

WATER PERMIT NO. 6602-3

Name of Applicant: Joe or Rick Pazour

Address: 35423 255th St, Pukwana SD

Phone: 605 778-6858

Amount of Water Claimed: 0.17 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial

County: Brule

Type of Waste Disposal System:

Location: 8 miles southeast of Pukwana

PRIORITY Date Received: 3-8-05

Application/License Fee: \$200

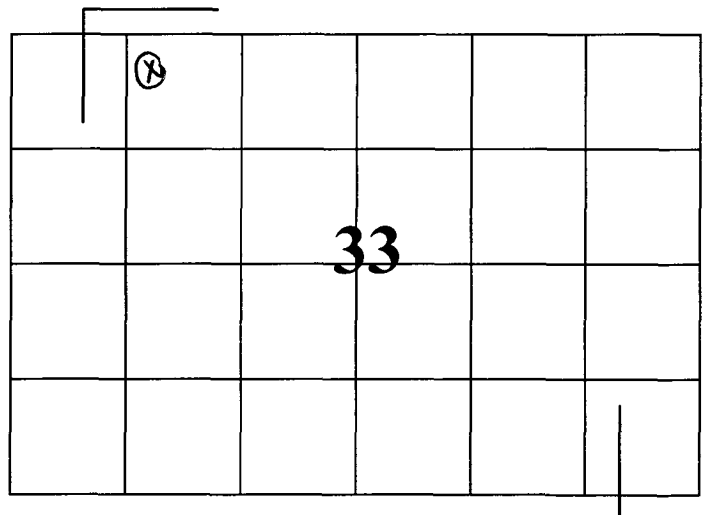
Corrected Application Received: 3-11-05

Period of Annual Use: Jan 1 – Dec 31

Remarks: cattle feeding operation

Diversion Point: NW ¼ NW ¼ Sec 33-T103N-
R69W

Land to be Irrigated: NA



Depth of Well: 900 feet

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Ben Linch, Brule Co NRCS

Reviewed and the Number Assigned on: 3-11-05

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

6631

FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>6602-3</u>	Hydrologic Unit <u>10140101</u>
	Basin <u>Missouri River</u>	
Newspaper <u>Central Dakota Times, Chamberlain</u>		

RECEIVED

MAR - 1 2005

WATER RIGHTS
PROGRAM

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

Check use(s) of water:

☐ Municipal	☐ Suburban Housing	☐ Recreational	☐ Institutional
☐ Rural Water System	☒ Commercial	☐ Fish & Wildlife	☐ Geothermal Heat
☐ Domestic (over 18 gpm)	☐ Industrial	☐ Other	

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 Joe or Rick Pazour Phone 605 778 6858
 (check one) ☒ Owner ☐ Tenant/lessee
 Mailing Address 35423 255th Pukwana State SD 57320
605-778-6858 (Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed 0.17 *CFS or 75 **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 ground water

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
NW 1/4 NW 1/4 section 33-T103-N-R 69W County Brule

5. County or counties where water will be used Brule

6. Annual period during which water is to be used All year 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)

cattle feeding operation
will expand when approved by DNR

STATE OF SOUTH DAKOTA)

County of Brule

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, Joe Pazour, 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 Joe Pazour

Subscribed and sworn to before me this 10 day of March 2005

Una R. DeHaan

Notary Public signature

nm: april 26, 2008

**SOUTH DAKOTA
WATER PERMIT NO. 6602-3**

Date of first receipt of application March 8, 2005.

Date of return to applicant for corrections, amendments or changes March 8, 2005.

Date of receipt of corrected application March 11, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6602-3 to Joe or Rick Pazour, 35423 255th St, Pukwana SD 57370 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. 6602-3 appropriates 0.17 cubic feet of water per second from one well to be completed into the Dakota Formation (approximately 900 feet deep) located in the NW ¼ NW ¼ Section 33-T103N-R69W.
2. The water appropriated shall be used for the purpose of commercial use in a cattle feeding 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. 6602-3 is June 13, 2005.
5. The date from which applicant may claim right is March 8, 2005.
6. One-fifth of the construction is to be completed on or before December 13, 2007.
7. All construction is to be completed on or before June 13, 2010.
8. Water is to be put to beneficial use on or before June 13, 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. 6602-3 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. 6602-3 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. 6602-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:

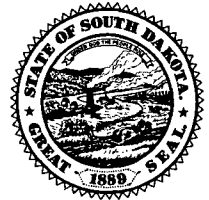
- a) Chapter 74:54:01 Ground Water Quality Standards,
- b) Chapter 74:54:02 Ground Water Discharge Permit,
- c) Chapter 74:51:01 Surface Water Quality Standards,
- d) Chapter 74:51:02 Uses Assigned to Lakes,
- e) Chapter 74:51:03 Uses Assigned to Streams, and
- f) Chapter 74:52:01 through 74:52:11 Surface 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



Supplemental Information

(type or print in ink)

this well is not
complete so these
figure are estimate

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8³/₄ x 7⁷/₈ Depth 900 ft
- b) Casing Type PVC Diameter 5" x 3" Thickness Schedule 80
- c) Screen Type stainless steel Diameter 3 Thickness
- d) Gravel Pack yes Length of Gravel Pack 60' - 70'
- e) Depth to Top of Water Bearing Material 800'
- f) Depth to Water (ground surface to water level) 40'
- g) Distance to nearest existing domestic well:
On applicants property 1/2 mile On property owned by others 1 mile

2. Wastewater Disposal System Information

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

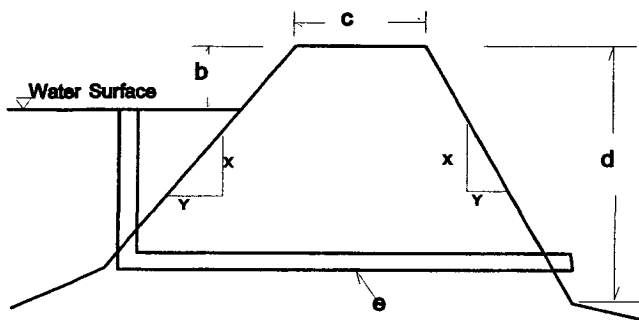
3. Dugout Information

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

4. Water Storage Dams

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

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



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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 8, 20 05

RECEIVED OF Joe Pazour, 35423 255th St., Pukwana SD 57370

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

Fee for Application for Permit No. <u>6602-3</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>6602-3</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.

001787

By

Darlene Ebel
Chief Engineer
gm

T 1025
 F 1309
 1
 16.77
 NHSL
 0
 36.87
 NC
 2
 33.28
 NHSL
 3
 143.20
 NHSL
 NW 1/4
 NRECS - USDA
 District Conservation
 3-10-05
 4
 74.74
 NHSL
 T 652
 F 420
 1
 81.77
 NHSL
 2
 72.22
 NHSL
 3
 1.93
 NHSL
 1
 156.14
 NHSL
 T 646
 F 400
 T 612
 F 400
 T 27



Map Not to Scale
No Official Wetland Determination

Brule County, South Dakota

Sec-Twp-Rng: 33-103N-69W

Map Printed: Aug 26, 2004



6602-3



March 7, 2005

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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MAR 11 2005

WATER RIGHTS
PROGRAM

Joe or Rick Pazour
35423 255th St
Pukwana SD 57370

Dear Mr. Pazour:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial use in a cattle feeding operation. In order to complete the application the following is required.

- Enclosed is the application. The application is being returned because it needs to be signed and notarized.
- A map showing the location of the well in relation to a government section corner or quarter corner by direction and distance is required. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. aerial photo map from local NRCS office).

If you have any questions, please contact me.

Sincerely,

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

enclosure

RECEIVED

MAR 11 2005

WATER RIGHTS
PROGRAM

REPORT ON WATER PERMIT APPLICATION NO. 6602-3

For Joe or Rick Pazour

April 22, 2005

Application No. 6602-3 proposes to appropriate 0.17 cfs (75 gpm) from one well approximately 900 feet deep located in the NW ¼ NW ¼ of section 33, T103N R69W in Brule County. The water is for commercial use in a cattle feeding operation.

AQUIFER – DAKOTA FORMATION (DKOT)

The Dakota Formation is a buried sand, sandstone and shale that is under artesian conditions in this area. The aquifer underlies 837 square miles and contains an estimated 12.65 million acre-feet of recoverable water in storage in Brule County (Hedges, 1982). The aquifer extends into Buffalo and Jerauld Counties to the north, Lyman County to the west, Charles Mix and Douglas Counties to the south and Aurora County to the east. The Dakota Formation should be about 300 to 350 feet thick in this area (Schoon, 1971). Ground water movement is probably from west to east across this area (Schoon, 1971) and effected by the large number of flowing wells at lower elevations along the Missouri River. There are many domestic wells in this area obtaining water from the Dakota Formation. Most of the Dakota Formation wells do not free flow at the land surface in this area and in fact static water levels are in the range of 60 to 100 feet below land surface in this part of Brule County.

The Water Rights Program monitors an observation well BL-83A located about 11 miles northwest of this application. Water levels for this well have gradually declined (at a rate of about ½ foot per year) since the well was completed in 1983. In general the record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2005). A hydrograph for this observation well is included with this report.

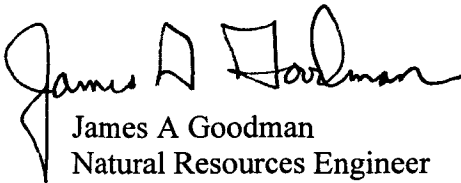
Historically water levels in the Chamberlain area have declined significantly. It has been estimated that water level declines of about 300 to 350 feet (Schoon, 1971). Schoon quotes Robinson that in May of 1891 the water level at Chamberlain was 1828 feet msl, and 1684 feet msl in 1900. Today that same water level about two miles south of Chamberlain is about 1590 feet msl. It is apparent that most of the decline occurred many years ago when wells were first developed and were allowed to flow uncontrolled and unrestricted to waste. It is easily understood that the original high pressure and large flows immediately affected the water levels in an area. The flows then began to diminish due to loss of head this in turn created a situation where the decline of the head (water levels) conserved water through natural means.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby water permits/rights that obtain water from the Dakota Formation in this area. The nearest existing permitted user is about four miles to the west. Interference is not a concern. Drawdown created by pumping at this rate is not expected to be significant nor extend very far from the production well.

CONCLUSIONS

1. Water is available from the Dakota Formation.
2. The aquifer is under artesian conditions. Drawdown will be created by pumping. However, at this requested rate drawdown is not expected to be significant. Interference should not be a concern. It may become necessary to lower the pump in a nearby well in order to obtain the amount of water needed.
3. This well must be completed in accordance with SD Well Construction Standards. This means the well must be grouted in accordance with ARSD 74:02:03:28.
4. The applicant should consider an alternative source of water for this facility. It will be necessary to drill another well or provide water from another source.
5. Historically, water levels have declined in the Dakota Formation. However, this factor alone cannot be used to determine water availability from the aquifer. The primary reason for declining water levels have been and continue to be water that is discharging through uncontrolled flowing wells and is thus wasted. It can be seen from the hydrograph that this rate of decline appears to be leveling off.
6. No plans and specifications for this facility have been submitted to the department for approval.



James A Goodman
Natural Resources Engineer

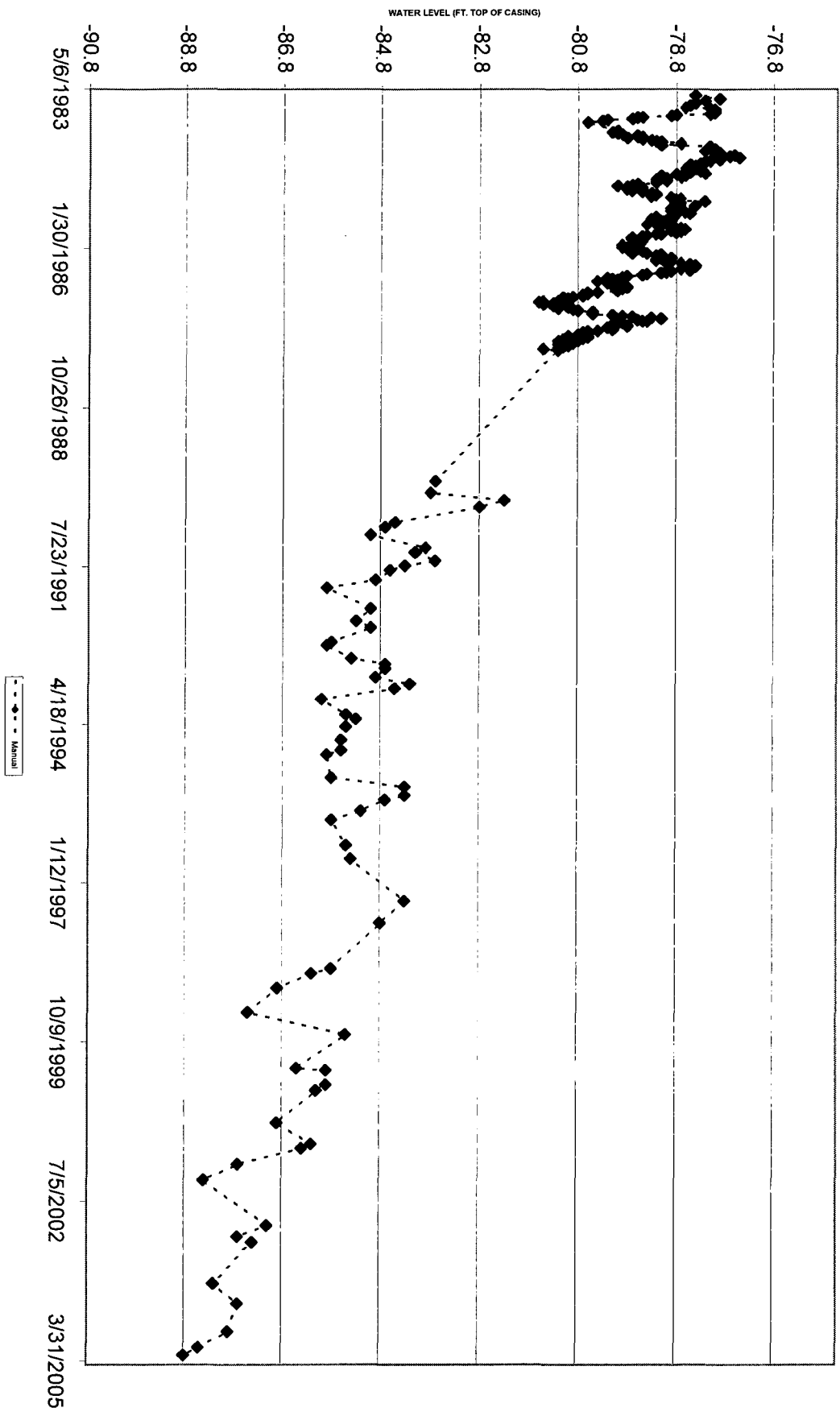
BIBLIOGRAPHY

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

Schoon, R.A., 1971, Geology and Hydrogeology of the Dakota Formation in South Dakota, Report of Investigations No. 104, 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
BL-83A





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6602-3, Joe and Rick Pazour**

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. 6602-3, Joe and Rick Pazour, 35423 255th Street, Pukwana SD 57370.

The Chief Engineer is recommending APPROVAL of Application No. 6602-3 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. 66023 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. 6602-3 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. 6602-3 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 12, 2005

AFFIDAVIT OF PUBLICATION

State of South Dakota

SS

County of Brule

Debi Hopkins of said county, being, first duly sworn, on oath, says: That she is the publisher of *Central Dakota Times*, a weekly newspaper, published in the City of Chamberlain, in said County of Brule, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Brule and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the Notice of Application

No. 6602-3 To Appropriate
Water

a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for

two successive week(s) to wit:

May 25, 2005; June 1, 2005;
_____, 20____; _____, 20____;
_____, 20____; _____, 20____;

That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

\$32.95

Signed: Debi Hopkins

Subscribed and sworn to before me this 15th day
of June, 2005

Notary Public

South Dakota

JANET L. PETRAK

SEAL NOTARY PUBLIC SEAL
SOUTH DAKOTA

my commission expires June 5, 2010.

NOTICE OF APPLICATION NO. 6602-3 TO APPROPRIATE WATER

Notice is given that Joe or Rick Pazour, 35423 255th Street, Pukwana, SD 57370 has filed an application for a water permit to appropriate 0.17 cubic feet of water per second from one well to be completed into the Dakota Formation (approximately 900 feet deep) located in the NW1/4NW1/4 Section 33-T103N-R69W. The water is for commercial use in a cattle feeding operation.

Pursuant to SDCL 46-2A-2, the chief engineer recommends APPROVAL of Application No. 6602-3 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 East 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 13, 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.

(May 25/June 1)

RECEIVED

JUN 16 2005

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

May 13, 2005

Joe or Rick Pazour
35423 255th St
Pukwana SD 57370

Dear Mr. Pazour:

Water Permit Application No. 6602-3 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 Central Dakota Times printed at Chamberlain, SD (Ph # 605-234-0266). 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

May 13, 2005

Central Dakota Times
PO Box 125
Chamberlain SD 57325-0125

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6602-3 to Appropriate Water to be published twice. Please publish the first notice on May 25, 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 Joe or Rick Pazour, 35423 255th Street, Pukwana SD (Ph # 605-778-6858).

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. 6602-3

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

Date _____

We are in receipt of your letter of May 13, 2005 enclosing Notice to Appropriate Water by Application No. 6602-3 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 25, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6602-3 to Appropriate Water

Notice is given that Joe or Rick Pazour, 35423 255th St, Pukwana SD 57370 has filed an application for a water permit to appropriate 0.17 cubic feet of water per second from one well to be completed into the Dakota Formation (approximately 900 feet deep) located in the NW ¼ NW ¼ Section 33-T103N-R69W. The water is for commercial use in a cattle feeding operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6602-3 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 13, 2005.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 23 2005

Joe or Rick Pazour
35423 255th St
Pukwana SD 57370

Dear Mr. Pazour:

Enclosed is Water Permit No. 6602-3 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

11-02

Location NW 1/4 NW 1/4 Sec 33 Twp 103N Rg 69W

County

Brule

North

Please mark well
location with an "X"

W

E



1 Mile

Well Completion Date

12/23/2005

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? 500.0 ft. from septic (identify source)

PROPOSED USE:

☒ Domestic/Stock
☐ Irrigation

☐ Municipal
☐ Industrial

☐ Business
☐ Institutional

☐ Test Holes
☐ Monitoring well

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel☒ Plastic☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>50K17</u> LB/FT	<u>5.00</u> IN	<u>0.0</u> FT	<u>400.0</u> FT	<u>8.75</u> IN
<u>3480</u> LB/FT	<u>3.00</u> IN	<u>400.0</u> FT	<u>920.0</u> FT	<u>7.88</u> IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	<u>60</u>	<u>9.4</u> Lb/gal	<u>0.0</u> Ft	<u>900.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
pressure thru tremie

SCREEN:

☐ Perforated pipe☒ ManufacturedDiameter 3.00 Inches Length 40.0 FeetMaterial Stainless SteelSlot Size .025 Set From 920.0 Feet to 960.0 FeetOther information silica sand pack

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?Lab sample sent to for
water quality analysis

State

Well Owner: Joe Pazour

Business Name:

Address: 35423 255stCity, State, Zip: Pukwana SD 57370

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Clay	0	63
Gravel	63	77
Pierre	77	255
Niobrara	255	463
Carlile	463	622
Greenhorn	622	690
Graneros	690	830
Dakota	830	960

STATIC WATER LEVEL

75.0 FEET

If flowing: closed in pressure

PSI

GPM flow through

Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☐ PumpedDescribe: 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:

55

GPM

REMARKS

permitted well

This well was drilled under license #

213

And this report is true and accurate.

Drilling firm: Hutmacher Drilling, Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

12-24-05

RECEIVED

DEC 28 2005

WATER RIGHTS
PROGRAM

1-3-06

Permit No. 6602-3
Missouri River - Water District

Contact Person & Address: **Joe and Rick Pazour, 35423 255th St, Pukwana SD 57370**

Report Of Examination Of Works

On, **March 12, 2015**, I made a thorough examination of the water use system constructed by **Joe and Rick Pazour** holder of Permit No. **6602-3**, bearing the priority of **March 8, 2005** authorizing the diversion of **0.222** cu. ft. per second of the waters of **groundwater Dakota Aquifer** for **commercial** purposes, in **Brule** County.

The system is in the following condition **good**. The points of diversion is located all in **Sec 33 T103N R69W; from the NW corner; 805 ft E and 200 ft S** with latitude of **43.68629** and a longitude of **-99.10917** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **0.17** cu. ft. per second of water which is to be used for **commercial purposes in a feedlot**. Water has been put to beneficial use to the maximum extent as follows:

The feedlot is located in **the NW ¼ of Sec 33 T103N-69W** and the license should be issued for **0.17** cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **NA**.
- 4) Exceptions to compliance are: **yes**

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- 1) Well Drilling Firm: **Hutmacher Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **960** feet
- 4) Well log is available **yes**

Casing:

- 1) Diameter **3 - 5** inches
- 2) Length **920** feet
- 3) Type **pvc**

Screen:

- 1) Type **stainless steel**
- 2) Length **40** feet
- 3) Static water level **75** feet

Pump:

- 1) Make **unknown**
- 2) Model **unknown**
- 3) Size **6**
- 4) Capacity **75** GPM

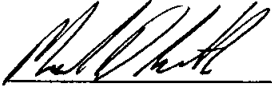
Motor:

1) Make unknown 2) Model No. unknown 3) Horsepower rating unknown hp

DISTRIBUTION LINES OR CANALS:

1) Type black polyplastic 2) Size 1 inches

Comments : none



Mark D. Rath
Natural Resources Engineer III
DENR, Water Rights Program

3-16-15

Date

6602-3



Mark D Rath 3.16.16

Mark D Rath
Natural Resources Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 24 2015

6602-3

Joe & Rick Pazour
35423 255th St
Pukwana SD 57370

Dear Sirs:

Enclosed is Water License No. 6602-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6602-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6602-3**

(1) Joe & Rick Pazour, 35423 255th St., Pukwana SD 57370 made Application No. 6602-3, March 8, 2005 for a water permit to divert 0.17 cubic feet of water per second from ground water (one well, Dakota Formation), Brule County, South Dakota for commercial purposes in a livestock feedlot operation. Permit No. 6602-3, with a priority date of March 8, 2005 was approved June 13, 2005 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before June 13, 2010 and for the application to beneficial use of said water on or before June 13, 2014.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.17 cubic feet of water per second for beneficial use. The location of the diversion point is:

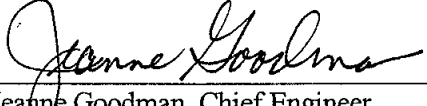
- 805 feet E and 200 feet S of the NW corner of Section 33, T103N, R69W (NW ¼ NW ¼).

(3) The permit holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in a commercial feedlot operation located in the NW ¼ Section 33, T103N, R69W.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Joe & Rick Pazour, 35423 255th St., Pukwana SD 57370 the holders and/or owners of Water Right No. 6602-3 are issued a license to appropriate water, the right to use 0.17 cubic feet of water per second from ground water (one well, Dakota Formation) with a priority date of March 8, 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. 6602-3 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. 6602-3 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. ***Well drilled by Hutmacher Drilling in 2005. A copy of the log is on file with the Water Rights Program.***
- Permit No. 6602-3 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. 6602-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a) Chapter 74:54:01 Ground Water Quality Standards,
 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 24 2015

date

