

WATER PERMIT NO. 6677-3

Name of Applicant: Ryan Johnson – Dan & Jerry's Greenhouse

Address: PO Box 393, Madison SD 57042 Phone: 605 256-6995

Amount of Water Claimed: 0.13 cfs Total Acres: 15 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Lake

Type of Waste Disposal System:

Location: 1 mile east of Madison

PRIORITY Date Received: 11-21-05

Application/License Fee: \$200

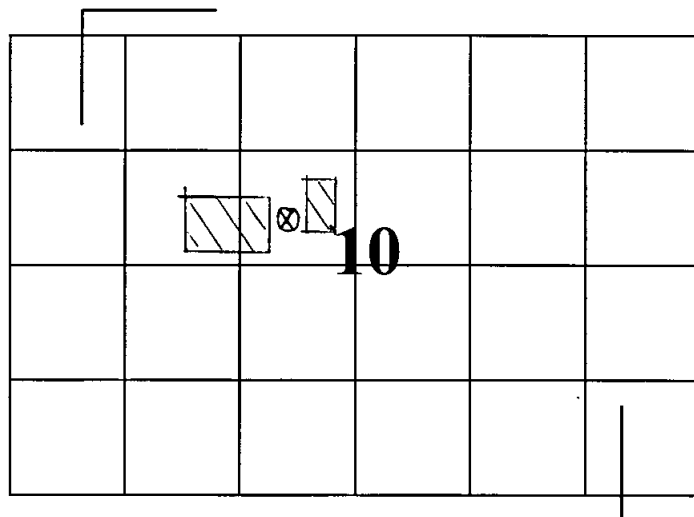
Corrected Application Received: 12-8-05

Period of Annual Use: March 1 – November 30

Remarks:

Diversion Point: SE ¼ NW ¼ Sec 10-T106N-
R52W

Land to be Irrigated: S ½ NW ¼ Sec 10-T106N-
R52W



Depth of Well: 270 feet deep

Well Driller: : Kaiser Well Drilling

Remarks:

Type of Map: aerial

Prepared by: William J Heyer, PE

Reviewed and the Number Assigned on: 12-8-05

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6677-3</u>	(office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Daily Leader, Madison</u>	

RECEIVED
NOV 21 2005
WATER RIGHTS PROGRAM

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 Ryan Johnson (Dant Jerry's Greenhouse) Phone 605-256-6995
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 393 Madison State SD 57042
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.13 *CFS or 58 **GPM ***AF Total Acreage 15
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Howard Aquifer
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Lake
SE 1/4, NW 1/4 Sec 10 - T106N - R52W
5. County or counties where water will be used Lake
6. Annual period during which water is to be used March - November 30
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
Greenhouses	13		
Container field (shrubs + trees)	2		
SW 1/4 NW 1/4 Sec 10 - T106N - R52W			

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

Well for supplement Rural Water Supply, for Greenhouses and outside container field.

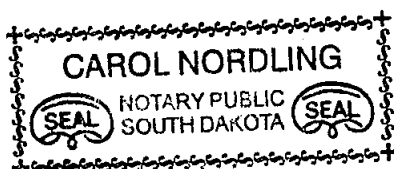
STATE OF SOUTH DAKOTA) SS
County of _____

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, _____, 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 X Ryan Johnson

Subscribed and sworn to before me this 18th day of November 2005



Carol Nordling
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6677-3**

Date of first receipt of application November 21, 2005.

Date of return to applicant for corrections, amendments or changes November 21, 2005.

Date of receipt of corrected application December 8, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6677-3 to Ryan Johnson, Dan & Jerry's Greenhouse, PO Box 393, Madison SD 57042 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. 6677-3 appropriates 0.13 cubic feet of water per second from one well completed into the Howard Aquifer (270 feet deep) located in the SE ¼ NW ¼ Section 10 to irrigate 15 acres located in the S ½ NW ¼ Section 10; all in T106N-R52W.
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: March 1 – November 30.
3. The date from which applicant may claim right is November 21, 2005.
4. The date of approval of Permit No. 6677-3 is January 30, 2006.
5. One-fifth of the construction is to be completed on or before July 30, 2008.
6. All construction is to be completed on or before January 30, 2011.
7. Water is to be put to beneficial use on or before January 30, 2015.
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. 6677-3 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

APR 07 2008
date



1976

106-51

31A

28.5

63.5

48.5

Dan + Jerry's
Greenhouses

x Well

98.4

11.5

1.1
61.6

10

36.3

This aerial map depicts the relative location of the greenhouse enclosures (13 acres±) and the new well in the NW1/4 10-106-52

William J. Heyer PE/LS.

William J. Heyer

Reg. No. 2711

December 1, 2005

37.5

106-52

51

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 21, 2005

RECEIVED OF Dan & Jerry's Greenhouses Inc., 2121 90th Street NE, Monticello MN 55362

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

Fee for Application for Permit No. <u>66677-3</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>66677-3</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.

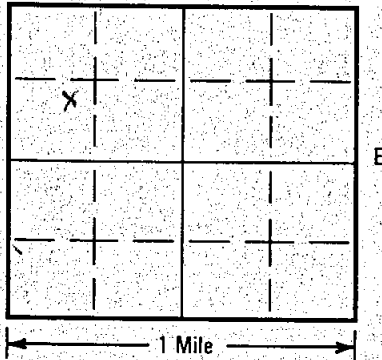
002011

By

Darland Elbe
Chief Engineer
gm

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location 1/4 Sec 10 Twp 106N Rg 52WCounty Lakota NorthPlease mark well location with an "X"
Went 1/2 of Sec 10

Well Completion Date

11-9-05

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1800' ft. from 100' land (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Direct Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SPR17</u> LB/FT	<u>5</u> IN	<u>250</u> FT	<u>250</u> FT	<u>8 3/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>B1/B2</u>	<u>28</u>	<u>51</u> lb./gal	<u>0</u> ft	<u>220</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure pressure pull methodSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5 IN Length 30 FEETMaterial plasticSlot Size 25 Set From 250 Feet to 280 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: 1+ H 5 sub 1/2☐ NO, Why Not? _____

Laboratory sent to for water quality analysis

P. 1000Well Owner: Ryan JohnsonBusiness Name: Dan + Terry's GreenhouseAddress: 23346 457th Ave
Madison SD 57042

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	6	3
yellow clay	3	21
Blue clay	21	134
yellow clay	134	230
fine yellow sand clay w/ 2 links	230	235
yellow clay	235	250
fine sand w/ 2 links	250	260
yellow clay	260	264
fine sand w/ 4 links	264	270

STATIC WATER LEVEL

150

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:

☒ PumpedDescribe: Sub. Pump☐ Bailed☐ Other

Pumping Level Below Land Surface

181' ft. After 1 Hrs. pumped 50 GPM200' ft. After 7.5 Hrs. pumped 50 GPM

If pump installed, pump rate _____ GPM

REMARKS yellow clay 270 - 274fine yellow sand w/ 2 links 274 - 280yellow clay 280 - 360This well was drilled under license # 689

And this report is true and accurate.

Drilling firm Kaiser Well DrillingSignature of License Representative: JKSignature of Well Owner or Equitable Property Holder: Ryan JohnsonDate: 11-9-05



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 21, 2005

0720
Ryan Johnson
Dan & Jerry's Greenhouse
PO Box 393
Madison SD 57042

Dear Mr. Johnson:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial 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).
- It appears that the areas to be irrigated, as outlined on the map, are the S $\frac{1}{2}$ NW $\frac{1}{4}$ and a few acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10-T106N-R52W. Are these legal description locations correct?

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosure

RECEIVED
DEC - 8 2005
WATER RIGHTS
PROGRAM

REPORT ON APPLICATION NO. 6677-3
For Ryan Johnson, Dan & Jerry's Greenhouse
December 19, 2005

This application proposes to appropriate 0.13 cubic feet of water per second (cfs) from one well completed into the Howard Aquifer (270 feet deep) located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 to irrigate 15 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10; all in T106N R52W all in Lake County.

AQUIFER – HOWARD AQUIFER (HO)

The Howard Aquifer consists of sand and gravel (outwash) approximately 40-50 feet thick in this area (Hansen, 1986). The aquifer underlies 675 square miles and contains an estimated 3.5 million acre-feet of water in storage in Lake and Moody Counties (Hansen, 1986). The aquifer is under confined conditions and according to well log data submitted by Kaiser Well Drilling the well will have a static water level of 150 feet. Ground water movement appears to be from northwest to southeast across the area of the application (Hansen, 1986).

The Water Rights Program monitors an observation well (LK-84A) completed into the Howard aquifer and located approximately 1.4 miles west of this site. Water levels show some response to pumping and climatic conditions but have gradually declined at a rate of about one foot per year since the well was completed in 1981. The hydrograph also illustrates a period of recharge in the mid-to-late nineties (Water Rights, 2005). A hydrograph of this well is included in this report labeled as Figure 1.

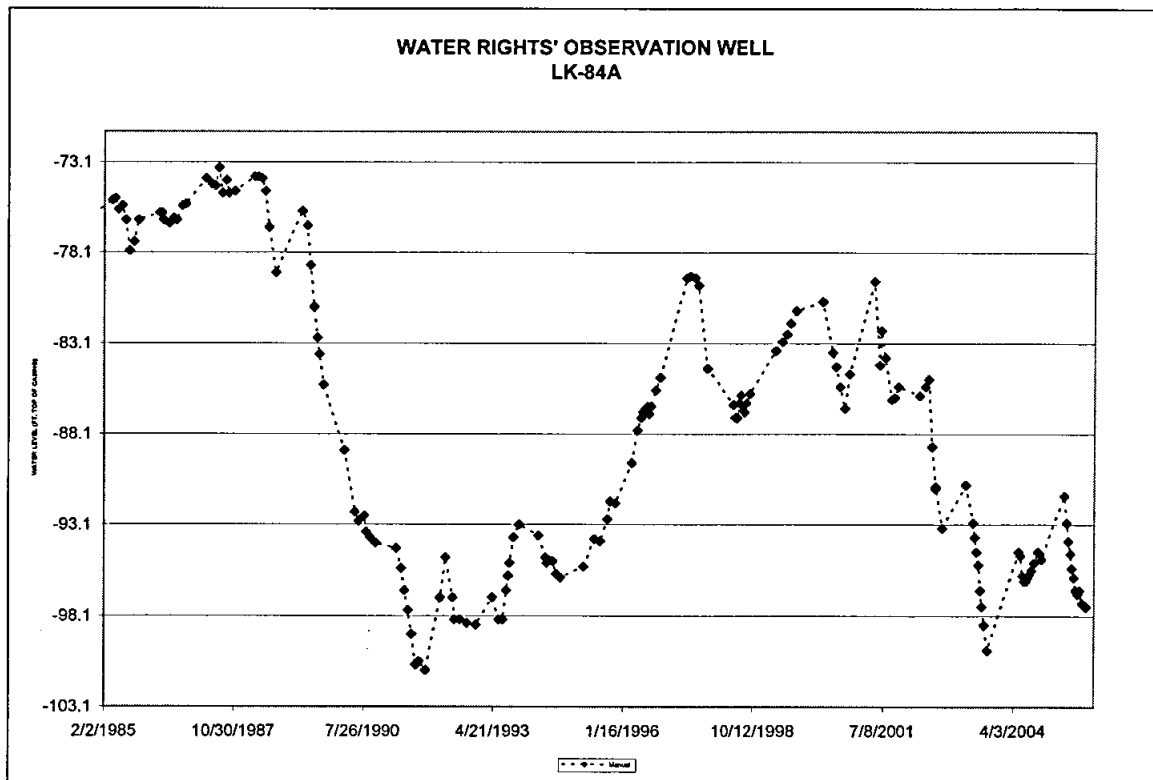


Figure 1. Hydrograph of observation well LK-84A.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are several existing Water Rights appropriating ground water in the Madison area. Most of these are supplied by the shallower Big Sioux Aquifer. A list of the permits in

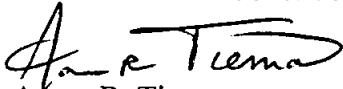
the Madison area is included with this report labeled as Table 1. The nearest water right/permit from the Howard Aquifer is approximately 2 miles west. This well is for Water Rights No. 1604-3 (1.22 cfs for municipal use). Interference should not be a problem.

Table 1. Table identifying permits in the Madison area.

PERMIT NO	LAST NAME	STATUS	AQUIFER	USE	CFS
1453-3	MADISON	LC	BS	MUN	0.78
1604-3	MADISON	LC	HO	MUN	1.22
6040-3	MADISON	PE	BS	MUN	1.67
6510-3	MADISON	PE	BS	MUN	0.78
6511-3	MADISON	PE	HO	MUN	0.89
5168-3	HILDE PIPE & GRAVEL	LC	BS	IND	0.91

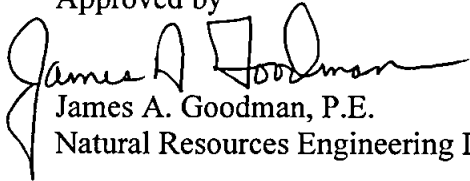
CONCLUSIONS

1. The Howard Aquifer is a viable groundwater source and water is available for this appropriation.
2. The aquifer is under confined conditions at this site. The completion report filed with this application indicates a static water level of 150 feet. Interference should not be a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



Aaron R. Tieman
Natural Resources Engineer

Approved by



James A. Goodman, P.E.
Natural Resources Engineering Director

BIBLIOGRAPHY

Hansen, D.S., 1986, Water Resources of Lake and Moody Counties, South Dakota, Water Resources Investigations report 84-4209, USGS, Huron, SD, 57350.

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



**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. 6677-3, Ryan Johnson**

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. 6677-3, Ryan Johnson, dba Dan & Jerry's Greenhouse, PO Box 393, Madison SD 57042.

The Chief Engineer is recommending APPROVAL of Application No. 6677-3 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. 6677-3 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
January 4, 2006

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Lake)

I, Deanna D Bergheim

certify that the attached printed Notice was
taken

from the Madison Daily Leader

printed and published in City of Madison

County of Lake and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Wednesday, January 11, 2006

Wednesday, January 18, 2006

Cost of Printing 40.26

Deanna Bergheim
(Signature)

Secretary
(Title)

January 18, 2006
(Date Signed)

NOTICE OF APPLICATION NO. 6677-3 to Appropriate Water

OK
Notice is given that Ryan Johnson, Dan & Jerry's Greenhouse, PC-Box 393, Madison, SD 57042 has filed an application for a water permit to appropriate 0.13 cub feet of water per second from one well completed into the Howard Aquifer (270 feet deep) located in the SE 1/4 NW 1/4 Section 10 to irrigate 15 acres located in the S 1/2 NW 1/4 Section 10; all in T106N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6677-3 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 January 30, 2006.

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.

RECEIVED
JAN 17 2006
WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on January 11, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6677-3 to Appropriate Water

Notice is given that Ryan Johnson, Dan & Jerry's Greenhouse, PO Box 393, Madison SD 57042 has filed an application for a water permit to appropriate 0.13 cubic feet of water per second from one well completed into the Howard Aquifer (270 feet deep) located in the SE ¼ NW ¼ Section 10 to irrigate 15 acres located in the S ½ NW ¼ Section 10; all in T106N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6677-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

January 4, 2006

Ryan Johnson
Dan & Jerry's Greenhouse
PO Box 393
Madison SD 57042

Dear Mr. Johnson:

Water Permit Application No. 6677-3 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 Daily Leader printed at Madison, SD (Ph # 605-256-4555). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 4, 2006

Daily Leader
PO Box 348
Madison SD 57042-0348

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6677-3 to Appropriate Water to be published twice. Please publish the first notice on January 11, 2006 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 Ryan Johnson, Dan & Jerry's Greenhouse, PO Box 393, Madison SD (Ph # 605-256-6995).

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. 6677-3

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

Date _____

We are in receipt of your letter of January 4, 2006 enclosing Notice to Appropriate Water by Application No. 6677-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



APR 07 2006

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dan & Jerry's Greenhouse
% Ryan Johnson
PO Box 393
Madison SD 57042

Dear Mr. Johnson:

Enclosed is Water Permit No. 6677-3 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

6677-3

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date 6-6-06

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Dan & Jerry's Greenhouse
(name)
P.O. Box 393
(address)
Madison SD 57042 605-256-6995
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6677-3 states that the water use system is to be constructed by
6-1-06, and water is to be put to beneficial use by 6-1-06
(date) (date)

The water use system was completed on 6-1-06
(date)

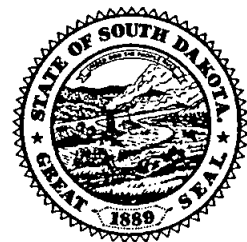
Applying the water to beneficial use was completed on 6-1-06
(date)

You may schedule an investigation so that the water license may be issued.


(signature)

7-98

RECEIVED
JUN - 8 2006
WATER RIGHTS
PROGRAM



Permit No. 6677-3
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, **July 10, 2007**, made a thorough examination of the water use system constructed by **Ryan Johnson-Dan & Jerry's Greenhouse** of **23346 457th Ave., Madison, SD 57042** holder of Permit No. **6677-3**, bearing the priority of **November 21, 2005** authorizing the diversion of **0.13** cu. ft. per second of the waters of the **Howard Aquifer** for **Irrigation** purposes, in **Lake** County.

Inspection contact & relationship **Ryan Johnson**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Kaiser Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **270** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **5** inches
- 2) Length **250** feet
- 3) Type **Plastic**

Screen:

- 1) Type **Plastic**
- 2) Length **30** feet
- 3) Static water level **150** feet

Pump:

- 1) Make **Goulds**
- 2) Model **ES55-50**
- 3) Capacity **55** GPM

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

- 1) Type **Various sizes of pipe and hose throughout the greenhouses and container field.**

Chemigation Equipment:

- 1) Does chemigate N

C. 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 Y
- 3) Exceptions to compliance are: None

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

Approximately 2045 feet south and 1675 feet east of the NW corner of Section 10-T106N-R52W
(N 44.00215, W -97.06302)

The works are capable of diverting and conveying to the place of use 0.12 cu. ft. per second of water which is to be used for Irrigation use. Water has been put to beneficial use to the maximum extent as follows:

Section 10-T106N-R52W

S ½ NW ¼ - 15 acres

comprising a total of 15 acres of land and the license should be issued for 0.12 cfs.

All structures, wells and lands on map Y

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



Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

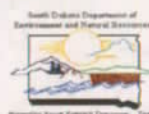
Date report completed: **November 19, 2007**

Ryan Johnson
23346 457th Ave.
Madison, SD 57042
256-6995

Water Permit No. 6677-3



Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
November 19, 2007



0 500 1,000 2,000 3,000 Feet



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 03 2008

6677-3

Dan & Jerry's Greenhouse
Ryan Johnson
23346 457th Ave
Madison SD 57042

Dear Mr. Johnson:

Enclosed is Water License No. 6677-3. 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.

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. 6677-3, 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. 6677-3

(1) Ryan Johnson, Dan & Jerry's Greenhouse, 23346 457th Ave, Madison SD 57042 made Application No. 6677-3, November 21, 2005 for a water permit to divert 0.13 cubic feet of water per second from groundwater (one well), Lake County, South Dakota for irrigation purposes. Permit No. 6677-3, with a priority date of November 21, 2005 was approved January 30, 2006 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 30, 2011 and for the application to beneficial use of water on or before January 30, 2015.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on June 8, 2006. The *Notice* stated the diversion system was completed on June 1, 2006 and the water placed to beneficial use on June 1, 2006.

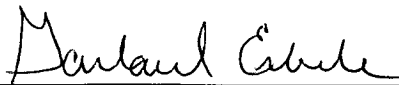
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6677-3 is issued a license, bearing a priority date of November 21, 2005 to appropriate 0.12 cubic feet of water per second from groundwater (one well) to irrigate 15 acres.

The diversion point is located: approximately 2,045 feet south and 1,675 feet east of the northwest corner of Section 10-T106N-R52W (SE ¼ NW ¼). The acres authorized for irrigation are as follows:

Section 10-T106N-R52W S ½ NW ¼ 15 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6677-3 including the following now applicable qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6677-3 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.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

APR 03 2008

date





**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



November 3, 2014

6677-3

Ryan Johnson
Dan & Jerry's Greenhouse
23346 457th Ave
Madison SD 57042 6902

Dear Mr. Johnson:

Enclosed is a "Notice" dated October 17, 2014 concerning the 2014 irrigation questionnaire.

The notice was originally mailed to PO Box 393, Madison SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures