

WATER PERMIT NO. 6786-3

Name of Applicant: David Nystrom

Address: PO Box 213, Estelline SD 57234 Phone: 605 873-2431

Amount of Water Claimed: 0.17 cfs Total Acres: na

Source of Water Supply: groundwater (one well)

Water to be used for: commercial County: Deuel

Type of Waste Disposal System:

Location: 3 miles east of Estelline

PRIORITY Date Received: 11-21-06

Application/License Fee: \$200

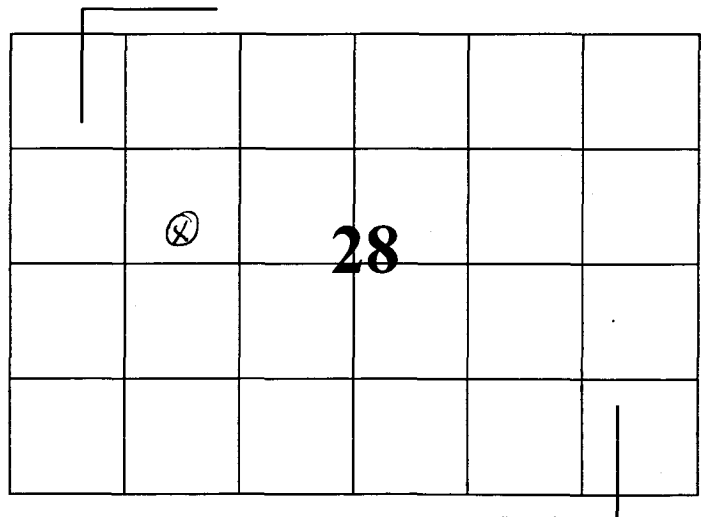
Corrected Application Received: 12-28-06

Period of Annual Use: Jan 1 – Dec 31

Remarks:

Diversion Point: SW ¼ NW ¼ Sec 28-T113N-
R50W

Land to be Irrigated: NA



Depth of Well: 57 feet deep

Well Driller: : Pullman Well Drilling

Remarks:

Type of Map: aerial

Prepared by: Gordon H Lee, FSA

Reviewed and the Number Assigned on: 12-29-06

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. <u>6786-3</u>	(office use only) Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Clear Lake Courier Clear Lake</u>	
	<u>605-874-2499</u>	<u>SD 57226</u>

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NOV 21 2006
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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.)

usage will increase to supply a new dairy

1. Name of Applicant David Nystrom Phone 605-873-2431
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address P.O. Box 213 Estelline State SD 57234
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed 0.17 *CFS or 75 **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 well

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SE 1/4 of S 1/2 of
NW 1/4 of Sec 28 - 113-50 Grange Township
(SW 1/4 NW 1/4) County Deuel

5. County or counties where water will be used Deuel

6. Annual period during which water is to be used year round 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)

This well will be hooked to a pipe line to provide water to
a pasture tank and a new dairy system - Dairy system about
3000 ft. away from well.

STATE OF SOUTH DAKOTA)

County of Deuel 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, David Nystrom, 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 David Nystrom

Subscribed and sworn to before me this 16th day of November 20 06

Debra Engle exp 8-25-12
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6786-3**

Date of first receipt of application November 21, 2006.

Date of return to applicant for corrections, amendments or changes November 22, 2006.

Date of receipt of corrected application December 28, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6786-3 to David Nystrom, PO Box 213, Estelline SD 57234 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. 6786-3 appropriates 0.17 cubic feet of water per second from one existing well completed into the Big Sioux:Brookings Aquifer (57 feet deep) located in the SW 1/4 NW 1/4 Section 28-T113N-R50W.
2. The water appropriated shall be used for the purpose of commercial use at 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. 6786-3 is March 5, 2007.
5. The date from which applicant may claim right is November 21, 2006.
6. One-fifth of the construction is to be completed on or before August 5, 2009.
7. All construction is to be completed on or before March 5, 2012.
8. Water is to be put to beneficial use on or before March 5, 2016.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

APR 30 2007

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction *this well already on file*

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

2. Wastewater Disposal System Information

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

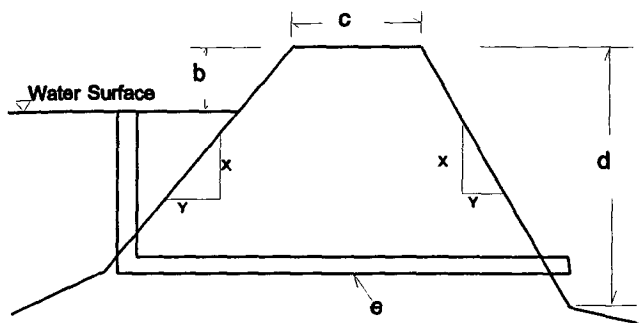
3. Dugout Information

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

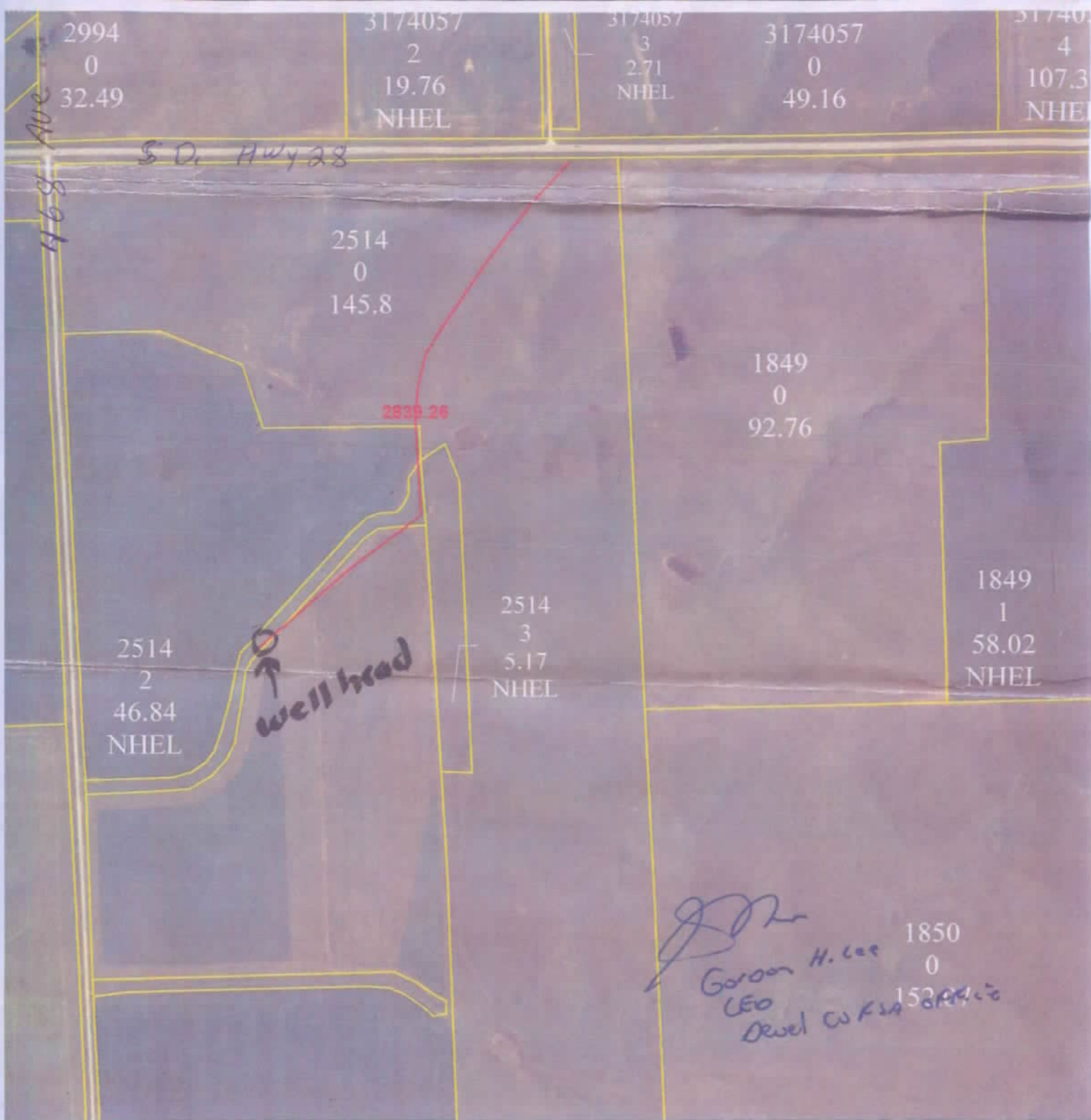
4. Water Storage Dams

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

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



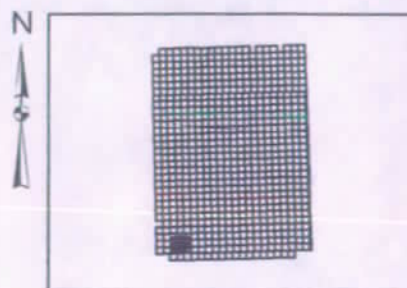
- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



USDA U.S. Dept. of Agriculture
Farm Service Agency

- Wetlands
- CLU Field Boundary
- Tract Boundary
- Section Lines

Grange Township
South Dakota
Deuel County
28-113N-50W
NOT TO SCALE



USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2003 ortho rectified imagery for Minnesota. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs.

April 24, 2006

SE 1/4 NW 1/4

12-14-04

This was done for David Nystrom
by Gordon Lee - FSA office
Deuel County
Clear Lake, SD

Enclosed is photo you requested.

Thank you
David Nystrom

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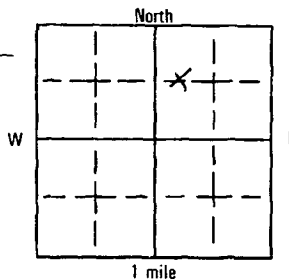
11

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NW 1/4 NE 1/4 Sec 28 Twp 13-N Rg 50-WCounty Deuel

Please mark well location with an "X"

Well Completion Date 1-25-90

PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☒ Stock

Method of Drilling:

Forward Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>5</u> IN	<u>0</u> FT	<u>53</u> FT	<u>8 7/8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 20 FEETWhat is grouting material? CementIf cement, number of sacks? 6Describe grouting procedure fine

What was grout weight? _____ LB/GAL

SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 5 IN Length 20 FEETMaterial B.V.C.Slot Size 016 Set From 33 Feet To 53 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? gravel PackerdWas well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☒ NOLaboratory sent to sent in by farmer

Well Owner:

Name Dave NystromAddress Estelline, S.D. 57234

Well Log:

Depth

Formation	From	To
Yellow Coarse Med. Gravel	0	18
Yellow Clay	18	20
Med. Coarse Gravel + gray sand	20	55
Blue Clay	55	57

STATIC WATER LEVEL 20 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed☐ OtherDescribe: 100 h.p.m. air compressor

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm Pullman Well DrillingSignature of License Representative: R. E. Kuhl

Signature of Well Owner: _____

Date 2-1-902-14-90

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 21, 20 06

RECEIVED OF David Nystrom, 46609 SD Hwy 28, Estelline SD 57234

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

Fee for Application for Permit No. <u>6786-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6786-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	200.00

No.

02646

By

Darland Eide
Chief Engineer *gm*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 22, 2006

David Nystrom
PO Box 213
Estelline SD 57234

Dear Mr. Nystrom:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial use to provide water to a dairy operation. In order to complete the application the following is required.

- A map showing the location of the well in relation to a government section corner or quarter corner by direction and distance is required. On the map, clearly mark the location of the diversion point (well). The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).

If you have any questions, please contact me.

Sincerely,

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

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DEC 18 2006
WATER RIGHTS
PROGRAM



December 18, 2006

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

David Nystrom
PO Box 213
Estelline SD 57234

RECEIVED

DEC 28 2006

**WATER RIGHTS
PROGRAM**

Dear Mr. Nystrom:

Enclosed is the aerial photo map which you submitted. The map is being returned for a couple of reasons.

As stated in my letter, dated November 22nd, the map needs to reference a section corner, township and range. The legal description need to be the same as identified on the permit application, which states the well is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28-T113N-R50W. Also, the map itself must be signed by Gordon Lee with the Deuel County FSA Office.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosure



**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. 6786-3, David Nystrom**

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. 6786-3, David Nystrom, PO Box 213, Estelline SD 57234.

The Chief Engineer is recommending APPROVAL of Application No. 6786-3 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 qualification:

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.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 6, 2007

REPORT ON WATER PERMIT APPLICATION NO. 6786-3
For David Nystrom
January 25, 2007

Application No. 6786-3 proposes to appropriate 0.17 cfs (75 gpm) from one well approximately 57 feet deep located in the SW ¼ NW ¼ of section 28, T113N R50W in Deuel County. The water is for a commercial dairy operation.

AQUIFER – BIG SIOUX BROOKINGS (BS-B)

The Big Sioux Brookings is a surficial outwash (sand and gravel) that is under water table conditions at this site. The aquifer underlies 26,400 acres and contains an estimated 59,400 acre-feet of recoverable water in storage in Deuel County (Hedges, 1984). The aquifer extends into Brookings County to the south, Hamlin County to the west and blends into the Big Sioux North aquifer in northern Hamlin County. Ground water movement is from northeast to southwest across this portion of Deuel County (Kume, 1985). The aquifer is hydraulically connected to the Big Sioux River and recharge has been estimated to be 6.57 inches per year over the water table portion of the Big Sioux aquifer (Koch, 1980).

The well log submitted with the application indicates medium to coarse gravel from 20 to 55 feet with a static water level of 20 feet below land surface. The completed well was capable of producing 100 gpm using air to develop. The well is completed in accordance with SD Well Construction Standards.

The Water Rights Program monitors three observation wells completed into the Big Sioux aquifer and located within one and one-half miles of this application. These are observation wells DU-71D, DU-77B and DU-77C. Hydrographs for these three observation wells are included with this report. In general, the record indicates that the aquifer is capable of sustaining additional withdrawals. The water levels respond quickly to climatic conditions that is rising water levels during wet years (recharge) and gradually declining water levels during dry years. The effects of pumping in the area are not obvious or noticeable (Water Rights, 2007).

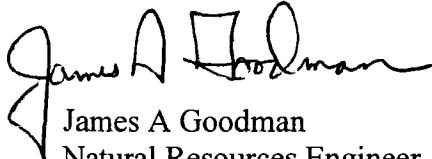
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water right is located about two miles from this application. Interference is not a concern. At the distance between production wells and with this requested pumping rate drawdown is not significant. This is shown by the observation well hydrographs.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer.
2. The well is constructed in accordance with SD Well Construction Standards.

3. The well record indicates that it is capable of producing 100 gpm using air to develop.
4. Plans and specifications for this facility (Global dairy) have been approved by the Department in November of 2006.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

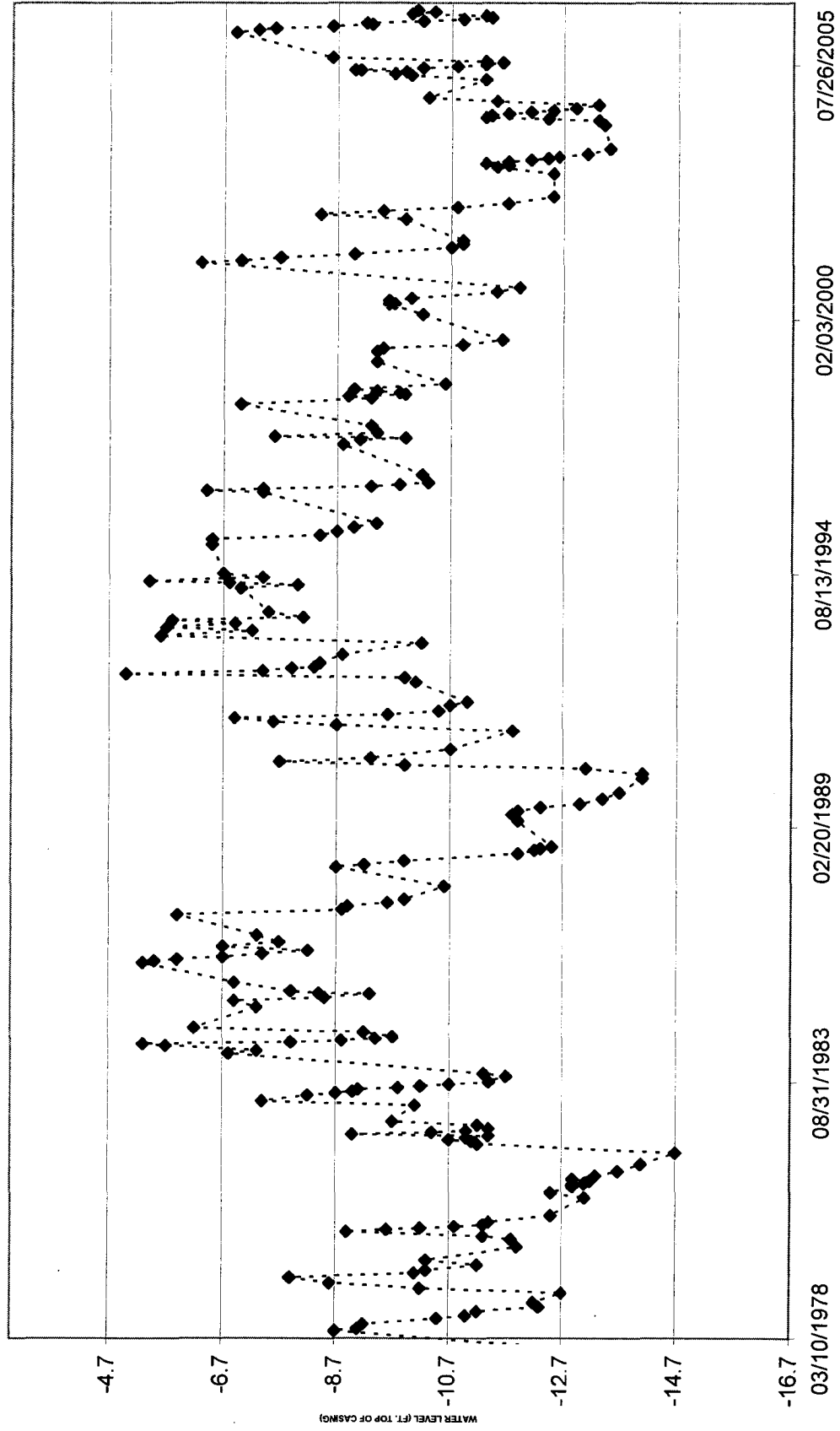
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Koch, N.C., 1980, Appraisal of the Water Resources of the Big Sioux Aquifer, Brookings, Deuel, and Hamlin Counties, South Dakota, Water-Resources Investigations Report 80-100, USGS, Huron, SD, 57350.

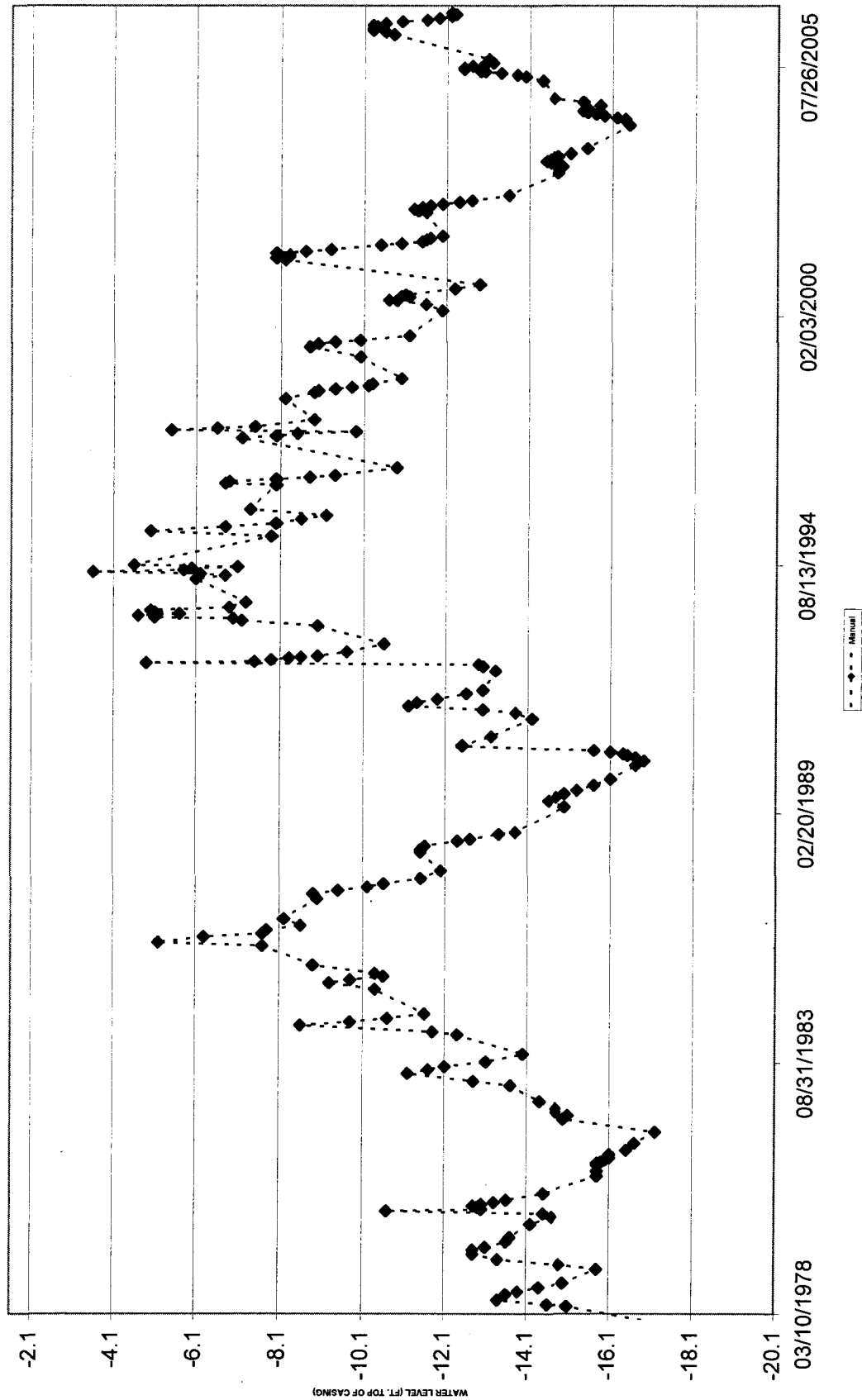
Kume, J., 1985, Water Resources of Deuel and Hamlin Counties, South Dakota, Water-Resources Investigations Report 84-4069, USGS, Huron, SD, 57350.

Water Rights, 2007, Unpublished Observation Well Records for Deuel County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

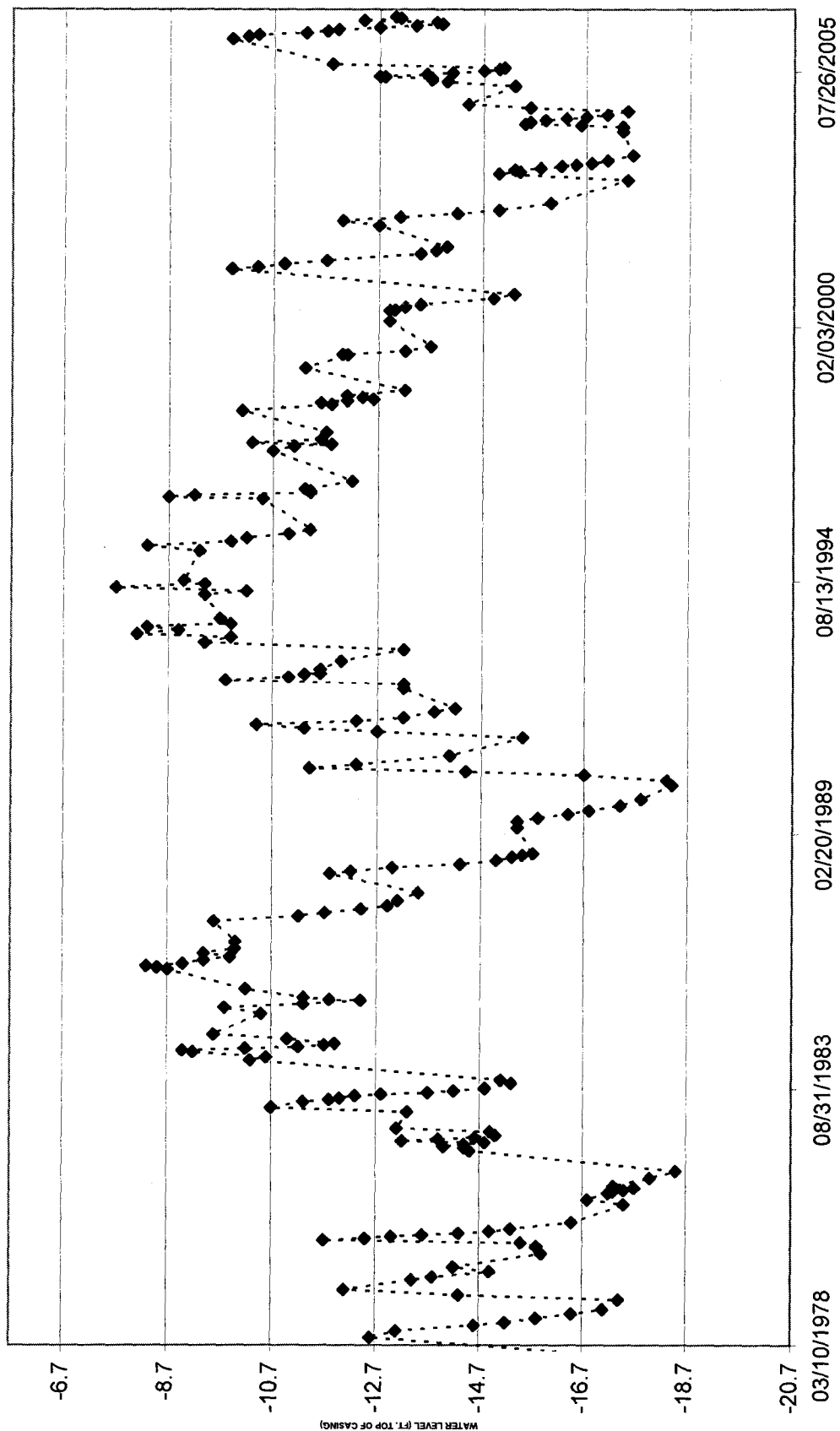
WATER RIGHTS' OBSERVATION WELL
DU-77B



WATER RIGHTS' OBSERVATION WELL
DU-71D



WATER RIGHTS' OBSERVATION WELL
DU-77C



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Deuel)

I, Gary DeJong

certify that the attached printed Notice was
taken

from the Clear Lake Courier

printed and published in Clear Lake

County of Deuel and

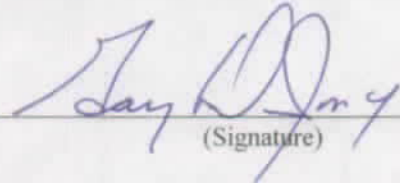
state of South Dakota. The notice was
published

in the newspaper on the following two dates:

Wednesday, February 14, 2007

Wednesday, February 21, 2007

Cost of Printing \$40.36


(Signature)

Publisher
(Title)

2/22/07
(Date Signed)

NOTICE OF APPLICATION NO. 6786-3 To Appropriate Water

Notice is given that David Nyström, PO Box 213, Estelline, SD 57234 has filed an application for a water permit to appropriate 0.17 cubic feet of water per second from one existing well completed into the Big Sioux/Brookings Aquifer (57 feet deep) located in the SW 1/4 NW 1/4 Section 28-T113N-R50W. The water is for commercial use at a dairy operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6786-3 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 5, 2007.

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.

Feb. 14 & 21

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WATER RIGHTS
PROGRAM



February 6, 2007

Clear Lake Courier
PO Box 830
Clear Lake SD 57226-0830

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6786-3 to Appropriate Water to be published twice. Please publish the first notice on February 14, 2007 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 David Nystrom, PO Box 213, Estelline SD 57234 (Ph # 605 873-2431).

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. 6786-3

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

Date _____

We are in receipt of your letter of February 6, 2007 enclosing Notice to Appropriate Water by Application No. 6786-3 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.

February 6, 2007

David Nystrom
PO Box 213
Estelline SD 57234

Dear Mr. Nystrom:

Water Permit Application No. 6786-3 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 Clear Lake Courier printed at Clear Lake, SD (Ph # 605 874-2499). 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.

Instruction to Newspaper - Publish first Notice on February 14, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6786-3 to Appropriate Water

Notice is given that David Nystrom, PO Box 213, Estelline SD 57234 has filed an application for a water permit to appropriate 0.17 cubic feet of water per second from one existing well completed into the Big Sioux:Brookings Aquifer (57 feet deep) located in the SW ¼ NW ¼ Section 28-T113N-R50W. The water is for commercial use at a dairy operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6786-3 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 5, 2007.

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.



APR 30 2007

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DAVID NYSTROM
PO BOX 213
ESTELLINE SD 57234

Dear Mr. Nystrom:

Enclosed is Water Permit No. 6786-3 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

MAY 16 2007

WATER RIGHTS
PROGRAM**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date 12 May 2007

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

FROM: David Nystrom
(name)
P.O. Box 213 - 46609 SD Hwy 28
(address)
Estelline SD 57234 605-873-2431
(city, state, zip) (phone)

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

Water Permit No. 6786-3 states that the water use system is to be constructed by
May 12 2007 (date), and water is to be put to beneficial use by May 12 2007 (date).

The water use system was completed on May 12 2007 (date).

Applying the water to beneficial use was completed on May 12 2007 (date).

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

David Nystrom
(signature)



Permit No. 6786-3
Sioux River - Water District

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

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

I have this day, **September 19, 2007**, made a thorough examination of the water use system constructed by **David Nystrom** of **PO Box 213, 46609 SD Hwy 28, Estelline, SD 57234** holder of Permit No. **6786-3**, bearing the priority of **November 21, 2006** authorizing the diversion of **0.17** cu. ft. per second of the waters of the **Big Sioux:Brookings Aquifer** for **Commercial** purposes, in **Deuel** County.

Inspection contact & relationship **David Nystrom**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Pullman Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **57** feet
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **5** inches
- 2) Length **33** feet
- 3) Type **Plastic**

Screen:

- 1) Type **PVC**
- 2) Length **20** feet
- 3) Static water level **20** feet

Pump:

- 1) Make **Goulds Submersible**
- 2) Model **60GS-75**
- 3) Capacity **75** GPM

Motor:

- 1) Make Franklin
- 2) Model No.
- 3) Horsepower rating 7.5 hp

B. Compliance with Permit Requirements:

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

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

Approximately 2280 feet south and 830 feet east of the NW corner of Section 28-T113N-R50W
(N 44.56662, W -96.84184)

The works are capable of diverting and conveying to the place of use 0.17 cu. ft. per second of water which is to be used for Commercial use. Water has been put to beneficial use to the maximum extent as follows:

Water from the well is pumped approximately 3000 feet to a pressure tank and supplies water for various purposes at the dairy operation.

The license should be issued for 0.17 cfs.

All structures, wells and lands on map Y

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

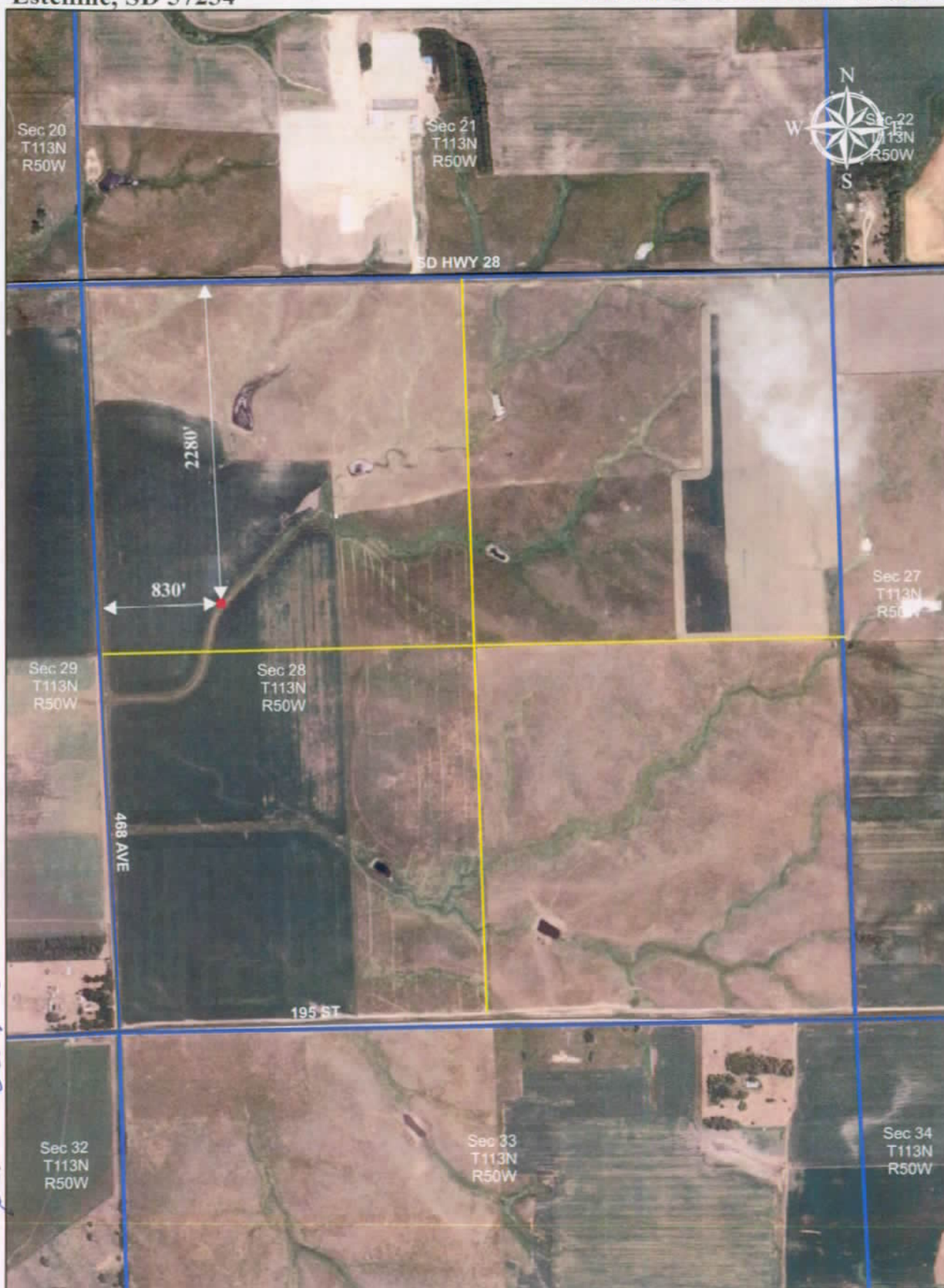

Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: December 27, 2007

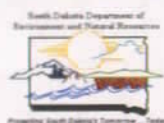
Dave Nystrom
PO Box 213
Estelline, SD 57234

Water Permit No. 6786-3



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
December 27, 2007



0 300 600 1,200 1,800 2,400 Feet



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 25 2000

6786-3

David Nystrom
PO Box 213
Estelline SD 57234-0213

Dear Mr. Nystrom:

Enclosed is Water License No. 6786-3. This is the final water right document completing your process of obtaining a Water Right. Also included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6786-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6786-3

(1) David Nystrom, PO Box 213, Estelline SD 57234-0213 made Application No. 6786-3, November 21, 2006 for a water permit to divert 0.17 cubic feet of water per second (75 gallons per minute) from ground water (one well – Big Sioux: Brookings Aquifer), Deuel County, South Dakota for commercial purposes. Permit No. 6786-3, with a priority date of November 21, 2006 was approved March 5, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 5, 2012 and for the application to beneficial use of said water on or before March 5, 2016.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on May 16, 2007. The "*Notice*" stated the water use system was completed and water placed to beneficial use on May 12, 2007.

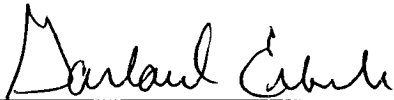
(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.17 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 2,280 feet south and 830 feet east of the NW corner of Section 28, T113N, R50W (SW ¼ NW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for the dairy operation.

(4) Pursuant to South Dakota Water Law 46-5-30.1 David Nystrom, PO Box 213, Estelline SD 57234-0213 the holder and/or owner of Water Right No. 6786-3 is issued a license to appropriate water, the right to use 0.17 cubic feet of water per second (75 gallons per minute) from ground water (one well – Big Sioux: Brookings Aquifer) with a priority date of November 21, 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. 6786-3 and subject to the following qualification:

- 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.



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

JAN 25 2008

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

June 11, 2013

David Nystrom
46609 SD Hwy 28
Estelline SD 57234

Mr. Nystrom:

Water Right No. 6786-3 appropriates 0.17 cubic feet of water per second (cfs) from one well completed into the Big Sioux:Brookings Aquifer located in the SW ¼ NW ¼ Section 28, T113N, R50W in Deuel County. The water is for commercial use in a dairy operation with a November 21, 2006, priority date.

The request is for authorization to complete an additional well to be located in the SW ¼ NW ¼ Section 28, T113N, R50W. The basis for the request is to drill a well to provide redundancy in the water system in the event the primary well is out of service.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional 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 0.17 cubic feet of water per second (75 gpm) from the Big Sioux:Brookings Aquifer is authorized. If the total diversion rate increases above 0.17 cfs, a new water right permit will need to be obtained.

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program

C: Michael Crinion, Global Dairy LP, 46844 SD Hwy 28, Estelline SD 57234

Approval of Additional Diversion Point

NAME: Water Right No. 6786-3, David Nystrom
ADDRESS: 46609 SD Hwy 28, Estelline SD 57234
DATE: June 6, 2013 **COUNTY:** Deuel **TELEPHONE:**

BACKGROUND:

Water Right No. 6786-3 appropriates 0.17 cubic feet of water per second (cfs) from one well completed into the Big Sioux:Brookings Aquifer located in the SW ¼ NW ¼ section 28, T113N, R50W in Deuel County. The water is for commercial use in a dairy operation with a November 21, 2006, priority date.

On April 11, 2013, Mr. Nystrom filed a request for an additional well to use as back-up for the existing well. The request was an attachment to a email from Michael Crinion who previously called regarding the process for adding a well for redundancy without requesting more diversion rate authority. Mr. Crinion operates Global Dairy that also receives water from the well authorized for commercial use by Water Right No. 6786-3. The well encountered electrical problems that caused it to be out of operation for approximately 8 hours. This convinced Mr. Nystrom and Mr. Crinion that an additional well is needed to prevent the dairy cows from being without water should the well be out of service again. The map submitted with the request shows the additional well about 200 feet south of the existing 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 Right No. 6786-3-3 is the Big Sioux:Brookings Aquifer. The well completion report for the existing well states it is completed to a depth of 53 feet with medium coarse gravel beginning at 20 feet and continuing until 55 feet where blue clay was encountered. The additional well is intended to be completed into the Big Sioux:Brookings Aquifer also. The request by the water right holder included permission to drill the well as a "test well".

No additional appropriation of water is requested. The water right is limited to a diversion rate of 0.17 cfs which equates to 75 gallons per minute. The request is clear this additional well is for redundancy purposes in the event the primary well is out of service. It is not a request for diversion rate authority in excess of 0.17 cfs. A new water permit is required if the combined diversion rate from the two wells exceeds 0.17 cfs.

Review of Existing Diversions

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

The nearest domestic wells are located approximately 3,200 feet to the northeast and 3,900 feet northwest of the additional well being requested. In the case of the well 3,200 feet northeast it was drilled in 1997 at the

site of the dairy. The domestic well to the northwest dates back to 1977 and the 2012 FSA aerial reflects a farmstead continues to exist at the location. Brookings Deuel Rural Water System exists that likely serves many domestic user in the area.

There are a number of water rights for irrigation beginning two miles to the west of Water Right No. 6786-3 and one water right approximately 2.8 miles to the east

See map for location of existing domestic and permitted wells.

Observation Well Data

The nearest observation well is DU-77C located in the southwest corner of Section 28 a distance of approximately 3,000 feet to the south. Water levels over the period of record beginning in 1977 fluctuate from 7 to 18 feet below land surface. The January 25, 2007 report on the application prepared by Jim Goodman states that water levels respond quickly to climatic conditions. The effects of pumping in the area are not obvious or noticeable. This observation well has continued with these same fluctuations for the past seven years since Water Right No. 6876-3 has been in place. Interference is not expected to be a significant. The hydrograph for DU-77C is attached.

The proposed additional well and the authorized well will be in close proximity to each other. The effect of using the new well when the old well is out of service on other area wells is negligible.

CONCLUSION

- The additional well does not seek to appropriate additional water.
- The additional well is to provide redundancy in the event the primary well is out of service.
- The well is completed into the Big Sioux:Brookings Aquifer.
- Given the distance from domestic and existing water rights, interference is not expected to be a concern.
- The authorization of this additional well shall include that the total diversion rate shall not exceed 0.17 cfs.

RECOMMENDED ACTION

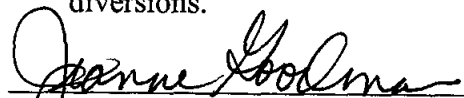
Based on the above criteria, it is recommended that the additional diversion point location be authorized under Water Right No. 6786-3.



Eric Gronlund
Water Rights Program

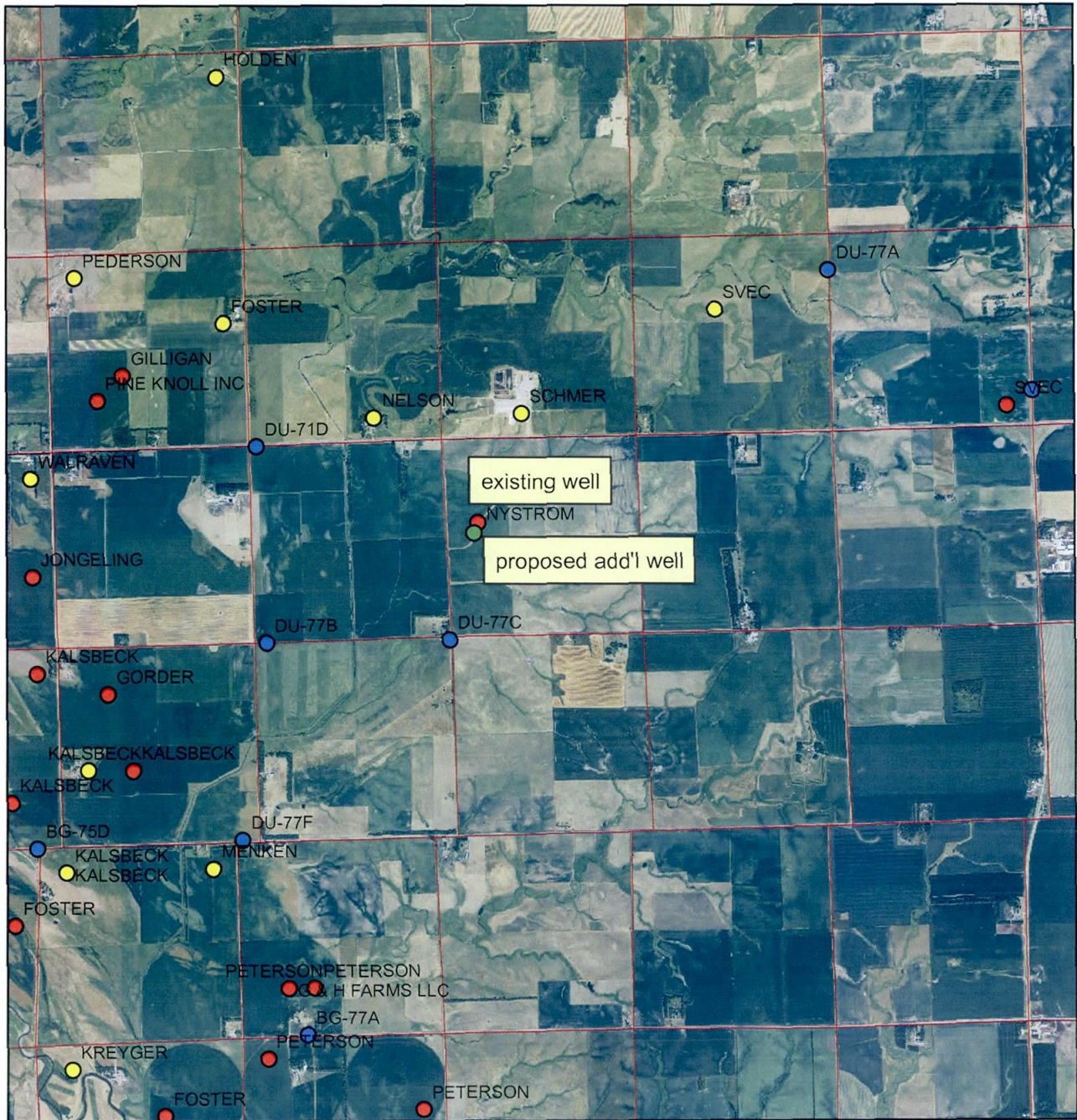
The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion point does not increase the potential for adverse effects to existing diversions.



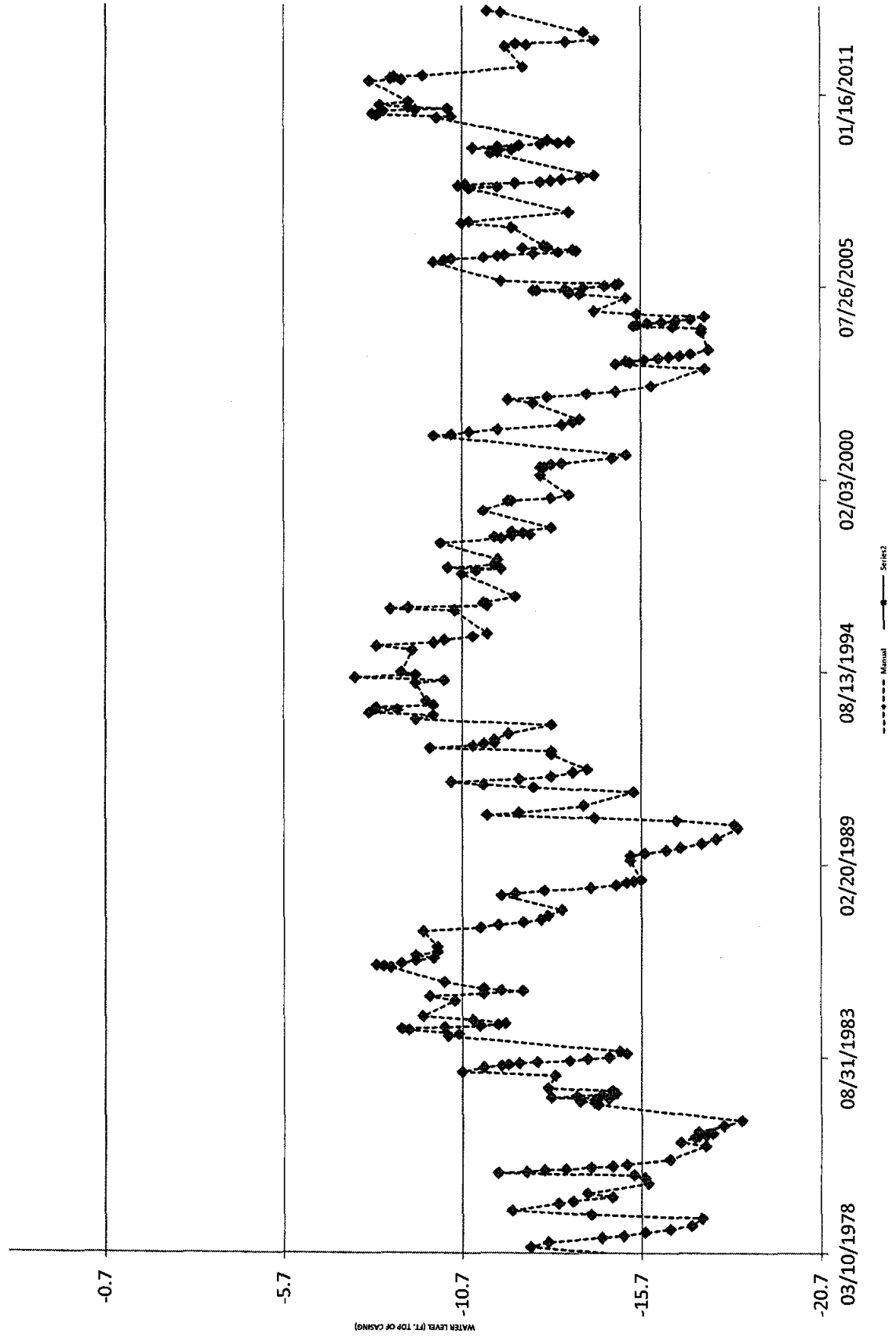
Jeanne Goodman, Chief Engineer
Water Rights Program

REQUEST FOR ADDITIONAL WELL TO WATER RIGHT NO. 6786-3



- proposed additional well
- existing water rights in area from Big Sioux:Brookings Aquifer
- domestic wells less than 100 feet deep
- observation wells

WATER RIGHTS' OBSERVATION WELL DU-77C



Gronlund, Eric

From: Gronlund, Eric
Sent: Monday, April 15, 2013 2:28 PM
To: Buhler, Ken
Subject: FW: Permit 6786-3 Mr. David Nystrom
Attachments: Well Application A.jpg; Well Application B.jpg; Well Application Map.jpg

Request for an additional well for standby purposes. I will be looking at. In the meantime the last sentence requests to proceed with drilling a test well.

From: Global Dairy [<mailto:globald@itctel.com>]
Sent: Thursday, April 11, 2013 11:55 AM
To: Gronlund, Eric
Cc: mcrinion@aol.com
Subject: Permit 6786-3 Mr. David Nystrom

Hello Eric,

It was a pleasure talking to you today.

Please find enclosed a completed application form from Mr. David Nystrom to drill a back up well to permit 6786-3.

We, Global Dairy, receive our water from Mr. Nystrom and would like to have redundancy in our system. On Tuesday evening the pump for the well stopped working and the electrician was repairing it till 2:30 on Wednesday morning. This meant our cows were without water for approximately 8 hours. To prevent this happening again we would like to have a back up so that our cows don't have to be out of water again. Unfortunately rural water is not a solution as we are at the end of the line and they can only guarantee us 10 gallons per minute.

In the essence of time we request permission to proceed and drill a test well which could be used as the backup well subject to approval from your office and the Chief Engineer.

Kind Regards,

Michael Crinion,

Global Dairy LP,
46844 SD Hwy 28,
Estelline SD 57234
Office: 605 873 2004
Cell: 605 691 1045
Email: globald@itctel.com

Mail to:
PMB 2020
DENR - Water Rights
523 E Capitol Ave
Pierre, SD 57501-3182
ph. (605) 773-3352

(other use only)
Hydrologic Unit
No. _____
Basin _____
Newspaper _____

RECEIVED
APR 11 2013

WATER RIGHTS
PROGRAM

by
email

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

Check use(s) of water:

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

Type of Application: (check one)

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

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)
We want to add another well to have as a back up to the existing well

1. Name to Appear on Water Permit David Nystrom

(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

Mailing Address 46609 SD Hwy 28 Estelline SD 57234
(Address) (City) (State) (Zip Code)

Home Phone 605-873-2431 Cell 605-690-1454 Email _____

2. Amount of water claimed 0.17 *CFS or **GPM ***AF (*Cubic Feet per Second) (**Gallons per Minute) (**Acres Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Big Sioux Aquifer

4. Location of point of diversion Adjacent to existing well County Deuel

(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☒ No

If "Yes," where will water be used? _____

(example - NW1/4 section 12-T104N-R53W)

5. County or counties where water will be used Deuel

6. Annual period during which water is to be used January 1 to December 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)

We want to add another well to have as a back up to the existing well.

I, David Nystrom, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

2012-09

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

1. Well Information (check one or both as applicable) ☒ Drilling new well(s) ☐ Using existing well(s)

- a) If new wells, how many 1 Have test holes been drilled ☐ Yes ☒ No Drilled by _____
(if yes, please provide copies of logs)
- b) If existing wells, how many _____ Provide copy of log(s), if available. Drilled by _____
- c) Well Depth _____ Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____
- d) Distance to nearest existing domestic well:
On applicant's property _____ On property owned by others _____

2. Wastewater Disposal System Information

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

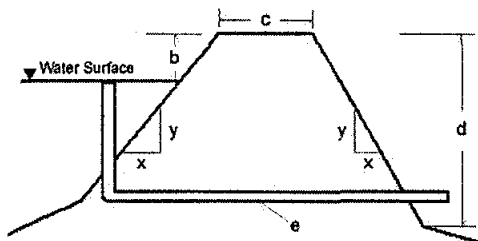
3. Dugout Information

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

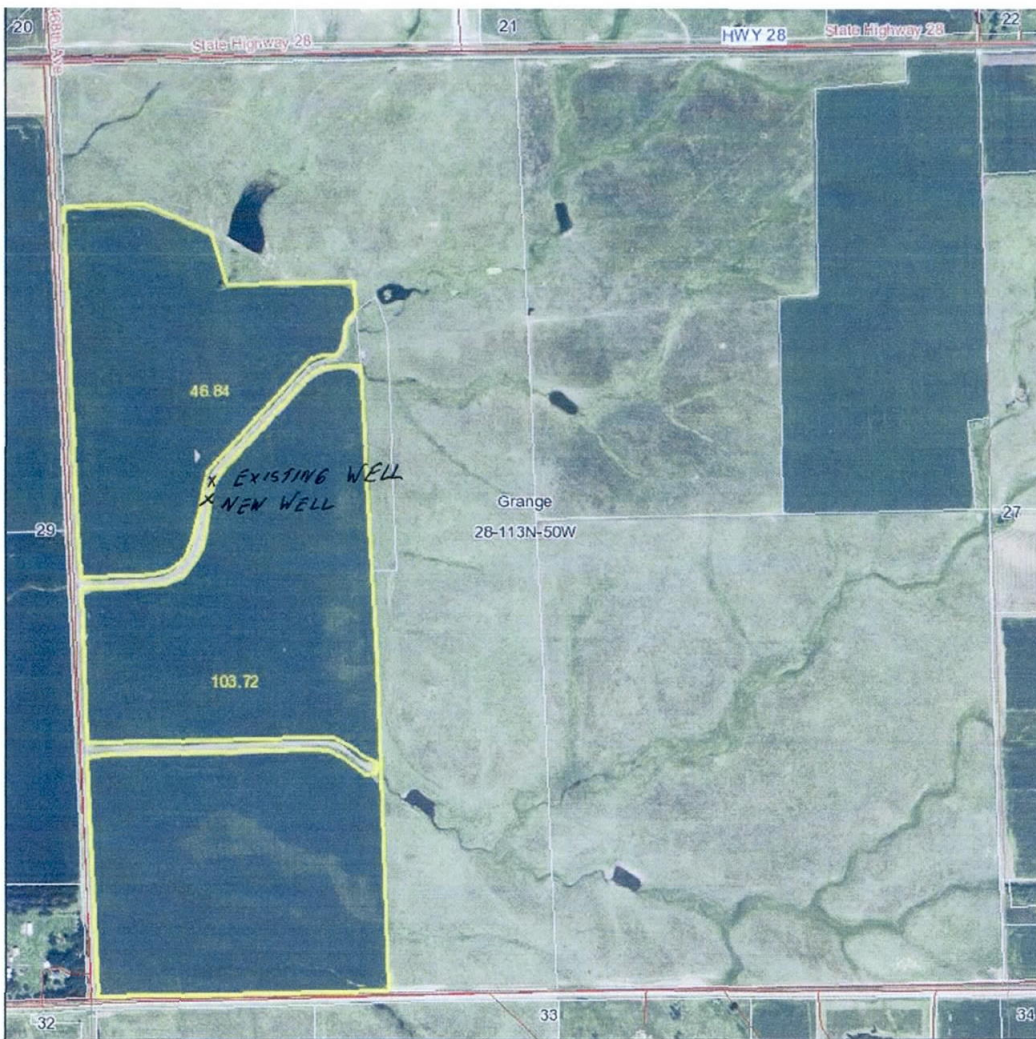
4. Water Storage Dams

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

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



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



map center: 44° 33' 56.32, 96° 50' 7.1

scale: 10146

28-113N-50W
Deuel County
South Dakota



11/16/2011

Maps provided by:

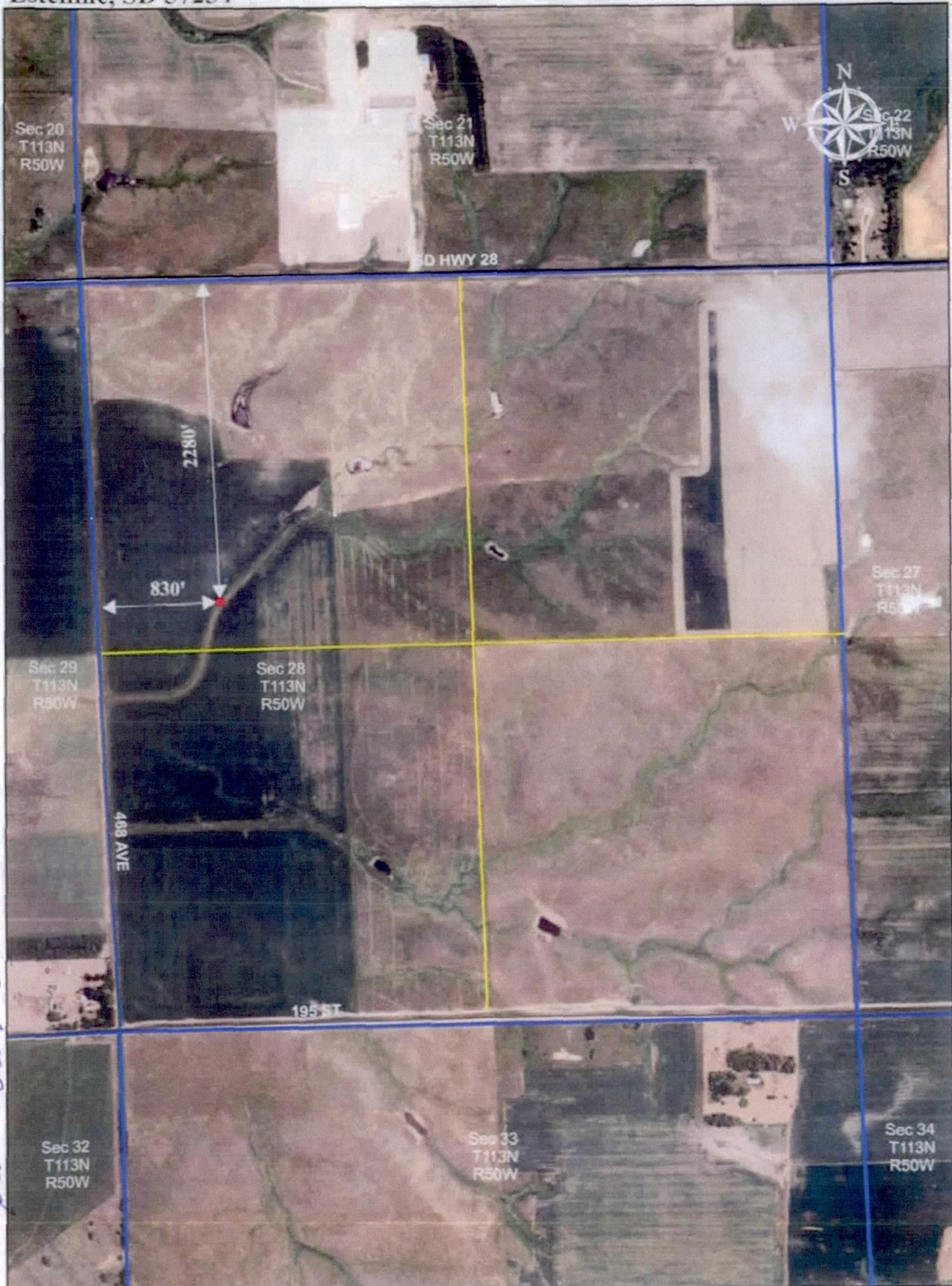


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www.AgriDataInc.com

Field borders provided by Farm Service Agency as of 5/21/2008. Aerial photography provided by Aerial Photography Field Office.

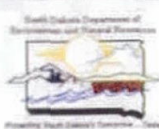
Dave Nystrom
PO Box 213
Estelline, SD 57234

Water Permit No. 6786-3



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
December 27, 2007



0 300 600 1,200 1,800 2,400 Feet

Approval of Location Change and/or Additional Diversion Point(s)

Name: David Nystrom**Date:** March 26, 2025**Address:** 46609 SD Hwy 28, Estelline SD 57234**County:** Deuel

General Description of Authorized Project: Water Right No. 6786-3 & Permit No. 8895-3, held by David Nystrom, authorize the combined appropriation of 240 ac-ft of water annually, with a maximum pump rate of 0.84 cfs from 2 wells completed into the Big Sioux: Brookings Aquifer (BS:B) for commercial use in a dairy operation.

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

Developed Water Source is the Same is Permitted, with no Additional Appropriations: On behalf of David Nystrom, Global Dairy LP, has submitted a request for the approval of one additional well to be maintained and used as a backup-backup in the event that the first two wells require service or are temporary taken offline. The "backup-backup" well will be located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, T113N, R50W, approximately 200 ft northeast of the two existing wells, and completed to an approximate depth of 57 ft, into the Big Sioux: Brookings Aquifer. No increase to the annually appropriated volume or rate of diversion is requested or authorized.

Review of Existing Diversions: There are 4 existing permit/rights with wells located within an approximate 2-mile radius of David Nystrom's proposed third well site, that authorize appropriations from the BS:B; the nearest of which is 2157-3 (Todd Jongeling) located approximately 1.9 miles northwest of the proposed well. It was determined during the review of Water Right No. 6786-3 & Permit No. 8895-3 that there was reasonable probability any well interference due to pumping would not adversely or unlawfully impair existing rights. The same would be expected for additional well being requested by David Nystrom/Global Dairy.

The nearest domestic well completed into the same source (BS:B) is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, T113N, R50W, approximately 0.7 miles northwest of the proposed well site. The domestic well was drilled for Armin Nelson in 1977, on property now owned by Russell Nelson, according to Regrid.

The location of the domestic wells in the Well Completion Database, maintained by the Water Rights Program, is based on the location listed by the well driller on the well completion report.

Recommended Action: Based on the above criteria, it is recommended that the request for the additional diversion point be granted, with no increase to the annual appropriated volume or rate of diversion.



Amanda Dewell, Permitting Administrator
Water Rights Program

The acting Chief Engineer makes a finding Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01 that: The additional diversion point does not increase the potential for adverse effects to existing diversions.



Mark Mayer, PE
Director of Office of Water



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

MAR 28 2025

6786-3
8895-3

David Nystrom
PO Box 213
Estelline SD 57234

Dear Mr. Nystrom:

This letter is in regard to the request, made by Global Dairy LP on your behalf for an additional diversion point to be shared under Water Right No. 6786-3 & Permit No. 8895-3. The request stated that the new well would be located approximately 200 ft east of the existing wells, located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, T113N, R50W, Deuel County, and was made because the existing wells may have to be temporarily taken off-line for service/maintenance. The new well is not meant to replace the original wells, but rather act as a backup source.

Water Right No. 6786-3 & Permit No. 8895-3 authorize the combined appropriation of 240 ac-ft of water annually, with a maximum pump rate of 0.84 cfs from 2 wells completed into the Big Sioux: Brookings Aquifer for commercial use in a dairy operation.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional well is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4.

No increase to the annually appropriated volume or rate of diversion is authorized.

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

Sincerely,

Mark Mayer, PE
Director of Office of Water

cc: Global Dairy LP, 46844 SD HWY 28, Estelline SD 57234