

WATER PERMIT NO. 6797-3

Name of Applicant: Poinsett Colony

Address: 46527 189th St, Estelline SD 57234

Phone: 605 873-2530

Amount of Water Claimed: 1.67 cfs

Total Acres: 136 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Hamlin

Type of Waste Disposal System:

Location: 5 miles north of Estelline

PRIORITY

Date Received: 1-31-07

Application/License Fee: \$300

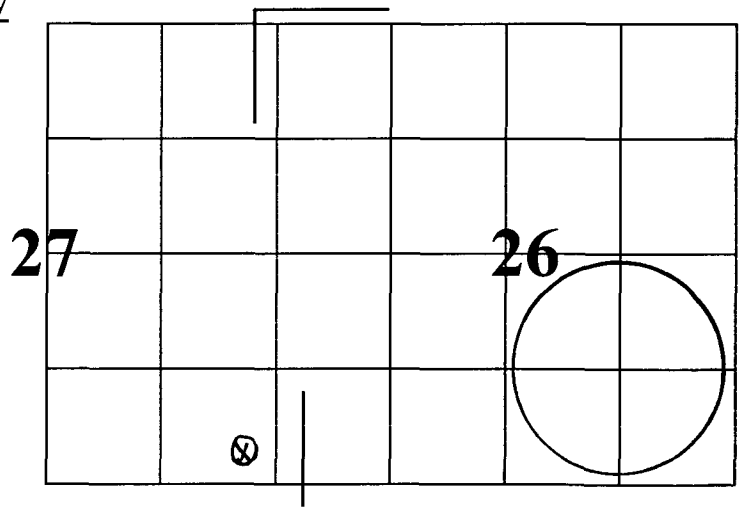
Corrected Application Received:

Period of Annual Use: June 1 – Sept 30

Remarks:

Diversion Point: SE ¼ SE ¼ Sec 27-T114N-R51W

Land to be Irrigated: SE ¼ Sec 26-T114N-R51W



Depth of Well: 80 feet deep

Well Driller: : Kaiser Well Drilling

Remarks:

Type of Map: aerial

Prepared by: Jessica w/NRCS

Reviewed and the Number Assigned on: 1-31-07

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6797-3</u> (office use only) Hydrologic Unit <u>10170202</u>
	Basin <u>SIOUX RIVER</u>
	Newspaper <u>Hamlin Co. Herald Hayti SD</u> <u>605-783-3636</u> <u>57241</u>

RECEIVED
JAN 31 2007
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

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

1. Name of Applicant Poinsett Colony Phone 605-873-2630
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 46527, 189th St, Estelline State S.D. 57234
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.67 CFS or 750 **GPM ***AF Total Acreage 136
(*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) County Hamlin
1. Well S.E. 27-114-51
1/4 SE of SE
5. County or counties where water will be used Hamlin
6. Annual period during which water is to be used June 1st to Sept 30
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
26-114-51 SE 1/4 SE 1/4	40	26-114-51 NE 1/4 SE 1/4	40
26-114-51 NE 1/4 SE 1/4	40	26-114-51 NW 1/4 SE 1/4	40
26-114-51 NW 1/4 SE 1/4	40	26-114-51 SW 1/4 SE 1/4	40

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



STATE OF SOUTH DAKOTA) SS
County of Hamlin

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

I, _____, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Gen. Truchette

Subscribed and sworn to before me this 30 day of January 20 07

Kris Lilla

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6797-3**

Date of first receipt of application January 31, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6797-3 to Poinsett Colony, 46527 189th St, 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. 6797-3 appropriates 1.67 cubic feet of water per second from one well to be completed into the Big Sioux:Brookings Aquifer (approximately 80 feet deep) located in the SE 1/4 SE 1/4 Section 27 to irrigate 136 acres located in the SE 1/4 Section 26; all in T114N-R51W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: June 1 – September 30.
3. The date from which applicant may claim right is January 31, 2007.
4. The date of approval of Permit No. 6797-3 is March 26, 2007.
5. One-fifth of the construction is to be completed on or before September 26, 2009.
6. All construction is to be completed on or before March 26, 2012.
7. Water is to be put to beneficial use on or before March 26, 2016.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6797-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

APR 30 2007
date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 17 3/4 Depth ~~90~~ 80
- b) Casing Type Sch 40 1/4 Diameter 12 Thickness 1/4
- c) Screen Type 3/16 stainless 3/16 Diameter 12 Thickness ~~1/4~~ 3/16
- d) Gravel Pack 1/4 x 1/8 Length of Gravel Pack 20'
- e) Depth to Top of Water Bearing Material 60
- f) Depth to Water (ground surface to water level) 30
- g) Distance to nearest existing domestic well: ~~200~~ 1000'
- 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) 750 Year Constructed 2007
- c) Connected to the City of _____ Sanitary System

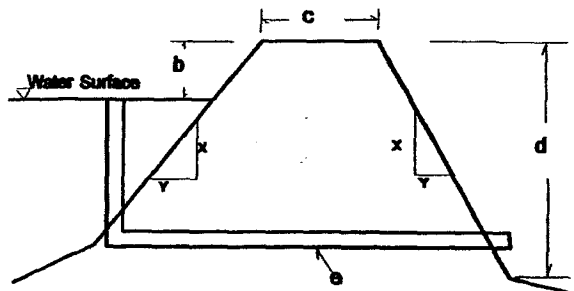
3. Dugout Information

- 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.

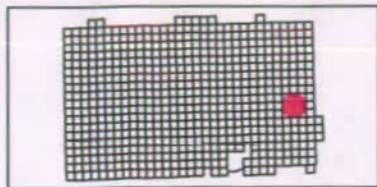
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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



South Dakota HAMLIN

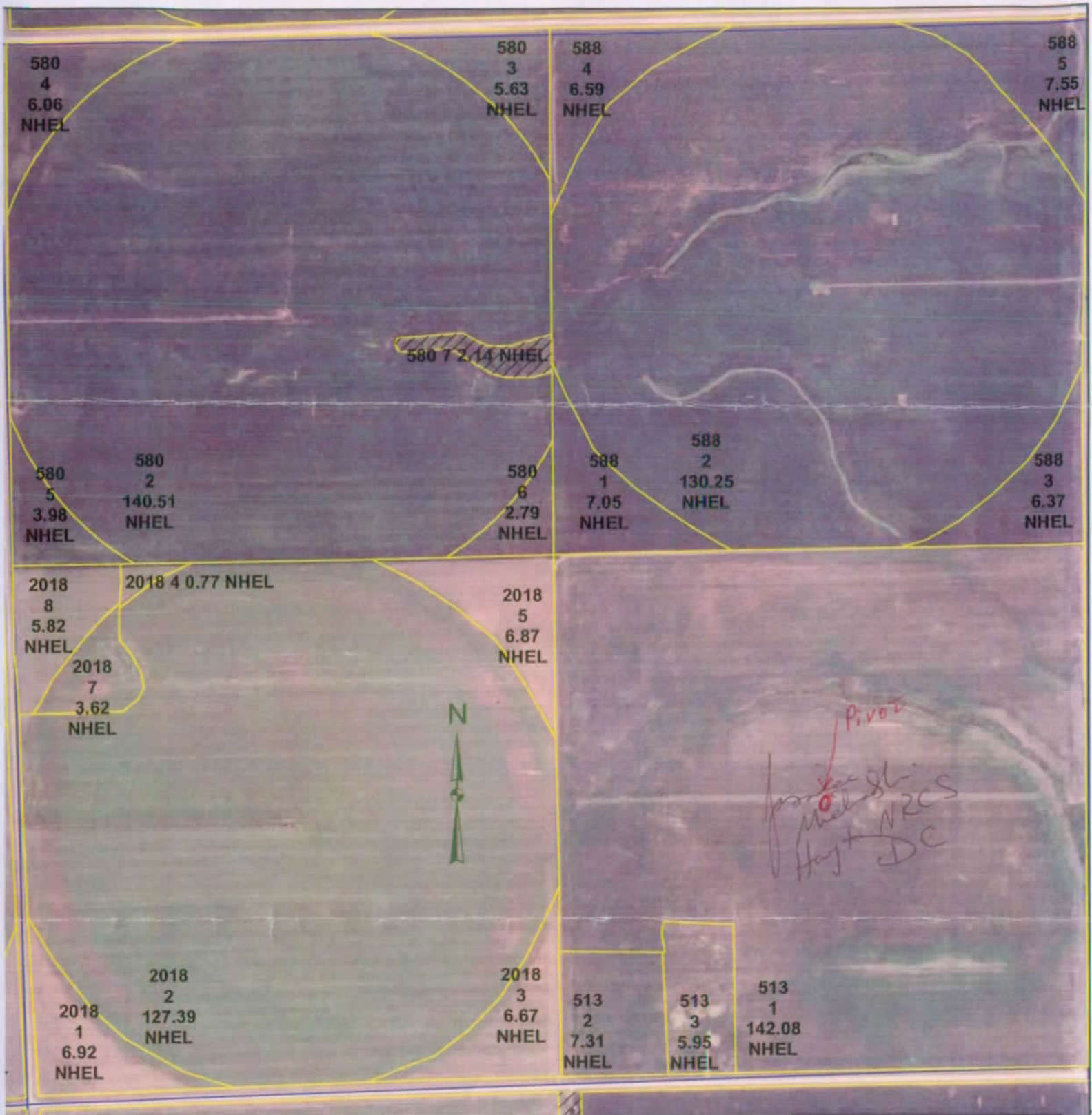
27-114N-51W

Legend

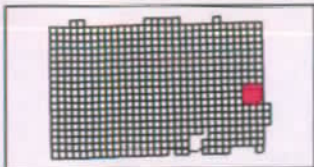
- Tract Boundaries
- Section-Township-Range
- CRP
- Easements
- Wetlands
- Common Land Units
- Rangeland

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 2004 ortho rectified imagery for South Dakota. 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.

August 22, 2006



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



South Dakota Hamlin County 26-114N-51W

Legend

- Tract Boundaries
- Section-Township-Range
- CRP
- Easements
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December 18, 2006

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location $\frac{1}{4}$ Sec 27 Twp 114 Rg 51County
Hamlin

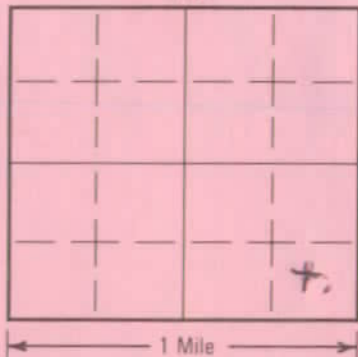
North

Please mark well location with an "X"

W

E

Well Completion Date

1-15-07

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

Direct RotaryCASING DATA: ☐ Steel ☐ Plastic ☐ Other

If other describe _____

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

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Hydram</u>	<u>8</u>	_____ lb./gal	_____ ft.	_____ ft.
		_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure pressurize - pull 1/2 in.SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

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? _____

DISINFECTION: Was well disinfected upon completion?

YES, How: _____

NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Painett ColonyBusiness Name: Painett ColonyAddress: 46527 189th St.
Estelline SD. 57234

WELL LOG:

DEPTH

FORMATION

FROM

TO

Top Soil	0	1
yellow clay	1	4
yellow mixed clay & g.	4	35
Tight heavy	35	38
yellow clay	38	45
yellow mixed clay & g.	45	60
Gray Medium to coarse	60	50
well 20 inches		

STATIC WATER LEVEL 30 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

RECEIVED

WELL TEST DATA:

JAN 31 2007

☐ Pumped Describe: _____☐ 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 # 689

And this report is true and accurate

Drilling firm Kaiser Well Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder:

Geri TschetterDate: 1-29-07

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Jan 31, 20 07

RECEIVED OF Poinsett Hutterian Brethren, Inc., 46527 189th St, Estelline SD 57234

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

Fee for Application for Permit No. <u>6797-3</u> to Appropriate Water, to construct and to put water to beneficial use	250	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>6797-3</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	300.00

No.

02896

By

Harland Ebele

Chief Engineer

(Signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

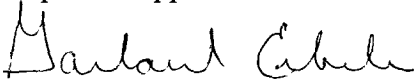
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6797-3, Poinsett Colony**

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. 6797-3, Poinsett Colony, c/o Levi Tschetter, 46527 189th Street Estelline SD 57234.

The Chief Engineer is recommending APPROVAL of Application No. 6797-3 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:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6797-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


Garland Erbele, Chief Engineer
March 1, 2007

REPORT ON WATER PERMIT NO. 6797-3
For Poinsett Colony
February 8, 2007

Application No. 6797-3 proposes to appropriate 1.67 cfs (750 gpm) from one well approximately 80 feet deep located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 27 to irrigate 136 acres located in the SE $\frac{1}{4}$ of section 26; all in T114N R51W in Hamlin County.

AQUIFER - BIG SIOUX BROOKINGS (BS-B)

The Big Sioux Brookings is a predominantly surficial outwash (sand and gravel) found under water table conditions however, at this site the aquifer is confined and under artesian conditions. The aquifer underlies 88,500 acres and contains an estimated 331,880 acre-feet of recoverable water in storage in Hamlin County (Hedges, 1982). Neither the Hedges report nor the county study (Kume, 1985) show the area of this application to be underlain by the aquifer. However, this site is near the boundary of the aquifer and the wells for nearby water rights and this application show that the aquifer is present. Ground water movement is from northeast to southwest across this area and toward the Big Sioux River (Kume, 1985). The aquifer extends to the north where it becomes the Big Sioux North aquifer, extends to the south into Brookings County and is hydraulically connected to the Big Sioux River. Recharge to the aquifer has been estimated to be about 6.57 inches per year over the water table portion of the Big Sioux aquifer (Koch, 1980).

The test well log filed with the application indicates sand and gravel from about 45 feet to 80 feet below land surface and a static water level of 30 feet below land surface. This test site is located about 1,000 feet southeast of a production well. The production well authorized by Water Right No. 5402-3 reportedly is capable of producing 790 gpm with 31 feet of drawdown (specific capacity of 25.5 gpm/ft of drawdown).

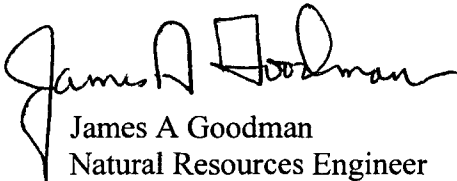
The Water Rights Program monitors two observation wells completed into the Big Sioux Brookings aquifer and within two miles of the well for this application. These are observation well HN-77F (located about one-half mile west) and HN-77E (located about two miles west). Water levels for these wells show good response to climatic conditions that is rising water levels during wet years (recharge) and gradually declining water levels during dry years. Hydrographs for these two observation wells area included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2007).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing irrigation well located about 1,000 feet northwest of this proposed site. Interference will occur. That is drawdown created by pumping will extend to the other well. It is possible especially during extended drought periods that drawdown created by this proposed well could adversely affect the existing well. However, since both wells will be controlled by the Colony this problem can be managed. When the production well is completed and tested the Colony will be able to evaluate this problem better.

CONCLUSIONS

1. Water is available from the Big Sioux Brooking aquifer.
2. The aquifer is under artesian conditions at this site. Also it appears that this site is near the boundary of the aquifer. Both of these conditions mean drawdown created by pumping can be exaggerated. Drawdown will overlap between the two wells. Interference will occur however until the new well is tested this cannot be fully evaluated. The Colony can manage this problem should it arise by scheduling pumping times and varying pumping rates.
3. This well must be constructed in accordance with SD Well Construction Standards.

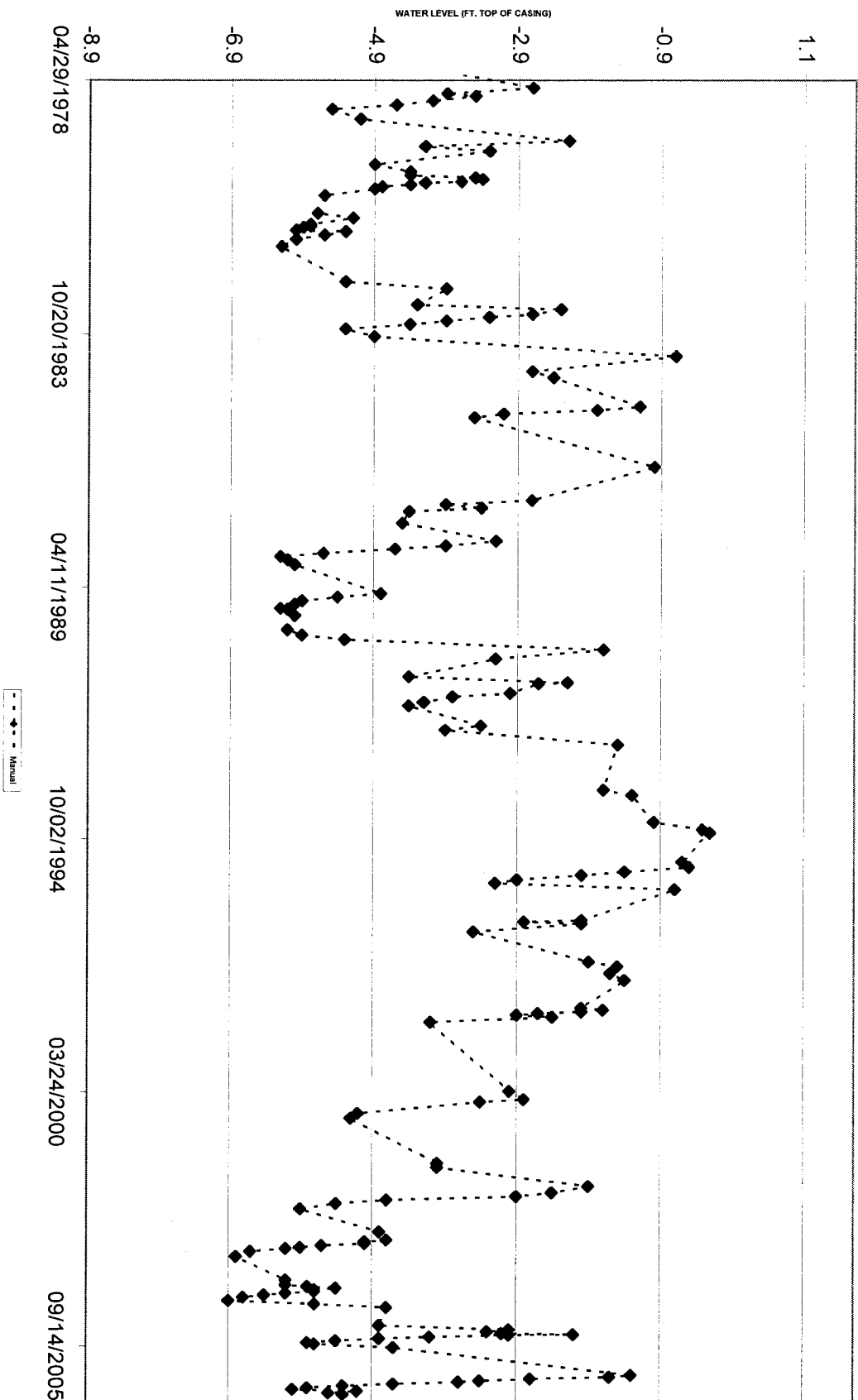


James A Goodman
Natural Resources Engineer

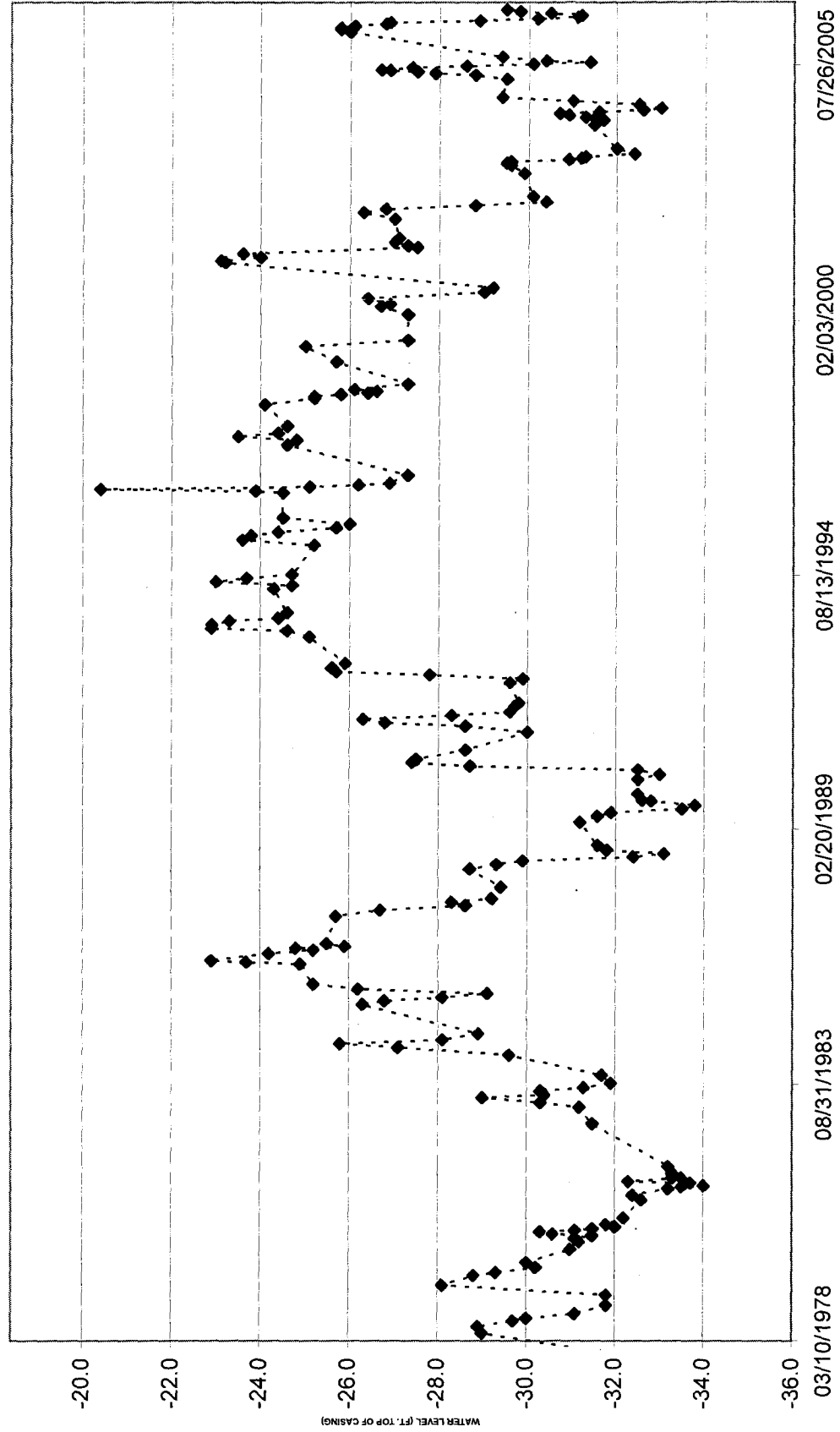
BIBLIOGRAPHY

- 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 Data for Hamlin County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL HN-77E



WATER RIGHTS' OBSERVATION WELL HN-77F



RECEIVED

MAR 19 2007

WATER RIGHTS
PROGRAMNOTICE OF APPLICATION NO.
6797-3 TO APPROPRIATE
WATER

Notice is given that Poinsett Colony, c/o Levi Tschetter, 46527 189th St, Estelline SD 57234 has filed an application for a water permit to appropriate 1.67 cubic feet of water per second from one well to be completed into the Big Sioux Brookings Aquifer (approximately 80 feet deep) located in the SE 1/4 SE 1/4 Section 27 to irrigate 136 acres located in the SE 1/4 Section 26; all in T114N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6797-3 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 these applications, 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 this 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 recommendations 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 26, 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. Pimer, Secretary
Department of Environment and
Natural Resources

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SS

I, Lelanne Archer

certify that the attached printed Notice was
taken

from the Hamlin Co.
Herald Enterprise

printed and published in Hayti

County of Hamlin and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

March 7, 2007
March 14, 2007

Cost of Printing \$ 39.74

Lelanne Archer
(Signature)

Owner
(Title)

3/14/07
(Date Signed)



March 1, 2007

HAMLIN COUNTY HERALD ENTERPRISES
PO BOX 207
HAYTI SD 57241

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6797-3 to Appropriate Water to be published twice. Please publish the first notice on March 7, 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 Poinsett Colony, Levi Tschetter, 46527 189th St, Estelline, SD 57234 (Ph # 605-873-2630).

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. 6797-3

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

Date _____

We are in receipt of your letter of March 1, 2007 enclosing Notice to Appropriate Water by Application No. 6797-3 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.

March 1, 2007

POINSETT COLONY
LEVI TSCHETTER
46527 189TH ST
ESTELLINE SD 57234

Dear Mr. Tschetter:

Water Permit Application No. 6797-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Hamlin Co Herald Enterprise printed at Hayti SD (Ph # 605-783-3636). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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 Notices 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 applications.

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 March 7, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6797-3 to Appropriate Water

Notice is given that Poinsett Colony, c/o Levi Tschetter, 46527 189th St, Estelline SD 57234 has filed an application for a water permit to appropriate 1.67 cubic feet of water per second from one well to be completed into the Big Sioux:Brookings Aquifer (approximately 80 feet deep) located in the SE ¼ SE ¼ Section 27 to irrigate 136 acres located in the SE ¼ Section 26; all in T114N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6797-3 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 these applications, 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 this 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 recommendations 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 26, 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 30 2007

POINSETT COLONY
46527 189th ST
ESTELLINE SD 57234

Dear Sir:

Enclosed is Water Permit No. 6797-3 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

6797-3
11-02

Location 1/4 1/4 Sec 27 Twp 114 Rg 51

County
Hamlin

Well Completion Date
7-25-08

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)
1300 ft. from Irr. well (identify source)

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

METHOD OF DRILLING:
Direct Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other
If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
640	12	24	53	

GROUTING DATA:
 Grout Type Portland No. of Sacks 65 Grout Weight 54 Lb/gal From 0 Ft To 40 Ft
 Lb/gal Ft Ft

Describe grouting procedure
Pressure pull method

SCREEN: ☐ Perforated pipe ☐ Manufactured
 Diameter _____ Inches Length _____ Feet
 Material Stainless Steel
 Slot Size 10/100 Set From 63 Feet to 83 Feet
 Other information 0.085 plastic 53 - 63

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? HTH Tablets
☐ No, Why Not? _____
 Lab sample sent to for water quality analysis _____

Well Owner: Poinsett Colony
 Business Name: _____
 Address: RR1 Box 146
 City, State, Zip: Estelline SD 57234

WELL LOG: FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
yellow clay	1	4
yellow mixed dirty gravel	4	35
Rocky Tight	35	38
yellow clay	38	45
yellow mixed fine to medium	45	60
gray medium to coarse	60	80

STATIC WATER LEVEL 30 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: Sub
☐ Bailed
☐ Other
 Pumping Level Below Land Surface
50 Ft. After 12 Hrs. pumped 800 GPM
50 Ft. After 24 Hrs. pumped 800 GPM
 If pump installed, pump rate: 700 GPM
8RIHC-3 Coult's 60 HP

REMARKS
RECEIVED
FEB - 6 2009
 WATER RIGHTS PROGRAM

This well was drilled under license # 689
 And this report is true and accurate.
 Drilling firm: Kaiser Well Drilling
 Signature of License Representative: _____
 Signature of Well Owner or Equitable Property Holder: _____

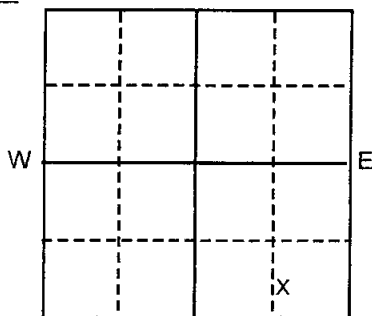
Date: _____

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE 1/4 SE 1/4 Sec 27 Twp 114N Rg 51WWell Owner: POINSETT HUTTERIAN COLONYCounty HAMLIN

North

Please mark well
location with an "X"

Well Completion Date

5-21-13

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:

DIRECT ROTARY DRILL

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
40.0 LB/FT	16.00 IN	0.0 FT	71.0 FT	24.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Grt Well DF	42	54.0 Lb/gal	0.0 Ft	71.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 20.0 Feet
Material STAINLESS STEELSlot Size .060 Set From 71.0 Feet to 91.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☐ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?

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

Business Name:

Address: 46527 189TH STCity, State, Zip: ESTELLINE SD 57243

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	1
YELLOW CLAY ROCKS	1	3
YELLOW CLAY	3	30
YELLOW MIXED GRAVEL	30	52
BLUE CLAY	52	57
YELLOW GRAVEL	57	62
BLUE CLAY	62	66
YELLOW GRAVEL	66	70
GREY GRAVEL	70	77

STATIC WATER LEVEL 25.1 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:☐ Bailed☐ Other

Pumping Level Below Land Surface

50.0 Ft. After 24.0 Hrs. pumped 600.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 600.0 GPM

REMARKS

 FINE GREY SAND 77-85
 MIXED MED-COURSE 85-91
 BLUE CLAY 91-93

RECEIVED

JAN 31 2014

WATER RIGHTS
PROGRAMThis well was drilled under license # 689 and this report is true and accurate.Drilling firm: KAISER WELL DRILLING INC

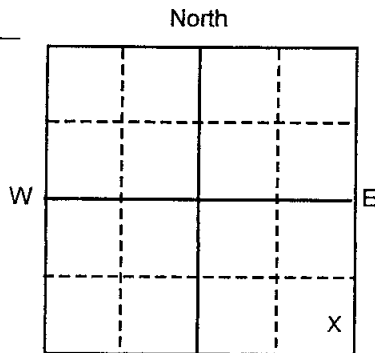
Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE ¼ SE ¼ Sec 27 Twp 114N Rg 51WCounty HAMLINPlease mark well
location with an "X"

Well Completion Date

5-13-2013

1 Mile

 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:

DIRECT ROTARY DRILL

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
40.0 LB/FT	16.00 IN	0.0 FT	65.0 FT	24.00 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Grt Well DF	40	54.0 Lb/gal	0.0 Ft	65.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure _____

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 20.0 FeetMaterial STAINLESS STEELSlot Size .080 Set From 65.0 Feet to 85.0 Feet

Other information _____

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material? _____

Describe packer(s) and location _____

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How? _____☐ No, Why Not? _____Lab to which water
quality sample sent for analysisWell Owner: POINSETT HUTTERIAN COLONY

Business Name: _____

Address: 46527 189TH STCity, State, Zip: ESTELLINE SD 57243

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	2
YELLOW CLAY	2	6
YELLOW GRAVEL	6	16
YELLOW CLAY	16	32
BLUE CLAY	32	64
GREY GRAVEL	64	85
BLUE CLAY	85	90

STATIC WATER LEVEL 30.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: _____☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After 24.0 Hrs. pumped 800.0 GPMIf pump installed, pump rate: 800.0 GPM

REMARKS

RECEIVED

JAN 31 2014

WATER RIGHTS
PROGRAMThis well was drilled under license # 689 and this
report is true and accurate.Drilling firm: KAISER WELL DRILLING INC

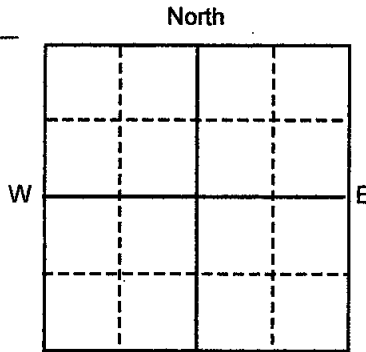
Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE 1/4 SE 1/4 Sec 27 Twp 114N Rg 51WCounty HAMLINPlease mark well
location with an "X"

Well Completion Date

05-13-2015

1 Mile

 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:

DIRECT ROTARY

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
40.0 LB/FT	16.00 IN	0.0 FT	24.0 FT	24.00 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
GRTWELDF	22	54.0 Lb/gal	0.0 Ft	24.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

PRESSURE PULL

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 12.0 FeetMaterial STAINLESS STEELSlot Size .60 Set From 24.0 Feet to 36.0 Feet

Other information _____

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material? _____

Describe packer(s) and location _____

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How? _____

☐ No, Why Not? _____

 Lab to which water
 quality sample sent for analysis
Well Owner: POINSETT COLONY

Business Name: _____

Address: 46527 189th StCity, State, Zip: Estelline SD 57234

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	1
YELLOW CLAY SANDY	1	6
YELLOW GRAVEL DIRTY	6	22
YELLOW GRAVEL- CLEAN-MIXED	22	36

STATIC WATER LEVEL 8.7 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
☐ Bailed
☐ Other

Pumping Level Below Land Surface

_____ Ft. After 6.0 Hrs. pumped 400.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

FEB 01 2016

WATER RIGHTS
PROGRAM

 This well was drilled under license # 689 and this
 report is true and accurate.
Drilling firm: KAISER WELL DRILLING INC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: _____

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6797-3

I have this day, **March 31, 2015**, made a thorough examination of the water use system constructed by **Poinsett Colony, 46527 189th St, Estelline SD 57234** of Permit No. **6797-3**, bearing the priority of **January 31, 2007** authorizing the diversion of **1.67** cu. ft. per second of the waters of **Big Sioux Brookings aquifer** for **irrigation** purposes, in **Hamlin** County.

Inspection contact & relationship **Levi Tschetter**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Kaiser Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **36** feet
- 4) Well log is available **Yes** If no, explain in comments

Comments: **An abandoned well is located at lat. 44.64586, long. -96.92751 and does not appear to be plugged. The replacement well (drilled in 2008) is also now abandoned located at lat. 44.64623, long. -96.92833. The replacement well was completed on May 13, 2015 following my inspection and the location is as described by Levi Tschetter in a phone conversation on Jan 26, 2017.**

Casing:

- 1) Diameter **16** inches
- 2) Length **24** feet
- 3) Type **Plastic**

Pump:

- 1) Make **Submersible**
- 2) Capacity **750** GPM

Screen:

- 1) Type **Stainless steel**
- 2) Length **12** feet
- 3) Static water level **8.7** feet

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

- 1) Type **PVC**
- 2) Size **8** inches
- 3) Length **4,800** feet

C. Works used to apply water to beneficial use -- Center pivot:

- 1) Make **Valley**
- 2) Number of towers **7**
- 3) End gun **Y**
- 4) Capacity **750** GPM

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

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

E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows: SE/14 SE1/4 sec 27-T114N-R51W (approx.. 800 feet W and approx. 550 feet N from SE corner section 27.
2. The works are capable of diverting and conveying to the place of use 1.67 cu. ft. per second of water which is used for irrigation. Water has been put to beneficial use to the maximum extent as follows: All in T114N-R51W.

NW1/4 SE1/4 sec 26 – 34 acres
SW1/4 SE1/4 sec 26 – 34 acres

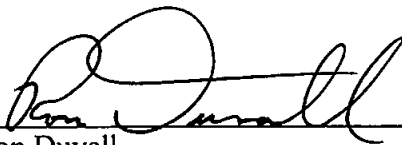
SE1/4 SE1/4 sec 26 – 34 acres
NE1/4 SE1/4 sec 26 – 34 acres

comprising a total of 136 acres of land and the license should be issued for 1.67 cfs.

3. All structures, wells and lands on map Yes

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

Two other wells are located nearby and serve Permit No. 7434-3. The water supply for the two irrigation permits is not interconnected. Following my inspection, the well for No. 6797-3 was replaced (new log on file). Based on my phone conversation with Levi Tschetter on Jan 26, 2017, I identified the approximate new location on the map and crossed the site of the 2008 well which is now abandoned. The new well location is within the area described on No. 6797-3 and in the same aquifer.



Ron Duvall
Water Rights Permitting Administrator
DENR, Water Rights Program

Date report completed: January 26, 2017

Scale: 1 inch = 1,023 feet

1,400

Feet

N



Completed by:

Ron Duvall, W.R. Permitting Administrator
SD DENR, Water Rights Program

Date: January 26, 2017

Diversion point(s) located using Garmin eTrex 10 GPS
Except for south well relocated after inspection, location
on map as described by Levi Tschetter

Water Right No. 7434-3
Water Right No. 6797-3

6797-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

FEB 06 2017

6797-3
7434-3

Levi Tschetter
Poinsett Hutterian Brethren Inc
46527 189th St
Estelline SD 57234

Dear Mr. Tschetter:

Enclosed are Water License Nos. 6797-3 and 7434-3. They are the final water right documents completing your process of obtaining Water Rights. Included with each 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 wells authorized by Water Right Nos. 6797-3 and 7434-3, 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6797-3

(1) Poinsett Colony, 46527 189th St, Estelline SD 57234 made Application No. 6797-3, January 31, 2007 for a water permit to divert 1.67 cubic feet of water per second from ground water, one well (Big Sioux Brookings Aquifer), Hamlin County, South Dakota for irrigation purposes. Permit No. 6797-3, with a priority date of January 31, 2007 was approved March 26, 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 26, 2012 and for the application to beneficial use of said water on or before March 26, 2016.

(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 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is:

- Approximately 800'W and 550'N of the SE corner of Section 27, T114N, R51W (SE $\frac{1}{4}$ SE $\frac{1}{4}$).

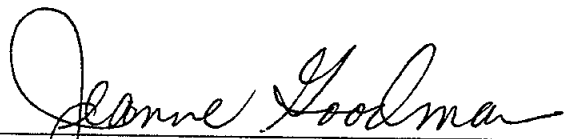
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 26, T114N, R51W	NW $\frac{1}{4}$ SE $\frac{1}{4}$	34 acres	
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	34 acres	
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	34 acres	
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	34 acres	Total of 136 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Poinsett Colony, 46527 189th St, Estelline SD 57234 the holder and/or owner of Water Right No. 6797-3 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from ground water, one well (Big Sioux Brookings Aquifer) with a priority date of January 31, 2007 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6797-3 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6797-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the 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 well was drilled in July, 2008 by Kaiser Well Drilling. A copy of the well log is on file with the Water Rights Program.***
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.


Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 06 2017
date

