

WATER PERMIT NO. 6616-3

Name of Applicant: Armour Hunters Haven

Address: c/o Jeffry Scherschligt, 2020 Pendar Lane, Sioux Falls SD 57105

Phone: 605 339-3874

Amount of Water Claimed: 0.22 cfs Total Acres: XX

Source of Water Supply: groundwater (one well)

Water to be used for: fish wildlife & propagation, recreation and livestock

County: Charles Mix

Type of Waste Disposal System:

Location: approximately 15 miles southeast of Platte

PRIORITY Date Received: 3-28-05

Application/License Fee: \$275

Corrected Application Received: 4-6-05

Period of Annual Use:

Remarks: maintain a 71 acre wetland

Diversion Point: NE ¼ SE ¼ Sec 13-T98N-R66W

Water Impounded: E ½ Sec 13-T98N-R66N

Depth of Well: 950 feet deep

Well Driller:

Remarks:

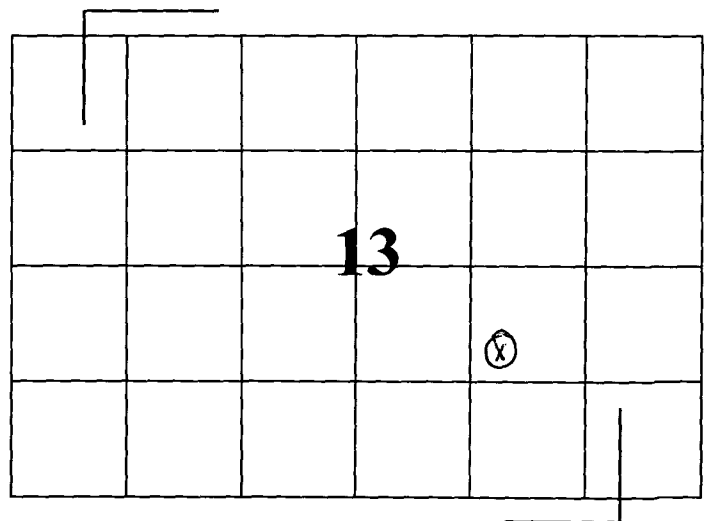
Type of Map: aerial

Prepared by: George Sherrard, FSA

Reviewed and the Number Assigned on: 4-6-05

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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

RECEIVED
MAR 28 2005
WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6616-3</u> (office use only)	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:

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

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.) _____

- Name of Applicant Armour Hunters Haven, LLP c/o Jeff Scherschligt Phone 605-339-3874
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 2020 Pendar Lane Sioux Falls State SD 57105
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.22 *CFS or 100 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) One well located in
neck of wetland north of the main basin. See attached map.
NE1/4 SE1/4 Sec 13-T98N-R66W, 513T98G66 County Charles Mix
- County or counties where water will be used Charles Mix
- Annual period during which water is to be used Periodic to maintain wetland January 1 - December 31
- 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)

*see attached D.U. study RFP to Hutmacher Drilling and their response

Water Impounded - 71AC - E & Sec 13 - T98N - R66W

STATE OF SOUTH DAKOTA)

County of Minnehaha 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, Jeffrey J. Scherschligt, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature _____

Subscribed and sworn to before me this 24th day of March 2005

McIntenden
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6616-3**

Date of first receipt of application March 28, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6616-3 to Armour Hunters Haven LLP, 2020 Pendar Lane, Sioux Falls SD 57105 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. 6616-3 appropriates 0.22 cubic feet of water per second from one well to be completed into the Dakota Formation (approximately 950 feet deep) located in the N ½ SE ¼ Section 13-T98N-R66W. Water will be pumped from the well to maintain a 71 acre wetland area located in the E ½ Section 13-T98N-R66W.
2. The water appropriated shall be used for the purpose of fish and wildlife propagation, recreation and livestock watering purposes 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. 6616-3 is July 5, 2005.
5. The date from which applicant may claim right is March 28, 2005.
6. One-fifth of the construction is to be completed on or before January 5, 2008.
7. All construction is to be completed on or before July 5, 2010.
8. Water is to be put to beneficial use on or before July 5, 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. 6616-3 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. Pumping of the well is not authorized when the wetland is full. Pumping shall be controlled so that water will not be impounded on property owned by others unless easements are obtained.

WATER MANAGEMENT BOARD

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

JUL 29 2005
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction *see attached proposal from Hutmacher Drilling, Inc.

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

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 _____

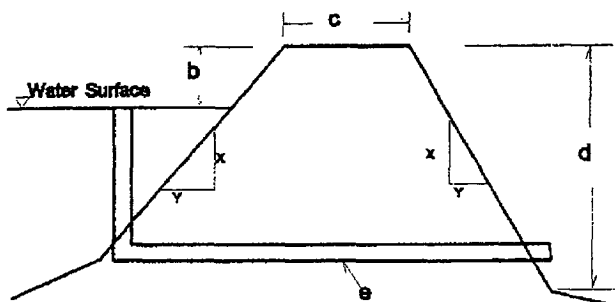
3. Dugout Information

- 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 20, 20 05

RECEIVED OF Jeffrey J Schencklight, 2020 S Bender Tr., Sioux Falls SD 57105

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

Fee for Application for Permit No. <u>66116-3</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>66116-3</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. 000003

By Darland Elise

Chief Engineer gms

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 6, 20 05

RECEIVED OF Armour Hunters Haven LLP, Jeffery Scherschmidt, 2020 G Bender Ln, Sioux Falls

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

57105

Fee for Application for Permit No. <u>66666-3</u> to Appropriate Water, to construct and to put water to beneficial use	75	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. _____		
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	75.00

No.

0-1005

By

Darlan E. White

Chief Engineer

gm

Farm 5336
Tract 2323
Fld# 8
Ac. 5.5

Farm 3124
Tract 6599
Fld# 10
Ac. 2.3

Farm 3124
Tract 6599
Fld# 8
Ac. 2.0

Farm 3124
Tract 6599
Fld# 9
Ac. 1.0

Farm 3124
Tract 6599
Fld# 3
Ac. 49.5

Farm 5336
Tract 2323
Fld# 10
Ac. 1.3

Farm 5336
Tract 2323
Fld# 5
Ac. 62.7

Farm 5336
Tract 2323
Fld# 6
Ac. 28.8

Farm 3124
Tract 6599
Fld# 7
Ac. 1.5

Farm 3124
Tract 6599
Fld# 5
Ac. 13.3

Farm 4285
Tract 6773
Fld# 4
Ac. 18.1

Farm 4285
Tract 6773
Fld# 3
Ac. 16.2

Farm 3124
Tract 6599
Fld# 1
Ac. 80.2

Farm 3124
Tract 6599
Fld# 4
Ac. 42.7

Farm 4285
Tract 6773
Fld# 1
Ac. 33.5

Farm 4285
Tract 6773
Fld# 5
Ac. 20.2

Farm 4285
Tract 6773
Fld# 2
Ac. 27.9

Farm 3124
Tract 6599
Fld# 2
Ac. 30.4

Farm 3124
Tract 6599
Fld# 6
Ac. 50.7

Property
with
canna

United States Department of Agriculture
Farm Service Agency

13-98-66

September 27, 2004

charles mix County

1997 Digital Orthophotography - Not To Scale

George Sheppard
District Conservationist



66116-3



GREAT PLAINS REGIONAL OFFICE

2525 River Road

Bismarck, ND 58503-9011

(701) 355-3500 Fax (701) 355-3575

www.ducks.org

December 1, 2004

Jeff Scherschlight
P.O. Box 5113
Sioux Falls, SD 57117

Dear Jeff:

Enclosed is the map of your property in Charles Mix County that depicts the watershed (506 acres) and the two wetlands, one at 1635 msl (18 acres) and the second at 1640 msl (71 acres). Also, enclosed is the Drought Analysis Data for the wetland. You have an 80% probability of the watershed providing 5 acre-feet of water annually, a 50% probability of the watershed experiencing 14 acre-feet of run-off annually and a 20% probability of 45 acre-feet of run-off annually. Our best guesstimate is that the 18-acre wetland would require 25 to 40 acre-feet of water annually to hold water throughout the year. The 71-acre wetland would require approximately 250 acre-feet of water to hold water throughout the year.

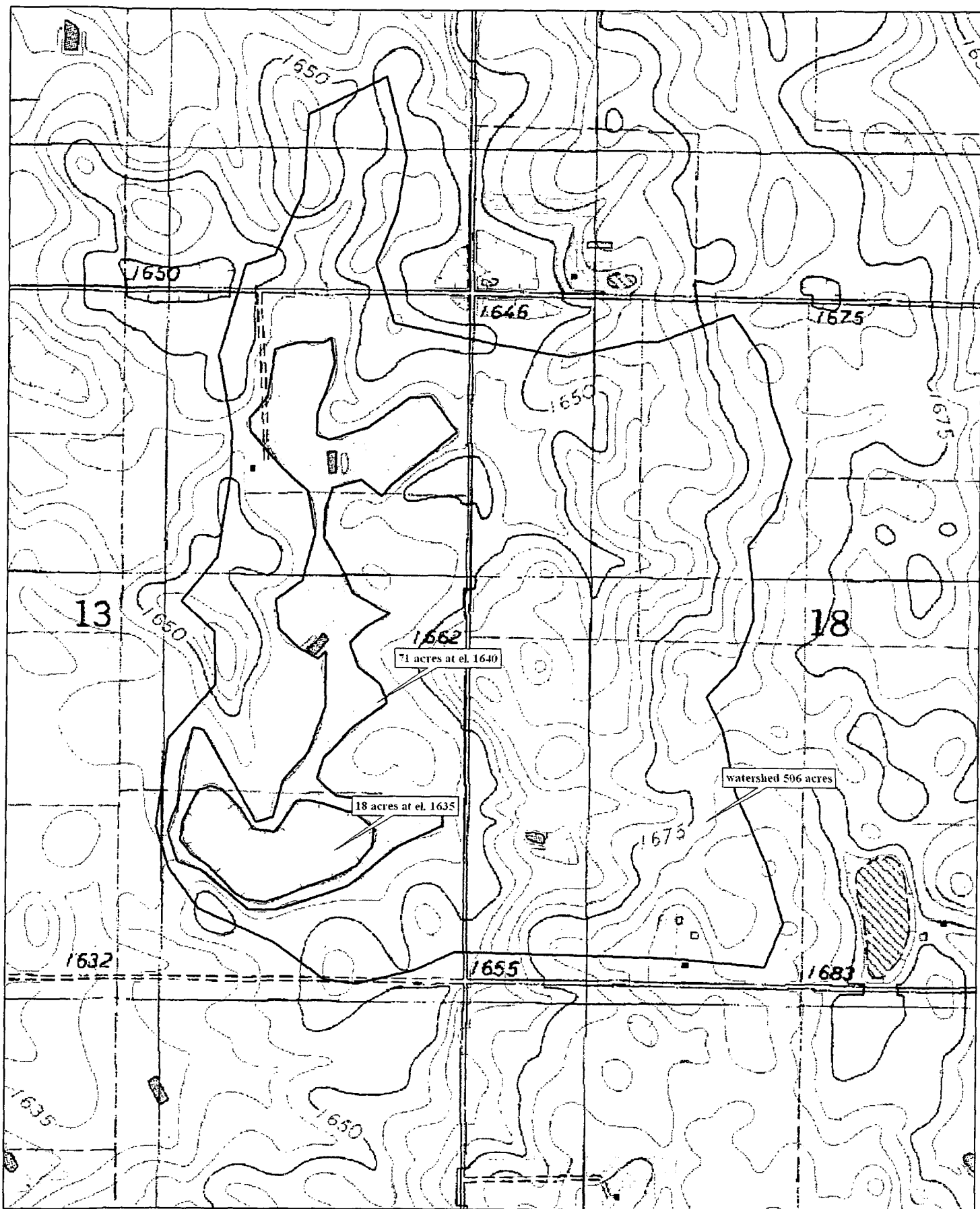
Presently, the 18-acre wetland could be expected to have good water about 1 in every 4 to 5 years. Otherwise, it has some water in the spring but is dry by early summer and remains dry until the next spring. It has a temporary to seasonal water regime. For duck production, that is ok as long as there are some semi-permanent wetlands within one mile that supply brood water during the summer. Your wetland supplies migration habitat and breeding pair habitat but only in very wet years would it be expected to hold water during the summer.

Roger Smith, DU Engineer, and I will certainly be willing to visit with you about any of this if you have questions, Jeff. Thanks for your interest in wetlands and ducks. Your area should be very attractive to pheasants.

Yours,

Rick Warhurst
Manager of Conservation Programs in Dakotas and Montana

Enclosures



DROUGHT ANALYSIS
Using isogram map 2.5
Watershed 506 acres

EXCEEDANCE PROBABILITY	RUNOFF acre-inches/acre	ANNUAL YEILD acre feet
80%	0.11	5
50%	0.32	14
20%	1.1	45

Estimated vol at el.1635 - 18 acres - 25-40 acre-feet

Estimated vol at el.1640 - 71 acres - 250 acre-feet

February 23, 2005

Hutmacher Drilling, Inc.
Attn: Wade Hutmacher
Box 294
Chamberlain, SD 57325

RE: WELL FEASIBILITY

Wade, attached is a report prepared by Ducks Unlimited regarding a pond I wish to supplement with a well system. As you can see there is an 18-acre area that comprises the deepest basin. It is my hope to:

1. Set up a well system that could feed this basin to maintain a consistent wetland.
2. During wetter periods the ability to supplement the 71-acre area would be a plus.

I would hope to use the neck north of the main basin to locate a well, which can feed the 18-acre basin. I intend to fund this and do not intend to request any assistance from Ducks Unlimited.

At this time I am hesitant to dig out deeper areas to maintain fish, as this would potentially unplug the basin and cause more water flow needs.

Is it possible to hire you to:

1. Calculate water flow needs to fill and maintain this 18-acre basin?
2. Advise on any water permits I would need to secure to carry out this project?

This wetland has been bid into the US Fish and Wildlife permanent easement program. I discussed with them prior to my bid as to my ability to manipulate the hydrology and they said it would not be a problem.

I am very interested in pursuing this project this spring with beginning construction as soon as possible.

I have been referred to you by numerous people, and am looking forward to your reply.

Sincerely,

J. J. Scherschligt

HUTMACHER DRILLING, INC.

**PO Box 294
Chamberlain, SD 57325
(605)734-6631
800.606.6631**

March 2, 2005

Jeff Scherschligt
Howalt-McDowell Insurance
PO Box 5113
Sioux Falls, SD 57117-5113

L/M 3.8.05
3.12.05
- gave to Jim.
- said I was wrong
3.14.05
- gave to Eric to
save paperwork.

Dear Jeff,

I have calculated the need to obtain 40 acre-feet per year. The total is 24.9 GPM 24 hrs/day 365 days/year. This does not include any loss for evaporation or ground loss.

I would recommend you design a well capable of 100 GPM and install a 75 GPM pump. This could produce about 120 acre-feet per year. The well would be 900-950' deep with a static water level at 100-120'. I have enclosed an estimate on the cost of the well and pump. You will need to have power to the well and a waterline to the pond.

This well will require a SD water permit and the well must be grouted from the formation to the top of the ground. You can obtain a water permit application from SD DENR, Water Rights Program at 605-773-3352. The contact is Eric Gronland.

Call if you have any questions.

Sincerely,



Jim Hutmacher

HUTMACHER DRILLING, INC.

PO Box 294

Chamberlain, SD 57325

(605)734-6631

March 2, 2005

Jeff Scherschligt

Howalt-McDowell Insurance

PO Box 5113

Sioux Falls, SD 57117-5113

WELL ESTIMATE

940' Deep

400'	Pipe, 5" SDR17 250# PVC	23.00/ft	\$ 9,200.00
500'	Pipe, 3" PVC Sch 80	21.00/ft	10,500.00
40'	Screen, 3" SS Well	110.00/ft	4,400.00
2400#	Well Pack	25.00/100#	600.00
860'	Grout	3.50/ft	3,010.00
1	Water Sample		<u>75.00</u>
	Subtotal		\$27,785.00
	Excise Tax		<u>567.10</u>

TOTAL WELL ESTIMATE

\$28,352.10

PUMP SYSTEM ESTIMATE

1	Pump, 5 HP 55GS		\$2,432.00
1	Control Box, 5 HP		343.00
1	Subsurance, 5-year		75.00
230'	Cable, 8-3 Flat Sub	3.76/ft	864.80
220'	Pipe, 2" PVC Sch 80 Drop	4.00/ft	880.00
11	Coupling, 2" R & D Brass	14.10/ea	155.10
1	Well Seal, 5 x 2		49.40
Misc	Fittings, Torque Arrestor, etc		250.00
1	Labor to Install Pump		<u>600.00</u>
	Subtotal		\$5,649.30
	Excise Tax		<u>115.31</u>

TOTAL PUMP SYSTEM ESTIMATE

\$5,764.61

**Estimate Good
For 30 Days
Prices May Be
Revised After
That**

ESTIMATE ONLY

ACTUAL QUANTITIES WILL BE BILLED
THIS IS NOT A FIRM BID



HOWALT-McDOWELL INSURANCE, INC.

...an Assurex Partner

225 SOUTH MINNESOTA • BOX 5113 • SIOUX FALLS, S. D. 57117-5113
TELEPHONE 605-339-3874 • FAX 605-339-3620 • 1-800-584-7054
www.howaltmcdowell.com • howalt@howaltmcdowell.com



L. W. SCHERSCHLIGT, C.P.C.U.
J. J. SCHERSCHLIGT, C.P.C.U.
J. E. MILLER
J. E. JENCKS
G. M. JOYCE, C.P.C.U.
G. A. LOOS, CIC
JACK E. MILLER, CIC
W. W. TOWNSEND, CIC
C. A. REAVES, CIC
R. D. STARKS
H. G. BOOTE, CLU, ChFC, RHU
R. T. STAEHELL, MSFS, CLU, ChFC, CSA
B. O. PETERSON
J. D. MULLER, AIAF, AAI
D. K. BEHREND, AIC, CPIW
K. W. HALGERSON
M. J. KRACHT
S. P. VLK
T. L. DAHL-WEBB

March 23, 2005

Water Rights Program, DENR
Attn: Eric Gronlund
Joe Foss Building
523 E Capitol
Pierre, SD 57501-3181

RE: ARMOUR HUNTERS HAVEN WATER PERMIT REQUEST

RECEIVED

MAR 28 2005

WATER RIGHTS
PROGRAM

Eric, attached is the application and support material as well as fees required per your instructions.

As you can see the entire engineering detail is not yet developed but if a permit is allowed I intend to add this ingredient.

Ours is not a corporate operation but a family operation made up of my father and me. We do not hunt for a fee but invite only friends, family, and others to join us in enjoying the great outdoors. My dad is now 79 so his window to embrace our joint dream is getting smaller, hence my desire to move this project along.

It is my dream to execute this master plan and ultimately build a home in the area noted for my retirement 15 years down the road.

Your help in advising what additional information or support data you need to proceed is much appreciated.

I can be reached at 1-800-584-7054 at your convenience to discuss our next step.

Sincerely,

J. J. Scherschligt

JJS/jlk

Enclosure

CC: Jim Hutmacher
Hutmacher Drilling, Inc.
PO Box 294
Chamberlain, SD 57325



BUSINESS, AUTO, HOME, LIFE, HEALTH & EMPLOYEE BENEFITS • BONDS





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 28, 2005

Armour Hunters Haven
J.J. Scherschligt
2020 Pendar Lane
Sioux Falls SD 57105

Dear Mr. Scherschligt:

Thank you for submitting the *Application for a Permit to Appropriate Water* for recreational, fish and wildlife propagation and livestock watering use. In order to complete the application, the following is required.

- Enclosed is the map submitted with the application. 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. local NRCS office).
- We have received the \$200 application/license filing fee. The filing fee for 100 gallons per minute (gpm) requested on the application will be \$275. If you plan to install a 75 gpm pump as suggested in the letter from Hutmacher Drilling, Inc., the \$200 fee is correct. Please let us know if you wish to amend the application to 75 gpm. If not, please submit an additional \$75.

If you have any questions, please contact me.

Sincerely,

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

enclosure



HOWALT-McDOWELL INSURANCE, INC.

...an Assurex Partner

225 SOUTH MINNESOTA • BOX 5113 • SIOUX FALLS, S. D. 57117-5113
TELEPHONE 605-339-3874 • FAX 605-339-3620 • 1-800-584-7054
www.howaltmcdowell.com • howalt@howaltmcdowell.com



L. W. SCHERSCHLIGT, C.P.C.U.
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D. K. BEHREND, AIC, CPIW
K. W. HALGERSON
M. J. KRACHT
S. P. VLK
T. L. DAHL-WEBB

April 4, 2005

Water Rights Program, DENR
Attn: Karen Schlaak
Joe Foss Building
523 E. Capital
Pierre, SD 57501-3182

RE: ARMOUR HUNTERS HAVEN WATER PERMIT

Karen, per your attached letter:

1. Signed map by George Sherrard NRCS District Conservationist.
2. Additional \$75 to increase potential flow rate

Also, do you have any way to advise what the quality of the water would be at the 900 to 950' depth we hope to go to?

I am working with NRCS on this wetland restoration and we need to have an idea if possible. Jim, I am ccing you. Do you have any idea?

Advise what else you need to move this project along. Appreciate your help.

"Sincerely,"


J. J. Scherschligt

JJS/bkc

Enclosures

cc: Hutmacher Drilling Inc.
Attn: Jim Hutmacher
PO Box 294
Chamberlain, SD 57325-0294



BUSINESS, AUTO, HOME, LIFE, HEALTH & EMPLOYEE BENEFITS • BONDS



RECEIVED
APR - 6 2005
WATER RIGHTS
PROGRAM

REPORT ON WATER PERMIT APPLICATION NO. 6616-3

For Armour Hunters Haven

May 10, 2005

Application No. 6616-3 proposes to appropriate 0.22 cfs (100 gpm) from one well approximately 950 feet deep located in the N ½ SE ¼ of section 13, T98N R66W in Charles Mix County. The water will be pumped from the well to maintain a 71 acre wetland area located in the E ½ of section 13, T98N R66W. The water is for fish and wildlife propagation, recreation and livestock watering purposes.

AQUIFER – DAKOTA FORMATION (DKOT)

The Dakota Formation is a buried sand, sandstone and shale that is under confined conditions at this site. The aquifer underlies 1,134 square miles and contain as estimated 14.15 million acre-feet of recoverable water in storage in Charles Mix County (Hedges, 1982). The aquifer extends into Nebraska to the south, into Brule and Douglas Counties to the north, into Gregory and Lyman Counties to the west and into Bon Homme County to the east. Schoon's definition of the Dakota Formation us as follows: "The Dakota Formation has been defined as the first relatively continuous sandstone below the Greenhorn Limestone and extends downward to the top of the Skull Creek Shale in western and central South Dakota. Where the Skull Creek is absent the Dakota overlies Precambrian rocks and, to a minor extent, rocks of the Inyan Kara Group. In no case is the term Dakota Formation intended to include any part of the Inyan Kara Group or older sandstone (Schoon, 1971).

No test well log was filed with this application. However, there is sufficient information available from the Charles Mix county study, the Dakota Formation study by Schoon and area domestic and permitted Dakota Formation wells to evaluate this application. The driller estimated a 900 to 950 feet deep well with a water level of about 100 to 120 feet below land surface. This fits reasonably well with the well log information for the area and with the county study.

The Water Rights Program monitors an observation well AU-89A completed into the Dakota Formation and located about 23 miles north of this site. Water levels for this well have declined about six feet since the well was completed in 1989. This is a rate of about 4.5 inches per year. A hydrograph for this observation well is included with this report (Water Rights, 2005). There have been numerous studies and reports that have documented the decline of water levels in the Dakota Formation. The main reason for these declines has probably been the the large number of wells which have been allowed to flow uncontrolled and to waste. This is especially true in lowland areas along the Missouri and James Rivers.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby water permits/rights in this area. The nearest permitted Dakota aquifer user is about 11 miles to the east. Interference is not a concern. There would be some domestic wells nearer to this application.

CONCLUSIONS

1. Water is available from the Dakota Formation.
2. The aquifer is under artesian conditions at this site. Drawdown will be created by pumping. This should not be significant and interference is not expected to be a concern.
3. This well must be constructed in accordance with SD Well Construction Standards.
4. It appears that this wetland may spill at the southwest end at an elevation between 1635 and 1640. This permit should be conditioned to minimize any potential discharges. This would also prevent the possibility of backing water or spilling water on to some other owner. A limitation of pumping to below the 1635 elevation would be sensible. This would limit the total diversion from the well to about 40 acre-feet per year. At a rate of 100 gpm this would still take over 90 days of continuous pumping to make up that quantity of water. This would help maintain water level in the south area or "18 acre" wetland. Pumping at 100 gpm for an entire year would yield 161 acre-feet which would impact but probably not maintain the "71 acre" wetland area.


James A Goodman
Natural Resources Engineer

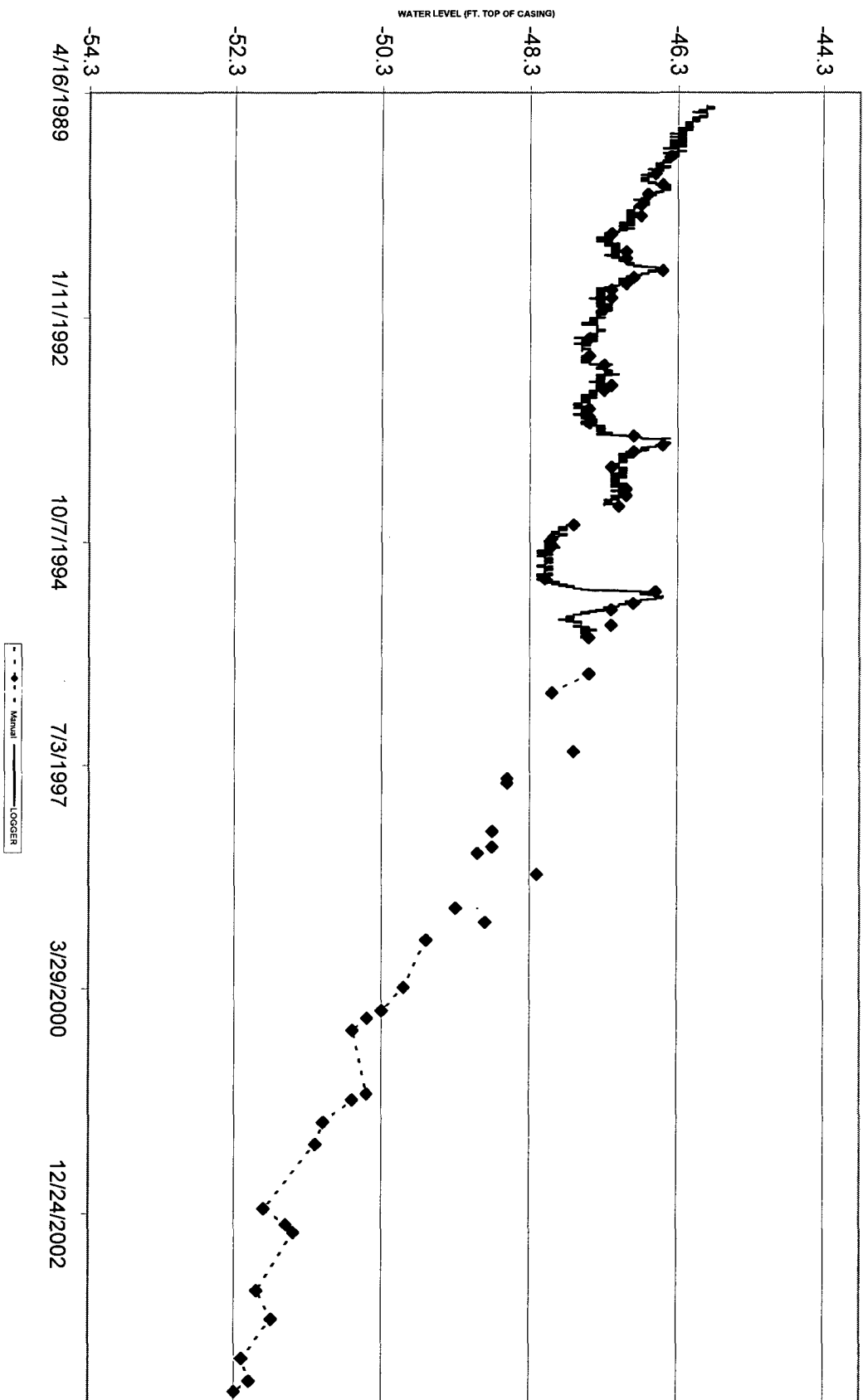
Hedges, L.S. and others, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for SU Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

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

Schoon, R.A., 1971, Geology and Hydrology of the Dakota Formation in South Dakota, Report of Investigations No.104, SD DENR, SDGS, Vermillion, SD, 57069.

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

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6616-3, Armour Hunters Haven LLP**

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. 6616-3, Armour Hunters Haven LLP, c/o Jeff Scherschligt, 2020 Pendar Lane, Sioux Falls SD 57105.

The Chief Engineer is recommending APPROVAL of Application No. 6616-3 because 1) there is 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. 6616-3 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. Pumping of the well is not authorized when the wetland is full. Pumping shall be controlled so that water will not be impounded on property owned by other unless easements are obtained.

See report on application for additional information.

Garland Erbele, Chief Engineer
June 7, 2005

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Charles Mix) SS

I, Sharon Luizenga

certify that the attached printed Notice was
 taken

from the Platte Enterprise

printed and published in Platte

County of Charles Mix and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

6-16-05

6-23-05

Cost of Printing \$139.28

Sharon Luizenga
 (Signature)

Publisher/Owner
 (Title)

6-23-05

(Date Signed)

NOTICE OF APPLICATION

NO. 6616-3 to Appropriate Water
 Notice is given that Armour Hunters
 Haven LLP, c/o Jeff Scherschligt, 2020
 Pendar Lane, Sioux Falls, SD 57105 has
 filed an application for a water permit to
 appropriate 0.22 cubic feet of water per
 second from one well to be completed into
 the Dakota Formation (approximately 950
 feet deep) located in the N1/2SE1/4 Section
 13-T98N-R66W. Water will be pumped
 from the well to maintain a 71 acre wetland
 area located in the E1/2 Section 13-T98N-
 R66W. Water will be used for fish and
 wildlife propagation, recreation and live-
 stock watering purposes.

Pursuant to SDCL 46-2A-2, the Chief
 Engineer recommends APPROVAL of Ap-
 plication No. 6616-3 because 1) unappropri-
 ated 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 con-
 testing 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 recomm-
 endation must file a written petition with
 BOTH the applicant and Chief Engineer.
 The applicant must file a petition if con-
 testing the Chief Engineer's recom-
 mendation. 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 July 5, 2005.

The petition may be informal, but must
 include a statement describing the petition-
 er's interest in the application, the petition-
 er'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
 (6-16, 6-23)

RECEIVED

JUN 24 2005

WATER RIGHTS
 PROGRAM

Instruction to Newspaper - Publish first Notice on June 16, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6616-3 to Appropriate Water

Notice is given that Armour Hunters Haven LLP, c/o Jeff Scherschligt, 2020 Pendar Lane, Sioux Falls SD 57105 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second from one well to be completed into the Dakota Formation (approximately 950 feet deep) located in the N ½ SE ¼ Section 13-T98N-R66W. Water will be pumped from the well to maintain a 71 acre wetland area located in the E ½ Section 13-T98N-R66W. Water will be used for fish and wildlife propagation, recreation and livestock watering purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6616-3 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 July 5, 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

June 8, 2005

Platte Enterprise
PO Box 546
Platte SD 57369-0546

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6616-3 to Appropriate Water to be published twice. Please publish the first notice on June 16, 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 Armour Hunters Haven LLP, % Jeff Scherschligt, 2020 Pendar Lane, Sioux Falls SD (Ph # 605-339-3874).

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. 6616-3

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

Date _____

We are in receipt of your letter of June 8, 2005 enclosing Notice to Appropriate Water by Application No. 6616-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

June 8, 2005

Armour Hunters Haven LLP
% Jeff Scherschligt
2020 Pendar Lane
Sioux Falls SD 57105

Dear Mr. Scherschligt:

Water Permit Application No. 6616-3 for fish & wildlife propagation, recreation & livestock 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.



JUL 29 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

Armour Hunters Haven LLP
% Jeff Scherschligt
2020 Pendar Lane
Sioux Falls SD 57105

Dear Mr. Scherschligt:

Enclosed is Water Permit No. 6616-3 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

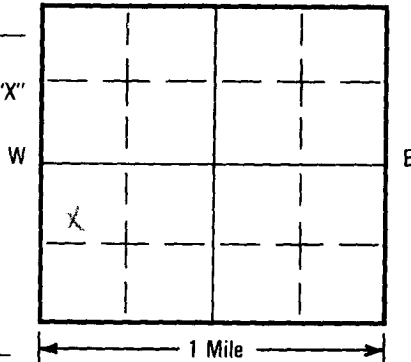
enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 SW 13 Twp 98N Rg 60W
County Clark

Please mark well location with an "X"



Well Completion Date

9-27-05

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1200 ft. from Power line (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
<u>50.17</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>400</u> FT	<u>8 1/4</u> IN
<u>51.50</u> LB/FT	<u>3</u> IN	<u>400</u> FT	<u>920</u> FT	<u>7 1/8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Grout</u>	<u>68</u>	<u>9.2</u> lb./gal	<u>0</u> ft	<u>880</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure pressure thru tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 3 IN Length 40 FEET
Material Stainless Steel
Slot Size .025 Set From _____ Feet to _____ 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: Jarvis Scherschlight
Business Name: _____
Address: 14 Elkjer Circle
Sioux Falls SD 57103

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Clay</u>	<u>0</u>	<u>240</u>
<u>Gravel</u>	<u>240</u>	<u>340</u>
<u>Pierre</u>	<u>340</u>	<u>350</u>
<u>Niobrara</u>	<u>350</u>	<u>440</u>
<u>Carlisle</u>	<u>440</u>	<u>576</u>
<u>Greenhorn</u>	<u>576</u>	<u>614</u>
<u>Graneros</u>	<u>614</u>	<u>763</u>
<u>Dakota</u>	<u>763</u>	<u>960</u>

STATIC WATER LEVEL 110 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
☐ Bailed air
☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

Permitted Well

This well was drilled under license # 213

And this report is true and accurate.

Drilling firm H. Scherschlight & Son

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

RECEIVED

DEC 1-2-2005

Date: _____

WATER RIGHTS
PROGRAM

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6616-3

I have this day, 28 October 2015, made a thorough examination of the water use system constructed by Armour Hunters Haven LLP, 2020 Pendar Lane, Sioux Falls, SD 57105 of Permit No. 6616-3, bearing the priority of 28 March 2005 authorizing the diversion of 0.22 cu. ft. per second of the waters of the Dakota aquifer for fish and wildlife propagation, recreation and livestock watering purposes, in Charles Mix County.

Inspection contact & relationship
to permit holder, if applicable:

Jeff Scherschligt (via 605.339.3874)

Owner Mr. Scherschligt was not present at inspection but
authorized access

A. Works used to divert the water:

Well Information:

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

Casing₁:

- 1) Diameter 5 inches
- 2) Length 400 feet
- 3) Type PVC

Casing₂:

- 4) Diameter 3 inches
- 5) Length 520 feet
- 6) Type PVC

Screen:

- 1) Type stainless steel
- 2) Length 40 feet
- 3) Static water level 110 feet (27 Sept. 2005)

Pump:

- 1) Make Goulds submersible
- 2) Model 55GS50412
- 3) Size 5 horsepower
- 4) Capacity 55 GPM

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

- 1) Type PVC
- 2) Size one inches

Comments: Buried pipe discharges to pond

C. Compliance with Permit Requirements:

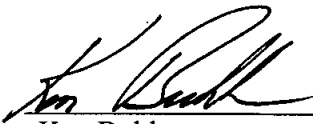
- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period na

List any extended period of nonuse: na

- 3) Exceptions to compliance are: na

D. Condition and Location:

1. The system is in good condition with the point of diversion located as follows: 1175 feet north and 1680 feet west of the SE corner of Sec. 14, T98N-R66W (lat/lon: 43.30529/-98.59103).
13
2. The works are capable of diverting and conveying to the place of use 0.123 cu. ft. per second of water which is to be used for fish and wildlife propagation, recreation and livestock watering purposes.
The license should be issued for 0.123 cfs.
3. All structures, wells and lands on map Yes



Ken Buhler
DENR, Water Rights Program

Date report completed: 30 January 2016



Sec 13
T098N
R66W

Sec 18
T098N
R65W

Sec 19
T098N
R65W

SE Corner Sec. 13, T98N-R66W

Legend

 6616-3 well



660 330 0 660 Feet

kb
20 Dec. 2015

Base Layer: NAIP\South_Dakota_2015_1m



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

6616-3

MAY 02 2016

Armour Hunters Haven LLP
14 S Elkjer Circle
Sioux Falls SD 57103

Dear Sir:

Enclosed is Water License No. 6616-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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

Sincerely,

A handwritten signature in cursive script that reads 'Jeanne Goodman'.

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6616-3

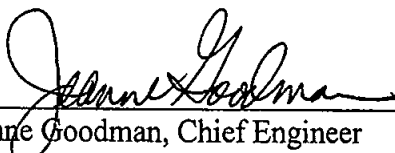
(1) Armour Hunters Haven LLP, 14 S Elkier Circle, Sioux Falls SD 57103 made Application No. 6616-3, March 28, 2005 for a water permit to divert 0.22 cubic feet of water per second from one well – Dakota Formation, Charles Mix County, South Dakota for fish and wildlife propagation, recreation and livestock watering purposes. Permit No. 6616-3, with a priority date of March 28, 2005 was approved July 5, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 5, 2010 and for the application to beneficial use of water on or before July 5, 2014.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6616-3 is issued a license, bearing a priority date of March 28, 2005 to appropriate 0.123 cubic feet of water per second from one well – Dakota Formation for fish and wildlife propagation, recreation and livestock watering purposes.

The diversion point is located: 1,175 feet north and 1,680 feet west of the SE corner of Section 13-T98N-R66W (NE 1/4 SE 1/4). Water is pumped from the well to maintain a 71 acre wetland area located in the SE 1/4 Section 13-T98N-R66W.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6616-3 including 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. 6616-3 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. *The well was drilled by Hutmacher Drilling, Inc in September, 2005. A copy of the log is on file with the Water Rights Program.*
3. Pumping of the well is not authorized when the wetland is full. Pumping shall be controlled so that water will not be impounded on property owned by others unless easements are obtained.


Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

MAY 02 2016

date

