

WATER PERMIT NO. 6724-3

Name of Applicant: United Feeders LLC

Address: 705 100 St SE, DeGraff MN 56271

Phone: 320-815-3073

Amount of Water Claimed: 0.44 cfs

Total Acres:

Source of Water Supply: groundwater (three wells)

Water to be used for: commercial

County: Spink

Type of Waste Disposal System:

Location: 5 miles southwest of Doland

PRIORITY Date Received: 5-24-06

Application/License Fee: \$300

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW ¼ SW ¼ Sec 18-T116N-
R61W

Land to be Irrigated: NA

Depth of Well: 1000 feet deep

Well Driller:

Remarks:

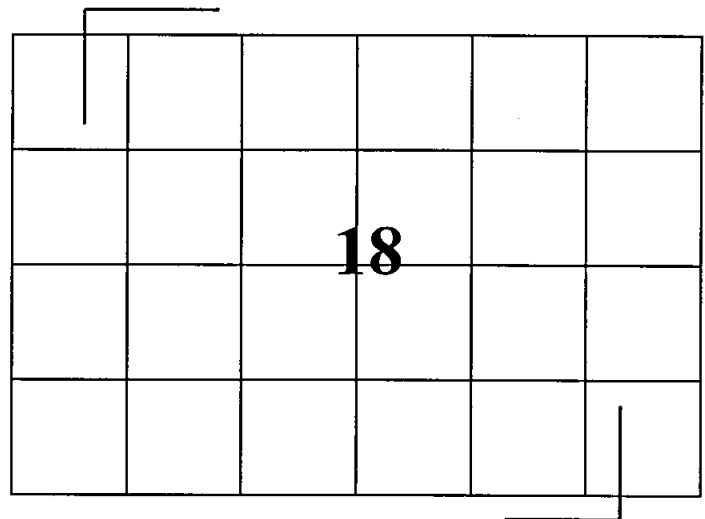
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 5-24-06

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

6724-3 10160006
James River Basin
Redfield Press

RECEIVED
MAY 24 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 <u>Feedlot</u> | |

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 United Feeders Tom Walsh Phone 320-760-2607
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 705 100th ST SE DeGrass MN State 56271
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.44 *CFS or 200 **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 Artesian well Dakota Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Spink
3 wells in SW1/4 of Section 18 T-116-N R-61-W
Belle Plaine Township (NW1/4 SW1/4)
- County or counties where water will be used Spink
- Annual period during which water is to be used year around 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)
5000 A.U. feedlot for Dairy Heifer Development

STATE OF SOUTH DAKOTA)

County of Spink 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, Tom Walsh "United Feeders", 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 Thomas A. Walsh

Subscribed and sworn to before me this 22nd day of May 2006



Lori J. Tostenson
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6724-3**

Date of first receipt of application May 24, 2006.

The Water Management Board approved Water Permit No. 6724-3 to United Feeders, c/o Tom Walsh, 705 100th St SE, DeGraff MN 56271 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. 6724-3 appropriates 0.44 cubic feet of water per second from three wells to be completed into the Dakota Formation (approximately 1000 feet deep) located in the NW ¼ SW ¼ Section 18-T116N-R61W.
2. The water appropriated shall be used for the purpose of commercial use in a dairy 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. 6724-3 is July 12, 2006.
5. The date from which applicant may claim right is May 24, 2006.
6. One-fifth of the construction is to be completed on or before January 12, 2009.
7. All construction is to be completed on or before July 12, 2011.
8. Water is to be put to beneficial use on or before July 12, 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 wells 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 wells authorized by Permit No. 6724-3 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. Permit No. 6724-3 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.
4. Permit No. 6724-3 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 27 2006

date



(type or print in ink)

~~605-883~~ ~~4534~~

Estimation

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 5" Depth 1000'
- b) Casing Type PVC Diameter Schedule 80 + 40 Thickness .025
- c) Screen Type Slotted Diameter 2 1/2" Thickness .016
- d) Gravel Pack N/A Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material 800'
- f) Depth to Water (ground surface to water level) 60'
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

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

3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

[Redacted area]

- 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 May 24, 20 06

RECEIVED OF Walsh Farms, 705 190thSt, NE, DeFraff MN 56271

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	275	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. _____	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	325.00

No.

00462

By

Darlene Ebel
Chief Engineer
gr

T 230

1
147.4
N HEL

Well
Location

1
7.8
N HEL

T 1023

2
8.0
N HEL

4
7.7
N HEL

5
128.8
N HEL

3
6.8
N HEL

T 10315

1
61.7
N HEL

2
5.3
N HEL

T 4431

T 10314

2
6.1
N HEL

1
62.7
N HEL

3
6.8
N HEL

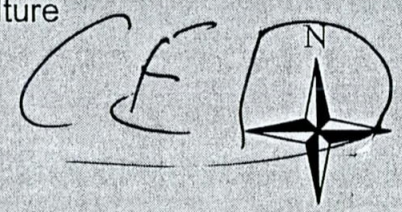
1
159.2
N HEL

18-116-61

January 9, 2004

United States Department of Agriculture
Farm Service Agency

Spink County



1997 Digital Orthophotography - Not To Scale

The filing fee for a future use permit application equals 10% of the comparable fee calculated by using the above fee structure excluding the \$50.00 inspection/licensing fee. If after the seven year review the permit is allowed to remain in effect, another 10% filing fee is required. When an application for part or all of the reserved water under a future use is received, the applicable fees must be paid.

The forms, signed map, fees and any other pertinent information for filing a water permit application should be submitted to:

Water Rights Program, DENR
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181 Phone (605) 773-3352

6. Notice of an application must be published in one local county newspaper for two successive weeks. The publication notice will be sent to the newspaper by the Water Rights Program.

THE COST OF PUBLICATION IS THE RESPONSIBILITY OF THE APPLICANT.

To: Eric Gronlund \$ 325.00 inclosed
I spoke To you about This Today
This is in The Same Location
~~As~~ As The other Permit so
The signed map from ESA
is The Same please put
This one with it

Thanks Tom Walsh
United Feeders
1705 100th ST SE
DeGraff MN 56271
320-760-2607

PAYMENT REQUEST FORM

PAYEE: United Feeders
% Tom Walsh
705 100th St SE
DeGraff Mn 56271

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund for overpayment of application fee

AMOUNT: \$25.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Darrel E. Ehl

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.

REPORT ON WATER PERMIT NO. 6724-3
For United Feeders
June 2, 2006

Application No. 6724-3 proposes to appropriate 0.44 cfs (200 gpm) from three wells approximately 1,000 feet deep located in the NW ¼ SW ¼ of section 18, T116N R61W in Spink County. The water is for commercial use in a feedlot for dairy heifer development.

AQUIFER – DAKOTA FORMATION (DKOT)

The Dakota Formation is a buried sand, sandstone, siltstone and shale under artesian condition in this area. The aquifer underlies 1,511 square miles and contains an estimated 19.3 million acre-feet of recoverable water in storage in Spink County (Hedges, 1982). Water from the Dakota is generally a sodium sulfate type with a median of total dissolved solids of 2,110 mg/l for Spink County (Hamilton, 1996). The depth to the top of the Dakota Formation varies from about 825 to 910 feet in the area of this application with a water level slightly above land surface (Hamilton, 1996). According to Hamilton the aquifer should be 200 to 300 feet thick in this area and a Dakota well should free flow at the land surface at this site. Some information in the Frankfort vested Water Right No. 1728-3 indicate a pressure reading of about nine pounds per square inch.

No driller's log was filed with the application. All the information available indicates that the aquifer underlies this site and could provide the water requested by this application. Hamilton reports that a well in Redfield completed into the Dakota Formation was capable of pumping 350 gpm.

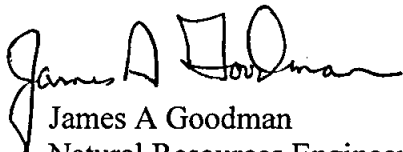
Historically, water levels for the Dakota Formation have been declining in this area. Hamilton reports that water levels have declined over 350 feet in the last 100 years as a result of withdrawals from the aquifer. Recently water levels have begun to stabilize or in some areas rise because of changes in water use. The fact that WEB and Mid Dakota rural water systems have begun to serve this area has decreased the use from Dakota Formation wells. Probably, this is most noticeable around Redfield and Miller because of the switch from Dakota Formation water to rural water. There are many domestic or stock wells still in use on the farm. The nearest Dakota Formation observation wells are ED-85A located about 46 miles to the northwest and HD-87A located about 46 miles southwest both from the site of this application. Hydrographs for these two observation wells are included with this report (Water Rights, 2006).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The Town of Frankfort (located about five miles northwest) and the Town of Doland (located about six miles northeast) from this application have Vested Water Rights from wells from the Dakota Formation. Both of these towns are now supplied by WEB rural water and use the Dakota wells for a backup supply. Interference is not expected to be a concern. At the distance between wells drawdown should not be significant.

CONCLUSIONS

1. Water is available from the Dakota Formation.
2. The aquifer is under confined or artesian conditions. At this site the wells may free flow at the land surface. These wells must be valved and controlled to prevent the waste of water. These wells will probably have to be pumped in order to obtain the amount of water requested.
3. The wells authorized by this application if approved must be constructed in accordance with SD Well Construction Standards. In this instance the wells must be grouted from the top of the producing formation to the land surface in accordance with ARSD 74:02:04:28.
4. United Feeders has filed plans and specifications for this facility and they are presently under review by the Department.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hamilton, L.J., L.W. Howells, 1996, Water Resources of Spink County, South Dakota, Water Resources Investigations Report 96-4056, USGS, Rapid City, SD, 57702.

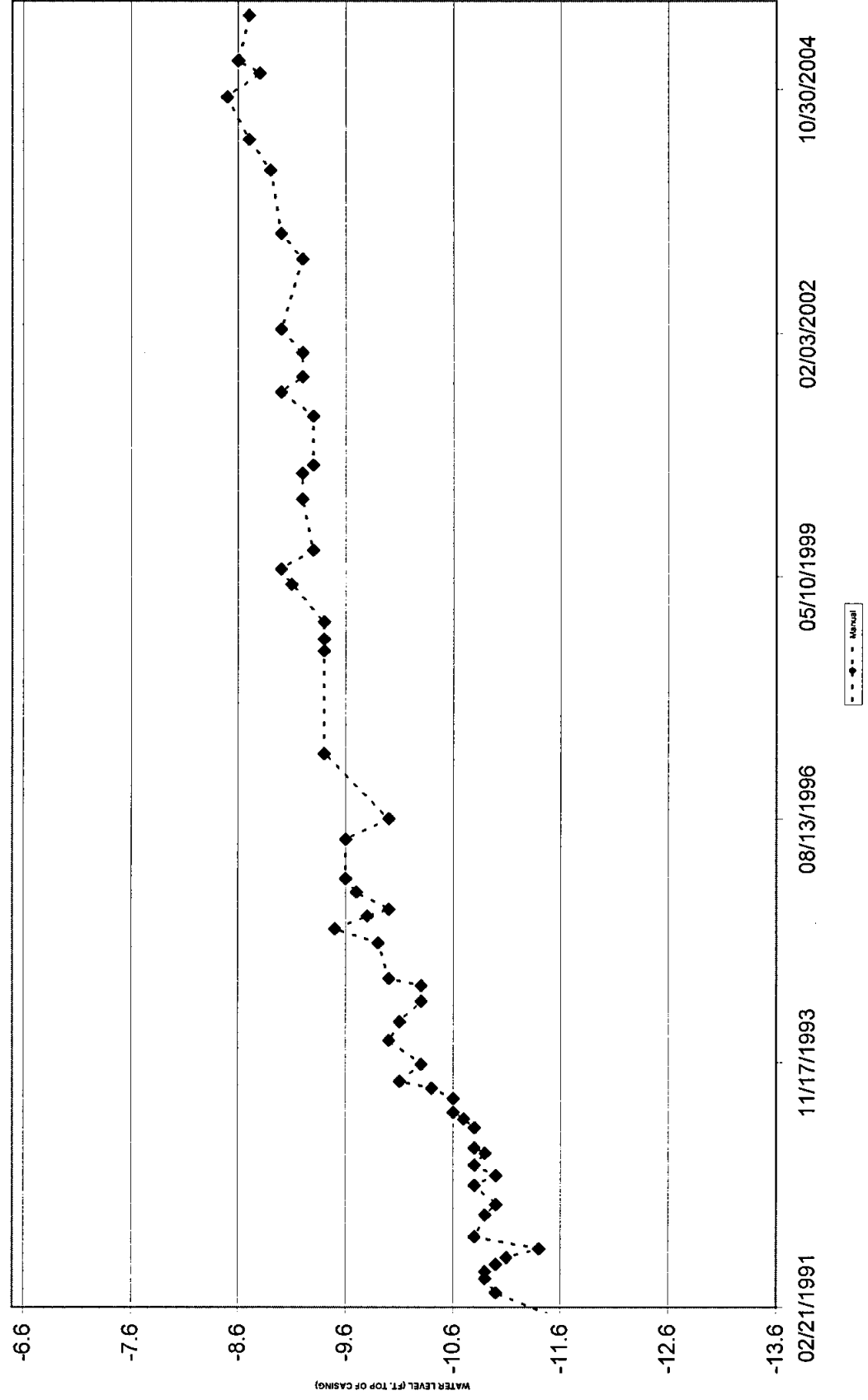
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2006, Unpublished Observation Well Data for the Dakota Formation, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER LEVEL (FT. TOP OF CASING)

Date	Water Level (ft. top of casing)
08/05/1989	-279.4
05/01/1992	-281.4
01/26/1995	-285.4
10/22/1997	-287.4
07/18/2000	-289.4
04/14/2003	-293.4

WATER RIGHTS' OBSERVATION WELL
ED-85A





**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. 6724-3, United Feeders LLP**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6724-3, United Feeders LLP, c/o Thomas J Walsh, 705 100th St. SE, DeGraff MN 56271.

The Chief Engineer is recommending APPROVAL of Application No. 6724-3 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 wells 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 wells authorized by Permit No. 6724-3 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. Permit No. 6724-3 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.
4. Permit No. 6724-3 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

See report on application for additional information.

Garland Erbele, Chief Engineer
June 6, 2006

Affidavit of Publication

STATE OF SOUTH DAKOTA,
County of Spink: ss.

I, Mark E. Davis, of said County & State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield, in said County and State, by THE REDFIELD PRESS, and has been such newspaper during the time hereinafter mentioned, and that I Mark E. Davis, the undersigned, am Publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the legal or official notice entitled:

265 Thomas Walsh, Water Appropriation

A printed copy of which is hereto attached, was printed and published in said newspaper in 2 successive issues, to wit: The first publication being made on June 14, 2006 and the last publication being made on June 21, 2006 that the full amount of Eighty and 94/100 Dollars, insures to the benefit of the publisher of THE REDFIELD PRESS, 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.



Subscribed and sworn to before me this 15th day of June, 2006.


Notary Public, South Dakota

My commission expires 11/10/09

Notice

#265

NOTICE OF HEARING on Application No.s. 6715-3 & 6724-3 to Appropriate Water

Notice is given that United Feeders LLP, c/o Thomas J Walsh, 705 100th St SE, DeGraff MN 56271 has filed the following applications for a water permit.

Application No. 6715-3 proposes to appropriate 0.56 cubic feet of water per second (cfs) from two wells to be completed into the Tulare:East James Aquifer (approximately 100 feet deep) located in the NW 1/4 SW 1/4 Section 18-T116N-R61W. The water is for commercial use in a dairy operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends DENIAL of Application No. 6715-3 because 1) SDCL 46-6-3.1 states that the annual withdrawal of groundwater shall not exceed the average estimated annual recharge to the aquifer, 2) all water available for appropriation within the Tulare:East James Aquifer in Spink and Beadle County will be appropriated pending the Boards' decision on Application No.s. 6711-3, 6712-3 and 6713-3, and 3) it is not in the public interest.

Application No. 6724-3 proposes to appropriate 0.44 cfs from three wells to be completed into the Dakota Formation (approximately 1000 feet deep) located in the NW 1/4 SW 1/4 Section 18-T116N-R61W. The water is for commercial use in a dairy operation.

Pursuant to SDCL 46-2A-2, the

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JUL 10 2006

WATER RIGHTS
PROGRAM



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 7, 2006

Redfield Press
PO Box 440
Redfield SD 57469-0440

ATTENTION: Legal Public Notice

June 14

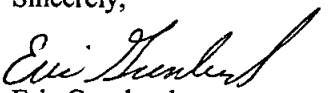
Enclosed is a Notice on Application No. 6715-3 & 6724-3 to Appropriate Water to be published twice. Please publish the first notice on July 12, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 United Feeders LLP, % Thomas J Walsh, 705 100th St SE, De Graff, SD (Ph # 320-815-3073 or 320-760-2607).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

Nos. 6715-3 & 6724-3

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

Date _____

We are in receipt of your letter of June 7, 2006 enclosing Notice to Appropriate Water by Application Nos. 6715-3 & 6724-3 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 7, 2006

United Feeders LLP
% Thomas J Walsh
705 100th St SE
DeGraff MN 56271

Dear Mr. Walsh:

Water Permit Application Nos. 6715-3 & 6724-3 for commercial use have been examined and found to comply with the South Dakota Water Laws and applicable rules. The Chief Engineer's recommendation is for Denial of Application No. 6715-3 and Approval of Application No. 6724-3. For your information, a copy of the notice, recommendations of the Chief Engineer and staff reports are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The notice has been sent to the Publisher of the Redfield Press (Ph # 605-472-0822). You will need to contact the newspaper to authorize publication of this 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.

Instruction to Newspaper - Publish first Notice on June 14, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application Nos. 6715-3 & 6724-3 to Appropriate Water

Notice is given that United Feeders LLP, c/o Thomas J Walsh, 705 100th St SE, DeGraff MN 56271 has filed the following applications for a water permit.

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends DENIAL of Application No. 6715-3 because 1) SDCL 46-6-3.1 states that the annual withdrawal of groundwater shall not exceed the average estimated annual recharge to the aquifer, 2) all water available for appropriation within the Tulare:East James Aquifer in Spink and Beadle County will be appropriated pending the Boards' decision on Application Nos. 6711-3, 6712-3 and 6713-3, and 3) it is not in the public interest.

Application No. 6724-3 proposes to appropriate 0.44 cfs from three wells to be completed into the Dakota Formation (approximately 1000 feet deep) located in the NW ¼ SW ¼ Section 18-T116N-R61W. The water is for commercial use in a dairy operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6724-3 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.

Any person interested in opposing or supporting these applications must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 3, 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 applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications at 8:45 A.M. July 12, 2006 in the Matthew Training Center, Foss Building, 523 E Capitol, Pierre SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications based on the facts presented at the public hearing. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 3, 2006.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since these applications do not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. 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

JUL 27 2006

United Feeders
c/o Tom Walsh
705 100th St SE
DeGraff MN 56271

Dear Mr. Walsh:

Enclosed is Water Permit No. 6724-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

At the time of application, a \$325 application/license filing fee was submitted (receipt enclosed). The correct filing fee for this permit is \$300. Therefore, \$25 will be refunded to you. You should be receiving this refund within the next couple of weeks.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

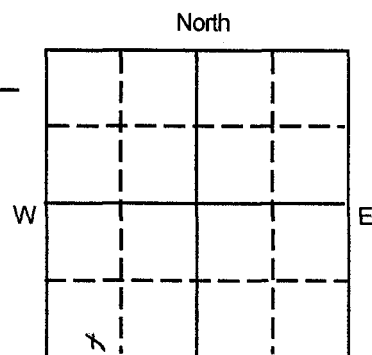
An informational sheet *?Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

6724-3
11-02Location SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 18 Twp 116 Rg 61County
SpinkPlease mark well
location with an "X"

Well Completion Date

11/15/2006

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:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	5.00 IN	0.0 FT	160.0 FT	7.88 IN
LB/FT	2.00 IN	160.0 FT	860.0 FT	4.50 IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
cement	2	Lb/gal	10.0 Ft	20.0 Ft
Vol clay	55	Lb/gal	20.0 Ft	855.0 Ft

Describe grouting procedure
Line

SCREEN:

☐ Perforated pipe ☒ ManufacturedDiameter 2.50 Inches Length 120.0 FeetMaterial PVCSlot Size .016 Set From 860.0 Feet to 980.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ NoIf so, what material? Sand Packed

Describe packer(s) and location

860

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Granules☐ No, Why Not? _____Lab sample sent to for
water quality analysisWell Owner: Tom WalshBusiness Name: United FeedersAddress: 705 100 StCity, State, Zip: Deraff MN 56271

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	35
Sand	35	60
Shale	60	680
Shale w few sand Strks	680	856
Sand few shale Strks	856	980

STATIC WATER LEVEL

FEET

If flowing: closed in pressure _____

PSI

GPM flow 1.0 through 2.00 inch pipeControlled by ☒ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in? Yes

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

Signature of Well Owner or Equitable Property Holder:

Date: _____

RECEIVED

JAN 30 2007

WATER RIGHTS
PROGRAM

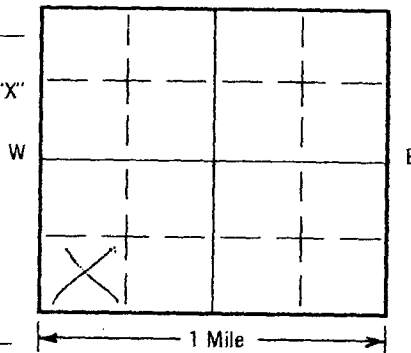
1-30-07

SOUTH DAKOTA WATER WELL COMPLETION REPORT

6724-3
07-92

Location SW 1/4 SW 1/4 Sec 18 Twp 116 Rg 61
County SPINK North

Please mark well location with an "X"



Well Completion Date

4-30-08

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 200 ft. from Feed lot (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

☐ Steel ☒ Plastic ☒ Other

If other describe Stainless Steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>Sch 80</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>945</u> FT	<u>7 7/8</u> IN
<u>S.S.</u> LB/FT	<u>2</u> IN	<u>960</u> FT	<u>1020</u> FT	<u>4 1/2</u> IN
<u>Sch 80</u> LB/FT	<u>2</u> IN	<u>760</u> FT	<u>960</u> FT	<u>4 1/2</u> IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>125</u>	<u>15</u> lb./gal	<u>0</u> ft	<u>945</u> ft

Describe grouting procedure Pumped Through 5"
Sch 80

SCREEN:

☐ Perforated pipe ☐ Manufactured

Diameter 2 IN Length 60 FEET

Material S.S.

Slot Size .025 Set From 960 Feet to 1020 Feet

Other information Screen is Gravel Packed

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? Gravel Pack

Describe packer(s) and location?

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Chlorine

☐ NO, Why Not?

Laboratory sent to for water quality analysis

Well Owner: United Feeders

Business Name:

Address: 26410 470TH AVE
Morris's Minn 56267

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Sand & Gravel</u>	<u>30</u>	<u>65</u>
<u>Shale</u>	<u>65</u>	<u>825</u>
<u>Dakota</u>	<u>825</u>	<u>895</u>
<u>Lakota</u>	<u>965</u>	<u>1020</u>

STATIC WATER LEVEL

Feet

If flowing: closed in pressure 5 PSI

GPM flow 15 through 2 inch pipe

Controlled by ☒ Valve ☐ Reducers ☐ Other

Reduced Flowrate 15 GPM

Can well be completely shut in? yes

WELL TEST DATA:

☐ Pumped Describe:

☐ Bailed

☐ Other

Pumping Level Below Land Surface

ft. After Hrs. pumped GPM

ft. After Hrs. pumped GPM

If pump installed GPM

REMARKS

RECEIVED
MAY 13 2008
WATER RIGHTS PROGRAM

This well was drilled under license # 722

And this report is true and accurate.

Drilling firm Stretch's Well Service Inc.

Signature of License Representative:

Tom Stretch

Signature of Well Owner or Equitable Property Holder:

Date:

McMath, Genny

From: Joe Basel [joe.basel@riverviewfarms.com]
Sent: Thursday, June 12, 2008 2:00 PM
To: McMath, Genny
Subject: RE: United Feeders LLP

Genny,

Thank you for cleaning this up. We can use the new one, both Tom and Kurt are in the new office with me. You can send those to my attention, they just put them on my desk anyway.

Thank You,

Joseph Basel
Director of Sustainability
United Feeders

From: Genny.McMath@state.sd.us [mailto:Genny.McMath@state.sd.us]
Sent: Wednesday, June 11, 2008 8:25 AM
To: joe.basel@riverviewgroup.net
Subject: United Feeders LLP

I am contacting you in regard to the recent water permit approved for United Feeders LLC. In reviewing the files, we have several permits for United Feeders LLP and have three different addresses. Could you send me a quick note to let me know which address the company would prefer correspondence sent to?

We have the following for addresses:

No. 6724-3: United Feeders

705 100th St SE, DeGraff, MN (in care of Tom Walsh)

Nos. 1458-3, 3035-3, 3175-3, 4714-3: United Feeders LLP

26410 470th Ave, Morris MN (in care of Kurt Domnick, Ptr)

No. 6998-3: United Feeders LLP

(this is the new one)

26406 470th Ave, Morris MN (in care of Joe Basel)

If you prefer that correspondence be sent to the addresses that are on each one – that's fine too. I just want to make sure we have our records correct.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 2010

Brady Janzen
Riverview LLP
26406 470th Ave
Morris MN 56267

RE: United Feeders LLP and West Central Land LLP Water Rights and Permits

I am writing in follow-up to your email communication with Eric Gronlund concerning the recent merger of West Central Land LLP and United Feeders LLP into Riverview LLP.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for the following Water Permits or Rights:

- West Central Land LLP - 1776-3, 6883-3 and 7105-3
- United Feeders - 6724-3, 1072-3, 1073-3, 3035-3, 6998-3, 7063-3 and 3175A-3

Please complete the forms and return them to our office with a required filing fee of \$50.00 each (total of \$500.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures

RECEIVED

OCT 25 2010

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 6724-3

Date: 10-21-10

I/We request that Water Permit No. 6724-3

formerly owned by: United Feeders

be transferred to: (name & address) Riverview, LLP

26406 470th Ave
Morris, MN 56267

Telephone No. 320-392-5609

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

well locations: NW ¼ SW ¼ Section 18, T116N, R61W

I/We understand that the validity of Water Permit No. 6724-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Riverview, LLP, the new owner, certify that the above information is true and correct.

Brady Jansen, Partner
(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 and the water used, the permit becomes a right. A water right may be lost for three 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 Environment and Natural Resources

Date 10/25, 20 10

RECEIVED OF Riverview LLP 26406 470th Ave Morris MN 57267

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	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. _____		
Fee for Filing Transfer Form <u>6724-3</u>		
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. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

04641

By

Robert Erbe
Chief Engineer

6724-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 26, 2010

Brady Janzen
Riverview LLP
26406 470th Ave
Morris MN 56267

Re: Water Permit or Right Nos. 7105-3, 7063-3, 6998-3, 6883-3, 6724-3, 3175A-3,
3035-3, 1776-3, 1073-3, 1072-3

Dear Mr. Janzen:

The recent ownership changes you filed for Riverview LLP have been completed. The water rights or permits formerly held by West Central Land LLP and United Feeders are now listed in the name of Riverview LLP.

The receipts for the filing fees are enclosed. If you have any questions, please contact me.

Sincerely,

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

enclosures

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date 2/28/2011

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

FROM: Riverview, LLP - United Feeders

(name)

26406 470th Avenue

(address)

MorrisMN56267

(city, state, zip)

(320) 392-5609

(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. 6724-3 states that the water use system is to be constructed by7/12/2011

(date)

, and water is to be put to beneficial use by

7/12/2015

(date)

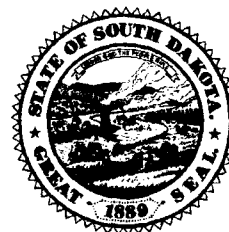
The water use system was completed on 4/30/2008

(date)

Applying the water to beneficial use was completed on 11/20/2006

(date)

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





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 2011
via email

6724-3

Brady Janzen
Riverview LLP
26406 470th Ave
Morris MN 56267

Dear Mr. Janzen:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with the water use system authorized under Water Permit No. 6724-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads 'Genny McMath'.

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

McMath, Genny

From: Brady Janzen <brady.janzen@riverviewllp.com>
Sent: Thursday, July 21, 2011 7:56 AM
To: mikedurre@hotmail.com; Peterson, Mark (DOT); Hicks, Matt;
mcdirector@venturecomm.net; Mohan, Krishna (MDH); Wegleitner, Paul; Myers, Ben;
billkleindl@co.stevens.mn.us; Schwint, George (MPCA); McMath, Genny;
sheri.reuss@state.mn.us; janell.miersch@state.mn.us; Gronlund, Eric; Woodmansey, Kent;
Kindt, Trish
Cc: anthony.ekren@riverviewllp.com; brad.fehr@riverviewllp.com
Subject: Contact Change

Hello,

Just wanted to give everyone notice that Anthony Ekren will be taking over the permitting, zoning, and annual reporting duties here at Riverview. Please direct all future correspondences to him. He can be reached at 320.392.5609 ext 297 (office), 320.287.0978 (cell), or anthony.ekren@riverviewllp.com.

Thanks and have a great day!

Brady Janzen
Riverview, LLP
320.392.5609

6724-3



February 24, 2020

26406 470th Ave
Morris, MN 56267
(320) 392-5609

SD DENR Water rights program

RE: Change in contact information

Dear Eric Gronlund,

I will no longer be with Riverview at the end of March, please remove me as the contact person for the Riverview water rights permits. Please make the following changes:

Please make the following person the main contact person for Riverview water rights permits:

Brady Janzen
320-349-0318
Brady.janzen@riverviewllp.com

Additionally, please make the following person a secondary contact person for Riverview water rights permits:

Matt Waldbeser
320-287-1028
Matt.waldbeser@riverviewllp.com

Thank you,

A handwritten signature in black ink, appearing to be 'A. Ekren'.

Anthony Ekren

6724-3

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 6724-3

Date: April 16, 2021

I/We request that Water Right/Permit No. 6724-3 formerly owned by:
Riverview, LLP - United Feeders be transferred to:

New Owner Name: Dairy Wise Builders - SD, LLC

Address: 47853 236th St.

City, State, Zip Egan SD 57024 Telephone No. (559) 805-3249

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

The Southwest Quarter (SW1/4), Section Eighteen (18), Township One Hundred Sixteen (116)
North, Range Sixty-one (61) West of the 5th P.M., Spink County, South Dakota

☒ I understand that the validity of Water Right/Permit No. 6724-3 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, Carson te Velde, the new owner, certify that the above information is true and correct.


(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 and the water used, the permit becomes a right. A water right may be lost for three 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.

6724-3

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date June 17, 2021

RECEIVED OF Ben Stout A1 Solutions 2301 Research Parkway Suite 149 Brookings SD 57006

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>6724-3</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 Eric Gronlund
Chief Engineer

vm



OFFICE OF THE SECRETARY OF STATE

STEVEN J. BARNETT, SECRETARY OF STATE

JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **DAIRY WISE BUILDERS-SD, LLC**

General Information

SOS Business ID **DL181849**
Filing Type: Limited Liability Company - Domestic
 04/16/2018
Status: Good Standing
Duration Term: Perpetual
Managed By: Manager-Managed

Registered Agent Address

Carson te Velde
 47853 236TH ST
 EGAN, SD 57024

Principal Address

47853 236TH ST
 EGAN, SD 57024

The following document(s) was/were filed in this office on the date(s) indicated below:

<u>Date Filed</u>	<u>Filing Description</u>	<u>Image #</u>
04/24/2021	2021 Annual Report	B0178-3408
07/20/2020	2020 Annual Report	B0146-6729
05/19/2020	Articles of Domestication	B0139-0138
03/20/2019	2019 Annual Report	B0094-6318
04/16/2018	Initial Filing	B0058-2141



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 17, 2021

6724-3

Carson te Velde
Dairy Wise Builders – SD LLC
47853 236th St
Egan SD 57024

Dear Sir:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Permit No. 6724-3.

The ownership change has been completed. The permit formerly held by Riverview LLP is now listed under Dairy Wise Builders – SD LLC.

An email receipt was directed to you from our fiscal office for the fee paid by credit card.

If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

C: Ben Stout, A 1 Solutions, Brookings SD

SD DANR, WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Carson Tevelde

ADDRESS: 47853 236th St, Egan SD 57024

DATE: June 10, 2021

TELEPHONE: 559-805-3249

RE: Complaint concerning irrigation of property not covered by a water right

COMMENTS:

Dan Wilson (ph. 605-460-1172) called indicating that the NW1/4 section 19-116N-R61W was being irrigated and the property was no longer covered by a water right.

After reviewing the file, it was found that the property was covered for irrigation from a well in the NE1/4 NW1/4 section 19 completed into the Tulare East James aquifer. The permit authorizing the irrigation was No. 2208-3. An application was filed to transfer the location of the irrigated acreage approximately six miles to the northeast. Application No. 2208A-3 was approved so the NW1/4 section 19 is currently NOT covered for irrigation from the Tulare East James aquifer.

I contacted Dairy Wise Builders (in process of transferring the feedlot to themselves – currently in name of Riverview LLP) and spoke to Carson Tevelde. I informed Mr. Tevelde I had been told that the NW1/4 was being irrigated from the aquifer and not the lagoons. We discussed the transfer of the water right from the NW1/4 and he was aware of that. Mr. Tevelde contacted Eric (the manager) who is learning about operation of the other irrigation water rights (No. 1073-3 and 1072-3) and how the systems are interconnected with the lagoons for disposal of wastewater.

After contacting the manager, Mr. Tevelde confirmed that while experimenting with switching valves water had been diverted from the well in the NE1/4 section 19 to the NW1/4 section 19. The well located in the NE1/4 NW1/4 section 19 which was used under No. 2208-3 is no longer connected to the delivery system. I informed Mr. Tevelde water could not be used under Water Right No. 1073-3 to irrigate the NW1/4 of section 19. Mr. Tevelde indicated that the valve has been closed and the well will not be used to irrigate the NW1/4 which has grass on it. He understood that the only water that could be placed on the NW1/4 would be wastewater from the lagoon system.

I contacted Mr. Wilson and advised him of what I found out and he thanked me. Mr. Wilson also mentioned that the artesian wells used to supply the feedlot had caused his well to stop flowing and he was not pleased about that. Water Permit No. 6724-3 authorizes use of three Dakota aquifer wells to supply the feedlot.

RECOMMENDED ACTION:

Recommending no action provided no further water gets applied from the Tulare East James aquifer on the NW1/4 section 19-T116N-R61W. The initial application may have been inadvertent while learning how the manifold system operates but any future applications may be subject to pursuing board or civil action.



Ron Duvall
Water Rights Permitting Administrator
SD DANR, Water Rights Program



26406 470th Avenue, Morris, MN 56267
Office: (320) 392-5609 Fax: (320) 392-5319

May 17, 2016

Eric Gronlund
Water Rights Program, DENR
523 E Capitol
Pierre, SD 57501

Eric,

Riverview, LLP – United Feeders is requesting an amendment to water right permit #6724-3 for three commercial wells used for cattle consumption and operation. The change consists of abandoning a poor performing well (see attached map for location) and replacing it with a new well. This new well will be located at approximately the same depth as the existing wells. There will be no additional changes or increase in water use above the current allowed appropriation.

Please contact me if you have any additional questions,

Thank you,

Anthony Ekren
Riverview, LLP
320-392-6742

Approval of Change of Diversion Point

NAME: Water Permit No. 6724-3, Riverview LLP

ADDRESS: 25406 470th Avenue, Morris MN 56267

DATE: May 18, 2016 **COUNTY:** Spink **TELEPHONE:** 320 392-5319

BACKGROUND:

Water Permit No. 6724-3 appropriates 0.44 cubic feet of water per second (197 gpm) from three wells completed into the Dakota Formation at a depth of approximately 1,000 feet located in the NW ¼ SW ¼ Section 18, T116N, R61W. Water use is for commercial purposes at a dairy heifer development confinement facility southwest of Doland in Spink County.

On May 17, 2016, Anthony Ekren with Riverview LLP filed a request by email to change the location of the middle well. The change is due to Riverview abandoning a poor performing well. The request states the new well will be approximately the same depth as the existing wells and there will not be an increase in the currently allowed appropriation. The change in location is approximately 100 feet east of the current middle well site.

It should be noted that the original permit indicated all three wells were to be located in the NW ¼ SW ¼ of Section 18. However the well locations of the well to be abandoned and the well designated as the east well on the submitted map are actually in the NE ¼ SW ¼ of the section. Adam Mathiowetz, staff engineer with the Water Rights Program, conducted a licensing review of this permit on October 23, 2013. However, the actual licensing has been delayed due to the inability to find a well completion report for one of the wells. It was determined that this should not preclude processing of this change of diversion point. Mr. Mathiowetz indicated that he would complete his licensing investigation without having the missing well completion report. There are well completion reports for the other two wells. However, it can not be determined which report is associated with a specific well.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased.

Developed water source same as permitted source and no additional water appropriated

The water source authorized by Water Permit No. 6724-3 is the Dakota aquifer. The new well is proposed to be the approximate same depth as the other wells. The report on file indicates two of the wells are 980 and 1020 feet deep. The water source is the same.

No additional appropriation of water is requested. The water permit is limited to a diversion rate of 0.44 cfs which equates to 197 gallons per minute. The request for the change in well location does not request greater diversion rate authority. It is possible that combined diversion capability of all three wells could exceed the authorized amount. However, it is common for confinement facilities to have built in redundancy with a well maintained for back-up purposes or wells are operated on an alternating basis.

Review of Existing Diversions

The well completion report and water rights database were reviewed for the nearest domestic wells and water rights on file.

The towns of Frankfort and Doland hold vested water rights from the Dakota aquifer about 5 miles northwest and six miles northeast, respectively from Riverview's wells. Both towns are currently supplied by WEB rural water system. Interference is not expected to be a concern at this distance.

There are a number of domestic wells completed into the Dakota aquifer in the sections neighboring Section 18 on the well completion report database. Most of these wells date back to being completed in the 1910's and the status of these wells that are over 100 years old is unknown. Regardless, the change in the well location by 100 feet does not move the well appreciably closer to any domestic well completed in the Dakota aquifer. There have not been any complaints of well interference regarding the diversion from Riverview's wells at this location.

CONCLUSION

- The change in well location does not seek to appropriate additional water.
- The new well will be completed into the Dakota aquifer.
- Given the distance from domestic and existing water rights, interference is not expected to be a concern.
- The authorization of the change of well location shall include that the total diversion rate shall not exceed 0.44 cfs.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the change of diversion point location be authorized under Water Permit No. 6724-3.



Eric Gronlund
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

The change of diversion point does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

May 31, 2016

Anthony Ekren
Riverview LLP
26406 470th Avenue
Morris MN 56267

Dear Mr. Ekren:

Water Permit No. 6724-3 appropriates 0.44 cubic feet of water per second (197 gpm) from three wells completed into the Dakota Formation at a depth of approximately 1,000 feet located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, T116N, R61W. Water use is for commercial purposes at a dairy heifer development confinement facility southwest of Doland in Spink County. Although the permit indicated all three of the permitted wells are in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, two of the wells are actually located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of this section. That issue will be handled during licensing of the permit which is currently being processed.

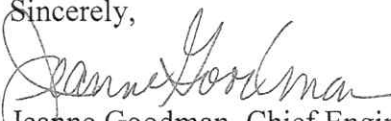
Riverview filed a request for authorization to change the location of the center most well approximately 100 feet to the east remaining in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, T116N, R61W. The request states the existing well is a poor performing well.

Upon review of the request and pursuant to SDCL 46-5-13.1, the change of well location is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. No increase in the authorized diversion rate of 0.44 (197 gpm) from the Dakota aquifer is authorized. If the total diversion rate increases above 0.44 cfs, a new water right permit will need to be obtained.

The existing well that is to be abandoned must be plugged in accordance with South Dakota well construction standards.

If you have any questions, please contact Eric Gronlund at (605) 773-3352.

Sincerely,


Jeanne Goodman, Chief Engineer
Water Rights Program

McMath, Genny

From: McMath, Genny
Sent: Wednesday, September 9, 2020 7:01 AM
To: Brady Janzen (brady.janzen@riverviewllp.com)
Subject: FW: Permit No. 6724-3

Brady,
Did you find out anything on the wells? I haven't heard back from you.....
Genny

From: McMath, Genny
Sent: Wednesday, August 12, 2020 1:30 PM
To: Brady Janzen (brady.janzen@riverviewllp.com) <brady.janzen@riverviewllp.com>
Subject: Permit No. 6724-3

Hi Brady,
I have some questions for you concerning a water permit that Riverview Farms LLP has on file for the dairy operation in Spink County.

A staff engineer was out several years ago and did an inspection of the facility for the purpose of licensing the water permit. At that time, three wells were being used. We were waiting on the well log for the western most well and so delayed the licensing.

In the meantime, Riverview contacted DENR to secure approval to abandon the "middle well" and drill a replacement well about 100 feet to the east. Approval was granted however for some reason the license was still not processed. I have all the paperwork from the inspection but do not have the plugging report for the well that was to be abandoned or a well completion report for the replacement well. The legal description is NE ¼ SW ¼ Section 18, T116N, R61W.

So finally to my questions.....was the replacement well put in? Was the other well plugged? Do you have a copy of the log for the new well that you could email to me? Yes, I know – lots of questions! Sorry! I am just trying to clean up the files and get the water license processed.

Give me a call when you have a moment and we can discuss all this! Thank you....

Genny McMath

Genny McMath
DENR – Water Rights Program
773-3352 (main phone)
773-5455 (desk phone)
Website: <https://denr.sd.gov/des/wr>



DENR
SOUTH DAKOTA

McMath, Genny

From: Brady Janzen <brady.janzen@riverviewllp.com>
Sent: Wednesday, September 9, 2020 7:17 AM
To: McMath, Genny
Subject: Fwd: [EXT] Permit No. 6724-3
Attachments: 2017 -- Sealed-Section 18 (N of Scale) (UNF).pdf; 2016 -- P-08-Section 18.pdf

Hi Genny,

See below. Let me know if this comes through okay.

-Brady

----- Forwarded message -----

From: Brady Janzen <brady.janzen@riverviewllp.com>
Date: Mon, Aug 17, 2020 at 11:11 AM
Subject: Re: Permit No. 6724-3
To: McMath, Genny <Genny.McMath@state.sd.us>
CC: Matt Waldbeser <Matt.Waldbeser@riverviewllp.com>

Hi Genny,

I believe the answers to your questions are, yes, the replacement well was drilled, and yes the old well was plugged. Attached is the new well log, as well as the sealing record for the old well.

I cc'd Matt Waldbeser on this email. He is more familiar with our wellfields than I am. Matt, please correct me if I've misstated anything here.

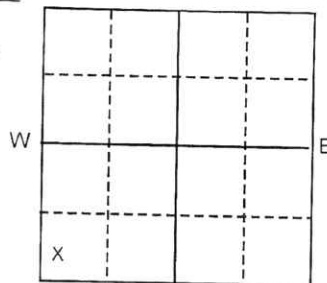
Thanks!

SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location SW 1/4 SW 1/4 Sec 18 Twp 116 Rg 61County SPINK

North

Please mark well location with an "X"



Well Completion Date

December 8, 2016

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
250.0 ft. from FEEDLOT (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

mud rotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe

WEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
10.0 LB/FT	8.00 IN	0.0 FT	876.0 FT	12.25 IN
11.0 LB/FT	4.00 IN	876.0 FT	1,036.1 FT	7.88 IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
PORTLAND		Lb/gal	0.0 Ft	876.0 Ft
(16 Yards)		Lb/gal	Ft	Ft

Describe grouting procedure
Tremmie pressure

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 4.00 Inches Length 80.0 Feet
 Material STAINLESS STEEL SCREEN & PIPE
 Slot Size 20 Set From 864.0 Feet to 869.0 Feet
 Other information FILTER PACK #20 909 941
RED FLINT 994 1036

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? GRANULAR CHLORINE
☒ No, Why Not? NO WATER TEST
Lab to which water
quality sample sent for analysis

INDUSTRIAL WELL

Well Owner: RIVERVIEW FARMS LLPBusiness Name: UNITED FEEDERSAddress: 26406 470TH AVECity, State, Zip: MORRIS MN 56267

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL - BLACK	0	3
GRAVEL - BROWN/RED	3	58
SHALE - GRAY - HARD	58	876
SHALE/SANDSTONE - GRAY - MED	876	910
SANDSTONE - MEDIUM	910	940
SHALE/SAND - GRAY - MEDIUM	940	965
SHALE/SAND - GRAY - HARD	965	995
SANDSTONE - HARD	995	1036

STATIC WATER LEVEL AFTER DEVELOPMENT 10 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: SUBMERSIBLE PUMP & WATER METER
☐ Bailed
☐ Other

Pumping Level Below Land Surface

164.6 Ft. After 6.0 Hrs. pumped 175.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

50 HOURS AIR DEVELOPMENT

FLOWS - 2 GPM BEFORE DEVELOPMENT

44 51 23.1N

98 12 56.4W

This well was drilled under license # 463 and this report is true and accurate.Drilling firm: Steffl Drilling & Pump Inc / KRIS V.

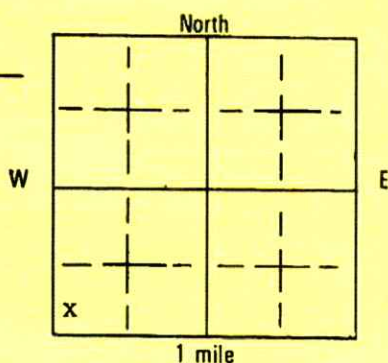
Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

SOUTH DAKOTA WELL AND TEST HOLE PLUGGING REPORT

10-85

Location SW 1/4 Sec 18 Twp 116N Rg 61WCounty NE 1/4SpinkPlease mark well
location with
an "X"44 51 23.1N
98 12 56.9W

Well Owner:

Name Riverview Farms LLP/ United FeedersAddress 26406 470th AVE, Morris MN 56267Plugging completion Date April 25, 2017

CHECK APPROPRIATE BOX

EXISTING WELL ☐Well depth 75 ftCasing material PVCCasing size(s) 6 inCasing condition goodTEST HOLE ☐

Hole depth _____

Hole size _____

Describe plugging procedure: poly line with stinger to bottom of well; pump grout until it is coming out the top.Describe grout or plugging material: Ben-seal mixed with T100 surfactantType of non-slip plug: Ben-seal bentonite groutThis well or test hole was plugged under license # 463 And this report is true and accurate.Drilling firm Steffl Drilling & Pump IncSignature of Licensed Representative [Signature]Signature of Well Owner [Signature]

Date _____

April 25, 2017owner copy

Permit No. **6724-3****James 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, **October 23, 2013**, made a thorough examination of the water use system constructed by **Riverview LLP** of **26406 470th Ave Morris, MN** holder of Permit No. **6724-3**, bearing the priority of **May 24, 2006** authorizing the diversion of **0.440** cu. ft. per second of the waters of Dakota aquifer for **commercial and livestock confinement purposes** in a **dairy operation**, in **Spink** County.

Inspection contact: **Anthony Ekren**

I have to report on the conditions of the same as follows:

- A. Works used to divert the water: 3 wells completed into the Dakota aquifer. No well completion report is available for the "Western" well. Statements from Anthony Ekren indicated the water from the well is of similar temperature and quality as the "Eastern" and "Middle" wells. The three wells are rotated in and out of use as determined by sensors with only one well operating at a time.

	Western	Middle	Eastern
Latitude	44.8563° N	44.8564° N	44.8564° N
Longitude	98.2128° W	98.2151° W	98.2158° W
Well Driller		Stretch's Well Service	Pullman Well Drilling
Depth		1020	980
Casing type	PVC	PVC	PVC
Casing, dia (in.)	5 in.	5 in., 2 in.	5 in., 2 in.
Casing length (ft)		5 in.-945, 2 in.-200	5 in.-160, 2 in.-700
Screen, type		PVC	PVC
Screen length (ft)		60	120
Pump Size (in)	4	4	4
Pump Cap. (gpm)	200	200	200

- B. Works used to transport water to place of use: 6 inch PVC mainline moves water from the wells to two booster pumps located at 44.8558° N, 98.2156° W. The booster pumps are identical, Grundfos 6 inch 158.5 gpm pumps powered by 15 hp Baldor-Reliance motors. The water moves from the booster pumps the water tanks through 4 inch PVC mains with 2 inch PVC branches from the mains going to the individual tanks.
- C. Works used to apply water to beneficial use: There are 18 water tanks providing water to approximately 6,000 head of cattle.

The system is in the following condition: good.

The points of diversion are located: NE ¼ SW ¼ Sec. 18 -T116N-R61W ; Eastern Well 44.8563° N, 98.2128° W , 2,057 ft. east and 2,448 ft north of SW corner Sec. 18 -T116N-R61W; Middle well 44.8564° N, 98.2151° W 1,460 ft. east and 2,486 ft north of SW corner Sec. 18 -T116N-R61W; Western Well 44.8564° N, 98.2158° W 1,330 ft. east and 2,488 ft north of SW corner Sec. 18 -T116N-R61W

The works are capable of diverting and conveying to the place of use 1.34 cu. ft. per second of water which is to be used for commercial use in an animal feeding operation. Water has been put to beneficial use to the maximum extent as follows: filling 18 cattle water tanks in the SW ¼ Section 18 T116N-R61W using three wells completed into the Dakota aquifer on a rotating basis with only one well operating at a time. The license should be issued for 0.44 cfs

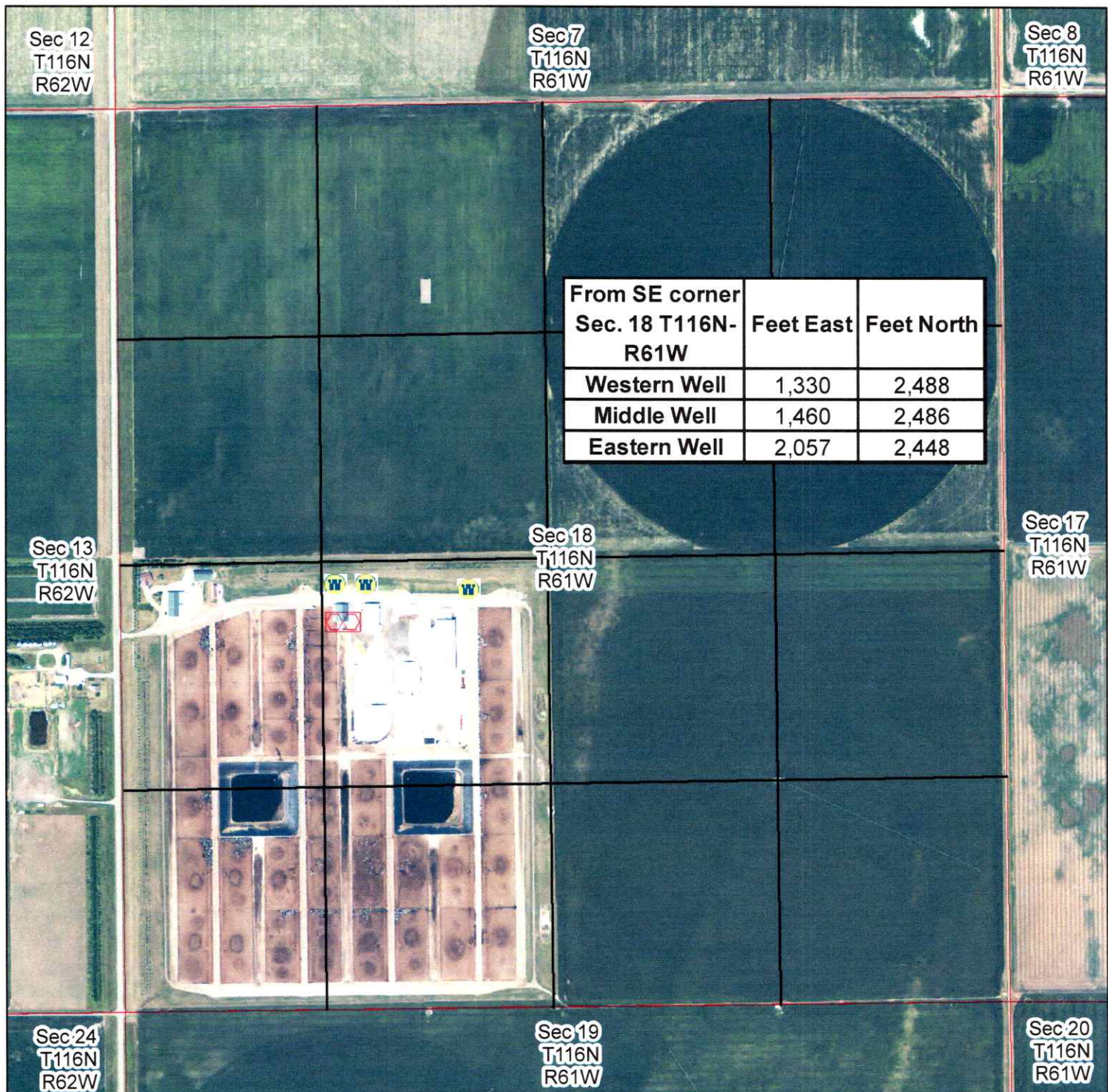
Applicable permit qualifications have been complied with: YES.

Exceptions to compliance are: None.

Date May 18, 2016



(Signature)



0 0.125 0.25 0.5 Miles

N



Adam Mathiowetz
Natural Resources Engineer
DENR-Water Rights Program

	Wells
	Booster Pumps
	Section Boundaries - PLSS



**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6724-3**

(1) United Feeders, 705 100th St SE, DeGraff MN 56271, made Application No. 6724-3, May 24, 2006, for a water permit to divert 0.44 cubic feet of water per second from groundwater, three wells (Dakota Formation), Spink County, South Dakota for commercial purposes. Permit No. 6724-3, with a priority date of May 24, 2006, was approved by the South Dakota Water Management Board on July 12, 2006, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 12, 2011, and for the application to beneficial use of water on or before July 12, 2015.

The permit holder submitted a Notice of Completion of Works and Application of Water to Beneficial Use form on February 28, 2011.

On May 17, 2016, the permit holder submitted a request to change the location of the "Middle Well" 100 ft E of the original location, due to diminishing water levels at the original well site. The request was approved May 31, 2016.

Ownership of Permit No. 6724-3 was transferred to Dairy Wise Builders – SD LLC, 47853 236th St, Egan SD 57024, on April 16, 2021.

(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 0.44 cubic feet of water per second for beneficial use. The locations of the diversion points are:

Eastern Well: 2,057 ft E & 2,448 ft N of the SW corner Section 8, T116N, R61W (NE ¼ SW ¼)
(Latitude 44.8563 & Longitude -98.2128)

Middle Well: 1,560 ft E & 2,486 ft N of the SW corner Section 18, T116N, R61W (NE ¼ SW ¼)
(Latitude 44.8565 & Longitude -98.2136)

Western Well: 1,330 ft E & 2,488 ft N of the SW corner Section 18, T116N, R61W (NE ¼ SW ¼)
(Latitude 44.8564 & Longitude -98.2158)

(3) The water is to be used during the following described annual period: January 1 – December 31.

(4) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in a commercial livestock confinement facility.

(5) Pursuant to South Dakota Water Law 46-5-30.1 Dairy Wise Builders – SD LLC, the holder and/or owner of Water Right No. 6724-3 is issued a license to appropriate water, the right to use 0.44 cubic feet of water per second from groundwater, three wells (Dakota Formation), with a priority date of May 24, 2006, from the location specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6724-3 and subject to the following qualifications:

continued

QUALIFICATIONS

1. The wells 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 their 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 wells authorized by Permit No. 6724-3 shall be constructed by a licensed well driller and construction of the wells and installation of the pumps shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04.28. *(The wells were initially drilled in 2006 & 2008. The replacement well was drilled in 2016. Copies of the Well Completion Reports are on file with the Water Rights Program.)*
3. Water Right No. 6724-3 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.
4. Water Right No. 6724-3 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
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions

Eric Gronlund

Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

JUN 04 2024

date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUN 04 2024

6724-3

Dairy Wise Builders – SD LLC
c/o Carson Te Velde
47853 236th St
Egan SD 57024

Dear Mr. Te Velde:

Enclosed is Water License No. 6724-3. This is the final water right document completing the process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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.

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

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

NOTES: A change in diversion point location for the “Middle Well” was approved after the field inspection was conducted. The “Middle Well” is now located approx. 100 ft E of the location characterized on the map.

This license authorizes the diversion of water from one well at a time. Diversion from each well is to not exceed 0.44 cfs (approx. 200 gpm).

enclosures