

WATER PERMIT NO. 6625-3

Name of Applicant: Ron Randall

Address: 47497 Spruce Circle, Dell Rapids SD 57022

Phone: 605 428-3802

Amount of Water Claimed: 0.111 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial

County: Moody

Type of Waste Disposal System:

Location: 12 miles south of Flandreau

PRIORITY Date Received: 3-14-05

Application/License Fee: \$200

Corrected Application Received: 5-18-05

Period of Annual Use: January 1 – December 31

Remarks: cattle feeding operation

Diversion Point: NE ¼ NW ¼ Sec 29-T105N-
R48W

Land to be Irrigated: NA

Depth of Well: 37

Well Driller: : Lacey Well Drilling

Remarks:

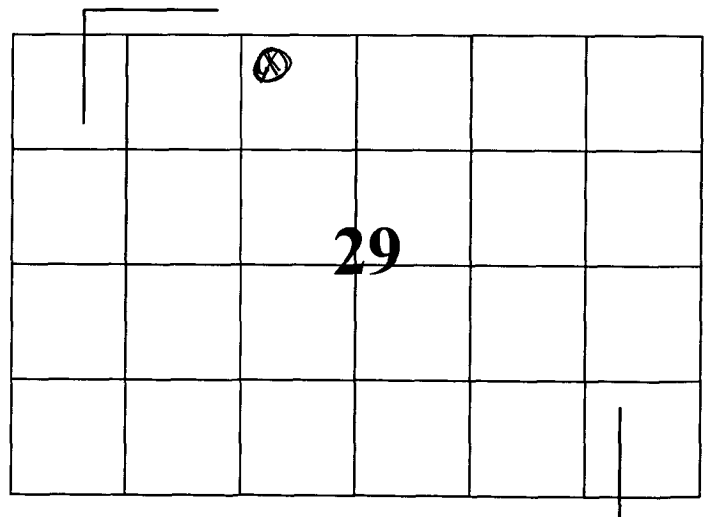
Type of Map: plat

Prepared by: Dale F Leffers, PE

Reviewed and the Number Assigned on: 5-18-05

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



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

No. 6625-3 (office use only)
Hydrologic Unit 10170203
Basin Sioux River
Newspaper Moody Co. Enterprise, Flandreau

RECEIVED
MAR 13 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: (check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

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

- Name of Applicant Ron Randall Phone (605) 428-3802
 (check one) ☒ Owner ☐ Tenant/lessee
 Mailing Address 47497 Spruce Circle Dell Rapids State SD 57022
 (Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.111 *CFS or 50 **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) County Moody
1 WELL IN NE 1/4 NW 1/4 SEC. 29 - T105N - R48W
- County or counties where water will be used MOODY
- Annual period during which water is to be used JAN. 1 - DEC. 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)

WATER SUPPLY FOR CATTLE FEEDING OPERATION (3000 HEAD)

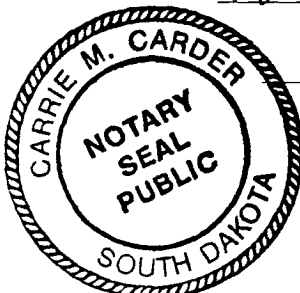
STATE OF SOUTH DAKOTA)
County of Moody) SS

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, Ron Randall, 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 Ronald I. Randall

Subscribed and sworn to before me this 22nd day of February 20 05



Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6625-3**

Date of first receipt of application March 14, 2005.

Date of return to applicant for corrections, amendments or changes March 15, 2005.

Date of receipt of corrected application May 18, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6625-3 to Ron Randall, 47497 Spruce Circle, Dell Rapids SD 57022 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. 6625-3 appropriates 0.111 cubic feet of water per second from one well completed into the Big Sioux:Moody Aquifer (37 feet deep) located in the NE ¼ NW ¼ Section 29-T105N-R48W
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. 6625-3 is July 5, 2005.
5. The date from which applicant may claim right is May 18, 2005.
6. 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. Permit No. 6625-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 6625-3 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

JUL 29 2005

date



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 14, 20 05

RECEIVED OF Bettie Agri-Services & Engineering Inc., 4700 W Rock Creek Rd. Raymond NE 68248

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

Fee for Application for Permit No. <u>66625-3</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>66625-3</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.

00117

By

Darlene Elvete

Chief Engineer

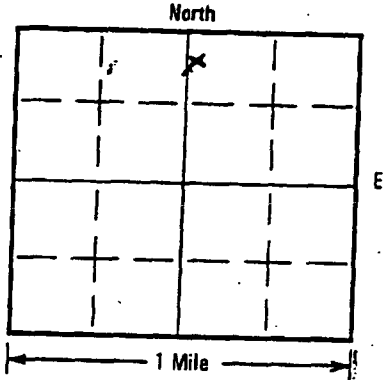
gm

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 NE 1/4 Sec 29 Twp 105N Rg 48W
County Moody

Please mark well location with an "X"
570' S of NW corner of NE 1/4



Well Completion Date

12-18-98

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1320 ft. from CATTLE YARD (identify source).

PROPOSED USE:

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

METHOD OF DRILLING: Hydraulically forced 20' false casing

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe 12" Sub 40

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
		lb./gal	ft	ft
		lb./gal	ft	ft

Describe grouting procedure TREMIED IN BENTONITE below pitless

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 12" IN Length 71 FEET

Material PVC

Slot Size 040 Set From 30 Feet to 37 Feet

Other information

HAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material?

Describe packer(s) and location?

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: chlorinated

☐ NO, Why Not? pack + fill

Laboratory sent to for water quality analysis

SDSU NITRATES 12 ppm

Well Owner: L L Randall II

Business Name:

Address: 812 N Washington
Deer Rapids SD 57022

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>SANDY topsoil</u>	<u>0</u>	<u>1</u>
<u>BROWN SAND</u>	<u>1</u>	<u>15</u>
<u>MEDIUM SAND + GRAVEL LAYERS</u>	<u>15</u>	<u>37</u>

STATIC WATER LEVEL 15'4" Feet

If flowing: closed in pressure

GPM flow through

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced Flowrate

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped

Describe: 1 hr @ 175

☐ Bailed

9 ppm

☐ Other

Pumping Level Below Land Surface

22 ft. After 1 Hrs. pumped 175 GPM

ft. After Hrs. pumped GPM

If pump installed, pump rate GPM

REMARKS - good clean well, AWAY FROM EVERYTHING - left casing up 18" above ground

This well was drilled under license # 111

And this report is true and accurate.

Drilling firm LACEY WELL Drilling

Signature of License Representative:

James J. Lacey

Signature of Well Owner or Equitable Property Holder:

L. L. Randall

Date: Dec 22-98



South Dakota
Department of Environment
& Natural Resources
Geological Survey

Lithologic Logs Database[SDGS Homepage](#)**Results for Location = "105n48w29"**[New Search](#)1 - 3 of 3 Result Page: Previous **1** Next**Record 1 of 3****Location Information****Legal Location:** NE NW NW SEC. 29, T. 105 N., R. 48 W.**County:** MOODY**Basin:** BIG SIOUX**Hydrologic Unit Code:** 10170203**Land Owner:****Location:** 105N-48W-29BBA**Latitude:** 43 52' 36"**Longitude:** 96 37' 23"**Ground Surface Elev. (ft.):** 1511 T**Project Information****Project:** BIG SIOUX DRAINAGE BASIN**Drill Date:** 12/30/1899**Company:** SDGS**Drilling Method:** AUGER**Test Hole Number:****Samples:****Geologist:****Geologist's Log:****Driller:****Driller's Log:****Total Drill Hole Depth (ft.):** 54.0**Geophysical Information****Spontaneous Potential:****Natural Gamma:****Single Point Resistivity:****Extra:**

BASIC DATA REPORT NO. 5. 1960'S.

Elevation (ft.)	Depth (ft.)	Description
1511.0 - 1509.0	0.0 - 2.0	TOPSOIL
1509.0 - 1507.0	2.0 - 4.0	SAND, FINE
1507.0 - 1502.0	4.0 - 9.0	SAND, FINE; CHANGING TO GRAVEL
1502.0 - 1497.0	9.0 - 14.0	GRAVEL, MEDIUM, SANDY
1497.0 - 1487.0	14.0 - 24.0	SAND, FINE TO MEDIUM

1487.0 - 1477.0	24.0 - 34.0	SAND, FINE
1477.0 - 1472.0	34.0 - 39.0	SAND, FINE, GRAVELLY
1472.0 - 1457.0	39.0 - 54.0	CLAY, GRAY

Record 2 of 3**Location Information**

Legal Location:	NE NE NW NW SEC. 29, T. 105 N., R. 48 W.	Location:	105N-48W-29BBAA 1
County:	MOODY	Latitude:	43 52' 35"
Basin:	BIG SIOUX	Longitude:	96 37' 18"
Hydrologic Unit Code:	10170203	Ground Surface Elev. (ft.):	1513 T
Land Owner:			

Project Information

Project:	DELL RAPIDS CITY STUDY	Geologist:	A. BARARI
Drill Date:	01/01/1965	Geologist's Log:	X
Company:	SDGS	Driller:	
Drilling Method:	AUGER	Driller's Log:	
Test Hole Number:		Total Drill Hole Depth (ft.):	54.0
Samples:			

Geophysical Information

Spontaneous Potential:	Single Point Resistivity:
Natural Gamma:	Extra:

SPECIAL REPORT NO. 39.

Elevation (ft.)	Depth (ft.)	Description
1513.0 - 1511.0	0.0 - 2.0	TOPSOIL
1511.0 - 1504.0	2.0 - 9.0	SAND, FINE
1504.0 - 1499.0	9.0 - 14.0	GRAVEL; SOME SAND
1499.0 - 1489.0	14.0 - 24.0	SAND, FINE TO MEDIUM; SATURATED
1489.0 - 1479.0	24.0 - 34.0	SAND, FINE
1479.0 - 1474.0	34.0 - 39.0	SAND, FINE; SOME GRAVEL
1474.0 - 1459.0	39.0 - 54.0	TILL, GRAY

Record 3 of 3**Location Information**

Legal Location: NE NE NW NW SEC. 29, T. 105 N., R. 48 W.
County: MOODY
Basin: BIG SIOUX
Hydrologic Unit Code: 10170203
Land Owner:

Location: 105N-48W-29BBAA 2
Latitude: 43 52' 35"
Longitude: 96 37' 18"
Ground Surface Elev. (ft.): 1510 T

Project Information

Project: DELL RAPIDS CITY STUDY
Drill Date: 01/01/1965
Company: SDGS
Drilling Method: AUGER
Test Hole Number:
Samples:

Geologist: A. BARARI
Geologist's Log: X
Driller:
Driller's Log:
Total Drill Hole Depth (ft.): 44.0

Geophysical Information

Spontaneous Potential:
Natural Gamma:

Single Point Resistivity:
Extra:

SPECIAL REPORT NO. 39.

Elevation (ft.)	Depth (ft.)	Description
1510.0 - 1505.0	0.0 - 5.0	TOPSOIL, BROWN, CLAYEY
1505.0 - 1480.0	5.0 - 30.0	SAND, BROWN, CLAYEY
1480.0 - 1478.0	30.0 - 32.0	ROCK (?)
1478.0 - 1466.0	32.0 - 44.0	TILL

[New Search](#)

1 - 3 of 3 Result Page: Previous 1 Next

6-4



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 15, 2005

Settje Agri-Services & Engineering, Inc.
4700 W Rock Creek Road
Raymond NE 68428-4199

RE: Application for Ron Randall

Dear Sir:

Thank you for submitting the *Application for a Permit to Appropriate Water* for Ron Randall. In order to complete the application the following is required.

- Please complete Form 2A, Supplemental Information for the well. I have reviewed our files and found a well completion report for a well that appears to be in the vicinity of this application (copy enclosed). Possibly, it is the well in question. Please submit as much information as possible regarding the well construction for the well. At the very least, we need the approximate depth of each well.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

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

enclosure

Water Rights Program - File Documentation

NAME: Steve Settje

ADDRESS: SetjeAgri-Services & Engineering

DATE: 5-18-05 **COUNTY:** MY **TELEPHONE:**

RE: Pending application for Ron Randall

COMMENTS:

Steve Settje called regarding my letter dated March 15, 2005. Steve indicated he had talked with Ron Randall and the well completion report that I found on file was this well. I told him that he did not need to submit the Form 2A, we could use the information on the well completion report.



Karen Schlaak
Environmental Scientist

REPORT ON WATER PERMIT APPLICATION NO. 6625-3

For Ron Randall

May 25, 2005

Application No. 6625-3 proposes to appropriate 0.111 cfs (50 gpm) from one well approximately 37 feet deep located in the NE ¼ NW ¼ of section 29, T105N R48W in Moody County. The water is for commercial use in a cattle feeding operation.

AQUIFER – BIG SIOUX MOODY (BS-M)

The Big Sioux Moody is a surficial outwash (sand and gravel) under water table conditions in this area. The geologic map (Hammond, 1991) and aquifer map (Hansen, 1986) both put the well for this application near the eastern border of the aquifer (Hammond, 1991). The aquifer underlies 33,100 acres and contains an estimated 124,130 acre-feet of recoverable water in storage in Moody County (Hedges, 1982). The aquifer is hydraulically connected to the Big Sioux River and extends into Brookings County to the north and into Minnehaha County to the south. Ground water movement is from northeast to southwest and toward the river in the area of this application (Hansen, 1988). Hansen also estimated recharge to this portion of the Big Sioux aquifer to range between 6.5 inches to 4.86 inches per year depending upon the estimated specific yield of the aquifer (Hansen, 1988).

A well completion report for this application indicates sand topsoil from the land surface to a depth of one foot, brown sand from one to 15 feet, followed by medium sand and gravel layers from 15 to 37 feet all below land surface. The completed well was capable of producing 175 gpm with about 6.7 feet of drawdown (specific capacity of 26 gpm/ft of drawdown). The finished well had a static water level of 15.3 feet below land surface.

The Water Right Program monitors two observation wells within a two mile radius of this application. These are observation wells MY-78E located about one mile northwest of this application and MY-82G located about two miles northwest of this application. Water levels for these two wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. Hydrographs for these two observation wells are included with this report.

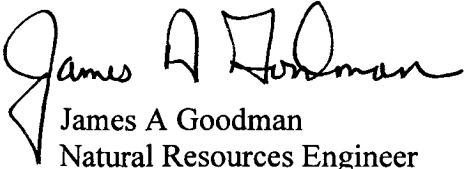
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby water permits/rights in this area. It is about two miles to the nearest existing permitted well. Interference is not a concern. The drawdown created by pumping this well will not extend very far nor be significant.

CONCLUSIONS

1. Water is available from the Big Sioux Moody aquifer.
2. The aquifer is under water table conditions in this area.

3. According to the well completion report filed with the application the nitrates for the well water exceed the drinking water standard of 10 ppm.
4. Plans and specifications for this facility have been submitted to the department and are presently under review.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

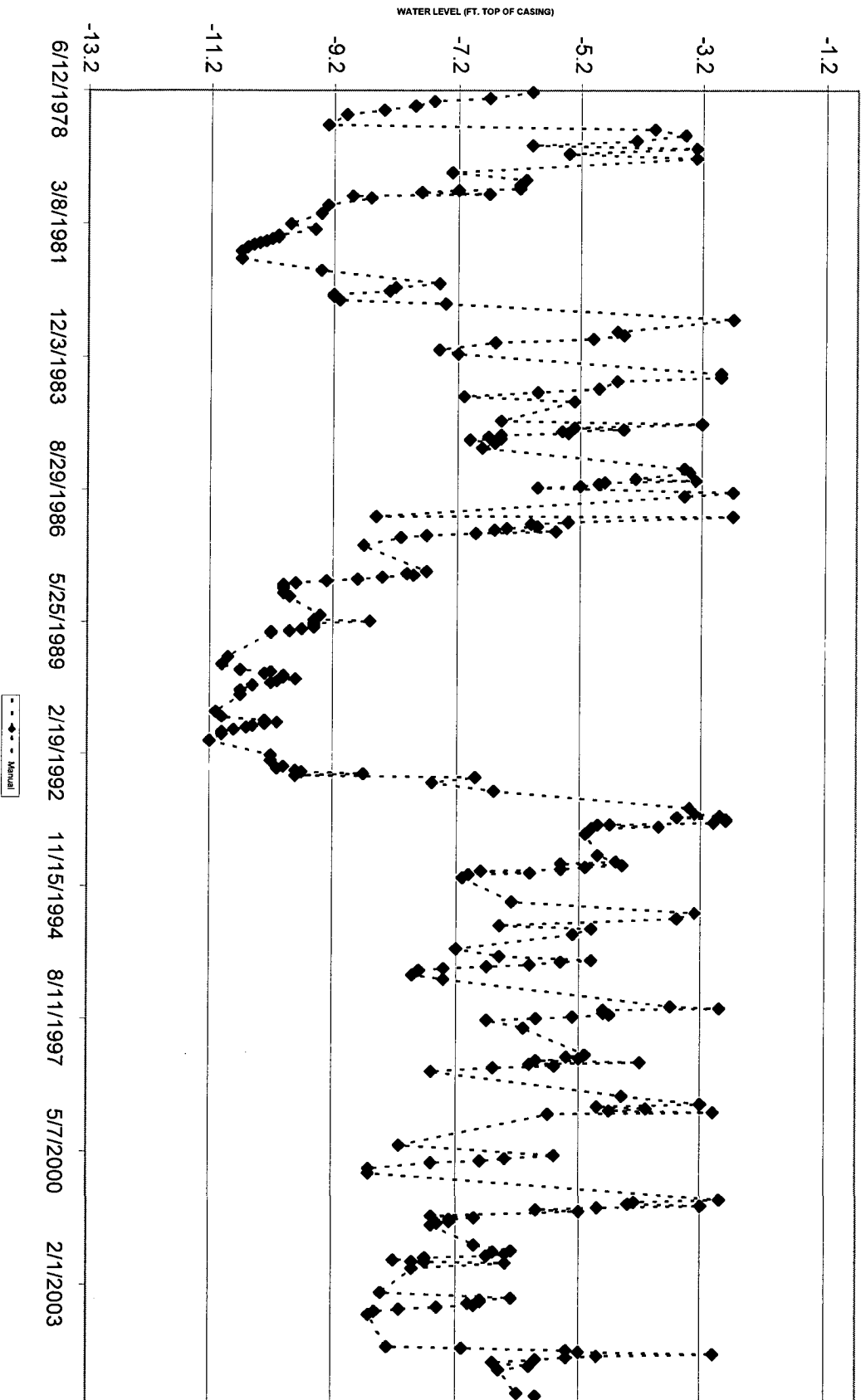
Hammond, R.H., 1991, Geology of Lake and Moody Counties, South Dakota, Bulletin 35, SD DENR, SDGS, Vermillion, SD, 57069.

Hansen, D.S., 1988, Appraisal of the Water Resources of the Big Sioux Aquifer, Moody County, South Dakota, Water-Resources Investigations Report 87-4057, USGS, Huron, SD, 57350.

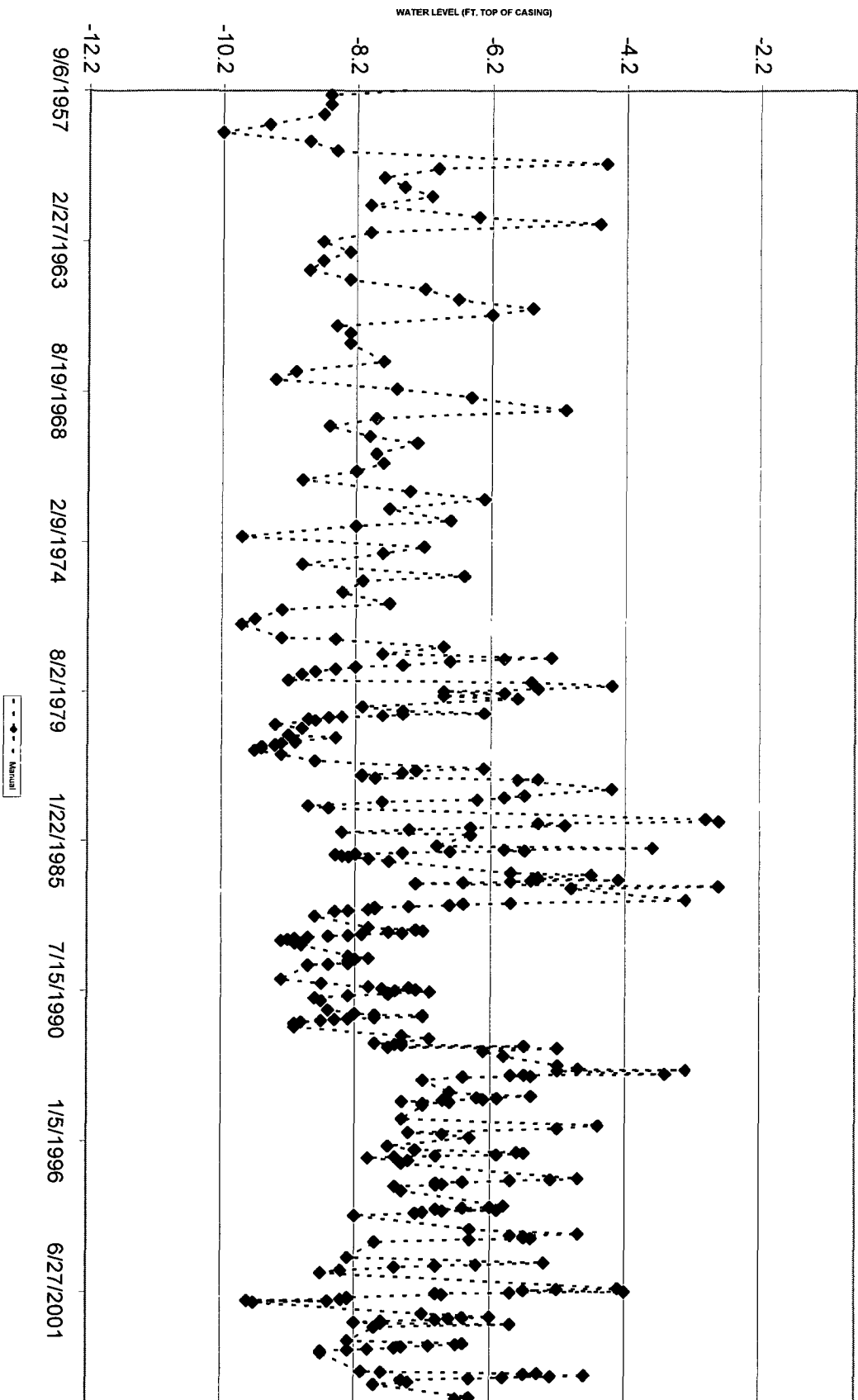
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2005, Unpublished Observation Well Data for Moody County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL MY-78E



WATER RIGHTS' OBSERVATION WELL
MY-82G





**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. 6625-3, Ron Randall**

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. 6625-3, Ron Randall, 47497 Spruce Circle, Dell Rapids SD 57022.

The Chief Engineer is recommending APPROVAL of Application No. 6625-3 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. Permit No. 6625-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 6625-3 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,
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 - 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
June 6, 2005

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

) SS

County of Moody)

I, Angela Nibbelink

certify that the attached printed Notice was taken

from the Moody County

Enterprise

printed and published in Flandreau

County of Moody and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 15, 2005

June 22, 2005

Cost of Printing \$41.47

Angela Nibbelink
(Signature)

office manager/bookkeeper
(Title)

6-22-05
(Date Signed)

NOTICE OF APPLICATION NO. 6625-3 to Appropriate Water

Notice is given that Ron Randall, 47497 Spruce Circle, Dell Rapids SD 57022 has filed an application for a water permit to appropriate 0.111 cubic feet of water per second from one well completed into the Big Sioux: Moody Aquifer (37 feet deep) located in the NE 1/4 NW 1/4 Section 29-T105N-R48W. 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. 6625-3 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. Pimer, Secretary
Department of Environment and Natural Resources

(June 15 & 22, 2005)

RECEIVED
JUN 24 2005
WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on June 15, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6625-3 to Appropriate Water

Notice is given that Ron Randall, 47497 Spruce Circle, Dell Rapids SD 57022 has filed an application for a water permit to appropriate 0.111 cubic feet of water per second from one well completed into the Big Sioux:Moody Aquifer (37 feet deep) located in the NE ¼ NW ¼ Section 29-T105N-R48W. The water is for commercial use in a cattle feeding operation.

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 6, 2005

Moody County Enterprise
PO Box 71
Flandreau SD 57028-0071

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6625-3 to Appropriate Water to be published twice. Please publish the first notice on June 15, 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 Ron Randall, 47497 Spruce Circle, Dell Rapids SD (Ph # 605-428-3802).

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. 6625-3

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

Date _____

We are in receipt of your letter of June 6, 2005 enclosing Notice to Appropriate Water by Application No. 6625-3 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 6, 2005

Ron Randall
47497 Spruce Circle
Dell Rapids SD 57022

Dear Mr. Randall:

Water Permit Application No. 6625-3 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 Moody County Enterprise printed at Flandreau, SD (Ph # 605-997-3725). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

c: Settje Engineering Services, 4700 W Rock Creek Rd, Raymond NE 68428-4199

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

JUL 29 2005

Ron Randall
47497 Spruce Circle
Dell Rapids SD 57022

Dear Mr. Randall:

Enclosed is Water Permit No. 6625-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Sincerely,

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

enclosures

Permit No. 6625-3
Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **April 23, 2008**, made a thorough examination of the water use system constructed by **Ron Randall** of **47497 Spruce Circle, Dell Rapids, SD 57022** holder of Permit No. **6625-3**, bearing the priority of **April 23, 2008** authorizing the diversion of **0.111** cu. ft. per second of the waters of **Big Sioux:Moody Aquifer** for **Commercial** purposes, in **Moody** County.

Inspection contact & relationship
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Lacey Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **37** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **12** inches
- 2) Length **30** feet
- 3) Type **Plastic**

Screen:

- 1) Type **PVC**
- 2) Length **7** feet
- 3) Static water level **15** feet

Pump:

- 1) Make **2-Grundfos Submersibles**
- 2) Size **1-1 hp, 1-2hp**
- 3) Capacity **Both 15 gpm** GPM

Chemigation Equipment:

- 1) Does chemigate **NA**

B. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 3) Exceptions to compliance are: None

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

Approximately 610 feet south and 1330 feet east of the NW corner of Section 29-T105N-R48W
(N 43.87524, W -96.62233) (NE ¼ NW ¼)

The works are capable of diverting and conveying to the place of use 0.033 cu. ft. per second of water which is to be used for Commercial use.

Water has been put to beneficial use to the maximum extent as follows:

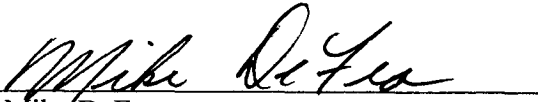
Water from the well is used for the cattle feeding operation.

The license should be issued for 0.033 cfs.

All structures, wells and lands on map Y

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

There are two pumps in the well; however, only one pump is used. The other pump is installed as a back-up.

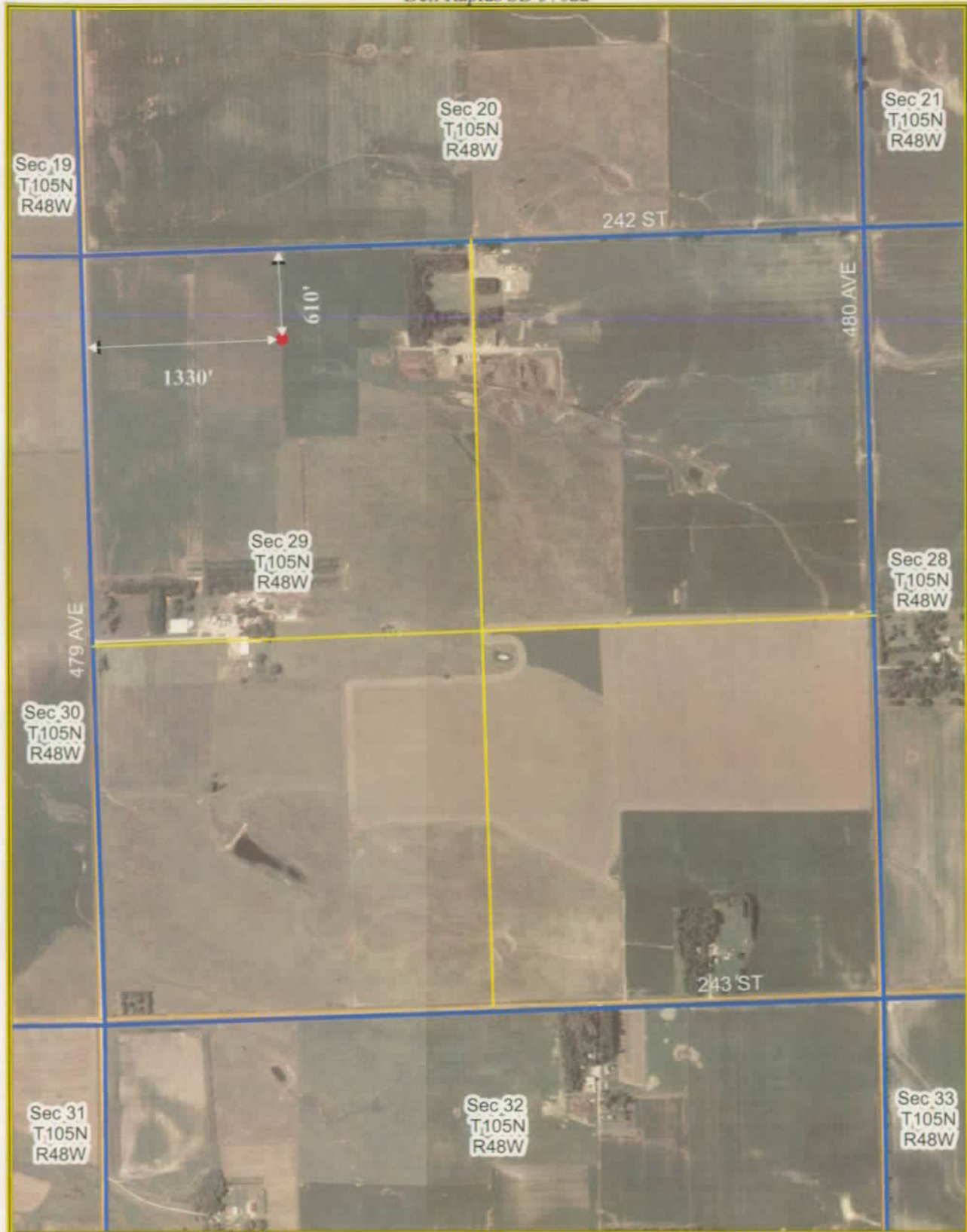

Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: April 9, 2009

Water Permit No. 6625-3

Ron Randall
47497 Spruce Circle
Dell Rapids SD 57022



Mike DeFea
Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
April 9, 2009

0 330 660 1,320 1,980 2,640 Feet



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow...Today



**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 15 2009

6625-3

Ron Randall
47497 Spruce Circle
Dell Rapids SD 57022

Dear Mr. Randall:

Enclosed is Water License No. 6625-3. 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. 6625-3, 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,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6625-3

(1) Ron Randall, 47497 Spruce Circle, Dell Rapids SD 57022 made Application No. 6625-3, March 14, 2005 for a water permit to divert 0.111 cubic feet of water per second from ground water (one well – Big Sioux:Moody Aquifer), Moody County, South Dakota for commercial purposes. Permit No. 6625-3, with a priority date of May 18, 2005 was approved July 5, 2005 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

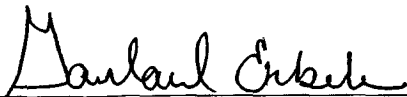
(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.033 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 610 feet south and 1,330 feet east of the NW corner of Section 29, T105N, R48W (NE ¼ NW ¼).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ron Randall, 47497 Spruce Circle, Dell Rapids SD 57022 the holder and/or owner of Water Right No. 6625-3 is issued a license to appropriate water, the right to use 0.033 cubic feet of water per second from ground water (one well – Big Sioux:Moody Aquifer) with a priority date of May 18, 2005 from the location specified in (2) of this license for commercial use.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6625-3 and subject to the following qualifications:

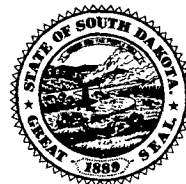
- The well approved under this Water Right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- Water Right No. 6625-3 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.
- Water Right No. 6625-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a) Chapter 74:54:01 Ground Water Quality Standards,
 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions



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

JUN 15 2009

date



**SOUTH DAKOTA
WATER PERMIT NO. 8457-3**

Date of first receipt of application October 15, 2020.

Date of return to applicant for corrections, amendments or changes October 19, 2020.

Date of receipt of corrected application October 23, 2020.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8457-3 to River Bend Dairy LLC, c/o John Bidart, 47853 236th St, Egan SD 57024 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. 8457-3 appropriates 228 acre-feet of water annually at a maximum combined pump rate of 0.637 cubic feet of water per second (cfs) from two existing wells completed into the Big Sioux Moody aquifer (both wells approximately 40 feet deep) located in the N 1/2 NW 1/4 Section 29 for commercial use in a dairy operation to be located in the S 1/2 SE 1/4 Section 20; all in T105N-R48W. One of the existing wells is authorized by Water Right No. 6625-3 for commercial use in a feedlot. The existing 0.033 cfs appropriation covered by No. 6625-3 is being transferred by this permit to use in the proposed dairy operation. The other existing well is authorized for irrigation use under Water Right No. 7005-3 which is being abandoned to allow use of the well by the proposed dairy. This permit authorizes a new appropriation of 0.637 cfs and annual volume of 228 acre-feet, plus the existing 0.033 cfs and 23 acre-feet authorized by No. 6625-3, for a combined total appropriation of 0.67 cfs and 251 acre-feet annually for use in the proposed dairy. This site is located approximately 3 miles southeast of Trent SD.
2. The water appropriated shall be used for the purpose of commercial use 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. 8457-3 is December 28, 2020.
5. The date from which applicant may claim right is October 15, 2020.
6. One-fifth of the construction is to be completed on or before June 28, 2023.
7. All construction is to be completed on or before December 28, 2025.
8. Water is to be put to beneficial use on or before December 28, 2029.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under Water Permit No. 8457-3 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 withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

(continued)

2. Water Permit No. 8457-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-36.2 or 34A-2-112 or 34A-2-124 for concentrated animal feeding operations.
3. Water Permit No. 8457-3 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
4. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux Moody aquifer.
5. Water Permit No. 8457-3 authorizes a total annual diversion of 228 acre-feet of water from the Big Sioux Moody aquifer.

WATER MANAGEMENT BOARD

By: Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 19 2021

date

