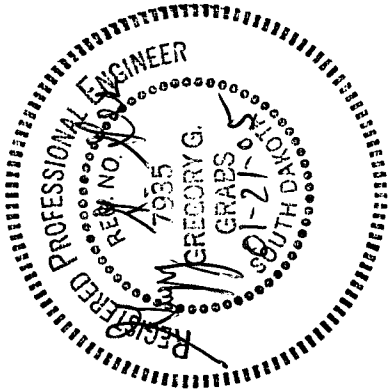
001708

KS

GENERAL NOTES

LEGEND

- Benchmarks
- Well
- Existing Fence
- Buildings
- Concrete
- Culverts



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

SCHLEY FARMS

Expansion of Yard

NW1/4, SECTION 7, T121 N R 61 W
BROWN COUNTY, SD

EXISTING SITE

SHEET:

DATE: OCT 26, 2004

SCALE: 1"=250'

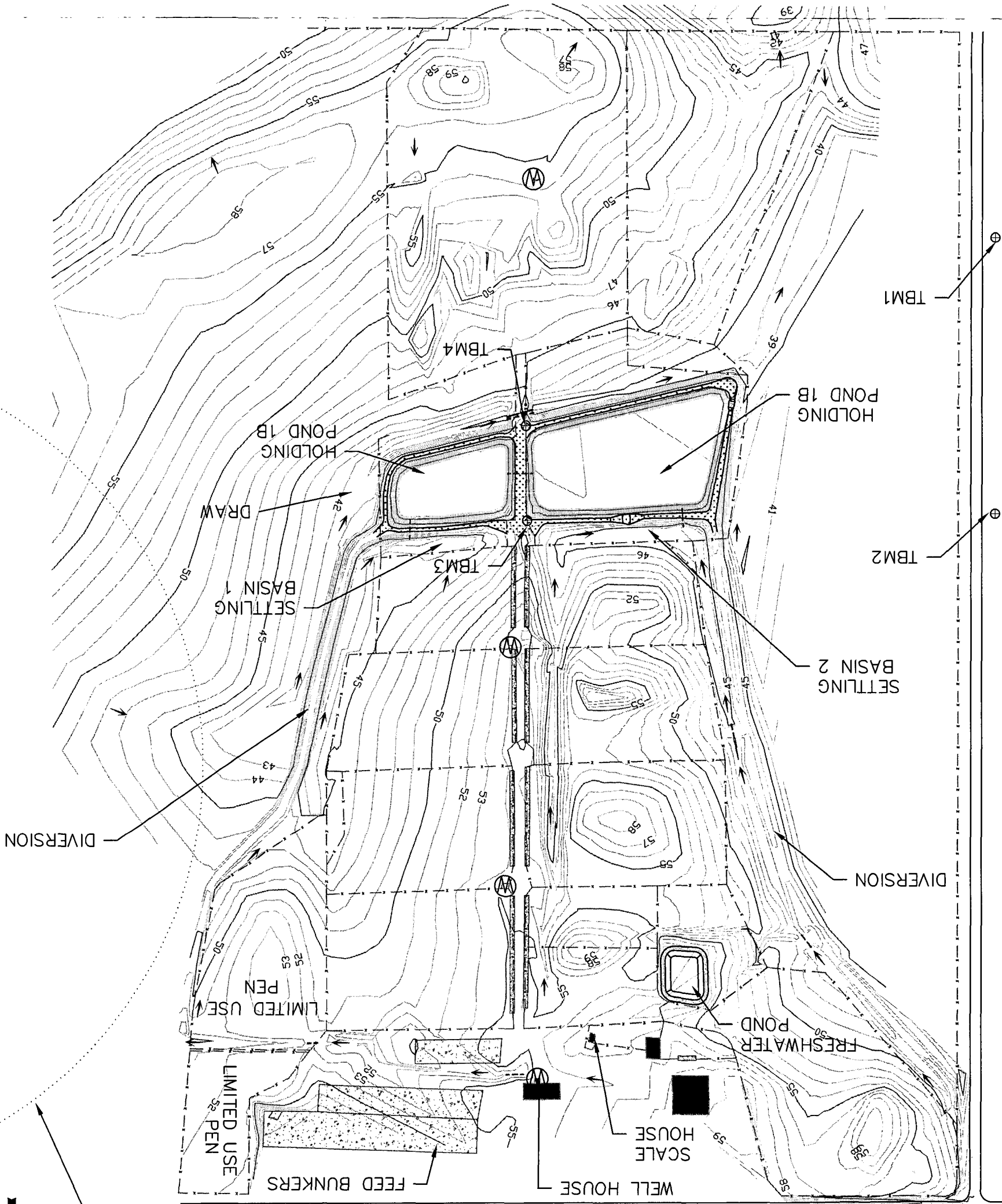
DRAWN BY: NAP

CHECKED BY: GGG

BENCHMARKS (TBM)			
ELEVATION	COORDINATES		
	EASTING	NORTHING	
TBM 1	5000.0	5000.0	41.59
TBM 2	5000.0	5614.79	-
TBM 3	6050.13	5632.79	48.45
TBM 4	6053.43	5420.47	46.80

APP. SECTION CORNER

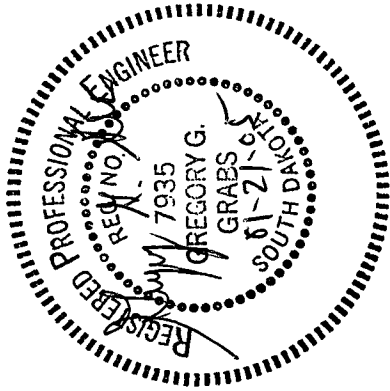
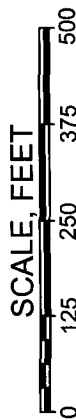
LAST WHEEL TRACK OF CENTER PIVOT



GENERAL NOTES

LEGEND

- Staff Gage
- Well
- Existing Fence
- Buildings
- Concrete
- Culverts



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

SCHLEY FARMS

Expansion of Yard

NW1/4, SECTION 7, T121 N R 61 W
BROWN COUNTY, SD

WELL LOCATION

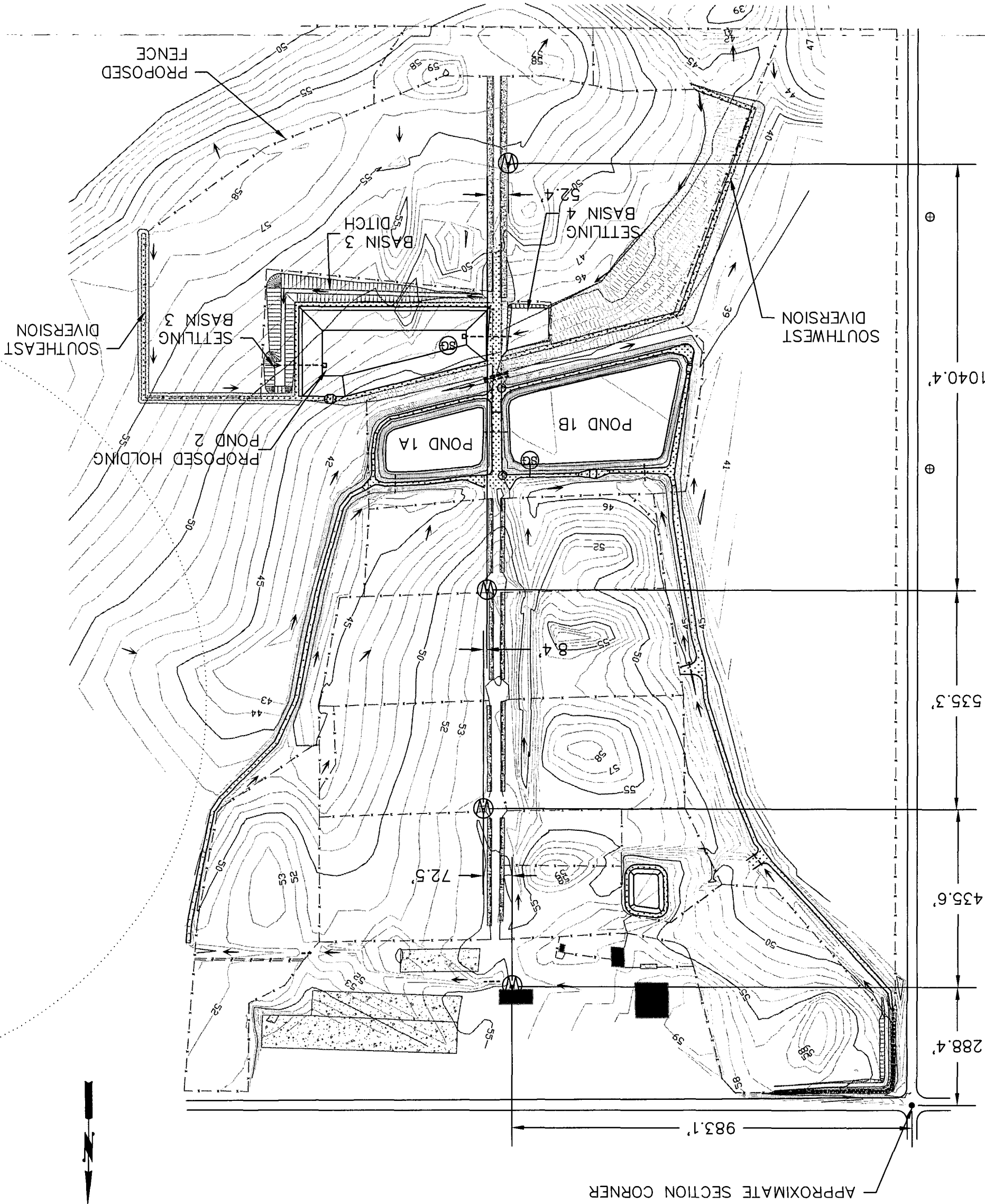
DATE: OCT 26, 2004 SHEET:

SCALE: 1"=250'

DRAWN BY: NAP

CHECKED BY: GGG

2



YEAR COMPLETED 1963

Rig No. KB-6

Mr. Schley Brothers

P. O. Stapord, S. Dak.

Phone 395-3370

Tenant Clarence Schley

Tenant P. O.

Location AW7-121-61

Size 2"x-heavy Cap-R-Log

Completed 5-11-63

By E. Licht & R. Shaw
Foreman

Terms Cash

Entered Billed \$ 2619 60

Settled In full

Independent Drilling Co.

Aberdeen, South Dakota

WELL REPORTCompleted well for Clarence Schley Aberdeen, S. D., May 14 1943P. O. Stratford Depth 1180 ft. { 12 Gallons per minutePumped _____ gals. per min. for _____ hrs. { Clear Pumped _____ gals. per min. for _____ hrs. { Clear
Sandy Muddy CloudyWater stands _____ feet from top. Is the water hard or soft? Soft Well is located on_____ quarter Sec. _____ T _____ R _____ Moved to this place on May 8 1943Started work on well May 9 1943 Well completed on May 11 1943Left this place on May 13 1943105 ft. 3 in. std. pipe extending to a total depth of 2 in. std. 105 feet1075 ft. 2 in. extra heavy pipe extending to a total depth of 2 in. extra heavy 1075 feet

_____ ft. _____ pipe extending to a total depth of _____ feet

_____ ft. _____ pipe extending to a total depth of _____ feet

_____ ft. _____ pipe extending to a total depth of _____ feet

Cap Rock 528 ft. _____ Rock at from _____ feet to _____ feet

Rock from _____ feet to _____ Rock from _____ feet to _____

Tubular sand from Bottom to _____ feet _____ to _____ feetperforated 231 ft. at bottom. Also _____ from _____ to _____ and from _____ to _____

For whom was the last well completed by this machine? _____

What was the date of its completion? _____ Explain loss of time, if any, between

completion of last well and commencement of this one _____

What extra charges are there against this well for pipe, fittings and supplies (please itemize)? _____

21 ft Blank on Bottom231 Perfs

At whose request and by whose authority was this furnished? _____

Please state what casing and gasoline you have on hand after completion of this well _____

How much gasoline did you have on hand at commencement of this well? _____

How much gasoline have you received while on this well (give date and number of gallons)? _____

Date _____ Amount _____ gals. Date _____ Amount _____ gals.

Date _____ Amount _____ gals. Date _____ Amount _____ gals.

How much gasoline had you on hand at the completion of this well? _____ How much

gasoline did you use on this job? _____ How many days did engine

run on this job? _____

Edwin LeichtForeman Rig. No. K. B. 6

Independent Drilling Co.

Aberdeen, South Dakota

WELL REPORT*Done*
*6-18-62*Completed well for Mr. Clarence Schley Aberdeen, S. D., June 18 1962P. O. Stratford Depth 1215 ft. { Flows ? Gallons per minutePumped _____ gals. per min. for _____ hrs. { Clear Sandy Muddy Cloudy } Pumped 25 gals. per min. for _____ hrs. { Clear Sandy Muddy Cloudy }

Water stands _____ feet from top. Is the water hard or soft? _____ Well is located on

N. W. 1/4 quarter Sec. 7 T 121 R 61 Moved to this place on June 11 1962Started work on well June 11 1962 Well completed on June 14 1962Left this place on June 13 19621225 ft. 1 1/2" M pipe extending to a total depth of _____ feet_____ ft. Copper pipe extending to a total depth of 1215 feet

_____ ft. _____ pipe extending to a total depth of _____ feet

_____ ft. _____ pipe extending to a total depth of _____ feet

_____ ft. _____ pipe extending to a total depth of _____ feet

Cap Rock _____ ft. Rock at from _____ feet to _____ feet

Rock from _____ feet to _____ Rock from _____ feet to _____

Tubular sand from _____ to _____ feet _____ to _____ feet

perforated _____ ft. at bottom. Also _____ from _____ to _____ and from _____ to _____

For whom was the last well completed by this machine? _____

What was the date of its completion? _____ Explain loss of time, if any, between

completion of last well and commencement of this one _____

What extra charges are there against this well for pipe, fittings and supplies (please itemize)? 1. 1 1/2 gal. tee2. 1 1/4 x 3/4 = bushing1. 1 1/4 adapter1. 1" x 7 gal. supply

At whose request and by whose authority was this furnished? _____

Please state what casing and gasoline you have on hand after completion of this well _____

How much gasoline did you have on hand at commencement of this well? _____

How much gasoline have you received while on this well (give date and number of gallons)? _____

Date _____ Amount _____ gals. Date _____ Amount _____ gals.

Date _____ Amount _____ gals. Date _____ Amount _____ gals.

How much gasoline had you on hand at the completion of this well? _____ How much

gasoline did you use on this job? _____ How many days did engine

run on this job? _____

John Stuettle
Foreman Rig No. 7771

Independent Drilling Co.

Aberdeen, South Dakota

WELL REPORT

IN COMPUTER

121-61-7

BBOC

Completed well for

P. O. Stradford

Depth

1156

ft.

Pumped
Flows

11

Gallons per minute

Pumped _____ gals. per min. for _____ hrs.

Clear
Sandy
Muddy
Cloudy

Pumped _____ gals. per min. for _____ hrs.

Clear
Sandy
Muddy
Cloudy

Water stands _____ feet from top. Is the water hard or soft?

Well is located on

_____ quarter Sec.

T

R

Moved to this place on

Mar. 6

1965

Started work on well

Mar. 8

1965

Well completed on

Mar. 11

1965

Left this place on

Mar. 12

1965

105 ft. 3 in. std. pipe extending to a total depth of 3 in. std. 105 feet

1051 ft. 2 in. extra heavy pipe extending to a total depth of 2 in. extra heavy 1051 feet

ft. cap R. L. Lay pipe extending to a total depth of cap R. L. Lay _____ feet

ft. _____ pipe extending to a total depth of _____ feet

ft. _____ pipe extending to a total depth of _____ feet

Rock 527 ft. _____ Rock at from _____ feet to _____ feet

from _____ feet to _____ Rock from _____ feet to _____

Tabular sand from _____ to _____ feet _____ to _____ feet

perforated 231 ft. at bottom. Also _____ from _____ to _____ and from _____ to _____

For whom was the last well completed by this machine? _____

What was the date of its completion? _____ Explain loss of time, if any, between

completion of last well and commencement of this one _____

What extra charges are there against this well for pipe, fittings and supplies (please itemize)? _____

At whose request and by whose authority was this furnished? _____

Please state what casing and gasoline you have on hand after completion of this well _____

How much gasoline did you have on hand at commencement of this well? _____

How much gasoline have you received while on this well (give date and number of gallons)? _____

Amount _____ gals. Date _____ Amount _____ gals.

Amount _____ gals. Date _____ Amount _____ gals.

How much gasoline had you on hand at the completion of this well? _____ How much

gasoline did you use on this job? _____ How many days did engine

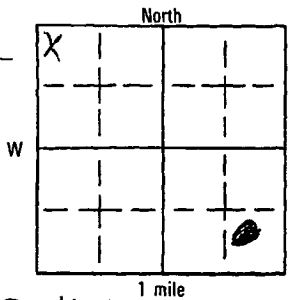
run on this job? _____

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location ~~Sec 7~~ ^{1/4 Sec 7} Twp 121-10 Rg 61-10County Brown

Please mark well location with an "X"

Well Completion Date 8-11-92

PROPOSED USE:

- ☐ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☒ Stock

Method of Drilling:

Forward Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other
 If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT <u>5</u>	IN <u>5</u>	FT <u>0</u>	FT <u>270</u>	IN <u>8 3/4</u>
LB/FT <u>3</u>	IN <u>3</u>	FT <u>270</u>	FT <u>1230</u>	IN <u>7 3/8</u>
LB/FT _____	IN _____	FT _____	FT _____	IN _____
LB/FT _____	IN _____	FT _____	FT _____	IN _____

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 900 FEETWhat is grouting material? Cement & GroutIf cement, number of sacks? 40

Describe grouting procedure

Drivel & packed well with tremie
pumped Grout down Cement

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 3 IN Length 260 FEETMaterial PVCSlot Size 8/16 Set From 970 Feet To 1230 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

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?

Drivel & packedWas well disinfected upon completion? ☐ YES ☒ NO

Explain _____

Bacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name Jerry SchleyAddress Rt 1 Stratford, SD 57474

Well Log:

Depth

Formation

From

To

Yellow Clay	0	20
Blue Clay	20	240
Shale	240	940
Shale w/ few sand streak	940	980
Shale	980	984
Good Sand	984	1000
Shale	1000	1018
Good Sand	1018	1020
Shale	1020	1056
Fair Sand	1056	1060
Shale	1060	1230

TD 1230'

STATIC WATER LEVEL 10

If flowing: closed in pressure _____

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducer

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped40 GPM☐ BailedDescribe: air compressor☐ Other15 GPM sub to be installed

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm Pullman Well Drilling

Signature of License Representative:

R E Stahl

Signature of Well Owner:

Date

8-31-9210/1/92



**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

RECEIVED

FEB 22 2005

WATER RIGHTS
PROGRAM

January 21, 2005

Dear Eric,

Enclosed you will find an *Application For Permit To Appropriate Water Within The State of South Dakota* for Schley Farms near Stratford in Brown County.

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

Sincerely,

Greg Grabs, PE
Vice-President

REPORT ON WATER PERMIT APPLICATION NO. 6596-3
For Jerry Schley
April 18, 2005

Application No. 6596-3 proposes to appropriate 0.14 cfs (62 gpm) from four wells approximately 1,230 feet, 1,156 feet, 1,180 feet, and 1,215 feet deep located in the W ½ NW ¼ of section 7, T121N R61W in Brown County. The water is for commercial use in a cattle feedlot operation.

AQUIFER – DAKOTA FORMATION (DKOT)

The Dakota Formation consists of interbedded sand, sandstone and shale that is under confined or artesian conditions at this site. The aquifer underlies 1,750 acres and contains an estimated 25.2 million acre-feet of recoverable water in storage in Brown County (Hedges, 1982). The aquifer extends into Day County to the east, Edmunds County to the west and into Spink County to the south. The information available for these four wells indicates all are completed in a manner termed “slim hole” construction. This construction follows ARSD 74:02:04:35 but would not be permissible for a commercial operation of this type. These wells originally were free flowing at the land surface but the newest of the four (1992 well) is a pumped well.

The Water Rights Program monitors an observation well ED-85B completed into the Dakota Formation and located about 27 miles northwest of this application. Water levels for this observation well have not fluctuated much since the well was installed. In fact, there has been a rise of a few feet in static water level since this well was installed (Water Rights, 2005). In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals.

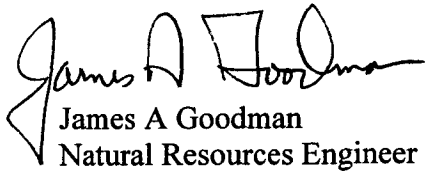
Historically, water levels in the Dakota Formation have declined over 390 feet in the Aberdeen area from 1900 to 1970 (Koch, 1976). Also Koch reported that after the original rapid declines in water levels after initial development of the aquifer it appears that the aquifer water levels have begun to stabilize. This is also what the observation well record indicates. Regardless the primary reason for the declining water levels was the large number of free flowing wells allowed to flow to waste or uncontrolled both at the land surface and potentially underground.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing water permits/right located about four miles from this application. Interference is not expected to be a concern. Water Right No. 4058-3 for Stratford (located about four miles west) is only for standby purposes as the town is supplied water from WEB Rural Water System. The other Water Permit is No. 6394-3 (located about three and one-half miles south) and is for Hutterville Colony. The Colony also obtains water from a shallow aquifer in addition to the Dakota Formation well. At this distance between diversions drawdown should not be significant. It may become necessary to lower pumps into the wells in order to obtain the amount of water needed.

CONCLUSIONS

1. Water is available from the Dakota Formation.
2. The aquifer is under artesian conditions in this area. These existing wells may or may not free flow at the land surface. It may be necessary to install or lower pumps into the wells in order to obtain the amount of water needed.
3. Interference is not expected to be a concern. These are existing wells and have been in use for many years with no apparent problems.
4. These existing wells are not constructed in accordance with SD Well Construction Standards for a facility of this type. Should it become necessary to replace any of these wells it will be necessary to follow the standards and "slim hole" would not be acceptable.
5. Plans and specifications for this facility have been submitted to and approved by the Department in January of 2005.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

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

Koch, N.C., 1976, Geology and Water Resources of Brown County, South Dakota, Part II Water Resources, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2005, Unpublished Observation Well Data for the Dakota Formation, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.



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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6596-3, Jerry Schley**

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. 6596-3, Jerry Schley, 40017 143rd Street, Stratford SD 57474.

The Chief Engineer is recommending APPROVAL of Application No. 6596-3 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. 6596-3 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. 6596-3 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
May 11, 2005

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Brown) SS

I, Mary Baste

certify that the attached printed Notice was taken

from the American News

printed and published in Aberdeen

County of Brown and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

May 19, 2005

May 26, 2005

Cost of Printing 82.20

Mary Baste
(Signature)

Acct. Specialist
(Title)

May 26, 2005
(Date Signed)

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 recommendation must file a written petition with BOTH the applicant and the Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 6, 2005.

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

(No. 1222327)
(May 19, 26, 2005 - 2T)
NOTICE OF APPLICATION
NO. 6596-3 to Appropriate Water

Notice is given that Jerry Schley, 40017 143rd St, Stratford SD 57474 has filed an application for a water permit to appropriate 0.14 cubic feet of water per second (62 gallons per minute) from four wells completed into the Dakota Formation (1230, 1156, 1180, and 1215 feet deep) located in the W1/2 NW 1/4 Section 7-T121N-R61W. 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. 6596-3 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

RECEIVED

MAY 31 2005

WATER RIGHTS
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NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

May 12, 2005

Jerry Schley
40017 143rd St
Stratford SD 57474

Dear Mr. Schley:

Water Permit Application No. 6596-3 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 American News printed at Aberdeen, SD (Ph # 605-255-4100). 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

c: 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.



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www.state.sd.us/denr

May 12, 2005

American News
PO Box 4430
Aberdeen SD 57401

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6596-3 to Appropriate Water to be published twice. Please publish the first notice on May 19, 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 Jerry Schley, 40017 143rd St., Stratford SD (Ph # 605-395-6611).

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
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 6596-3

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

Date _____

We are in receipt of your letter of May 12, 2005 enclosing Notice to Appropriate Water by Application No. 6596-3 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 May 19, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6596-3 to Appropriate Water

Notice is given that Jerry Schley, 40017 143rd St, Stratford SD 57474 has filed an application for a water permit to appropriate 0.14 cubic feet of water per second (62 gallons per minute) from four wells completed into the Dakota Formation (1230, 1156, 1180 and 1215 feet deep) located in the W ½ NW ¼ Section 7-T121N-R61W. 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. 6596-3 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 June 6, 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.



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JUN 23 2005

Jerry Schley
40017 143rd St
Stratford SD 57474

Dear Mr. Schley:

Enclosed is Water Permit No. 6596-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

Permit No. 6596-3
James 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, **August 11, 2010**, made a thorough examination of the water use system constructed by **Jerry Schley** of **40017 143rd St., Stratford, SD 57474** holder of Permit No. **6596-3**, bearing the priority of **February 22, 2005** authorizing the diversion of **0.14** cu. ft. per second of the waters of the **Dakota Formation** for **Commercial** purposes, in **Brown** County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Independent and Pullman Well Drilling**
- 2) No. of Wells **4**
- 3) Depth(s) **1,230, 1,156, 1,180 and 1,215** feet
- 4) Well log is available **Y**
- 5) Comment: Three of the four wells were constructed by Independent Well Drilling and the 1,230 foot well was drilled by Pullman Well Drilling. The information below is for the well constructed by Pullman Drilling and the wells constructed by Independent Drilling indicate they are 1 ½ to 3 inch wells with two of the wells appear to have been perforated 231 feet at the bottom.

Casing:

- 1) Diameter **5 and 3** inches
- 2) Length **970** feet
- 3) Type **Plastic**

Screen:

- 1) Type **PVC**
- 2) Length **260** feet
- 3) Static water level **10** feet

B. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by **Y**
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **NA**

3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows:

Well 1: Approximately 90 feet north and 1,240 feet east of the SW corner of Section 6-T121N-R61W
(N 45.31376, W -98.22241) (SW ¼ SW ¼)

Well 2: Approximately 680 feet south and 1,015 feet east of the NW corner of Section 7-T121N-R61W
(N 45.31151, W -98.22330) (NW ¼ NW ¼)

Well 3: Approximately 1,255 feet south and 1,010 feet east of the NW corner of Section 7-T121N-R61W
(N 45.30995, W -98.22340) (NW ¼ NW ¼)

Well 4: Approximately 2,270 feet south and 995 feet east of the NW corner of Section 7-T121N-R61W
(N 45.30719, W -98.22346) (SW ¼ NW ¼)

The works are capable of diverting and conveying to the place of use 0.10 cu. ft. per second of water which is to be used for Commercial use at the feedlot.

The license should be issued for 0.10 cfs.

All structures, wells and lands on map Y

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

The three well logs from Independent Drilling indicate that all three wells were free-flowing wells capable of producing 9, 11 and 12 gpm. The well log for the well constructed by Pullman Well Drilling indicates that a 15 gpm submersible was to be installed for a total of 47 gpm for all three wells. The wells located on the map are marked as Well 1, Well 2 etc..., however, it is not clear as which well log pertains to which well.


Mike DeFea

Natural Resources Engineer
DENR, Water Rights Program

Date report completed: November 18, 2010

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Jerry Schley

ADDRESS: 40017 143rd St., Stratford, SD 57474

DATE: December 6, 2010

COUNTY: Brown

TELEPHONE: 395-6611, 380-8966

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 same as permitted source and no additional water appropriated**

Water Permit No. 6596-3 was authorized to divert 0.14 cfs of water from four wells constructed into the Dakota Formation in the NW ¼ NW ¼ Section 7-T121N-R61W. After reviewing the GPS coordinates for the wells, one well is located approximately 90 feet north and 1,240 feet east of the SW corner of Section 6-T121N-R61W in the SW ¼ SW ¼ of Section 6. The well logs are available for the four wells and all are constructed into the Dakota Formation. Actual water use from the four wells is 0.10 cfs.

- **If irrigation, no new land is irrigated**

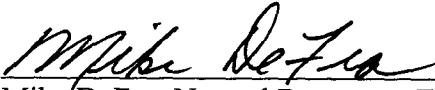
Water from the wells is for a cattle feedlot. No land is irrigated.

- **Review of Existing Diversions**

The nearest Dakota well is located approximately 2.5 miles south and interference would not be expected.

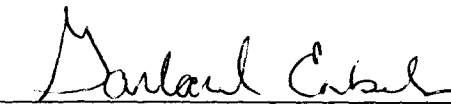
RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.


Mike DeFea, Natural Resources Engineer
Water Rights Program

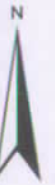
The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.


Garland Erbele, Chief Engineer
Water Rights Program

Water Permit No. 6596-3

Jerry Schley



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
November 15, 2010

0 750 1,500 3,000 Feet



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FEB 11 2011

6596-3

Jerry Schley
40017 143rd St
Stratford SD 57474

Dear Mr. Schley:

Enclosed is Water License No. 6596-3. 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,

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

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6596-3

(1) Jerry Schley, 40017 143rd St, Stratford SD 57474 made Application No. 6596-3, February 22, 2005 for a water permit to divert 0.14 cubic feet of water per second from groundwater (four wells), Brown County, South Dakota for commercial use purposes. Permit No. 6596-3, with a priority date of February 22, 2005 was approved June 6, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 6, 2010 and for the application to beneficial use of water on or before June 6, 2014.

An investigation conducted for licensing purposes found one of the wells constructed under Water Permit No. 6596-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of the one diversion point did not increase the potential for interference with existing water rights.

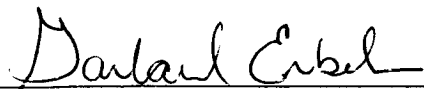
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6596-3 is issued a license, bearing a priority date of February 22, 2005 to appropriate 0.10 cubic feet of water per second from groundwater (four wells) for commercial use purposes.

The diversion points are located:

- Well #1 – 90 feet north and 1,240 feet east of the southwest corner Sec 6-T121N-R61W (SW ¼ SW ¼)
- Well #2 – 680 feet south and 1,015 feet east of the northwest corner Sec 7-T121N-R61W (NW ¼ NW ¼)
- Well #3 – 1,255 feet south and 1,010 feet east of the northwest corner Sec 7-T121N-R61W (NW ¼ NW ¼)
- Well #4 – 2,270 feet south and 995 feet east of the northwest corner Sec 7-T121N-R61W (SW ¼ NW ¼)

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6596-3 including the following now applicable 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.
- Permit No. 6596-3 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. 6596-3 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

FEB 11 2011

date

