

WATER PERMIT NO. 6611-3

Name of Applicant: J Robert Wardin

Address: 1 Eagle Ridge Rd, North Oaks ND 55127

Phone: 612 868-8909

Amount of Water Claimed: 2.0

Total Acres: 173

Source of Water Supply: one well

Water to be used for: irrigation

County: Clay

Type of Waste Disposal System:

Location: 8 miles northwest of Vermillion

PRIORITY Date Received: 3-11-05

Application/License Fee: \$300

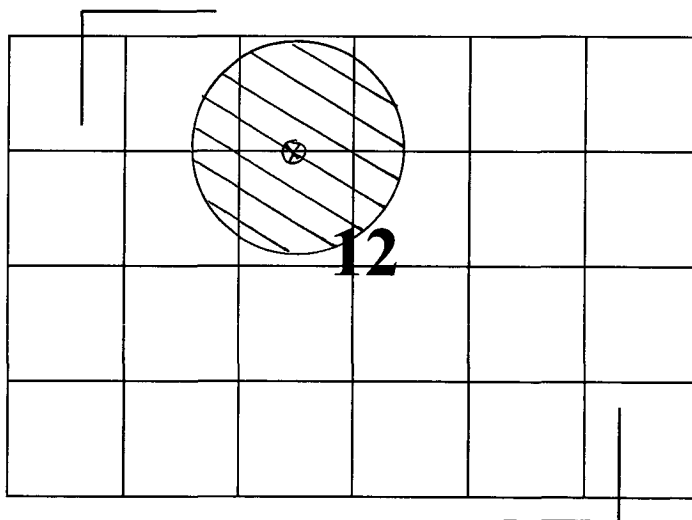
Corrected Application Received: 3-29-05

Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: E ½ NW ¼ Sec 12-T93N-R53W

Land to be Irrigated: NW ¼, W ½ NE ¼ Sec 12-T93N-R53W



Depth of Well: 110 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Keith Janten, Clay Co FSA

Reviewed and the Number Assigned on: 3-30-05

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota

(type or print)

RECEIVED

MAR 11 2005

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6611-3</u> (office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Plain Talk</u>

Application For Permit To Appropriate Water For Irrigation

 Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
 (Use predates Mar 2, 1955)

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

1. Name of Applicant J. Robert Wardin Phone (612) 868-8909
 (check one) ☐ Owner ☐ Tenant/lessee
 Mailing Address 1 Eagle Ridge RD North Oaks State MN 55127-6409
 (Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 2.0 *CFS or 900 **GPM ***AF Total Acreage 173
 (*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) County Clay
North half of Section 12 T-93N R-53-W (E 1/2 NW 1/4)
5. County or counties where water will be used Clay
6. Annual period during which water is to be used April through October 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
 (Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
SE Qtr of NW Quarter	40	NW Quarter of NE Quarter	21
NE Qtr of NW Quarter	40	SW Qtr of NE Quarter	24
NW Qtr of NW Quarter	24		
SW Qtr of NW Quarter	24	<u>all in Sec 12-T-93N-R53W</u>	

8. Give a description of the project. (Attach sheet if more space is needed)

Drill a new well at the center point between the NE Quarter of the NW Quarter and SE Quarter of the NW Quarter in Section 12. Irrigate cropland with a corner machine pivot. Would like to drill well in May.

STATE OF ~~SOUTH DAKOTA~~ ^{MINNESOTA} SS
 County of Freeborn

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, Jay Wardin, 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 [Signature]Subscribed and sworn to before me this 10th day of March 20 05

SARAH L. BERVEN
 NOTARY PUBLIC - MINNESOTA
 My Commission Expires Jan. 31, 2007

Notary Public signature [Signature]

**SOUTH DAKOTA
WATER PERMIT NO. 6611-3**

Date of first receipt of application March 11, 2005.

Date of return to applicant for corrections, amendments or changes March 14, 2005.

Date of receipt of corrected application March 29, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6611-3 to J Robert Wardin, 1 Eagle Ridge Rd, North Oaks MN 55127-6409 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. 6611-3 appropriates 2.0 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 110 feet deep) located in the E ½ NW ¼ Section 12 to irrigate 173 acres located in the NW ¼, W ½ NE ¼ Section 12; all in T93N-R53W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is March 11, 2005.
4. The date of approval of Permit No. 6611-3 is June 14, 2005.
5. One-fifth of the construction is to be completed on or before December 14, 2007.
6. All construction is to be completed on or before June 14, 2010.
7. Water is to be put to beneficial use on or before June 14, 2014.
8. 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. 6611-3 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

JUL 01 2005

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

No well drilled or test hole.

- a) Drill Hole Diameter 36" Depth 110'
- b) Casing Type PVC Diameter 16" Thickness 1/2"
- c) Screen Type SLOTTED PVC Diameter 16" Thickness 1/2"
- d) Gravel Pack ROAD CLASS Length of Gravel Pack 80'
- e) Depth to Top of Water Bearing Material 30'
- f) Depth to Water (ground surface to water level) 20'
- g) Distance to nearest existing domestic well:
- On applicants property 2 mi On property owned by others 3 mi

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

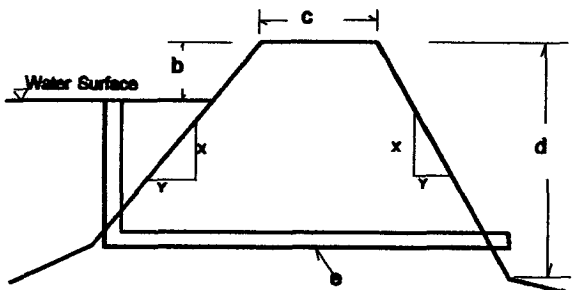
3. Dugout Information

- 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 14, 20 05

RECEIVED OF Robert Werdin, One Eagle Ridge Road, North Oaks MN 55127

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

Fee for Application for Permit No. <u>66113</u> to Appropriate Water, to construct and to put water to beneficial use	250	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>6611-3</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	300.00

No.

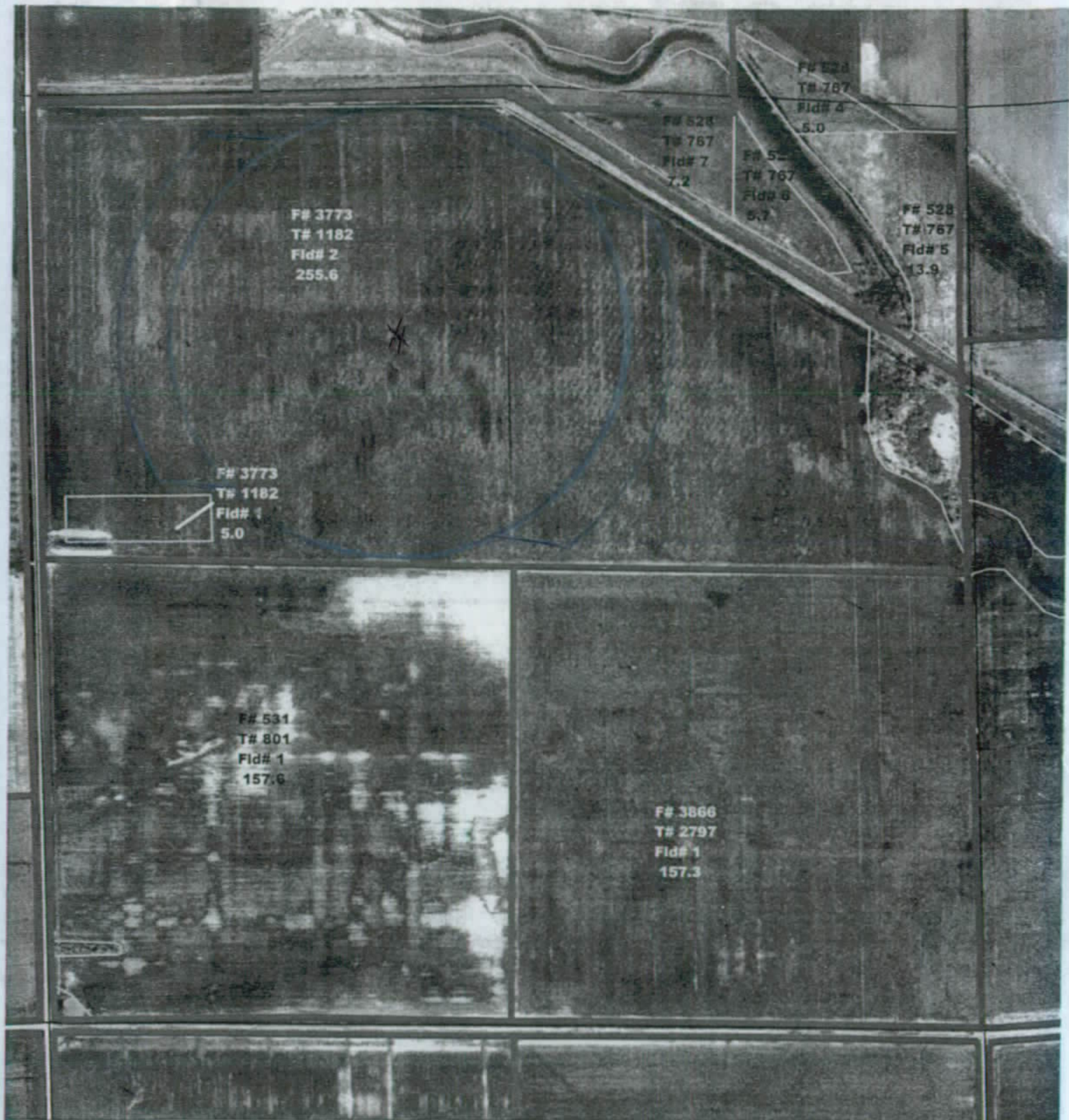
00114

By

Darlene E. Eide

Chief Engineer

gm



United States Department of Agriculture **Clay County Farm Service Agency**
Farm Service Agency 121 W Kidder St. Suite 102
Vermillion, SD 57069-3033

12-93-53

January 27, 2004

Clay County

1997 Digital Orthophotography - Not To Scale


Keith R. Riden CED

66611-3

REPORT ON WATER PERMIT APPLICATION NO. 6611-3

For J. Robert Wardin

May 6, 2005

Application No. 6611-3 proposes to appropriate 2.0 cfs (900 gpm) from one well approximately 110 feet deep located near the center of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of section 12 to irrigate 173 acres located in the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ of section 12; all in T93N R53W in Clay County.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 74,500 acres and contains an estimated 1.117 million acre-feet of recoverable water in storage in Clay County (Hedges, 1982). The aquifer extends into Yankton County to the west, into Union County to the east and is hydraulically connected to the James, Vermillion and Missouri Rivers. Ground water movement is from west to east in the area of this application (Christensen, 1967). A hydrogeologic map in the Christensen report indicates that the aquifer should be 75 to 100 feet thick in the area in and around section 12. Christensen went on to describe the aquifer as follows "On the floodplains of the Missouri and Vermillion Rivers the outwash is overlain by alluvium--gravel, sand, silt, and clay that was transported by the rivers and deposited at place where the velocity of the water was insufficient to maintain the materials in motion. Much of the floodplain alluvium is permeable and forms a single aquifer with the underlying outwash" (Christensen, 1967).

No test well was provided with this application. However there is sufficient information to evaluate this application. The 110 feet depth estimated for a well depth is reasonable. This aquifer is very prolific and this thickness is more than sufficient to obtain the amount of water requested.

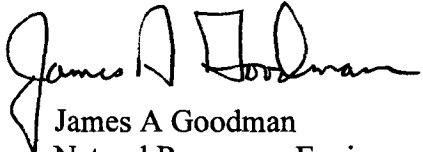
The Water Rights Program monitor one observation wells in the area of this application. This is observation well CL-80A located about one mile southeast of this application. Water levels for these wells show good response to climatic conditions that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2005). A hydrograph for this observation well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are three existing Water Right Nos. 5524-3, 5658-3 and 6169-3 with wells within two miles of the well for this application. Interference is not expected to be a problem. At this distance between wells drawdown created by pumping should not be significant. The only other water users in this area would be domestic users. Historically there have never been any disputes or complaints concerning water use and availability in this area.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is under water table conditions in this area. Interference is not a concern. Drawdown created by pumping at this proposed rate is not expected to be significant very far from the production well.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

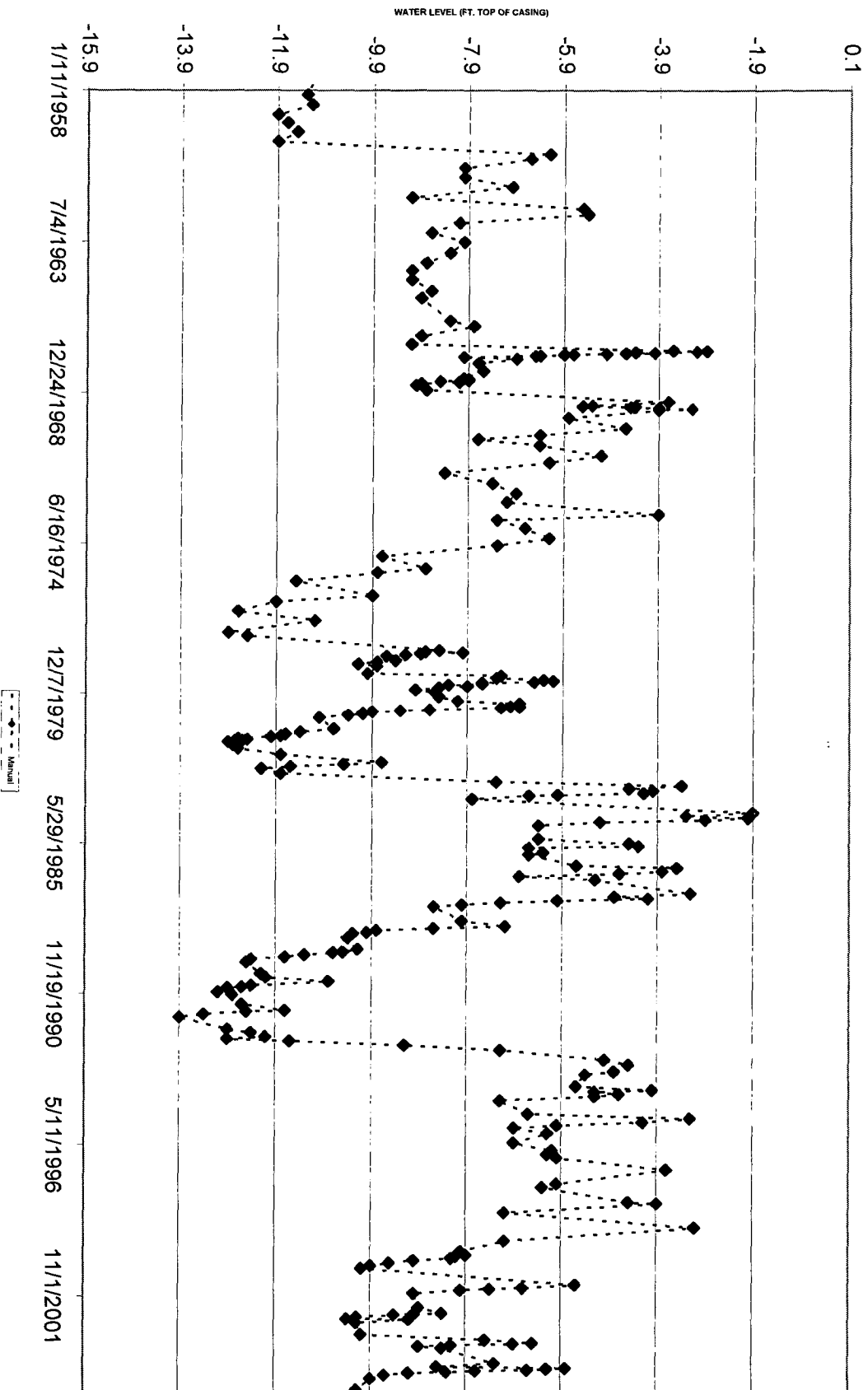
BIBLIOGRAPHY

Christensen, C.M., J.C.Stephens, 1967, Geology and Hydrology of Clay County South Dakota, Part II Water Resources, Bulletin 19, SD DENR, SDGS, Vermillion, SD, 57069.

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

Water Rights, 2005, Unpublished Observation Well Data for Yankton and Clay Counties, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL CL-80A





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6611-3, J. Robert Wardin**

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. 6611-3, J. Robert Wardin, 1 EagleRidge RD, North Oaks MN 55127-6409.

The Chief Engineer is recommending APPROVAL of Application No. 6611-3 because 1) there is a reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be 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. 6611-3 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 16, 2005

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Shani Bonner

Being first duly sworn, deposes and says: That he/she is a resident of the County of Clay and State of South Dakota; that

THE PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Broadcaster Press, Inc., and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

NOTICE OF APPLICATION NOS. 6610-3 & 6611-3

TO APPROPRIATE WATER: J ROBERT WARDIN

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as aforesaid

was on Friday, the 27th day of May, 20 05, and that the succeeding publications were severally

on Friday, the 3rd day of June, 20 05,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforesaid were

Forty-five dollars and 49 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, 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 other person whomsoever.

Shani Bonner

Subscribed and sworn to before me

this

27th day of May, 20 05
JOAN E. WILLROTH

SEAL NOTARY PUBLIC
SOUTH DAKOTA

Notary Public

RECEIVED

My Commission Expires 04/17/2011

JUN 16 2005

WATER RIGHTS

NOTICE OF APPLICATION NOS. 6610-3 and 6611-3 to Appropriate Water

Notice is given that J. Robert Wardin, 1 Eagle Ridge Rd., North Oaks, MN 55127-6409 has filed the following applications for water permits.

Application No. 6610-3 proposes to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (approximately 110 feet deep) located on the center of the quarter line between the NW 1/4 and SW 1/4 Section 21 to irrigate 135 acres located in the S 1/2 NW 1/4, N 1/2 SW 1/4 Section 21; all in T93N-R53W.

Application No. 6611-3 proposes to appropriate 2.0 cfs from one well to be completed into the Missouri:Elk Point Aquifer (approximately 110 feet deep) located in the E 1/2 NW 1/4 Section 12 to irrigate 173 acres located in the NW 1/4, W 1/2 NE 1/4 Section 12; all in T93N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6610-3 and 6611-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the appli-

cant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 14, 2005.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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.

Publish: May 27 & June 3, 2005



**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 16, 2005

J Robert Wardin
1 Eagle Ridge Rd
North Oaks MN 55127-6409

Dear Mr. Wardin:

Water Permit Application Nos. 6610-3 & 6611-3 for irrigation 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 Plain Talk printed at Vermillion, SD (Ph # 605-624-2695). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and the reports on the applications 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 applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, 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 applications.

Instruction to Newspaper - Publish first Notice on May 27, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 6610-3 and 6611-3 to Appropriate Water

Notice is given that J Robert Wardin, 1 Eagle Ridge Rd, North Oaks MN 55127-6409 has filed the following applications for water permits.

Application No. 6610-3 proposes to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (approximately 110 feet deep) located on the center of the quarter line between the NW $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 21 to irrigate 135 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 21; all in T93N-R53W.

Applications No. 6611-3 proposes to appropriate 2.0 cfs from one well to be completed into the Missouri:Elk Point Aquifer (approximately 110 feet deep) located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 12 to irrigate 173 acres located in the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 12; all in T93N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6610-3 and 6611-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 14, 2005.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

May 16, 2005

Plain Talk
PO Box 256
Vermillion SD 57069-0256

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 6610-3 & 6611-3 to Appropriate Water to be published twice. Please publish the first notice on May 27, 2005 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is J Robert Wardin, 1 Eagle Ridge Rd, North Oaks ND 55127 (Ph # 612-868-8909).

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-----

Nos. 6610-3 & 6611-3

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

Date _____

We are in receipt of your letter of May 16, 2005 enclosing Notice to Appropriate Water by Application Nos. 6610-3 & 6611-3 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

JUL 01 2005

J Robert Wardin
1 Eagle Ridge Rd
North Oaks MN 55127-6409

Dear Mr. Wardin :

Enclosed are Water Permit Nos. 6610-3, 6611-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Two Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return these completed forms after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water licenses 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



6611-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 2, 2005

6610-3
6611-3

Less Farms
21601 Fir Ave
Merrill IA 61038

Dear Sir:

I am writing in follow-up to our phone conversation concerning the irrigation done in 2005 on land you rent from Robert Wardin. Enclosed are copies of Water Permit Nos, 6610-3 and 6611-3.

I completed the 2005 irrigation questionnaires for these permits based on our phone conversation. Next year's questionnaires will be mailed to you around mid October, 2006.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

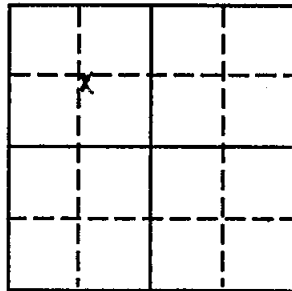
11-02

Location SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 12 Twp 93N Rg 53W

County

Clay

North



Please mark well location with an "X"

Well Completion Date

7/7/2005

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

2,500.0 ft. from Septic tank (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	72.0 FT	22.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	20	9.6 Lb/gal	0.0 Ft	70.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 40.0 FeetMaterial PVCSlot Size .080 Set From 72.0 Feet to 112.0 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?

Lab sample sent to for water quality analysis

☒ No, Why Not?
Well Owner: Bob Wardin

Business Name:

Address:

North Oaks, MINN

City, State, Zip:

Meekling SD 57044

WELL LOG:

DEPTH

FORMATION	FROM	TO
Silt, brown, clayey	0	15
Sand, fine to very fine, brown	15	51
Sand, brown, crse, some pebble bed	51	68
Gravel, med, subrounded	68	124
Shale, dk gray, sticky	124	142

STATIC WATER LEVEL

24.0 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:

☒ Pumped Describe:

☐ Bailed

☐ Other

Pumping Level Below Land Surface

36.0 Ft. After 6.0 Hrs. pumped 950.0 GPM

Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate:

GPM

REMARKS

This well was drilled under license #

666

And this report is true and accurate.

Drilling firm: Hammond-Wetmore Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

7/20/05

RECEIVED

FEB 02 2006

WATER RIGHTS PROGRAM

2-13-06



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 10, 2009

5658B-3
6610-3
6611-3

Brian Peterson
Whiskey Creek Partnership
1739 Charles Ave
Lawton IA 51030-8077

Dear Mr. Peterson:

Enclosed as we discussed are the 2009 irrigation questionnaires for land you farm for Robert Wardin. I have included copies of the water permits and also a copy of one of the questionnaires that Ken Less sent in last year.

The yellow questionnaires will need to be completed and returned to us as soon as possible. Typically, they are sent out in October and are due by December 1st. The forms were originally sent to Ken Less and he returned them to us December 9th indicating he no longer farmed the property.

The forms can be submitted by any of the following methods:

- on-line: <http://denr.sd.gov/iq.aspx>
- fax: 605 773-4068
- by regular mail in the envelope provided; or
- by phone at 605 773-3352

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

c: J Robert Wardin, 1 Eagle Ridge Rd, North Oaks, MN 55127-6409 (without attachments)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: WHISKEY CREEK PARTNERSHIP, BRIAN PETERSON - RENTER, 1739 CHARLES AVE,
LAWTON, IA 51030

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5658B-3, 6610-3 & 6611-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5658B-3, 6610-3 & 6611-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5658B-3, 6610-3 & 6611-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq.aspx>

c: J ROBERT WARDIN, 1 EAGLE RIDGE RD, NORTH OAKS, MN 55127-6409

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2010

Brian Peterson
Whiskey Creek Partnership
1739 Charles Ave
Lawton IA 51030

RE: 2009 Irrigation Questionnaires for Water Permit Nos. 5658B-3, 6610-3 & 6611-3

Dear Mr. Peterson:

I am writing to acknowledge receipt of the 2009 irrigation questionnaires for land you farm for Robert Wardin. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Permit Nos. 5658B-3, 6610-3 & 6611-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

c: Robert Wardin

6611-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 18 2015

6611-3
7052-3

J Robert Wardin
1 Eagle Ridge Rd
North Oaks MN 55127-6509

Dear Mr. Wardin:

Enclosed is Water License No. 7052-3. 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. 7052-3, 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

Note: The applicable portions of Water Permit No. 6611-3 have been incorporated into Water License No. 7052-3.