

WATER PERMIT NO. 6690-3

Name of Applicant: **Kevin Heath**

Address: **PO Box 291, Kimball SD 57355**

Phone: **605 778-6886**

Amount of Water Claimed: **0.1 cfs**

Total Acres:

Source of Water Supply: **groundwater (one well)**

Water to be used for: **commercial**

County: **Brule**

Type of Waste Disposal System:

Location: **½ mile south of Kimball**

PRIORITY

Date Received: **2-6-06**

Application/License Fee: **\$100**

Corrected Application Received:

Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: **NE ¼ SE ¼ Sec 10-T103N-R68W**

Land to be Irrigated:

Depth of Well: **1000 feet deep**

Well Driller:

Remarks:

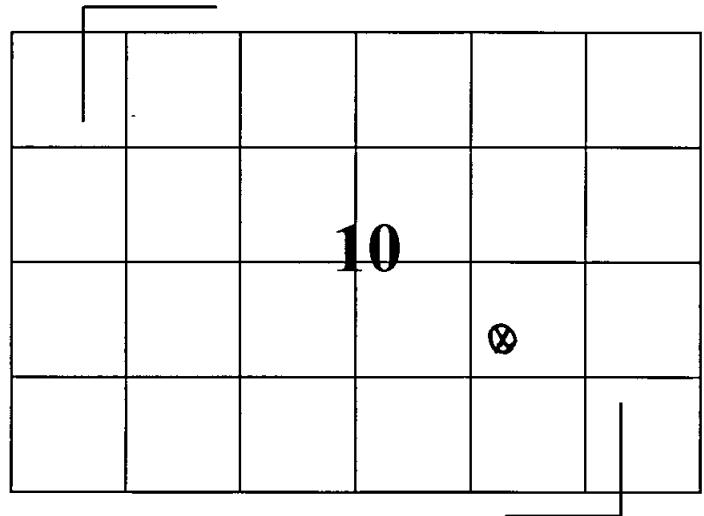
Type of Map: **aerial**

Prepared by: **Stacey Peppil, NRCS**

Reviewed and the Number Assigned on: **2-7-06**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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

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

No. 6690-3 (office use only)
Hydrologic Unit 10140101
Basin Missouri River
Newspaper Central Dakota Times, Chamberlain

RECEIVED
FEB 06 2006
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

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

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

1. Name of Applicant KEVIN HEATH Phone (605)-778-6886
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 291 KIMBALL S-Dak State S DAK 57355
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.1 *CFS or 45 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply GROUND WATER (ARTESIAN)
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) NE 1/4 SE 1/4 - 10-103-68
County BRULE
5. County or counties where water will be used BRULE
6. Annual period during which water is to be used YEARLY Jan 1 - Dec 31
7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA)

County of BRULE SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, KEVIN HEATH, 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 Kevin W. Heath

Subscribed and sworn to before me this 3rd day of February 2006

Janet Thomas
Notary Public signature

my comm 7-6-2010

**SOUTH DAKOTA
WATER PERMIT NO. 6690-3**

Date of first receipt of application February 6, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6690-3 to Kevin Heath, PO Box 291, Kimball SD 57355 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. 6690-3 appropriates 0.1 cubic feet of water per second from one well to be completed into the Dakota Aquifer (approximately 1000 feet deep) located in the NE ¼ SE ¼ Section 10-T103N-R68W.
2. The water appropriated shall be used for the purpose of commercial use in a truck wash-out 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. 6690-3 is March 20, 2006.
5. The date from which applicant may claim right is February 6, 2006.
6. One-fifth of the construction is to be completed on or before September 20, 2008.
7. All construction is to be completed on or before March 20, 2011.
8. Water is to be put to beneficial use on or before March 20, 2015.
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. 6690-3 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.

WATER MANAGEMENT BOARD

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

APR 07 2006
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 7/8", 5", 4 1/2" Depth 1000' APP
- b) Casing Type PVC SCH 80 Diameter 5" 2" 2 1/2" Thickness .025
- c) Screen Type PVC SCH 80 Diameter 2 1/2" Thickness .025
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 40' APP
- f) Depth to Water (ground surface to water level) 800'
- g) Distance to nearest existing domestic well:

On applicants property NONE

On property owned by others _____

2. Wastewater Disposal System Information

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

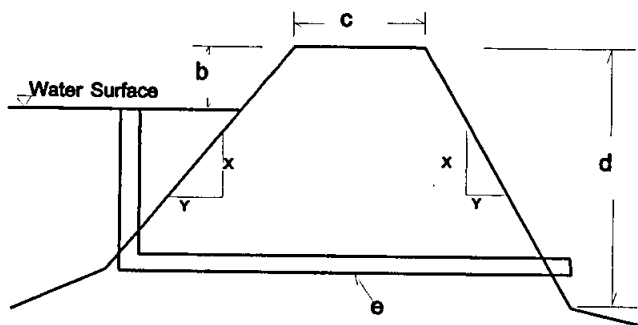
3. Dugout Information

- 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 February 6, 20 06

RECEIVED OF Kevin Heath, PO Box 291, Kimball SD 57355

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

Fee for Application for Permit No. <u>66690-3</u> to Appropriate Water, to construct and to put water to beneficial use	50	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>66690-3</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	100.00

No.

2234

By

Darland Ebel
Chief Engineer *gm*



10-103-68

● Well Site

Stacy Leppel
Cons Agron
NRES

6690-3

REPORT ON APPLICATION NO. 6690-3

For Kevin Heath
November 14, 2005

This application proposes to appropriate 0.1 cubic feet of water per second (cfs) from one well completed into the Dakota Formation (approximately 1000 feet deep) located in the NE ¼ SE ¼ Section 10, T103N R68W. The water is for commercial use in a truck wash operation.

AQUIFER – DAKOTA FORMATION (DKOT)

The Dakota Formation consists of sandstones and shales approximately 250 feet thick and is under artesian conditions in this area (Schoon, 1971). The Dakota Formation contains an estimated 7.36 million acre-feet of recoverable water and underlies 837 square miles in Brule County (Hedges, 1982). The well authorized by this application must be constructed in accordance with SD Well Construction Standards. Information available for this well indicates this well is to be constructed in a manner termed “slim hole” construction in accordance with ARSD 74:02:04:35, but would not be permissible for a commercial operation of this type. Therefore, ARSD 74:02:04:28 is the applicable construction standard. This well must be grouted from the top of the formation to the land surface in order to comply with the standards.

The Water Rights Program monitors an observation well (BL-83A) located near Chamberlain approximately 17 miles southwest of this location. Water levels for this well have gradually declined (at a rate of about ½ foot per year) since the well was completed in 1983 (Water Rights, 2006). A hydrograph of this well is included in this report labeled as Figure 1. Various authors have documented the Dakota Formation head pressure is in a declining state primarily due to the large number of uncontrolled flowing wells and improperly built or abandoned wells which allow water to flow to waste.

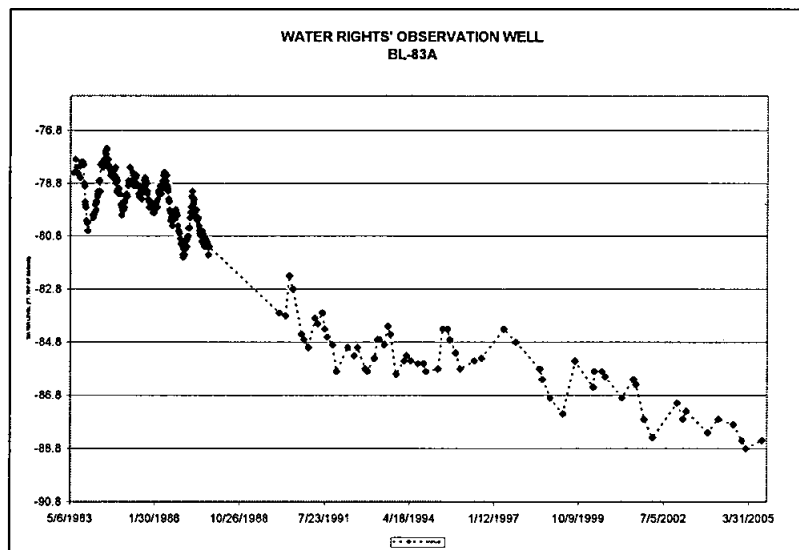


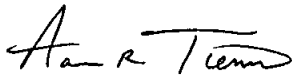
Figure 1. Hydrograph of observation well BL-83A.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two water rights/permits from the Dakota Formation in this area. These wells are used for emergency standby purposes by the City of Kimball. The City of Kimball is serviced by the Aurora-Brule Rural Water System. Interference should not be a problem. Drawdown created by pumping at this rate is not expected to be significant nor extend very far from the production well.

CONCLUSIONS

1. Water is available from the Dakota aquifer.
2. The aquifer is under artesian conditions. Drawdown will be created by pumping. However, at this requested rate drawdown is not expected to be significant. Interference should not be a concern.
3. This well must be completed in accordance with SD Well Construction Standards. Information available for this well indicates this well is to be completed in a manner termed "slim hole" construction. This construction follows SD Well Construction Standard 74:02:04:35 but would not be permissible for a commercial operation of this type. This means the well must be grouted in accordance with ARSD 74:02:03:28.
4. Dakota Formation head pressure is in a declining state primarily due to the large number of uncontrolled flowing wells and improperly built or abandoned wells which allow water to flow to waste.



Aaron R. Tieman
Natural Resources Engineer

Approved by


James A. Goodman, P.E.

Natural Resources Engineering Director

BIBLIOGRAPHY

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

Schoon, R.A., 1971, Geology of Hydrology of the Dakota Formation in South Dakota, Report of Investigation #104, SD DENR, SDGS, Vermillion, SD, 57069.

Water Right, 2006, 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. 6690-3, Kevin Heath**

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. 6690-3, Kevin Heath, PO Box 291, Kimball SD 57355.

The Chief Engineer is recommending APPROVAL of Application No. 6690-3 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. 6690-3 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.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 23, 2006

NOTE: The well proposed by this application may not be constructed in a manner commonly known as "slim hole" construction. The construction of the well must comply with Section 74:02:04:28 on the SD Well Construction Standards which requires grouting from the top of the formation to the land surface.

AFFIDAVIT OF PUBLICATION

State of South Dakota

55

County of Brule

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

Application No. 6690-3 To
Appropriate Water

a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for two successive week(s) to wit:

March 1, 2006; March 8, 2006;
_____, 20____; _____, 20____;
_____, 20____; _____, 20____;

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

\$ 34.44

Signed: Debi Hopkins

Subscribed and sworn to before me this 14th day
of March, 2006.

Janet L. Petrak
Notary Public in and for the County of Brule,
South Dakota

JANET L. PETRAK
SEAL NOTARY PUBLIC SEAL
SOUTH DAKOTA

my commission expires June 5, 2010.

NOTICE OF APPLICATION

NO. 6690-3 TO APPROPRIATE WATER

Notice is given that Kevin Heath, P.O. Box 291, Kimball, SD 57355 has filed an application for a water permit to appropriate 0.1 cubic feet of water per second from one well to be completed into the Dakota Aquifer (approximately 1,000 feet deep) located in the NE1/4 SE1/4 Section 10-T103N-R68W. The water is for commercial use in a truck wash-out.

Pursuant to SDCL 46-2A-2, the chief engineer recommends approval of Application No. 6690-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the water management board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with both the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The chief engineer's address is "Water Rights Program, Foss Building, 523 East Capitol, Pierre, SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 20, 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. Pimer, Secretary

Department of Environment and Natural Resources

(March 1/March 8)

RECEIVED
MAR 15 2006
WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on March 1, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6690-3 to Appropriate Water

Notice is given that Kevin Heath, PO Box 291, Kimball SD 57355 has filed an application for a water permit to appropriate 0.1 cubic feet of water per second from one well to be completed into the Dakota Aquifer (approximately 1000 feet deep) located in the NE ¼ SE ¼ Section 10-T103N-R68W. The water is for commercial use in a truck wash-out.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6690-3 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 March 20, 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.



**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.

February 23, 2006

Kevin Heath
PO Box 291
Kimball SD 57355

Dear Mr. Heath:

Water Permit Application No. 6690-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Central Dakota Times printed at Chamberlain, SD (Ph # 605-234-0266). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 2006

Central Dakota Times
PO Box 125
Chamberlain SD 57325-0125

ATTENTION: Legal Public Notice

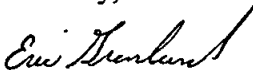
Enclosed is a Notice on Application No. 6690-3 to Appropriate Water to be published twice. Please publish the first notice on March 1, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Kevin Heath, PO Box 291, Kimball SD (Ph # 605-778-6886).

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. 6690-3

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

Date _____

We are in receipt of your letter of February 23, 2006 enclosing Notice to Appropriate Water by Application No. 6690-3 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

APR 07 2006

Kevin Heath
PO Box 291
Kimball SD 57355

Dear Mr. Heath:

Enclosed is Water Permit No. 6690-3 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

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

Date 07/31/06

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

RECEIVED

AUG 16 2006

WATER RIGHTS
PROGRAM

FROM: KEVIN HEATH
(name)

PO Box 291
(address)

KIMBALL S. DAK 57355
(city, state, zip)

HOME (605) 778-6886 CEN 680-0040
(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.

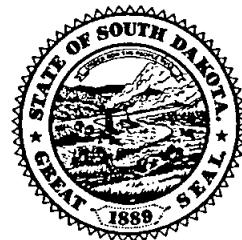
Water Permit No. 6690-3 states that the water use system is to be constructed by ~~07/31/06~~ 3/20/2016 and water is to be put to beneficial use by ~~07/31/06~~ 3/20/2015
(date) (date)

The water use system was completed on 4/17/06
(date)

Applying the water to beneficial use was completed on 4/17/06
(date)

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

Kevin W Heath
(signature)



SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ NE ¼ Sec 10 Twp 103 Rg 68

Well Owner: Kevin Heath

Business Name:

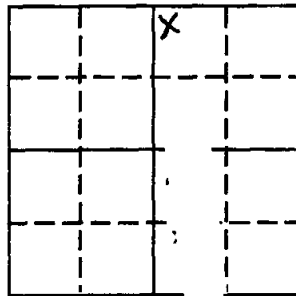
Address: PO Box 291

City, State, Zip: Kimball SD 57355

County

Brule

North



Please mark well location with an "X"

Well Completion Date

4/17/2006

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

? ft. from (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Forward

CASING DATA:

If other describe

PIPEWEIGHT LB/FT	DIAMETER IN	FROM FT	TO FT	HOLE DIAMETER IN
	5.00	0.0	245.0	7.88
	2.00	245.0	945.0	4.50

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight Lb/gal	From Ft	To Ft
Cement	4		0.0	20.0
Vol Clay	56		20.0	940.0

Describe grouting procedure
Line

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 2.50 Inches Length 120.0 Feet

Material PVC

Slot Size .016 Set From 945.0 Feet to 1,065.6 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No

If so, what material? Rubber

Describe packer(s) and location

Shale Cup@945

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?☐ No, Why Not?Lab sample sent to for
water quality analysis

WELL LOG:

DEPTH

FORMATION	FROM	TO
Yellow clay		40
Blue Clay	40	245
Sand	245	265
Shale	265	965
Fair to Good Sand	965	1045

STATIC WATER LEVEL 195.0 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: w/air☐ Bailed☐ Other

Pumping Level Below Land Surface

Ft. After Hrs. pumped GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling

Signature of License Representative:

Ken Palmer

RECEIVED

Signature of Well Owner or Equitable Property Holder:

JUN 19 2006

WATER RIGHTS
PROGRAM

Date:

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6690-3

I have this day, August 15, 2025, made a thorough examination of the water use system constructed by Kevin Heath, PO Box 291, Kimbal, SD 57355 of Permit No. 6690-3, bearing the priority of February 6, 2006 authorizing the diversion of 0.10 cu. ft. per second of the waters of the Dakota Aquifer for truck washout commercial use purposes, in Brule County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 1065 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 5 & 2 inches
- 2) Length 245 & 700 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 120 feet
- 3) Static water level 195 feet

Pump:

- 1) Make Submersible
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity Unknown GPM

Motor:

- 1) Make Unknown
- 2) Model No. Unknown
- 3) Horsepower rating Unknown hp

I called and spoke w/ Corinne Overweg regarding status of the well and water use on the property previously authorized for the truck wash. She confirmed that the truck wash had been developed, and the well was used to supply the water; however, the wash had recently closed and Overweg's had purchased the property. Last year they allowed a neighbor to use the well for garden watering in exchange for fresh veggies, but they would like to use the well for their own business.

With the system having been developed and water placed to beneficial use, albeit now not so much, I believe the 3-year rule established under SDCL 46-5-37 would apply.

8/28/2025 – Amanda Dewell

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

- 1) Type Unknown 2) Size Unknown inches 3) Length Unknown feet

Comments: **xx**

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y/N

If no, describe: **DO NOT KNOW**

- 2) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: **WELL LOCATION From the SE corner Sec 10 T103N R68W, 1515 ft N & 775 ft W, Lat 43.73459 Long -98.95662 (NE ¼ SE ¼).**
2. The works are capable of diverting and conveying to the place of use ??? cu. ft. per second of water which is to be used for **Truck washout commercial use.**

and the license should be issued for ??? cfs.
3. All structures, wells and lands on map Y

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

Used FSA maps and ArcGIS to construct the project map.

No operational truck washout business was evident at the time of the field inspection.

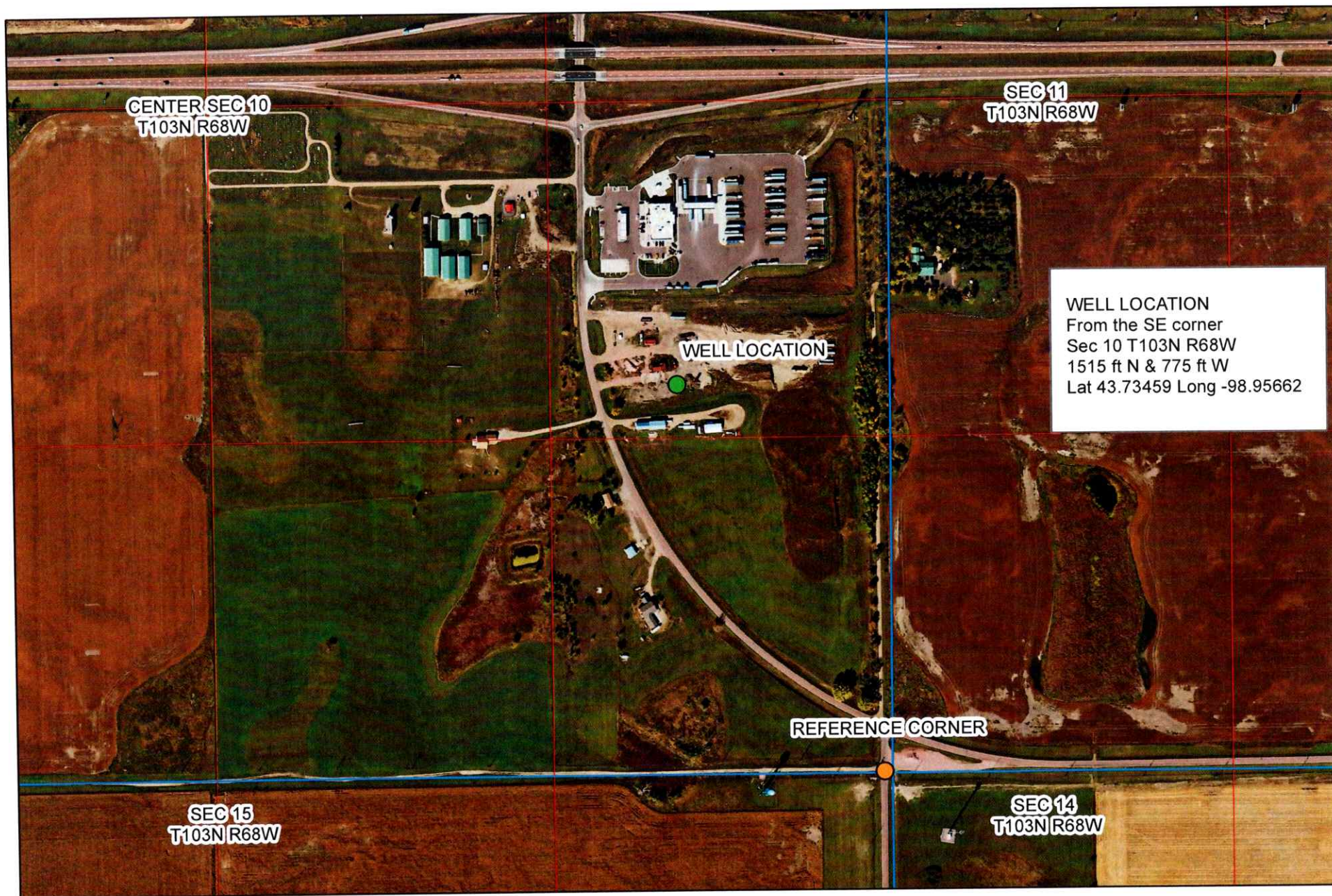
I was informed during a phone visit with Mr. Kevin Heath on August 19, 2025, that he sold the property to a Mr. Dan Overweg of 725 S. Main Str. Kimball, SD (605/778-6483), several years ago and it has not been used as intended since. He did not remember the well flow rate. Not sure about issuing a license for the well.

Mr. Heath can be contacted at PO Box 291, Kimball, SD 57355 and at 605/680-0040.



Darrell DeBoer
Water Rights Inspector
DENR, Water Rights Program

Date report completed: **August 19, 2025**



0 425 850 1,700 2,550 3,400 Feet

Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program

6690-3
RECEIVED

SEP 05 2025

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

OFFICE OF
WATERMail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182Water Right/Permit No. 6690-3
6609-3Date: 9-2-25I/We request that Water Right/Permit No. 6690-3 formerly owned by:
Kevin Heath - Kimball SD

be transferred to:

New Owner Name: Overweg Estates LLC
Address: 725 S. Main St mobile: Dan 605-680-0976
City, State, Zip Kimball, SD 57355 email: service@overwegrepair.com

Title to the following described land(s)/property has been transferred as described above:

Permit No. 6609-3 authorizes 0.1 cfs (approx. 45 gpm) from one well
completed into the Dakota Aquifer located in the NE 1/4 SE 1/4 Section 10-
T103N-R68W for commercial use.



I understand that the validity of Water Right/Permit No. 6690-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Corinne Overweg (Overweg Estates), the new owner, certify that the above information is true and correct.

Corinne Overweg
(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three-year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date September 12th, 2025

RECEIVED OF Overweg Estates LLC 725 W Main St Kimball SD 57355

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
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 <u>WR #6609-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	<u>\$50.00</u>

By Mark Mayer
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

September 22, 2025

6690-3

Overweg Estates LLC
c/o Corinne Overweg
725 S Main St
Kimball SD 57355

Dear Ms. Overweg:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fees you submitted for Water Permit No. 6690-3. Enclosed is a receipt of payment and copy of the original permit for your records.

Water Permit No. 6690-3 previously held by Kevin Heath is now listed under Overweg Estates LLC. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the permit, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the permit will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTE: The validity of Water Permit No. 6690-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures