

WATER PERMIT NO. 6876-3

Name of Applicant: **Pearl Creek Colony**

Address: **21085 415th Ave, Iroquois SD 57353**

Phone: **605 546-2452**

Amount of Water Claimed: **4.0 cfs**

Total Acres: **320**

Source of Water Supply: **groundwater (two wells)**

Water to be used for: **irrigation**

County: **Beadle**

Type of Waste Disposal System:

Location: **4 miles southeast of Cavour**

PRIORITY

Date Received: **8-2-07**

Application/License Fee: **\$375**

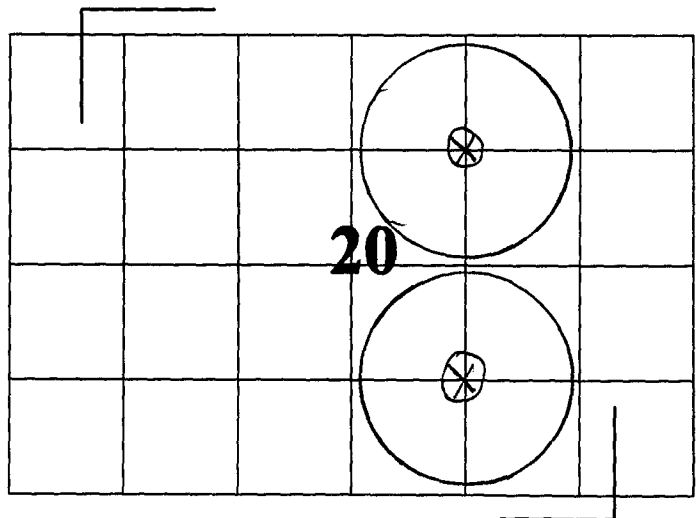
Corrected Application Received: **8-6-07**

Period of Annual Use: **June 1 – August 31**

Remarks:

Diversion Point: **approx center of the NE ¼ and
SE ¼ Sec 20-T110N-R59W**

Land to be Irrigated: **E ½ Sec 20-T110N-R59W**



Depth of Well: **80 – 100 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Kent Vlieges, FSA**

Reviewed and the Number Assigned on: **8-6-07**

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>6878-3</u> (office use only) <u>10/60006</u>
	Basin <u>James River</u>
	Newspaper <u>The Plainsman</u> <u>PO Box 1278 Huron</u>
	<u>605-352-6401</u> <u>57350</u>

RECEIVED
AUG - 2 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 Pearl Creek Colony Phone 605-546-2452
(check one) ☐ Owner ☐ Tenant/lessee
- Mailing Address 21085 415th Ave Iroquois State SD 57353
(Street, RR, or Box and City) each well (Zip Code)
2. Amount of water claimed 4.0 *CFS or 960 **GPM ***AF Total Acreage 320
(*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)
2 wells on E1/2 section 20-110N-59W
County Beadle
5. County or counties where water will be used Beadle
6. Annual period during which water is to be used June 1 thru August 31
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
NE 1/4 NE 1/4 20-110N-59W	40	NE 1/4 SE 1/4 20 110N-59W	40
NW 1/4 NE 1/4 20 110N-59W	40	NW 1/4 SE 1/4 20 110N-59W	40
SW 1/4 NE 1/4 20 110N-59W	40	SW 1/4 SE 1/4 20 110N-59W	40
SE 1/4 NE 1/4 20 110N-59W	40	SE 1/4 SE 1/4 20 110N-59W	40

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

STATE OF SOUTH DAKOTA)
County of Beadle 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, Matt Waldner, 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 Matt Waldner

Subscribed and sworn to before me this 31st day of July 20 07

[Signature]
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 6876-3

Date of first receipt of application August 2, 2007.

Date of return to applicant for corrections, amendments or changes August 2, 2007.

Date of receipt of corrected application August 6, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6876-3 to Pearl Creek Colony, 21085 415th Ave, Iroquois SD 57353 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. 6876-3 appropriates 4.0 cubic feet of water per second from two wells to be completed into the Floyd:Pearl Creek Aquifer (approximately 80-100 feet deep) located in centers of the NE ¼ and SE ¼ Section 20 to irrigate 320 acres located in the E ½ Section 20; all in T110N-R59W.
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 – August 31.
3. The date from which applicant may claim right is August 2, 2007.
4. The date of approval of Permit No. 6876-3 is October 29, 2007.
5. One-fifth of the construction is to be completed on or before April 29, 2010.
6. All construction is to be completed on or before October 29, 2012.
7. Water is to be put to beneficial use on or before October 29, 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 6876-3 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

NOV 05 2007

date



Supplemental Information

(type or print in ink)

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WATER RIGHTS
PROGRAM

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 80' to 100'
- b) Casing Type Plastic Diameter 16" Thickness .025"
- c) Screen Type Stainless Steel Diameter 16" Thickness .025"
- d) Gravel Pack 3/8 pea rock Length of Gravel Pack 10' to 20'
- 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 _____

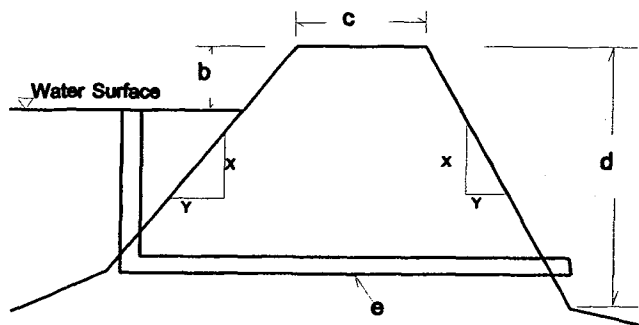
3. Dugout Information

- 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

NRCS District Conservationist
 Kent Vliegert
 Kent Vliegert #352-2998

10580
 1
 311.57
 NHEL

10580
 2
 312.68
 NHEL

Well

Well

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



20-110N-59W

Beadle County South Dakota

March 13, 2006

2004 Digital Orthophotography
 1 inch equals 626 feet

	Tract Boundary
	Field Boundary
	Non Crop
	CRP
	Easement

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/6, 20 07

RECEIVED OF Pearl Creek Colony 21085 415Th Ave Iroquois SD 57353

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

Fee for Application for Permit No. <u>6876-3</u> to Appropriate Water, to construct and to put water to beneficial use	325	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>6876-3</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	375 00

No.

03110

By

Lutal Erbe
Chief Engineer



RECEIVED
AUG - 6 2007
WATER RIGHTS
PROGRAM

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 2, 2007

Pearl Creek Colony
c/o Matt Waldner
21085 415th Ave
Iroquois SD 57353

Dear Mr. Waldner:

Thank you for submitting the two *Applications for a Permit to Appropriate Water* for irrigation. In order to complete the applications the following is required.

Enclosed are two Form 2A's. Please complete the top section of the form regarding the Well Information – Proposed Construction. If available, please submit a well log or test hole logs signed by a licensed South Dakota well driller.

On each of the applications regarding the amount of water claimed, you indicate 900 gallons per minute (gpm). Is this 900 gpm from each well or a total of 900 gpm from both wells?

Enclosed is your check for \$1200.00. The application/license filing fee for each application will be \$375.00, for a total of \$750.00. Please resubmit the correct fee.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak Please Note

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

Each Well would be 900 GPM

enclosures

Sim



**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. 6876-3, Pearl Creek 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. 6876-3, Pearl Creek Colony, c/o Matt Waldner, 21085 415th Avenue, Iroquois SD 57353.

The Chief Engineer is recommending APPROVAL of Application No. 6876-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 6876-3 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
October 4, 2007

REPORT ON WATER PERMIT APPLICATION NOS. 6876-3 AND 6877-3
For Pearl Creek Colony
August 28, 2007

Application No. 6876-3 proposes to appropriate 4.0 cfs from two wells approximately 80-100 feet deep located in the centers of the NE ¼ and the SE ¼ of section 20 to irrigate 320 acres located in the E ½ of section 20; all in T110N R59W in Beadle County.

Application No. 6877-3 proposes to appropriate 4.0 cfs from two wells approximately 80-100 feet deep located in the centers of the NE ¼ and the SE ¼ of section 17 to irrigate 320 acres located in the E ½ of section 17; all in T110N R59W in Beadle County.

AQUIFER – FLOYD PEARL CREEK (F-PC)

The Floyd Pearl Creek is a small management unit of the Floyd East James aquifer in Beadle County. The Floyd Pearl Creek aquifer underlies 11,000 acres and contains an estimated 45,000 acre-feet of recoverable water in storage (Hedges, 1982). The aquifer can be buried under artesian or water table conditions in this area and consists of outwash (sand and gravel). Even though the entire aquifer system appears to be hydraulically connected, the ground water flow system for the Pearl Creek management unit justifies the distinction from the rest of the aquifer.

Recharge to the aquifer has been estimated to range from 0.22 to 0.90 inches per year (Hedges, 1983) (200 to 825 acre-feet annually) and a more recently (Emmons, 1988) estimated a rate of approximately 2.5 inches per year (2,290 acre-feet annually). Water use for the aquifer for irrigation was reported at 1,532 acre feet in 1988. More recently in 2006 the water use was reported to be 870 acre-feet. The amount of irrigated land has been licensed for 1,441 acres for the Floyd Pearl Creek aquifer. It would seem reasonable to assume that 8.2 inches of annual water use for irrigation (used for Tulare East James aquifer in Spink County) would be a good long term average (Goodman, 2006). This would equate to about 1,000 acre-feet of estimated water use for the entire acreage. The last five years for the Floyd Pearl Creek aquifer the reported water use for irrigation has averaged 686 acre-feet per year. This data only includes nine irrigation permits for the total of 1,441 acres. This is a very small sampling to attempt to get average water use and can be significantly impacted by a few permit holders not reporting water use.

There are also two existing water permits for commercial use and one municipal use from the Floyd Pearl Creek aquifer. The commercial use permits Nos. 5801-3 and 5956-3 are for a total of 0.256 cfs (185 acre feet) and Nos. 5010-3 and 5623-3 for 61 acre-feet reserved for the Town of Iroquois. The Iroquois permits are now held for standby purposes because the town is supplied by rural water.

No test holes were drilled for these applications. The mapping done for both the Iroquois City Study (Green, 1983) and the Emmons study both indicate the aquifer may be present near these requested sites but more than likely the selected sites are close to the edge of the aquifer. This can not be answered until test wells are completed.

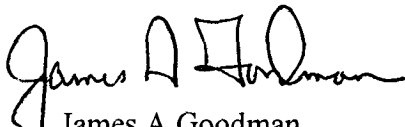
The Water Rights Program monitors four observation wells, BD-77E, BD-76R, BD-77B and BD-77F completed into the Floyd Pearl Creek aquifer. Observation well BD-77B is located within one-half mile northeast of application No. 6877-3 and observation well BD-77F is located about one and one-half miles south of application No. 6878-3. The aquifer in the northern portion is under water table conditions and to the extreme south is under artesian conditions. This is shown by the observation well hydrographs and the amount of fluctuation measured. The water level record indicates the aquifer does recharge and is capable of sustaining existing withdrawals. Hydrographs for all four observation wells are included with this report (Water Rights, 2007).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are nine existing water permits/rights for irrigation from the Floyd Pearl Creek aquifer. With the proposed spacing given between proposed permits and existing wells interference is not expected to be a concern. This spacing should be maintained especially in the area further to the south where the aquifer goes to artesian conditions.

CONCLUSIONS

1. Water is available from the Floyd Pearl Creek aquifer.
2. These wells must be constructed in accordance with SD Well Construction Standards.
3. Recharge to the aquifer appears to be about 2,290 acre feet annually (2.5 inches per year). Water use is estimated at about 1,000 acre feet per year for irrigation (using 8.2 inches use annually developed for the Tulare East James aquifer in Spink County) and 246 acre feet for commercial and municipal uses. This means that about 1,246 acre-feet of the 2,290 acre feet available has been committed. Approval of these permits would leave about 500 acre-feet additional water available for appropriation.
4. This aquifer is very close to being fully appropriated based upon use. Only by using an average use of less than 16 inches per year for the presently approved 1,441 acres plus the three other permits leaves water remaining from the aquifer.
5. Interference is not expected to be a concern. However, the locations of the proposed wells need to be maintained in order to optimize well spacing especially at the south end of this aquifer where artesian conditions exist. Because no test wells were drilled it is not even known if the proposed sites are on the aquifer.

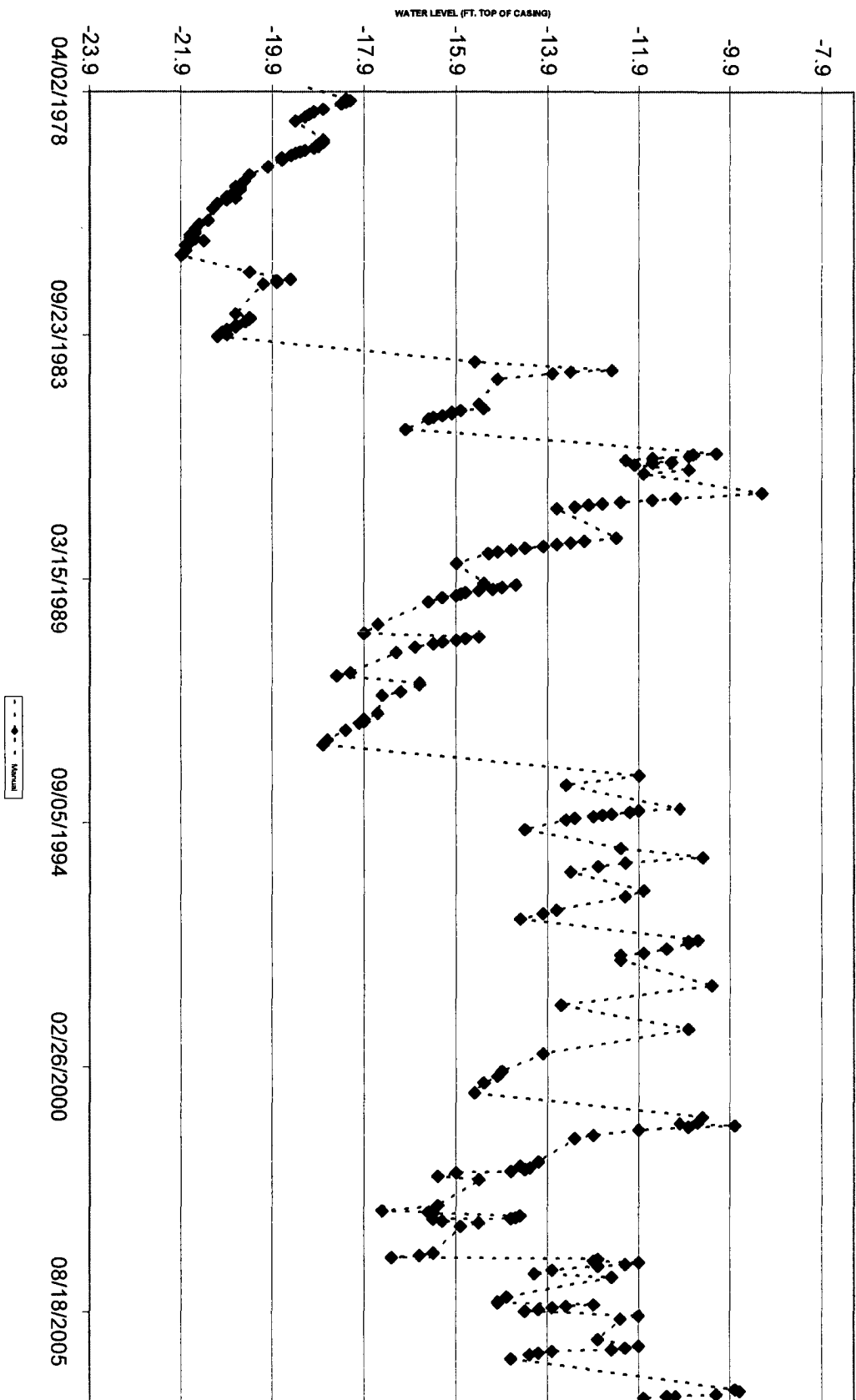


James A Goodman
Natural Resources Engineer

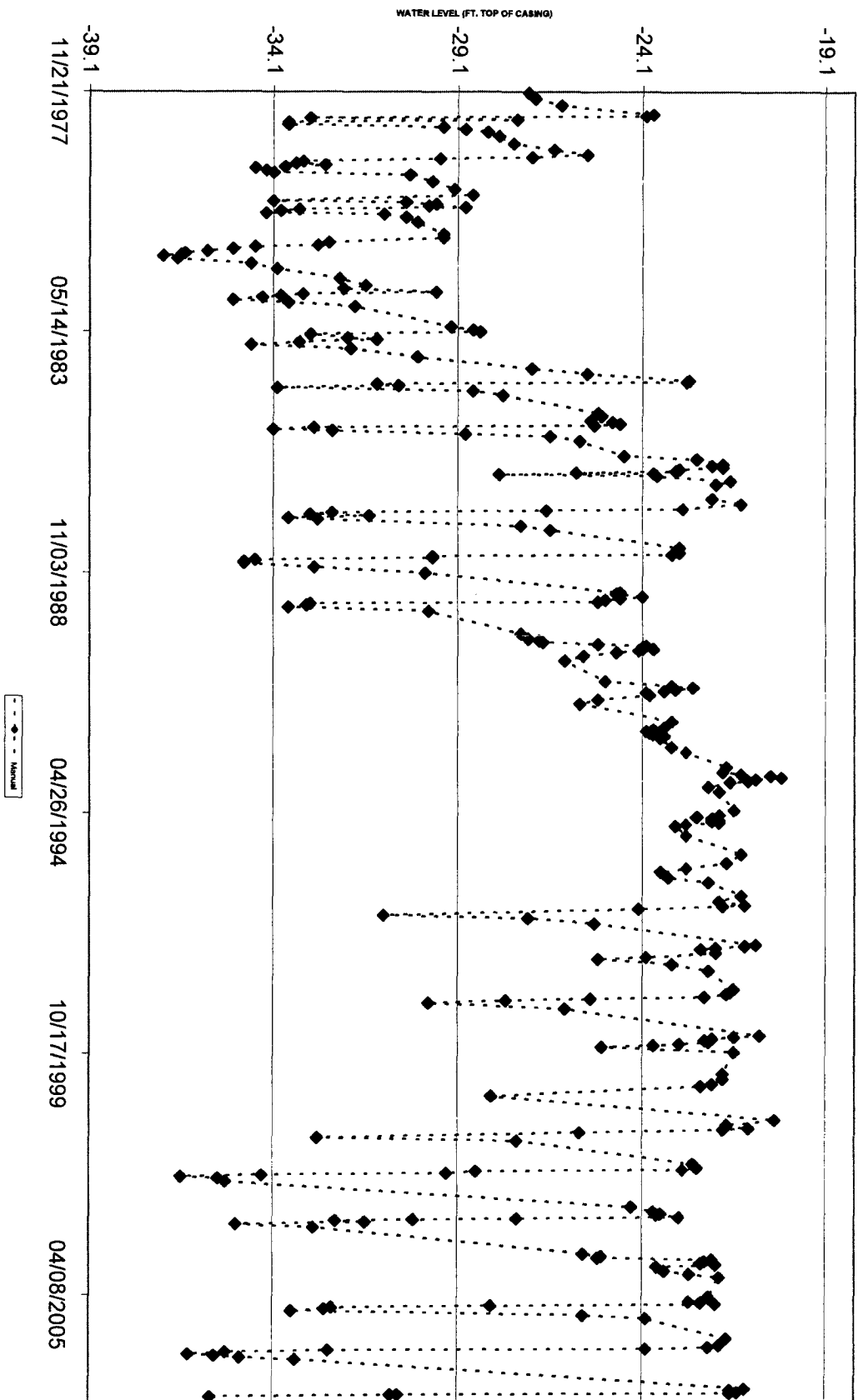
BIBLIOGRAPHY

- Emmons, P.J., 1988, A Digital Simulation of the Glacial-Aquifer System in Sanborn and Parts of Beadle, Miner, Hanson, Davison, and Jerauld Counties, SD, WRI 87-4082, USGS, Huron, SD, 57350.
- Goodman, J.A., 2006, Report on Water Permit Application No. 6711-3 for Oscar Inc and Nos. 6712-3 and 6713-3 for Peterson Farms, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.
- Green, S.A., 1983, Ground-Water Study for the City of Iroquois, South Dakota, Open-File Report No. 36-UR, SDGS, Vermillion, SD, 57069.
- 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.
- Hedges, L.S., and others, 1983, Same, Task 7: Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 2007, Unpublished Observation Well Data for Beadle County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL BD-77E



**WATER RIGHTS' OBSERVATION WELL
BD-77F**



WATER LEVEL (FT. TOP OF CASING)

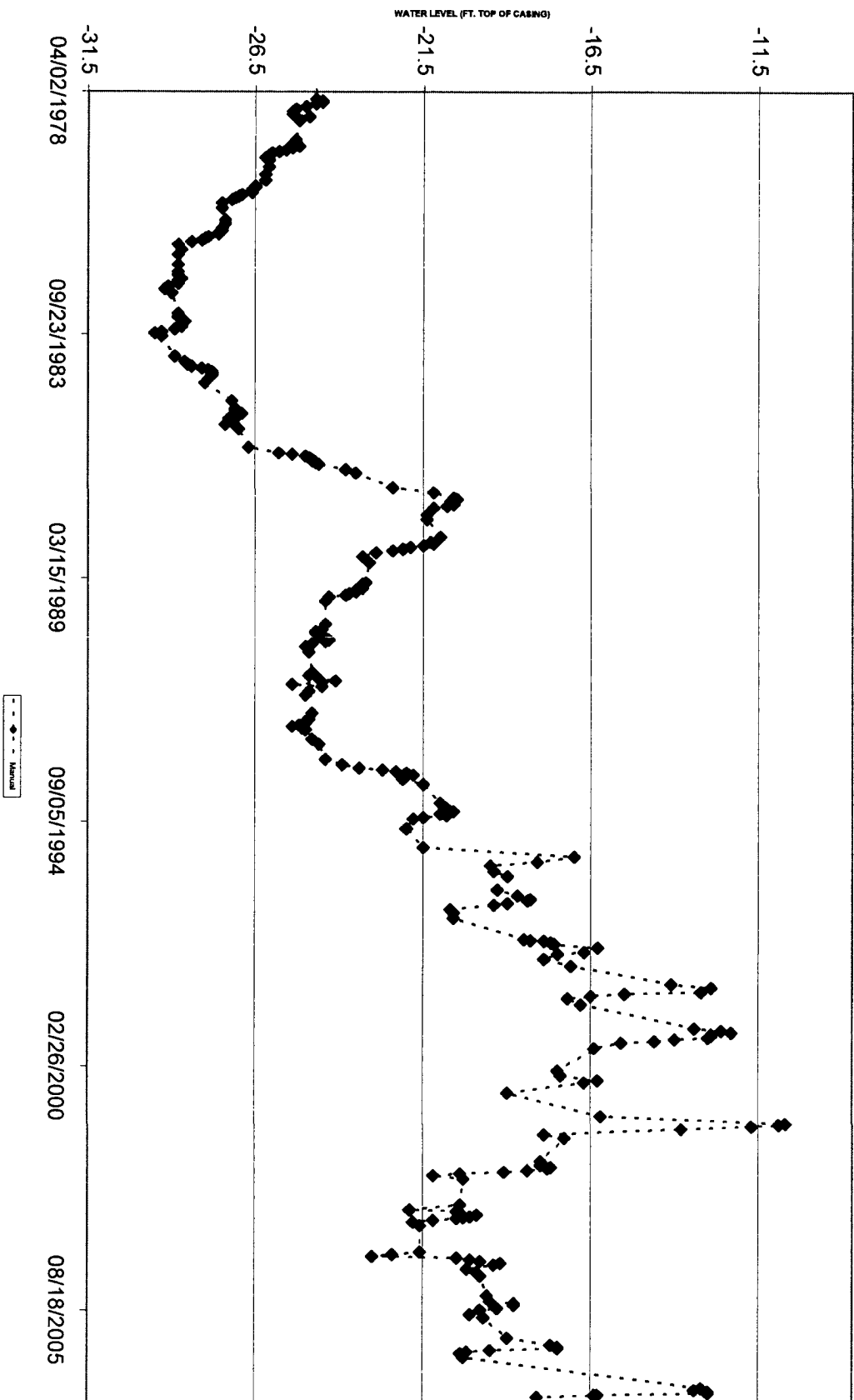
10/01/1976 03/24/1982 09/14/1987 03/06/1993 08/27/1998 02/17/2004

-23.1 -18.1 -13.1 -8.1 -3.1

--- Manual

Manual

**WATER RIGHTS' OBSERVATION WELL
BD-77B**



RECEIVED

OCT 24 2007

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Beadle) SS

I, Kern Lee Benson

certify that the attached printed Notice was
taken

from the Philosophy

printed and published in Huron, SD

County of Beadle and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

Oct. 12th, 2007

Oct. 19th, 2007

Cost of Printing 1st Publ - 34.66

2nd Publ. - 27.76

Total of - \$62.38

Kern Lee Benson
(Signature)

Bus Manager
(Title)

10-20-07
(Date Signed)

F.P. 10-12-07 L.P. 10-19-07

NOTICE OF
APPLICATION
NOS. 6876-3 AND 6877-3
to Appropriate Water

Notice is given that Pearl
Creek Colony, 210 85
415th Ave, Iroquois, SD
57353 has filed the follow-
ing applications for a water
permit.

Application No. 6876-3
proposes to appropriate
4.0 cubic feet of water per
second from two wells to
be completed into the
Floyd: Pearl Creek Aquifer
(approximately 80-100 feet
deep) located in centers of
the NE 1/4 and SE 1/4
Section 20 to irrigate 320
acres located in the E 1/2
Section 20; all in T110N-
R59W.

Application No. 6877-3
proposes to appropriate
4.0 cubic feet of water per
second from two wells to
be completed into the
Floyd: Pearl Creek Aquifer
(approximately 80-100 feet
deep) located in centers of
the NE 1/4 and SE 1/4
Section 17 to irrigate 320
acres located in the E 1/2
Section 17; all in T110N-
R59W.

Pursuant to SDCL 46-2A-
2, the Chief Engineer rec-
ommends APPROVAL of
Application Nos. 6876-3
and 6877-3 because
1) unappropriated water is
available, 2) existing rights
will not be unlawfully
impaired, 3) it is a benefi-
cial 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 recom-
mended, unless a petition
is filed opposing the appli-
cations or the applicant
files a petition contesting
the Chief Engineer's rec-
ommendations. If a peti-
tion opposing the applica-
tions or contesting the rec-
ommendations is filed, the
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
these applications or rec-
ommendations must file a
written petition with BOTH
the applicant and Chief
Engineer. The applicant
must file a petition if con-
testing the Chief
Engineer's recommenda-
tion. 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
October 29, 2007.

The petition may be infor-
mal, but must include a
statement describing the
petitioner's interest in the
application, the petitioner's
reasons for opposing or
supporting the applica-
tions, and the signature
and mailing address of the
petitioner or the petitioner's
legal counsel, if legal coun-
sel is obtained. Contact
Eric Gronlund at the above
Water Rights Program
address to request copies
of information pertaining to
these applications.

Steve M. Piner,
Secretary, Department of
Environment and Natural
Resources
No. 370 (adv.)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 5, 2007

The Daily Plainsman
PO Box 1278
Huron SD 57350

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 6876-3 and 6877-3 to Appropriate Water to be published twice. Please publish the first notice on October 12, 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 Pearl Creek Colony, Matt Waldner, 21085 415th Ave, Iroquois SD 57353 (Ph # 605-546-2452).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

Nos. 6876-3 & 6877-3

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

Date _____

We are in receipt of your letter of October 12, 2007 enclosing Notice to Appropriate Water by Application Nos. 6876-3 & 6877-3 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.

October 5, 2007

Pearl Creek Colony
Matt Waldner
21085 415th Ave
Iroquois SD 57353

Dear Mr. Waldner:

Water Permit Application Nos. 6876-3 and 6877-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Daily Plainsman printed at Huron SD (Ph # 605-352-6401). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, recommendations of the Chief Engineer and report on the application is 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 applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, 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 applications.

Instruction to Newspaper - Publish first Notice on October 12, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 6876-3 AND 6877-3 to Appropriate Water

Notice is given that Pearl Creek Colony, 210 85 415th Ave, Iroquois SD 57353 has filed the following applications for a water permit.

Application No. 6876-3 proposes to appropriate 4.0 cubic feet of water per second from two wells to be completed into the Floyd:Pearl Creek Aquifer (approximately 80-100 feet deep) located in centers of the NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 20 to irrigate 320 acres located in the E $\frac{1}{2}$ Section 20; all in T110N-R59W.

Application No. 6877-3 proposes to appropriate 4.0 cubic feet of water per second from two wells to be completed into the Floyd:Pearl Creek Aquifer (approximately 80-100 feet deep) located in centers of the NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 17 to irrigate 320 acres located in the E $\frac{1}{2}$ Section 17; all in T110N-R59W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6876-3 and 6877-3 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 applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations 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 these applications 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 October 29, 2007.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these applications. 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

Pearl Creek Colony
Matt Waldner
21085 415th Ave
Iroquois SD 57353

Dear Mr. Waldner:

Enclosed are Water Permit Nos. 6876-3 and 6877-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10, *Notices of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses may be issued, thus completing the acquisition of water rights.

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

Pearl Creek Colony
Matt Waldner
21085 415th Ave
Iroquois SD 57353

RECEIVED

DEC 19 2007

WATER RIGHTS
PROGRAM

RECEIVED

DEC 19 2007

WATER RIGHTS
PROGRAM

Dec 17-07

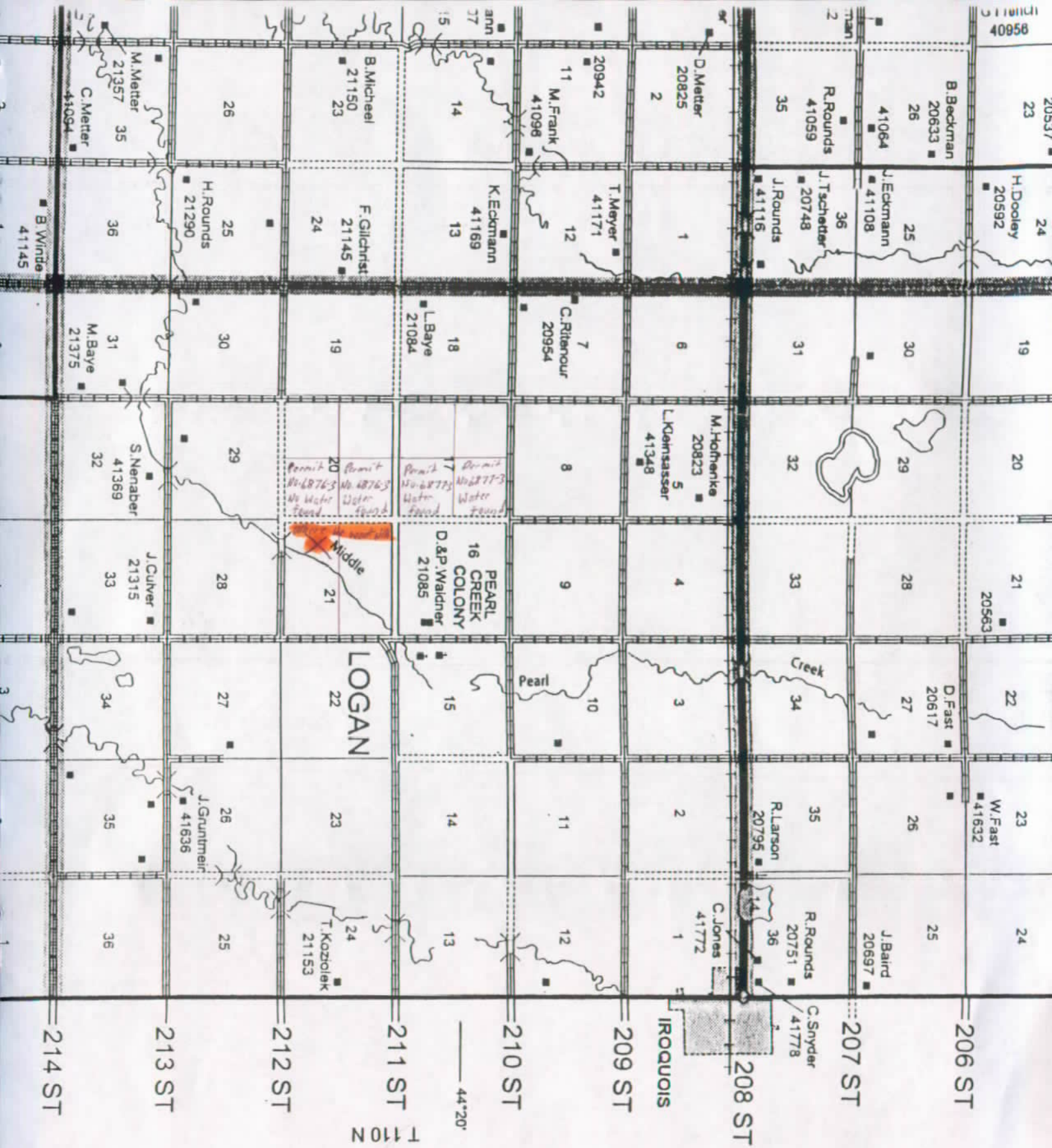
Dear Eric

I am writing to request approval to dig an irrigation well in the SW $\frac{1}{4}$ of Section 21 in T110N-R59W. We have a permit to dig 2 wells in Sec 20 in the NE. + SE. quarters. We have found water in the NE $\frac{1}{4}$ of Sec 20 but failed to find water in the SE $\frac{1}{4}$ of Sec 20. The well drilling company dug 2 test holes in the SE. + NE. corners of SE $\frac{1}{4}$ of Sec 20 and failed to find adequate water. They think if they went over into SW $\frac{1}{4}$ of Sec 21 they would find water. Please let us know if you approve or the appropriate steps necessary to gain approval. Thank You.

Sincerely,

Matt Waldner

phone No 605-546-2452



KINGSBURY COUNTY

RECEIVED
DEC 19 2007
WATER RIGHTS
PROGRAM

Approval of a Change of Diversion Point

NAME: Pearl Creek Colony -- c/o Matt Waldner

ADDRESS: 21085 415th Avenue, Iroquois SD 57353

DATE: December 20, 2007 **COUNTY:** Beadle **TELEPHONE:**

BACKGROUND:

Water Permit No. 6876-3 was issued November 5, 2007 appropriating 4.0 cfs from two wells to be completed into the Floyd:Pearl Creek Aquifer located in the centers of the NE ¼ and SE ¼ Section 20 to irrigate 320 acres located in the E ½ Section 20, T110N, R59W.

On December 17, 2007, Matt Waldner contacted the Water Rights Program to inform us that the colony got a good well in the NE ¼ of Section 20 but that the well in the SE ¼ of Section 20 failed to produce water. The colony's desire is to move the well location to the SW ¼ of Section 21 and pipe the water back to the pivot to be constructed in the SE ¼ of Section 20. I explained SDCL 46-5-13.1 and that the colony would need to make a formal request to change the location of the well and provide the proposed well location. The Water Rights Program would then review the request to determine whether the Chief Engineer can make a finding that the change does not increase the potential for interference with existing diversions.

Matt Waldner filed a written request on behalf of Pearl Creek Colony to change the location of the well in the SE ¼ of Section 20 to the SW ¼ of Section 21, T110N, R59W. According to the map, the well location will be moved approximately 2,300 feet to the east of the originally intended location.

AUTHORITY:

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

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

The water source authorized by Water Permit No. 6876-3 is the Floyd Pearl Creek which is a small management unit of the Floyd East James Aquifer. The depth is estimated to be 80 to 100 feet deep. There is no change in the water source.

No additional appropriation of water is requested. The water permit appropriates 4.0 cfs. Essentially, each of the two authorized wells are intended to supply a center pivot. This equates to 2.0 cfs per pivot which is sufficient water to operate a pivot. Most pivots operate at approximately 1.78 cfs. No additional water will be appropriated by the change in the well location.

- **Review of Existing Diversions**

A review of the well log database found no domestic wells completed into the Floyd:Pearl Creek Aquifer in Section 20 or surrounding sections. There are a number of domestic wells on record but they are all deep wells drilled in the early 1900's that are presumably completed in the Dakota Formation. The status of these wells is unknown.

There are a number of existing water rights located in Sections 16 and 21 to the east of Permit No. 6876-3 and one water right in Section 29 south of this permit. The permits to the east are held by Pearl Creek Colony. The water right in Section 29 is held by Nenaber Brothers. The change in the well location requested by the colony will move their well farther away from the Nenaber well and closer to the colony's existing irrigation wells. See attached map.

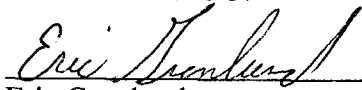
A conclusion in the report prepared by Jim Goodman on the application states that the locations of the proposed wells need to be maintained in order to optimize well spacing especially at the south end of the aquifer where artesian conditions exist. In this case the well will be moved from approximately a mile to about ½ mile from the colony's irrigation wells authorized by Water Right Nos. 2727-3 and 4356-3.

CONCLUSION

- The change in the well location does not appropriate additional water.
- The well will still be completed into the Floyd:Pearl Creek Aquifer .
- The change in well location will put the well in closer proximity to two existing irrigation wells operated by the colony. Interference is not expected to be a concern but if there is interference this can be managed by the colony.
- Existing domestic wells should not be adversely impacted by authorizing this additional well.

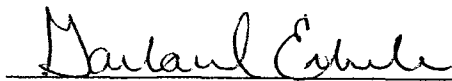
RECOMMENDED ACTION

Based on the above criteria, it is recommended that the change of diversion point be authorized under Water Permit No. 6876-3.

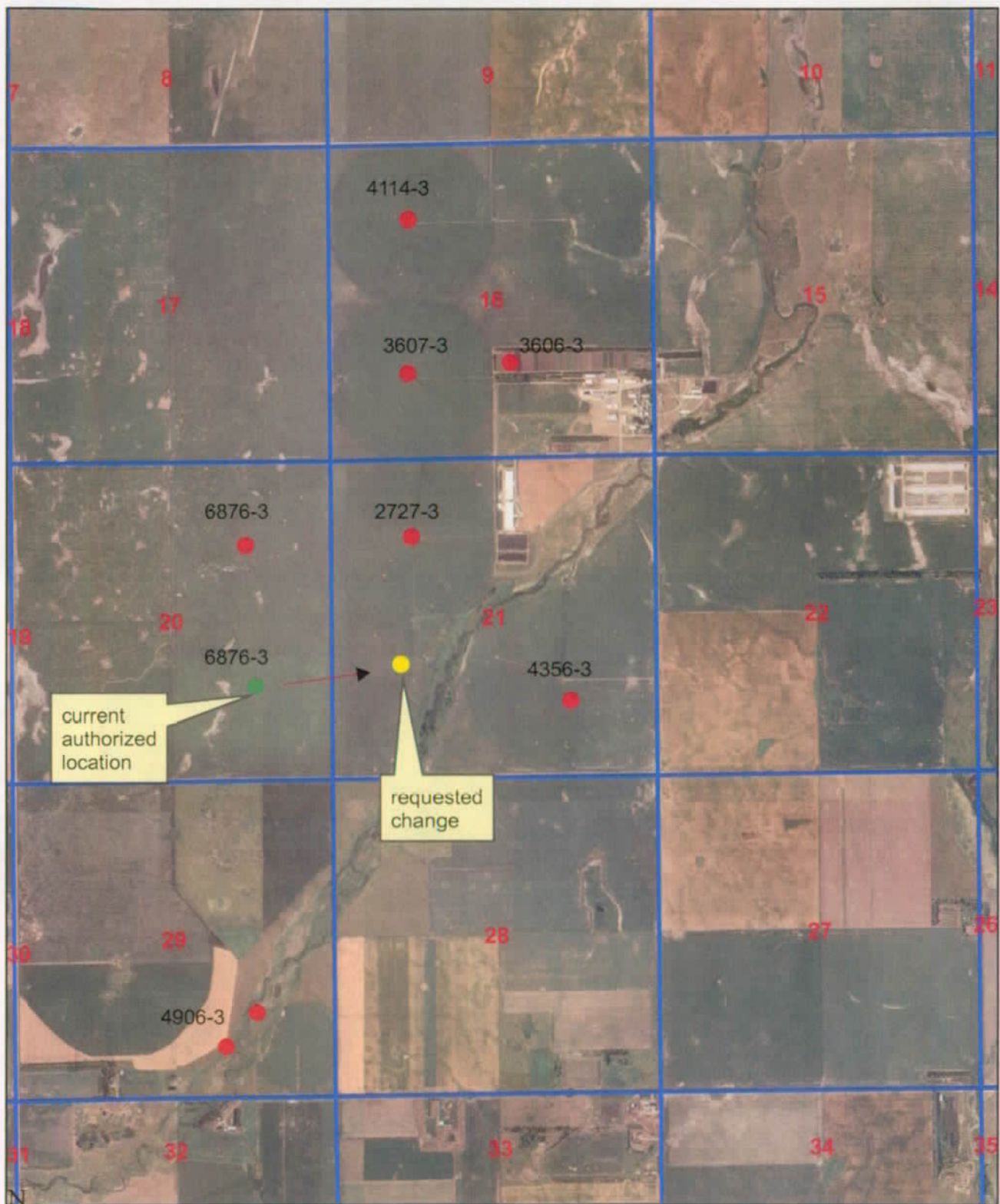

Eric Gronlund
Water Rights Program

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

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


Garland Erbele, Chief Engineer
Water Rights Program

Requested Change in Well Location for Water Permit No. 6876-3
and Location of Known Neighboring Well is Floyd: Pearl Creek Aquifer



5,250 2,625 0 5,250 Feet



A horizontal scale bar with alternating black and white segments, corresponding to the distances marked above it.



6876-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 24, 2007

Matt Waldner
Pearl Creek Colony
21085 415th Avenue
Iroquois SD 57353

Dear Mr. Waldner:

I am writing in regards to the request filed by Pearl Creek Colony to authorize changing the location of one of the wells authorized by Water Permit No. 6876-3. This permit appropriates 4.0 cfs from two wells to be completed into the Floyd:Pearl Creek Aquifer located in the centers of the NE ¼ and SE ¼ Section 20 to irrigate 320 acres located in the E ½ Section 20, T110N, R59W.

Pearl Creek Colony requests authorization to change the location of the proposed well in the SE ¼ of Section 20 to the SW ¼ Section 21. The map submitted with the application shows the well location is now intended to be in the NW ¼ SW ¼ Section 21, T100N, R59W.

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

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

6876-3

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

RECEIVED

SEP - 3 2008

WATER RIGHTS
PROGRAMDate 8-20-08

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

FROM: Pearl Creek Colony
(name)

21025 415th Ave
(address)

Iroquois, SD 57353
(city, state, zip)

605-546-2452
(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. 6876-3 states that the water use system is to be constructed by

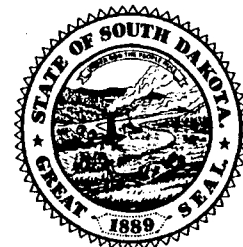
10-29-2010, and water is to be put to beneficial use by 10-29-2016
(date) (date)

The water use system was completed on 8-15-08
(date)

Applying the water to beneficial use was completed on 8-15-08
(date)

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

Matt Walden
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 3, 2008

6876-3
6877-3

Matt Waldner
Pearl Creek Colony
21085 415th Ave
Iroquois SD 57353

Dear Mr. Waldner:

I am writing to acknowledge receipt of the "Notice of Completion of Works" forms that you sent in to let us know that you are completed with your irrigation systems as authorized by Water Permit Nos. 6876-3 and 6877-3.

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

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

Sincerely,

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

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

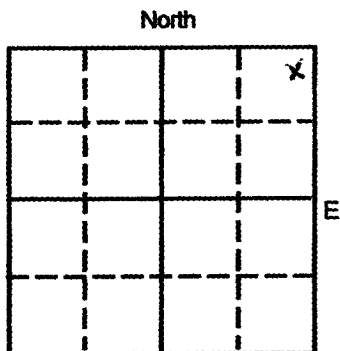
SOUTH DAKOTA WATER WELL COMPLETION REPORT

6876-3

11-02

Location NE 1/4 NE 1/4 Sec 20 Twp 110N Rg 54W

County Beadle



Please mark well location with an "X"

Well Completion Date 6-2-08

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) 21500 ft. from IRRVUW (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
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type part 2 No. of Sacks 65 Grout Weight 54 Lb/gal From 0 Ft To 40 Ft

Describe grouting procedure

pressure pump method

SCREEN: ☐ Perforated pipe ☒ Manufactured
Diameter 12 inches Length 20 Feet
Material Stainless Steel
Slot Size 10100 Set From 60 Feet to 80 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? HTH Tablets

☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Pearl Creek Colony

Business Name: Pearl Creek colony

Address: 21085 415th AVE

City, State, Zip: Froggus SD 57353

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>1</u>
<u>yellow clay</u>	<u>1</u>	<u>12</u>
<u>Blue clay</u>	<u>12</u>	<u>19</u>
<u>yellow Dirty Sand</u>	<u>19</u>	<u>24</u>
<u>Blue clay</u>	<u>24</u>	<u>30</u>
<u>fine grey sand</u>	<u>20</u>	<u>30</u>
<u>fine Sand & grey Coal</u>	<u>30</u>	<u>37</u>
<u>Blue clay</u>	<u>37</u>	<u>46</u>
<u>fine to medium</u>	<u>46</u>	<u>50</u>

STATIC WATER LEVEL 15 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

Ft. After 12 Hrs. pumped 800 GPM
Ft. After 24 Hrs. pumped 800 GPM

If pump installed, pump rate: 700 GPM

GLORIE Goulbshtp

REMARKS medium to coarse 50-60
shattered to coarse 60-66

This well was drilled under license # 689

And this report is true and accurate.

Drilling firm: Kaiser Well Drilling

Signature of License Representative:

[Signature]

Signature of Well Owner or Equitable Property Holder:

[Signature]

Date: _____

RECEIVED

FEB - 6 2009

WATER RIGHTS PROGRAM

#4

6876-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

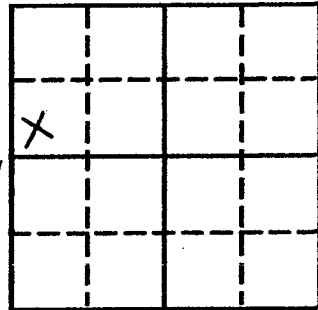
11-02

Location SW 1/4 NW 1/4 Sec 21 Twp 110N Rg 59WWell Owner: Pearl Creek ColonyBusiness Name: Pearl Creek ColonyAddress: 21085 415th AveCity, State, Zip: Erskine SD 57753

County

Beadle

North



Please mark well location with an "X"

Well Completion Date

6-2008

1 Mile

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

? 800 ft from Old Windmill (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Direct RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>5.44 LB/FT</u>	<u>12 IN</u>	<u>246 FT</u>	<u>43 FT</u>	<u>17 1/2 IN</u>
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>portland</u>	<u>65</u>	<u>54 Lb/gal</u>	<u>0 FT</u>	<u>40 FT</u>
		Lb/gal	FT	FT

Describe grouting procedure

pressure pack method

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 12 Inches Length 20 Feet

Material Stainless Steel

Slot Size 10/100 Set From 43 Feet to 63 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?14TH Tablets☐ No, Why Not?

Lab sample sent to for water quality analysis

WELL LOG:

DEPTH

FORMATION	FROM	TO
Top Soil	0	4
yellow sandy clay	4	10
yellow clay	10	18
fine to medium	18	30
Blue clay	30	37
medium to coarse mixed	37	63

STATIC WATER LEVEL

3

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

44 Ft. After 13 Hrs. pumped 800 GPM44 Ft. After 24 Hrs. pumped 800 GPM

If pump installed, pump rate:

700

GPM

610 RSLC 40HP Goulds

REMARKS

RECEIVED

MAR 19 2009

WATER RIGHTS

This well was drilled under license #

689

PROGRAM

And this report is true and accurate.

Drilling firm: Kaiserwell Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

3/24/09

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 6876-3**

I have this day, December 4, 2018, made a thorough examination of the water use system constructed by Pearl Creek Colony, 21085 415th Avenue, Iroquois, SD 57353, holder of Permit No. 6876-3, bearing the priority of August 2, 2007 authorizing the diversion of 4.0 cu. ft. per second of the waters of groundwater (Floyd: Pearl Creek Aquifer) for irrigation purposes, in Beadle County.

Inspection contact: Conrad Waldner, Pearl Creek Colony

A. Works used to divert the water:

Well Information:

North Well

- 1) Well Drilling Firm: Kaiser Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 80 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 12 inches
- 2) Length 60 feet
- 3) Type PVC

Screen:

- 1) Type Stainless Steel
- 2) Length 20 feet
- 3) Static water level 15 feet

Pump:

- 1) Make Gould
- 2) Model 610RJLC
- 3) Capacity 800 GPM

Motor:

- 1) Make Unknown
- 2) Model No. Unknown
- 3) Horsepower rating 40 hp

South Well

- 1) Well Drilling Firm: Kaiser Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 63 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 12 inches
- 2) Length 43 feet
- 3) Type PVC

Screen:

- 1) Type Stainless Steel
- 2) Length 20 feet
- 3) Static water level 3 feet

Pump:

- 1) Make Gould
- 2) Model 610RJLC
- 3) Capacity 800 GPM

Motor:

- 1) Make Unknown
- 2) Model No. Unknown
- 3) Horsepower rating 40 hp

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

North System	1) Type <u>PVC</u>	2) Size <u>8</u> inches	3) Length <u>1,730</u> feet
South System	1) Type <u>PVC</u>	2) Size <u>8</u> inches	3) Length <u>2,920</u> feet

C. Works used to apply water to beneficial use:

Center pivot:

North Pivot

- 1) Make Valley
- 2) Overall length 1,298 feet
- 3) Number of towers 7
- 4) End gun Yes
- 5) Capacity 800 GPM

South Pivot

- 1) Make Valley
- 2) Overall length 1,298 feet
- 3) Number of towers 7
- 4) End gun Yes
- 5) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate No

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(s) of diversion located as follows:

North Well: 100 feet west and 100 feet south of the northeast corner of Section 20-T110N-R59W (Latitude 44.32489, Longitude -97.93432 – NE1/4NE1/4 Section 20).

South Well: 1,560 feet east and 3,670 feet south of the northeast corner of Section 20-T110N-R59W (Latitude 44.31511, Longitude -97.92805 – NE1/4SW1/4 Section 21).

2. The works are capable of diverting and conveying to the place of use 3.56 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: all in Section 20-T110N-R59W

<u>NW1/4NE1/4</u>	<u>33 acres</u>
<u>SW1/4NE1/4</u>	<u>34 acres</u>
<u>NW1/4SE1/4</u>	<u>34 acres</u>
<u>SW1/4SE1/4</u>	<u>33 acres</u>

<u>NE1/4NE1/4</u>	<u>33 acres</u>
<u>SE1/4NE1/4</u>	<u>34 acres</u>
<u>NE1/4SE1/4</u>	<u>34 acres</u>
<u>SE1/4SE1/4</u>	<u>33 acres</u>

comprising a total of 268 acres of land and the license should be issued for 3.56 cfs.

3. All structures, wells and lands on map Yes

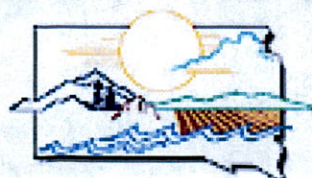
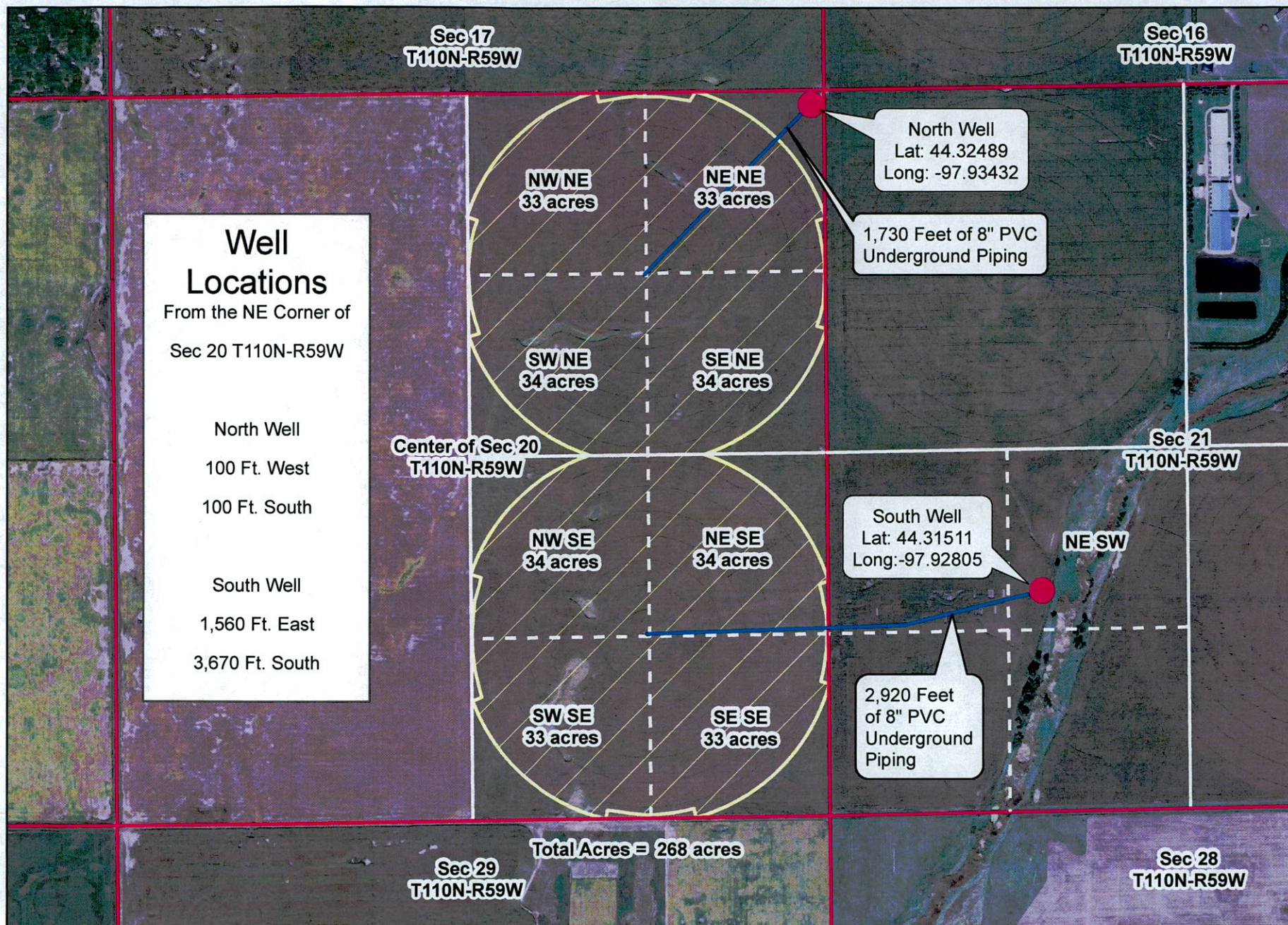
F. Comments or other permit(s) associated with the project: The south well is located in the NE1/4 of the SW1/4 of Sec 21, T110N-R59W as approved in the revision of the permit dated December 24, 2007.

Keith DeJong

Keith DeJong
Water Rights Inspector
DENR, Water Rights Program

Date report completed: December 12, 2018

Water Permit No. 6876-3



0 330 660 1,320 1,980 2,640
Feet

SCALE



Keith DeJong
Keith DeJong, PE
Staff Engineer
December 12, 2018



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 18 2019

6876-3

Matt Waldner
Pearl Creek Colony
21085 415th Ave
Iroquois SD 57353

Dear Mr. Waldner:

Enclosed is Water License No. 6876-3. This is the final water right document completing your process of obtaining a Water Right. 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 in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. 6876-3

(1) Pearl Creek Colony, 21085 415th Avenue, Iroquois SD 57353 made Application No. 6876-3, August 2, 2007 for a water permit to divert 4.00 cubic feet of water per second from ground water, two wells (Floyd Pearl Creek Aquifer), Beadle County, South Dakota for irrigation purposes. Permit No. 6876-3, with a priority date of August 2, 2007 was approved October 29, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 29, 2012 and for the application to beneficial use of said water on or before October 29, 2016.

In December, 2007, the permit holder filed a request to move the location of the well originally permitted in the SE ¼ Section 20, T110N, R59W to approximately 2,300 feet east to the SW ¼ Section 21, T110N, R59W. The request was approved and pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01 the Chief Engineer made a finding that existing water rights would not be impaired and the overall project was consistent with the original application.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 3.56 cubic feet of water per second for beneficial use.

The well locations are as follows:

North Well: 100'W & 100'S of the NE corner of Section 20, T110N, R59W (NE ¼ NE ¼ Section 20)
Latitude 44.32489, Longitude -97.93432

South Well: 1,560'E & 3,670'S of the NE corner of Section 20, T110N, R59W (NE ¼ SW ¼ Section 21)
Latitude 44.31511, Longitude -97.92805

(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:

T110N, R59W Section 20	NW ¼ NE ¼	33 acres	NW ¼ SE ¼	34 acres
	NE ¼ NE ¼	33 acres	NE ¼ SE ¼	34 acres
	SW ¼ NE ¼	34 acres	SW ¼ SE ¼	33 acres
	SE ¼ NE ¼	34 acres	SE ¼ SE ¼	33 acres

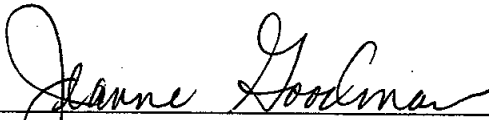
Total – 268 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Pearl Creek Colony, 21085 415th Avenue, Iroquois SD 57353 the holder and/or owner of Water Right No. 6876-3 is issued a license to appropriate water, the right to use 3.56 cubic feet of water per second from ground water, two wells (Floyd Pearl Creek Aquifer) with a priority date of August 2, 2007 from the locations specified in (2) of this license for irrigation purposes.

continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6876-3 and subject to the following qualifications:

- The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The wells authorized by Permit No. 6876-3 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. ***Both wells were drilled in June, 2008 by Kaiser Well Drilling. Copies of the well completion reports are 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

MAR 18 2019
date

