

**WATER PERMIT NO. 6597-3**

Name of Applicant: Ringling Cattle Co.

Address: 27442 SD Hwy 45, Platte SD 57369

Phone: 605 337-2297

Amount of Water Claimed: 0.20 cfs (90 gpm)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial

County: Charles Mix

Type of Waste Disposal System:

Location: ½ north of Platte

PRIORITY

Date Received: 2-22-05

Application/License Fee: \$275

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: livestock watering

Diversion Point: NE ¼ SW ¼ Sec 12-T99N-R68W

Land to be Irrigated: NA

Depth of Well: 900

Well Driller:

Remarks:

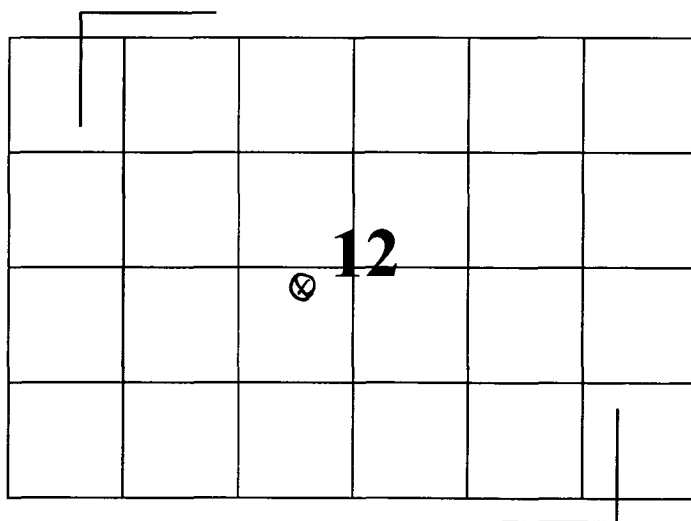
Type of Map: aerial

Prepared by: George S Lerrand, Dist Cons.

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:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>6597-3</u> (office use only)<br>Hydrologic Unit <u>10140101</u> |
|                                                                                                                    | Basin <u>Missouri River</u>                                            |
|                                                                                                                    | Newspaper <u>Platte Enterprise, Platte</u>                             |

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

### Check use(s) of water:

|                                                            |                                           |                                                            |                                          |
|------------------------------------------------------------|-------------------------------------------|------------------------------------------------------------|------------------------------------------|
| <input type="checkbox"/> Municipal                         | <input type="checkbox"/> Suburban Housing | <input type="checkbox"/> Recreational                      | <input type="checkbox"/> Institutional   |
| <input type="checkbox"/> Rural Water System                | <input type="checkbox"/> Commercial       | <input type="checkbox"/> Fish & Wildlife                   | <input type="checkbox"/> Geothermal Heat |
| <input checked="" type="checkbox"/> Domestic (over 18 gpm) | <input type="checkbox"/> Industrial       | <input checked="" type="checkbox"/> Other <u>Livestock</u> |                                          |

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

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

1. Name of Applicant Ringling Cattle Co. Phone 605-337-2297  
(check one) ☒ Owner ☐ Tenant/lessee  
Mailing Address 27442 SD Hwy 45 Platte State SD 57369  
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed 0.20 \*CFS or 90 \*\*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 Dakota Formation 1 diversion point

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) (NE1/4 SW1/4)  
Sec. 12-T-99-N - R-68-W Platte township  
County \_\_\_\_\_

5. County or counties where water will be used Charles Mix

6. Annual period during which water is to be used continuous use 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)

Watering Livestock

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, Ross Ringling, 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 Ross Ringling

Amy Ringling, Notary Public  
In and for the State of SD  
My Commission Expires April 14, 2005

Subscribed and sworn to before me this 13 day of November 20 04

Amy Ringling  
Notary Public signature

**SOUTH DAKOTA**  
**WATER PERMIT NO. 6597-3**

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Date of first receipt of application February 22, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6597-3 to Ringling Cattle Co., 27442 SD Hwy 45, Platte SD 57369 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. 6597-3 appropriates 0.20 cubic feet of water per second (90 gallons per minute) from one well to be completed into the Dakota Formation (approximately 900 feet deep) located in the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 12-T99N-R68W.
2. The water appropriated shall be used for the purpose of commercial use for livestock watering 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. 6597-3 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 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. The well authorized by Permit No. 6597-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Permit No. 6597-3 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.

(continued)

4. Permit No. 6597-3 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

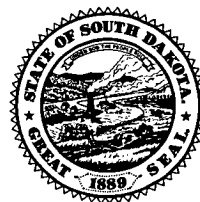
Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

JUN 16 2005

date



## Supplemental Information

(type or print in ink)

### 1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7<sup>7</sup>/<sub>8</sub> - 8<sup>3</sup>/<sub>4</sub> Depth 900'
- b) Casing Type PVC Diameter 5" Thickness Schedule 80
- c) Screen Type Stainless Diameter 3" Thickness Schedule 80
- d) Gravel Pack Silica Sand Length of Gravel Pack 50'
- e) Depth to Top of Water Bearing Material 800'
- f) Depth to Water (ground surface to water level) 50'
- g) Distance to nearest existing domestic well:
- On applicants property Yes On property owned by others \_\_\_\_\_

### 2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) None
- b) System Capacity (gallons) \_\_\_\_\_ Year Constructed \_\_\_\_\_
- c) Connected to the City of \_\_\_\_\_ Sanitary System \_\_\_\_\_

### 3. Dugout Information

- a) Surface Dimensions None Depth \_\_\_\_\_
- b) Depth to water (ground surface to water level) \_\_\_\_\_

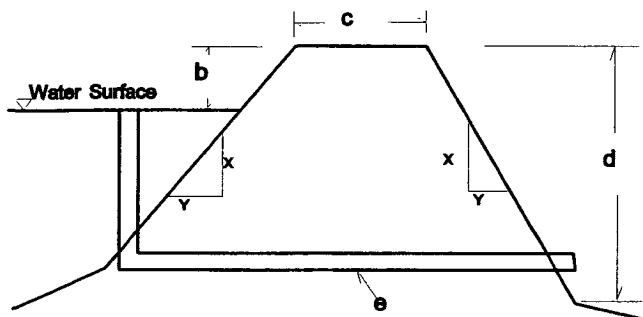
### 4. Water Storage Dams

None

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 Kingling Cattle Co Inc., 27442 SD Hwy 45, Platte SD 57369

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

|                                                                                                                        |       |        |
|------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>6577-3</u> to Appropriate Water, to construct and to put water to beneficial use | 225   | 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>6597-3</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 | 275.00 |

No.

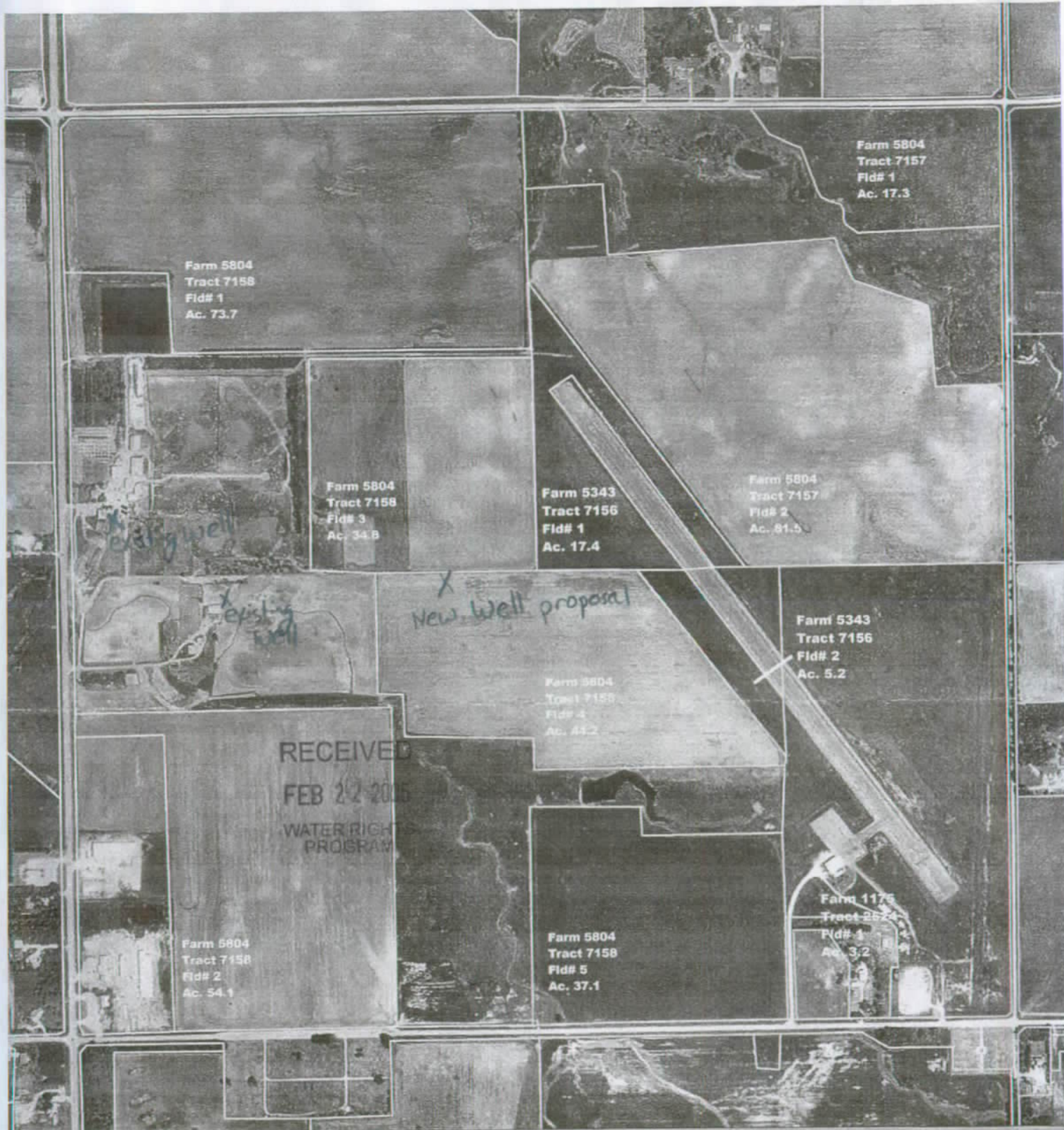
By

Garland Erbele

Chief Engineer

001772

KS



Farm 5804  
Tract 7158  
Fld# 1  
Ac. 73.7

Farm 5804  
Tract 7157  
Fld# 1  
Ac. 17.3

Farm 5804  
Tract 7158  
Fld# 3  
Ac. 34.8

Farm 5343  
Tract 7156  
Fld# 1  
Ac. 17.4

Farm 5804  
Tract 7157  
Fld# 2  
Ac. 81.5

Farm 5343  
Tract 7156  
Fld# 2  
Ac. 5.2

Farm 5804  
Tract 7158  
Fld# 4  
Ac. 43.2

RECEIVED  
FEB 22 2005  
WATER RIGHTS  
PROGRAM

Farm 5804  
Tract 7158  
Fld# 2  
Ac. 54.1

Farm 5804  
Tract 7158  
Fld# 5  
Ac. 37.1

Farm 1175  
Tract 2524  
Fld# 1  
Ac. 3.2

United States Department of Agriculture  
Farm Service Agency

12-99-68

**charles mix County**

January 8, 2004

1997 Digital Orthophotography - Not To Scale



*George S. Shepard*  
*Architect/Constructionist*

2-7-05

65973

REPORT ON WATER PERMIT APPLICATION NO. 6597-3  
For Ringling Cattle Co.  
April 19, 2005

Application No. 6597-3 proposes to appropriate 0.20 cfs (90 gpm) from one well approximately 900 feet deep located in the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of section 12, T99N R68W in Charles Mix County. The water is for livestock watering purposes.

**AQUIFER – DAKOTA FORMATION (DKOT)**

The Dakota Formation is a buried sand, sandstone and shale that is under artesian conditions at this site. 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 in the subsurface and is hydraulically connected into Brule and Aurora Counties to the north, Lyman and Gregory Counties to the south and west, Nebraska to the south and Douglas County to the east. The general direction of ground water movement is from north to south across this part of Charles Mix County (Kume, 1977).

No well log was filed with this application however, there are two existing wells completed into the Dakota Formation on this same facility. These two existing wells are about 880 feet deep and have a static water level about 30 feet below land surface. There is sufficient information available to evaluate this application.

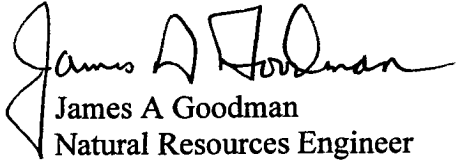
The Water Rights Program monitors observation wells completed into the Dakota Formation in Gregory, Aurora and Brule Counties. The nearest observation to this site is AU-89A and it is located about 22 miles to the northeast. Water levels for this well indicate declining water levels of about four and one-half inches per year (Water Rights, 2005). A hydrograph of this observation well is included with this report. The issue of declining water levels is nothing new for the Dakota Formation. In reality, since shortly after the first wells were completed into the Dakota Formation there has been concern over diminished well yields and water level declines. Although historically the trend in water levels has been downward in this area (Kume, 1977), these trends have leveled off in some areas of South Dakota or at least slowed to gradual rates as shown by the observation well hydrograph.

**REVIEW OF EXISTING WATER PERMITS/RIGHTS**

There is an existing water permit No. 6158-3 (two wells) located just to the west of this application. This well is to be located about one-quarter mile to the east of the closest existing well. The owner of this application also holds the existing permit. Interference is not expected to be a concern. At this distance between wells and at these pumping rates drawdown although measurable should not be significant. There are other domestic wells in the area that obtain water from the Dakota Formation. Eventually it may become necessary to lower pumps into these 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. These are pumped wells and drawdown due to pumping is not expected to be significant at the requested pump rate and at the distance to other permitted users. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards. In this instance, this means grouting the casing in accordance with ARSD 74:02:04:28.
4. Plans and specifications for this facility have been reviewed and approved by the Department.



James A Goodman  
Natural Resources Engineer

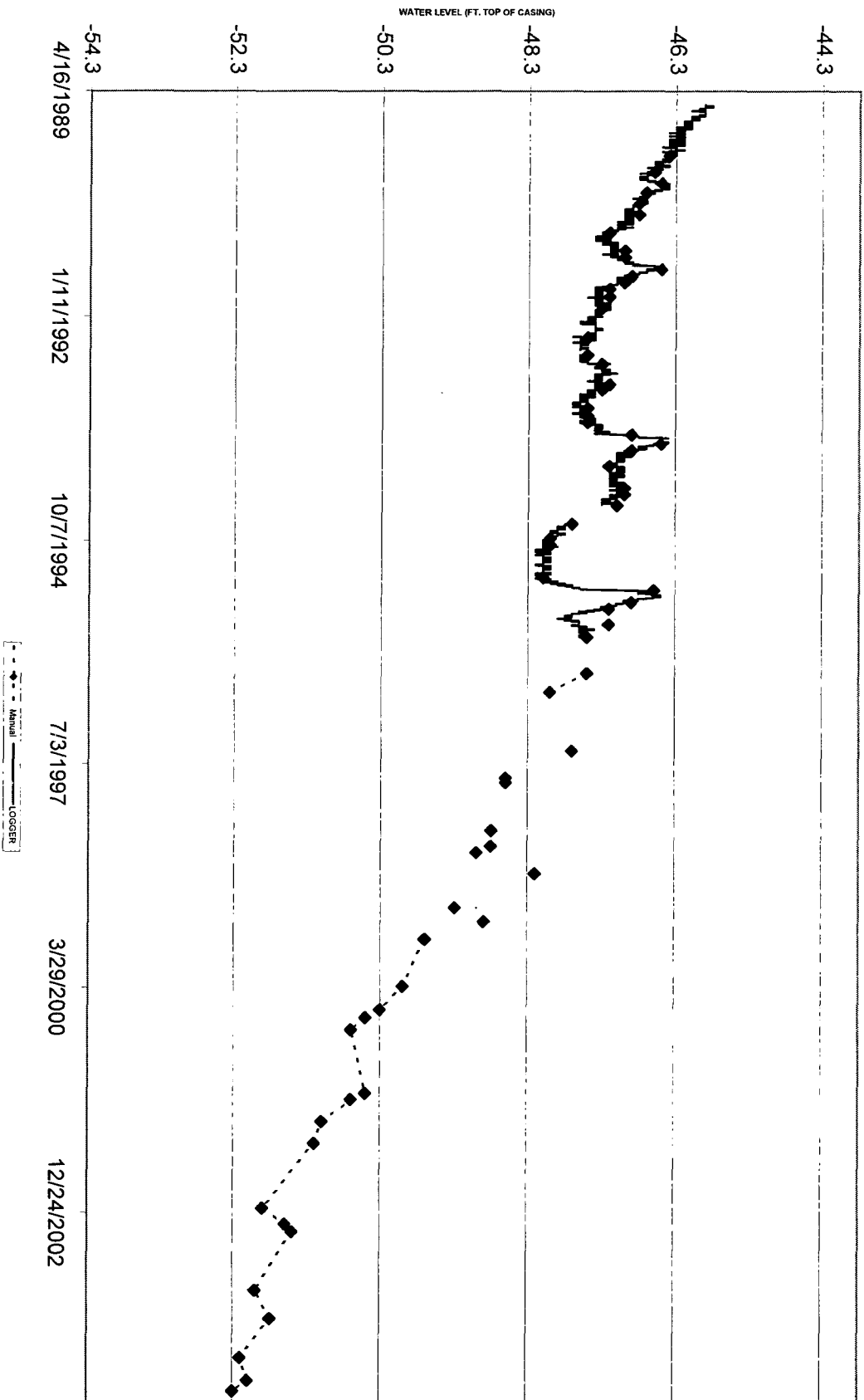
## BIBLIOGRAPHY

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.

Kume, J., 1977, Geology and Water Resources of Charles Mix and Douglas Counties, South Dakota, Bulletin 22, SD DENR, SDGS, Vermillion, SD, 57069.

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

WATER RIGHTS' OBSERVATION WELL  
AU-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](http://www.state.sd.us/denr)

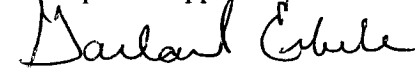
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 6597-3, Ringling Cattle Company**

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. 6597-3, Ringling Cattle Company, c/o Ross Ringling, 27442 SD Hwy 45, Platte SD 57369.

The Chief Engineer is recommending APPROVAL of Application No. 6597-3 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. The well authorized by Permit No. 6597-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Permit No. 6597-3 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.
4. Permit No. 6597-3 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 Charles Mix ) SSI, Sharon Luizenga

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:

5-19-055-26-05Cost of Printing \$37.39Sharon Luizenga  
(Signature)Owner/Publisher  
(Title)5-26-05  
(Date Signed)

RECEIVED

MAY 27 2005

WATER RIGHTS  
PROGRAMNOTICE OF APPLICATION NO. 6597-3  
TO APPROPRIATE WATER

Notice is given that Ringling Cattle Co., 27442 SD Hwy 45, Platte, SD 57369 has filed an application for a water permit to appropriate 0.20 cubic feet of water per second (90 gallons per minute) from one well to be completed into the Dakota Formation (approximately 900 feet deep) located in the NE1/4SW1/4 Section 12-T99N-R68W. The water is for livestock watering purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6597-3 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 Right 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. Pimer,  
Secretary  
Department of Environment  
and Natural Resources  
(5-19, 5-26)

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. 6597-3 to Appropriate Water

Notice is given that Ringling Cattle Co., 27442 SD Hwy 45, Platte SD 57369 has filed an application for a water permit to appropriate 0.20 cubic feet of water per second (90 gallons per minute) from one well to be completed into the Dakota Formation (approximately 900 feet deep) located in the NE ¼ SW ¼ Section 12-T99N-R68W. The water is for livestock watering purposes

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6597-3 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](http://www.state.sd.us/denr)

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

May 12, 2005

Ringling Cattle Co  
% Ross Ringling  
27442 SD Hwy 45  
Platte SD 57369

Dear Mr. Ringling:

Water Permit Application No. 6597-3 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

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

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

May 12, 2005

Platte Enterprise  
PO Box 546  
Platte SD 57369-0546

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6597-3 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 Ringling Cattle Co., % Ross Ringling, 27442 SD Hwy 45, Platte SD (Ph # 605-337-2297).

**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. 6597-3

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. 6597-3 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](http://www.state.sd.us/denr)

**JUN 16 2005**

Ringling Cattle Co  
% Ross Ringling  
27442 SD Hwy 45  
Platte SD 57369

Dear Mr. Ringling:

Enclosed is Water Permit No. 6597-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures

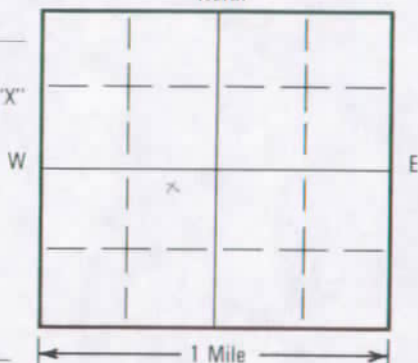
## SOUTH DAKOTA WATER WELL COMPLETION REPORT

6597-3

07-92

Location NE 1/4 SW 1/4 Sec 12 Twp 99N Rg 68W  
County Chas. M. v.

Please mark well location with an "X"



Well Completion Date

9-21-05

## LOCATION:

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

## PROPOSED USE:

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

## METHOD OF DRILLING:

Rig

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT  | DIAMETER | FROM     | TO       | HOLE DIAMETER |
|-------------|----------|----------|----------|---------------|
| 50017 LB/FT | 5 IN     | 0 FT     | 400 FT   | 8 3/4 IN      |
| 5480 LB/FT  | 3 IN     | 400 FT   | 820 FT   | 7 7/8 IN      |
| _____ LB/FT | _____ IN | _____ FT | _____ FT | _____ IN      |

## GROUTING DATA

| Grout Type | No. of Sacks | Grout Weight  | From     | To       |
|------------|--------------|---------------|----------|----------|
| Portland   | 56           | 74 lb./gal    | 0 ft     | 800 ft   |
| _____      | _____        | _____ lb./gal | _____ ft | _____ ft |

Describe grouting procedure pressure then 120 lbSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 3 IN Length 40 FEETMaterial Stainless SteelSlot Size .025 Set From 820 Feet to 860 Feet

Other information \_\_\_\_\_

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? \_\_\_\_\_

Describe packer(s) and location? \_\_\_\_\_

DISINFECTION: Was well disinfected upon completion?

YES, How: chlorine

NO, Why Not? \_\_\_\_\_

Laboratory sent to for water quality analysis

State

 Well Owner: Ross Ringling  
 Business Name: \_\_\_\_\_  
 Address: 2742 30th St, 40  
Platte, SD 57369

## WELL LOG:

| FORMATION | DEPTH |     |
|-----------|-------|-----|
|           | FROM  | TO  |
| Clay      | 0     | 36  |
| Pierre    | 36    | 224 |
| Niobrara  | 224   | 390 |
| Carlisle  | 390   | 575 |
| Greenhorn | 575   | 610 |
| Greene    | 610   | 775 |
| Dakota    | 775   | 860 |
|           |       |     |
|           |       |     |

STATIC WATER LEVEL 40 Feet

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_

Reduced Flowrate \_\_\_\_\_ GPM

Can well be completely shut in? \_\_\_\_\_

## WELL TEST DATA:

☐ Pumped Describe: developed by air☐ Bailed \_\_\_\_\_☐ Other \_\_\_\_\_

Pumping Level Below Land Surface

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate 30 GPM

## REMARKS

Have had well

RECEIVED

DEC 28 2005

WATER RIGHTS PROGRAM

This well was drilled under license # 213

And this report is true and accurate.

Drilling firm Hutchinson Drilling Inc

Signature of License Representative: \_\_\_\_\_

Signature of Well Owner or Equitable Property Holder: \_\_\_\_\_

Date: 12-1-05

**Permit No. 6597-3**  
**Missouri 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, July 11, 2006, made a thorough examination of the water use system constructed by Ringling Cattle Co. of 27442 SD Hwy 45, Platte SD 57369 holder of Permit No. 6597-3, bearing the priority of February 22, 2005 authorizing the diversion of 0.20 cu. ft. per second of the waters of ground water (Dakota Formation) for commercial purposes, in Charles Mix County.

Inspection contact & relationship to permit holder, if applicable: Ross Ringling

**A. Works used to divert the water:**

**Well Information:**

- 1) Well Drilling Firm: Hutmacher Drilling
- 2) No. of Wells 1
- 3) Depth(s) 860 feet
- 4) Well log is available Y

**Casing:**

- 1) Diameter 5 & 3 inches
- 2) Length 400 & 420 feet
- 3) Type Plastic

**Screen:**

- 1) Type Stainless steel
- 2) Length 40 feet
- 3) Static water level 40 feet

**Motor/Pump:**

- 1) Make submersible
- 2) Model unknown
- 3) Capacity 90 GPM

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

Water from the well is distributed to a livestock feeding operation.

**C. Compliance with Permit Requirements:**

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

The system is in good condition with the point of diversion located as follows: Well: 2,700 feet S and 2,175 feet E from the NW corner section 12-T99N-R68W (Latitude 43.40567, Longitude -98.83674 – NE¼SW¼). The works are capable of diverting and conveying to the place of use 0.20 cu. ft. per second of water which is to be used for commercial purposes in a livestock feeding operation. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.20 cfs.

All structures, wells and lands on map Y | Comments or other permit(s) associated with the project: 6158-3



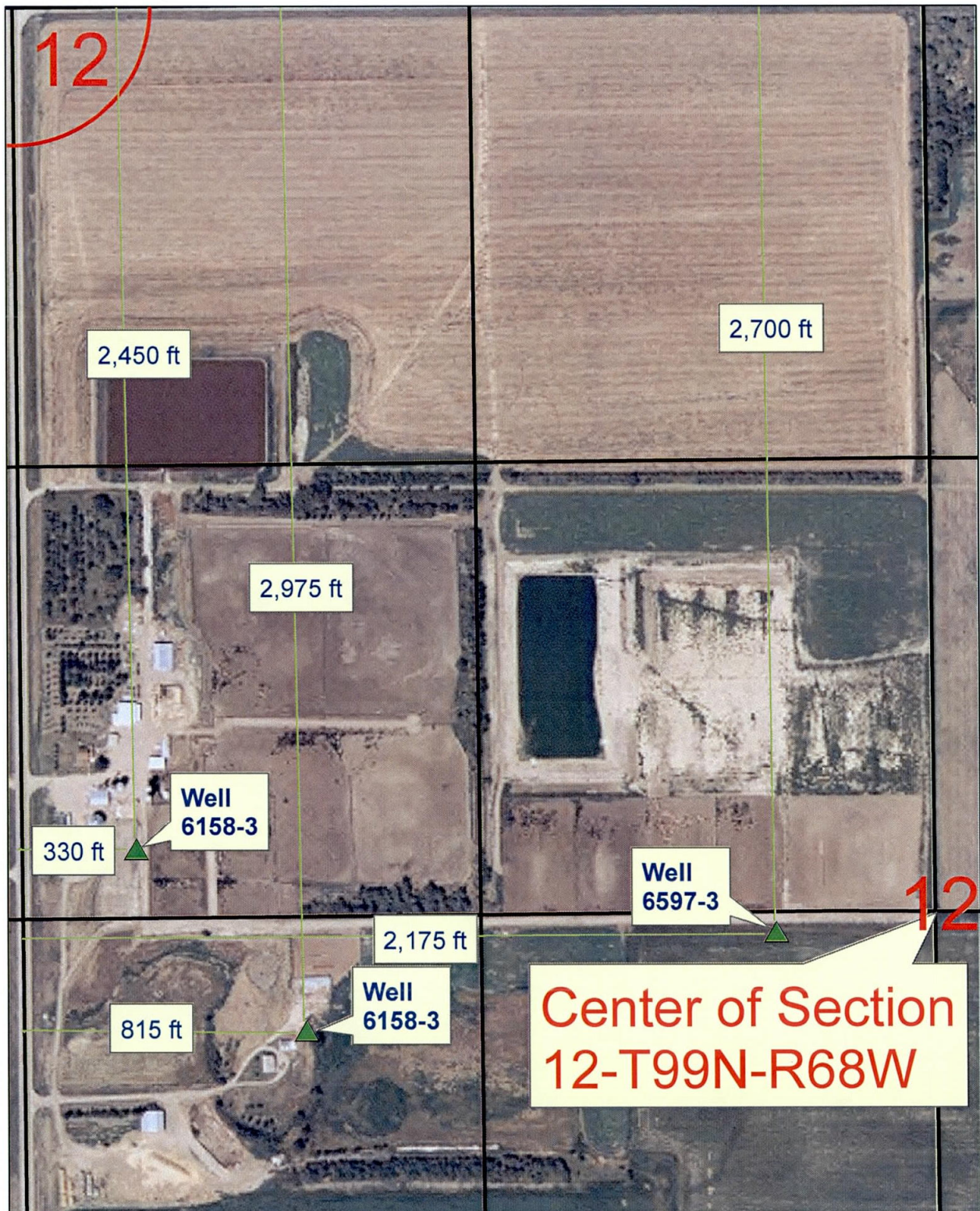
Ron Duvall  
Natural Resources Engineer  
DENR, Water Rights Program

Date report completed: August 28, 2006

Scale: 1 inch equals 432 feet

625

Feet



*South Dakota*  
Department of Environment  
& Natural Resources  
Water Rights

Completed by:

*Ron Duvall*  
Ron Duvall, Natural Resources Engineer  
Water Rights Program

Diversion point(s) located using GeoExplorer II GPS

Date: Aug 28, 2006

**Water Right No. 6158-3  
6597-3**



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

SEP 12 2006

6158-3  
6597-3

Ross Ringling  
Ringling Cattle Company  
27442 SD Hwy 45  
Platte SD 57369

Dear Mr. Ringling:

Enclosed are your Water License Nos. 6158-3 and 6597-3. They are the final water right documents completing your process of obtaining Water Rights. Also enclosed is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 6158-3 and 6597-3, 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 Licenses, 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. 6597-3**

(1) Ringling Cattle Company, 27442 SD Hwy 45, Platte SD 57369 made Application No. 6597-3, February 22, 2005 for a water permit to divert 0.20 cubic feet of water per second (90 gallons per minute) from ground water (one well – Dakota Formation), Charles Mix County, South Dakota for commercial purposes. Permit No. 6597-3, 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 said water on or before June 6, 2014.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.20 cubic feet of water per second for beneficial use. The location of the diversion point is as follows:

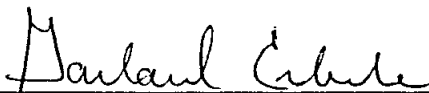
- **Well: 2,700 feet S and 2,175 feet E of the NW corner of Section 12, T99N, R68W (NE ¼ SW ¼)**

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in a livestock feeding operation.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ringling Cattle Company the holder and/or owner of Water Right No. 6597-3 is issued a license to appropriate water, the right to use 0.20 cubic feet of water per second from ground water (one well – Dakota Formation) with a priority date of February 22, 2005 from the location specified in (2) of this license, for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6597-3 and subject to the following 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.
- The well authorized by Permit No. 6597-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
- Permit No. 6597-3 is subject to compliance with requirements of the Department's General Water Pollution Control Permit issued pursuant to SDCL 34-2-36 or 34A-2-112 for concentrated animal feeding operations.
- Permit No. 6597-3 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

SEP 12 2006  
date

