

WATER PERMIT NO. 6887-3

Name of Applicant: **Wildrose Dairy LLC**

Address: **19035 477th Ave, Brandt SD 57218**

Phone: **605 881-3901**

Amount of Water Claimed: **0.11 cfs**

Total Acres: **NA**

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

Water to be used for: **commercial use**

County: **Deuel**

Type of Waste Disposal System:

Location: **9 miles south of Clear Lake**

PRIORITY

Date Received: **9-5-07**

Application/License Fee: **\$200**

Corrected Application Received:

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

Remarks:

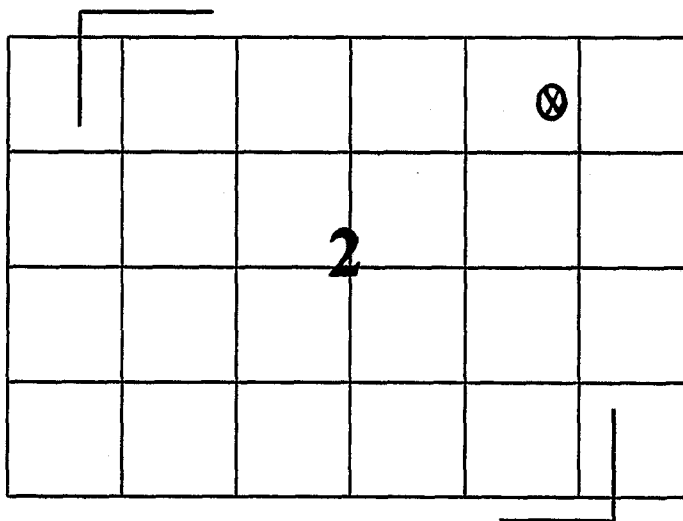
Diversion Point: **NE ¼ NE ¼ Sec 2-T113N-R49W**

Land to be Irrigated: **NA**

Depth of Well: **199 feet deep**

Well Driller: : **Lee Well Drilling**

Remarks:



Type of Map: **aerial**

Prepared by: **Gordon H Lee, Deuel Co FSA**

Reviewed and the Number Assigned on: **9-5-07**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. _____ (office use only)
	Basin _____ Hydrologic Unit _____
	Newspaper _____

RECEIVED
SEP 05 2007
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

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

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

- Name of Applicant Wildrose Dairy LLC Phone 1 605 881 3901
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 19035 477th Ave Brandt State SD 57218
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.11 *CFS or 50 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 well in NE 1/4 section 2-T113N-R49W (NE 1/4 NE 1/4)
County Deuel
- County or counties where water will be used Deuel
- Annual period during which water is to be used year-round Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

New Dairy Construction

STATE OF SOUTH DAKOTA)

County of Deuel SS

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

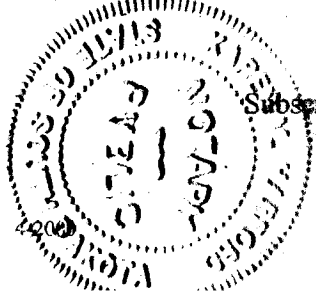
I, Maartje Andringa, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Maartje Andringa

Subscribed and sworn to before me this 4th day of September 2007

Karen M. Thuyford
Notary Public signature

My Commission Expires: 11-09-2010



**SOUTH DAKOTA
WATER PERMIT NO. 6887-3**

Date of first receipt of application September 5, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6887-3 to Wildrose Dairy, c/o Maartje Andringa, 19035 477th Ave, Brandt SD 57218 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. 6887-3 appropriates 0.11 cubic feet of water per second from one well completed into the Prairie Coteau Aquifer (199 feet deep) located in NE ¼ NE ¼ Section 2-T113N-R49W.
2. The water appropriated shall be used for the purpose of commercial use in a dairy operation and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 6887-3 is November 26, 2007.
5. The date from which applicant may claim right is September 5, 2007.
6. One-fifth of the construction is to be completed on or before May 26, 2010.
7. All construction is to be completed on or before November 26, 2012.
8. Water is to be put to beneficial use on or before November 26, 2016.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Permit No. 6887-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 6887-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a) Chapter 74:54:01 Ground Water Quality Standards,
 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions

WATER MANAGEMENT BOARD

By: Garland Erbele

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

JAN 24 2008

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 9 IN Depth 189 FT
- b) Casing Type Plastic Diameter 5 IN Thickness SPR-21
- c) Screen Type Stainless Steel Diameter 4 IN Thickness V-slot
- d) Gravel Pack Flint Rock Length of Gravel Pack 15'
- e) Depth to Top of Water Bearing Material 188
- f) Depth to Water (ground surface to water level) 100
- g) Distance to nearest existing domestic well:

On applicants property None

On property owned by others at least 3/4 Mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) lagoon
- b) System Capacity (gallons) 10,000,000 Gallons Year Constructed 2007
- c) Connected to the City of _____ Sanitary System _____

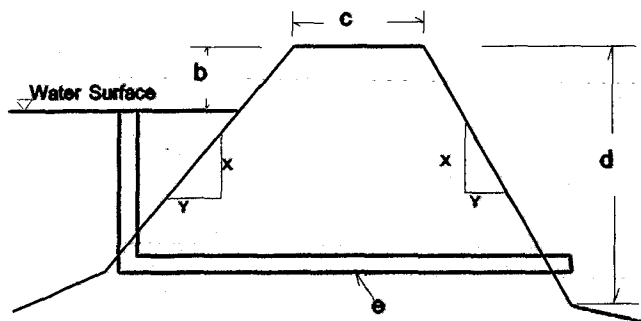
3. Dugout Information

- 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



United States Department of Agriculture
Farm Service Agency

Deuel County, SD

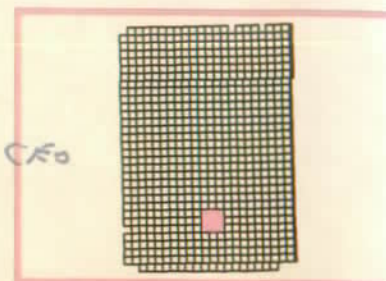
Deuel County FSA Office
PO Box 500
Clear Lake, SD 57226-0500

1:8,579

2-113N-49W

Gordon H. Leg CFO
[Signature]
8-30-07

January 26, 2007



FA WATER WELL COMPLETION REPORT

07-92

Location NE 1/4 NE 1/4 Sec 2 Twp 113N Rg 49W

County

Dewel

North

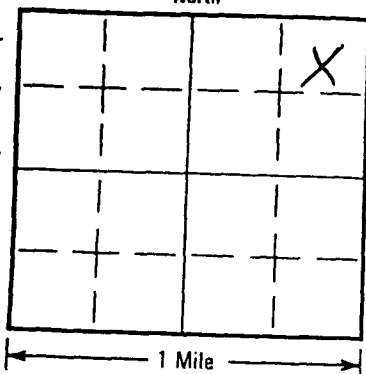
Please mark well location with an "X"

W

E

Well-Completion Date

7/3/07



LOCATION:

Distance from 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:

mud rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other, describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SDR21 LB/FT</u>	<u>5 IN</u>	<u>0 FT</u>	<u>189 FT</u>	<u>9 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>High Solids</u>	_____	<u>9.4 lb./gal</u>	<u>180 ft</u>	<u>20 ft</u>
<u>Neat Cement</u>	_____	<u>15 lb./gal</u>	<u>20 ft</u>	<u>0 ft</u>

Describe grouting procedure Pressure Grout w/ flexible pipe

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 4" IN Length 10 FEET

Material stainless steel

Slot Size 12 Set From 189 Feet to 199 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: granular chlorine

laboratory sent to for water quality analysis

☐ NO, Why Not? _____

Well Owner: Jogchum Andnings

Business Name: _____

Address: 19035 477th Ave
Brandt SD 57218

WELL LOG:

FORMATION		DEPTH	
		FROM	TO
loam	blk M	0	2
clay	ylw M	2	45
clay	blu	45	188
sand/shale	bl/blk M	188	199
clay	blu M	199	

STATIC WATER LEVEL _____ 100 _____ 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? _____

WELL TEST DATA:

☒ Pumped Describe: air lift

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

110 ft. After 8 Hrs. pumped 50+ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

Very good well

This well was drilled under license # 63

And this report is true and accurate.

Drilling firm Lee Well Drilling, Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/5, 20 07

RECEIVED OF W Wildrose Dairy LLC 19035 477th Ave Brandt SD 57218

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

Fee for Application for Permit No. <u>6887-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6887-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	200 00

No.

03154

By

Garland Erbe

Chief Engineer

mg



**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. 6887-3, Wildrose Dairy, LLC**

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. 6887-3, Wildrose Dairy, LLC, c/o Maartje Andringa, 19035, 477 Avenue, Brandt SD 57218.

The Chief Engineer is recommending APPROVAL of Application No. 6887-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Permit No. 6887-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 6887-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
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 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions

See report on application for additional information.

Garland Erbele, Chief Engineer
October 25, 2007

REPORT ON WATER PERMIT NO. 6887-3

For Wildrose Dairy LLC

October 16, 2007

Application No. 6887-3 proposes to appropriate 0.11 cfs (50 gpm) from one well approximately 199 feet deep located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 2, T113N R49W for commercial use in a dairy operation in Deuel County.

AQUIFER – PRAIRIE COTEAU (PCO)

The Prairie Coteau aquifer is a buried outwash (sand and gravel) that is under artesian conditions at this site. The Prairie Coteau underlies 412,200 acres and contains an estimated 927,090 acre-feet of recoverable water in storage in Deuel County (Hedges, 1982). The aquifer extends into Hamlin County to the west, into Brookings County to the south, Codington County to the northwest, Grant County to the north and into Minnesota to the east. The name Prairie Coteau has been a “catch all” name for any buried aquifer that is not surficial and not basal as defined in the Hedges report. For Hamlin and Deuel Counties the aquifer is reasonably well defined but is not one continuous unit but rather described as composed of several layers of sand and gravel separated by clayey till and enclosed within a thick section of till (Kume, 1985).

The well completion report filed with the application indicates sand from 188 to 199 feet below land surface. The completed well had a static water level of about 100 feet below land surface and was capable of producing 50 gpm using air to develop. The well has a calculated specific capacity of 5 gpm per foot of drawdown. This well has been completed in accordance with SD Well Construction Standards.

The Water Rights Program does not monitor any observation wells completed into the Prairie Coteau aquifer in this area. Historical water level information is not available for this aquifer in this area.

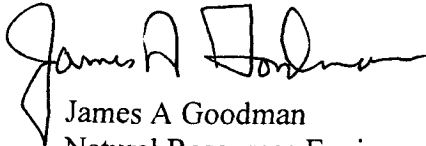
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby existing water permit/rights from any water source. There may be domestic wells in the area that use this aquifer as a water supply. A search of the Water Right well files did not show any domestic wells in this depth range within two miles of this site. Also the Open File Report 90-391 did not indicate any wells in the depth range of this production in this area either (Neitzert, 1990). Interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Prairie Coteau aquifer.
2. The aquifer is under confined conditions at this site. Drawdown will occur as a result of pumping. At this rate of pumping drawdown is not expected to be significant. Interference is not a concern.

3. This well has been constructed in accordance with SD Well Construction Standards.
4. Plans and specifications for this facility have been reviewed and approved by the department. The site is under construction at this time.



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.

Kume, J., 1986, Water Resources of Hamlin and Deuel Counties, Water-Resources Report 84-4069, USGS, Huron, SD, 57350.

Neitzert, K.M., D.S. Hansen, 1990, Records of Wells and Chemical Analyses of Ground Water in Deuel and Hamlin Counties, South Dakota, Open-File Report 90-391, USGS, Huron, SD, 57350.

RECEIVED

NOV 19 2007

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF DEUEL

The undersigned Gary DeJong being first duly sworn, on oath deposes and says: That he is in charge of the advertising department of the Clear Lake Courier; which newspaper is published by Gary DeJong; that the Clear Lake Courier is a weekly newspaper printed and published in Clear Lake, Deuel County, South Dakota and the undersigned has full and personal knowledge of all facts hereinafter stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication, that the

DENR

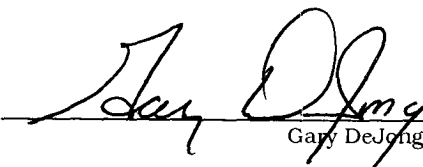
Notice

a printed copy of which, taken from the paper in which the same was printed, is attached to this sheet, and is made part of the Affidavit, was published in said newspaper at least once in each week for two successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

On Wednesday, November 7, 2007

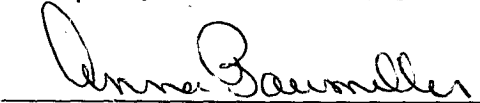
On Wednesday, November 14, 2007

that the full amount of the fees for the publication of the annexed notice is \$41.54.


Gary DeJong

Subscribed and sworn to before me

this 15 day of November, 2007.


Notary Public, South Dakota
Anna Baumiller

My Commission Expires: May 21, 2010

**NOTICE OF APPLICATION
NO. 6887-3 TO APPROPRIATE WATER**

Notice is given that Wildrose Dairy LLC, 19035 477th Ave, Brandt, SD 57218 has filed an application for a water permit to appropriate 0.11 cubic feet of water per second from one well completed into the Prairie Coteau Aquifer (199 feet deep) located in NE 1/4 NE 1/4 Section 2-T113N-R49W for commercial use in a dairy operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6887-3 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 this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider 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 November 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.

Nov. 7 & 14



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 26, 2007

Clear Lake Courier
PO Box 830
Clear Lake SD 57226

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6887-3 to Appropriate Water to be published twice. Please publish the first notice on November 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 Wildrose Dairy, Maartje Andringa, 19035 477th Ave, Brandt SD 57218 (Ph # 605-881-3901).

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. 6887-3

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

Date _____

We are in receipt of your letter of October 26, 2007 enclosing Notice to Appropriate Water by Application No. 6887-3 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 26, 2007

Wildrose Dairy LLC
Maartje Andringa
19035 477th Ave
Brandt SD 57218

Dear Mr. Andringa:

Water Permit Application No. 6887-3 for your dairy operation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Clear Lake Courier printed at Clear Lake SD (Ph # 605-874-2499). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and 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 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 November 7, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6887-3 to Appropriate Water

Notice is given that Wildrose Dairy LLC, 19035 477th Ave, Brandt SD 57218 has filed an application for a water permit to appropriate 0.11 cubic feet of water per second from one well completed into the Prairie Coteau Aquifer (199 feet deep) located in NE ¼ NE ¼ Section 2-T113N-R49W for commercial use in a dairy operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6887-3 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 this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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JAN 24 2008

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Maartie Andringa
Wildrose Dairy
19035 477th Ave
Brandt SD 57218

Dear Mr. Andringa:

Enclosed is Water Permit No. 6887-3 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

RECEIVED

FEB 28 2008

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate Feb 26 '08TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Wildrose Dairy LLC
(name)
19035 477th Ave
(address)
Brandt, SD, 57218 16058813901
(city, state, zip) (phone)

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

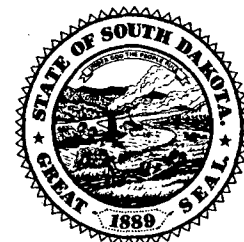
Water Permit No. 6887-3 states that the water use system is to be constructed by November 26, 2012, and water is to be put to beneficial use by November 26, 2016.
(date) (date)

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

Applying the water to beneficial use was completed on January 2008.
(date)

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

M. J. [Signature]
(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

February 28, 2008

6887-3

Maartje Andringa
Wildrose Dairy LLC
19035 477th Ave
Brandt SD 57218

Dear Mr. Andringa:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that the system authorized by Water Permit No. 6887-3 has been completed and water is being put to beneficial use.

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

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

Sincerely,

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

Permit No. 6887-3
Sioux River - Water District

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

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

I have this day, **September 8, 2009**, made a thorough examination of the water use system constructed by **Wildrose Dairy LLC** of **19035 477th Ave., Brandt, SD 57218** holder of Permit No. **6887-3**, bearing the priority of **September 5, 2007** authorizing the diversion of **0.11** cu. ft. per second of the waters of the **Prairie Coteau Aquifer** for **Commercial** purposes, in **Deuel** County.

Inspection contact & relationship **Maart Je Andringa**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Lee Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **199** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **5** inches
- 2) Length **189** feet
- 3) Type **Plastic**

Screen:

- 1) Type **Stainless Steel**
- 2) Length **10** feet
- 3) Static water level **100** feet

Pump:

- 1) Make **Air Motor Submersible**
- 2) Model **T-50-300**
- 3) Size **3 hp**
- 4) Capacity **50** GPM

Motor:

- 1) Make **Franklin**
- 2) Horsepower rating **5** hp

B. Compliance with Permit Requirements:

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

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

Approximately 995 feet south and 20 feet west of the NE corner of Section 2-T113N-R49W

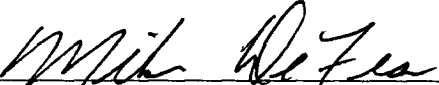
(N 44.62777, W -96.66276) (NE ¼ NE ¼)

The works are capable of diverting and conveying to the place of use **0.11** cu. ft. per second of water which is to be used for **Commercial Use at the Dairy.**

The license should be issued for **0.11**cfs.

All structures, wells and lands on map **Y**

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


Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: **December 1, 2009**

Water Permit No. 6887-3

Wildrose Dairy, LLC
Brandt, SD 57218



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
December 1, 2009

0 495 990 1,980 2,970 3,960 Feet



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow... Today



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

JUL 14 2010

6887-3

Wildrose Dairy LLC
19035 477th Ave
Brandt SD 57218

Dear Sir:

Enclosed is Water License No. 6887-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6887-3

(1) Wildrose Dairy LLC, 19035 477th Ave, Brandt SD 57218 made Application No. 6887-3, September 5, 2007 for a water permit to divert 0.11 cubic feet of water per second from groundwater (one well), Deuel County, South Dakota for commercial purposes. Permit No. 6887-3, with a priority date of September 5, 2007 was approved November 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 November 26, 2012 and for the application to beneficial use of water on or before November 26, 2016.

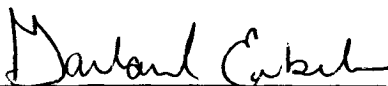
The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on February 26, 2008. The *Notice* stated the diversion system was completed September, 2007 and the water placed to beneficial use January, 2008.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6887-3 is issued a license, bearing a priority date of September 5, 2007 to appropriate 0.11 cubic feet of water per second from groundwater (one well) for commercial use in a dairy operation.

The diversion point is located: approximately 995 feet south and 20 feet west of the northeast corner of Section 2-T113N-R49W (NE ¼ NE ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6887-3 including the following now applicable 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.
- Permit No. 6887-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
- Permit No. 6887-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a) Chapter 74:54:01 Ground Water Quality Standards,
 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions



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

JUL 14 2010

date



11- 02

City, State, Zip: **Brandt** **SD** **57218**

OFFICE OF
WATER

77375

Laboratory Results
November 03, 2022

Report To: Steffl Drilling & Pump
2295 66th Ave NE
Willmar, MN, 56201

Bill To: Steffl Drilling & Pump
2295 66th Ave NE
Willmar, MN, 56201

Lab Code: D039234-01
Matrix: Water
Date/Time Sampled: 10/31/2022 10:00
Date/Time Received: 10/31/2022 18:11
Samplers:
Sample Receipt Temperature °C 4.6

Sample Description: 19035 477th Ave, Brandt, SD 57218
Property Owner Name: Wildrose Dairy
Sampling Point: Well
Unique Well ID:
Sample Receipt Information: Samples received on ice.
Samples received same day as collected.

Analyte	Result	Units	Analyte Qualifiers	RL	DF	Allowable Limit	Analysis Method	Preparation Method	Analyzed	Facility
Microbiological										
Total Coliform Bacteria	Absent	N/A		1	1	Absent	SM9223B-16	Colisure	10/31/22 20:34	DL
Laboratory Interpretation: The Total Coliform result MEETS the primary drinking water standards set by the US Environmental Protection Agency.										
E. Coli Bacteria	Absent	N/A		1	1	Absent	SM9223B-16	Colisure	10/31/22 20:34	DL
Laboratory Interpretation: The E. Coli result MEETS the primary drinking water standards set by the US Environmental Protection Agency.										
Classical Chemistry Parameters										
Nitrate as N	< 0.0300	mg/L		0.0300	1	10	EPA 353.2 (calc.)		11/01/22 15:20	DL
Laboratory Interpretation: The Nitrate as N result MEETS the primary drinking water standards set by the US Environmental Protection Agency.										
Metals by GFAA										
Arsenic	< 2.00	ug/L		2.00	1	10	EPA 200.9	EPA 200.9	11/03/22 14:04	DL
Laboratory Interpretation: The Arsenic result MEETS the primary drinking water standards set by the US Environmental Protection Agency.										

Qualifiers and Definitions

Item	Definition
RL	Reporting Limit
DF	Dilution Factor
DL	Indicates test performed by RMB Environmental Laboratories - Detroit Lakes.

RECEIVED
DEC 19 2022
OFFICE OF
WATER



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 6, 2022

Wild Rose Dairy
Jochum Andringa
19035 477th Ave
Brandt SD 57218

Dear Mr. Andringa:

A well driller's report filed by Steffl Drilling & Pump Inc shows that they recently completed a new well for Wild Rose Dairy.

A review of our files indicates Water Right 6887-3 was licensed for 50 gallons per minute (gpm) from one well, approximately 199 feet deep located in the NE 1/4 NE 1/4 Section 2-T113N-R49W for commercial use at the dairy.

Mr. Andringa, is this a replacement well or an additional well which does not increase the total appropriation of 50 gpm? If the authorized diversion rate is increased, a new water permit will need to be obtained. Once we know this information, we can determine what additional action, if any, needs to be taken to ensure the water right accurately reflects your irrigation system.

Please contact me or send an email regarding the status of this well. If you have any questions, let me know.

Sincerely,

Karen Schlaak

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

Water Rights Program - File Documentation

NAME: Jochum Andringa – Wild Rose Dairy

ADDRESS: Brandt SD

DATE: 1-10-23

RE: Well Completion Report

COMMENTS:

Mr. Andringa called regarding my letter dated 1-6-23. Mr. Andringa indicated the well drilled in October, 2023 was a replacement well authorized by Permit No. 6887-3. They did not increase the diversion rate.



Karen Schlaak
Water Rights Program