

**WATER PERMIT NO. 6906-3**

Name of Applicant: **Tim J Garbow**

Address: **15689 456<sup>th</sup> Ave, South Shore SD 57263**

Phone: **605 884-8654**

Amount of Water Claimed: **2.0** Total Acres: **180**

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

Water to be used for: **irrigation** County: **Codington**

Type of Waste Disposal System:

Location: **11 miles west of South Shore**

**PRIORITY** Date Received: **10-11-07**

Application/License Fee: **\$300**

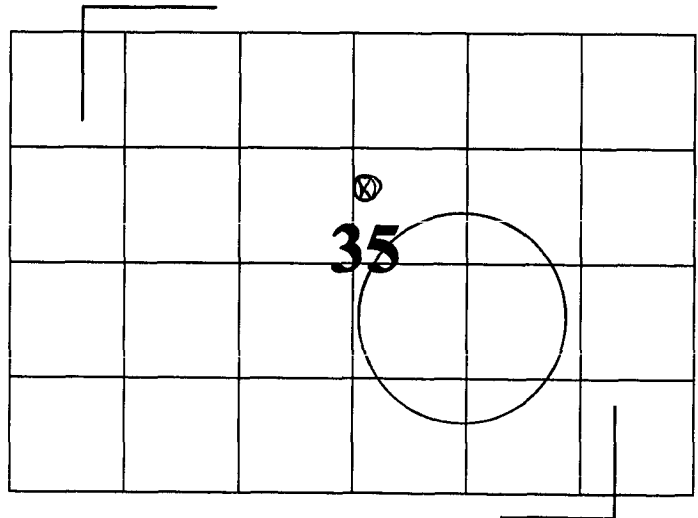
Corrected Application Received: **10-18-07**

Period of Annual Use: **May 1 – September 30**

Remarks:

Diversion Point: **SW ¼ NE ¼ Sec 35-T120N-R52W**

Land to be Irrigated: **S ½ NE ¼, SE ¼ Sec 35-T120N-R52W**



Depth of Well: **140 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Sarah Wanner, CD County FSA**

Reviewed and the Number Assigned on: **11-18-07**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: \_\_\_\_\_

|                                                                                                                    |                                      |                                                      |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>16906-3</u>                   | (office use only)<br>Hydrologic Unit <u>10170202</u> |
|                                                                                                                    | Basin <u>Sioux River</u>             |                                                      |
|                                                                                                                    | Newspaper <u>South Shore Gazette</u> |                                                      |
|                                                                                                                    |                                      |                                                      |

RECEIVED  
OCT 11 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.)

- Name of Applicant Tim J. Grabow Phone 605-884-8654  
(check one) ☐ Owner ☒ Tenant/lessee  
Mailing Address 15689 456th Ave South Shore SD 57263  
(Street, R.R., or Box and City) (Zip Code)
- Amount of water claimed ☒ \*CFS or ☒ \*\*GPM \*\*\*AF Total Acreage 180  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply ground water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Codington  
NE 1/4 35-120-52R or NW 1/4 35-120-52R
- County or counties where water will be used Codington
- Annual period during which water is to be used May - September
- 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 |
|----------------------------|-------|--------------------------|-------|
| SE 1/4 NE 1/4 35-120-52R   | 40    | SW 1/4 SE 1/4 35-120-52R | 10    |
| NW 1/4 SE 1/4 35-120-52R   | 40    | SE 1/4 SE 1/4 35-120-52R | 10    |
| NE 1/4 SE 1/4 35-120-52R   | 40    |                          |       |
| SW 1/4 (SE) 1/4 35-120-52R | 40    |                          |       |

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

NE 1/4  
I plan to irrigate approx 180 acres with water coming from a well. Water used to irrigate crops from approx May-September. I will share a well with Jeff.

STATE OF SOUTH DAKOTA) SS  
County of Codington

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, Tim J Grabow, 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 Tim J Grabow

Subscribed and sworn to before me this 9th day of October 2007

Linda L. Cantal  
Notary Public signature

**SOUTH DAKOTA**  
**WATER PERMIT NO. 6906-3**

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Date of first receipt of application October 11, 2007.

Date of return to applicant for corrections, amendments or changes October 11, 2007.

Date of receipt of corrected application October 18, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6906-3 to Tim J Grabow, 15689 456<sup>th</sup> Ave, South Shore SD 57263 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. 6906-3 authorizes irrigation of 180 acres located in the S ½ NE ¼, SE ¼ Section 35; all in T120N-R52W. The permit holder intends to share a well and the diversion rate authority authorized by Water Permit No. 6907-3 held by Jeff Grabow. The well is to be completed into the Prairie Choteau Aquifer (approximately 140 feet deep) located in SW ¼ NE ¼ Section 35-T120N-R52W within the former boundary of the Sisseton Wahpeton Indian Reservation. Senior priority and the diversion rate authority is held be Water Permit No. 6907-3.
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: May 1 – September 30.
3. The date from which applicant may claim right is October 11, 2007.
4. The date of approval of Permit No. 6906-3 is November 26, 2007.
5. One-fifth of the construction is to be completed on or before May 26, 2010.
6. All construction is to be completed on or before November 26, 2012.
7. Water is to be put to beneficial use on or before November 26, 2016.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

**QUALIFICATIONS**

1. The well 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

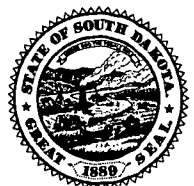
**WATER MANAGEMENT BOARD**

By: Garland Erbele

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

DEC 18 2007

date



(type or print in ink)

**1. Well Information - Proposed Construction**

- a) Drill Hole Diameter \_\_\_\_\_ Depth 140
- b) Casing Type \_\_\_\_\_ Diameter \_\_\_\_\_ Thickness \_\_\_\_\_
- c) Screen Type \_\_\_\_\_ Diameter \_\_\_\_\_ Thickness \_\_\_\_\_
- d) Gravel Pack \_\_\_\_\_ Length of Gravel Pack \_\_\_\_\_
- e) Depth to Top of Water Bearing Material \_\_\_\_\_
- f) Depth to Water (ground surface to water level) \_\_\_\_\_
- g) Distance to nearest existing domestic well:  
On applicants property ~~300~~ 200 On property owned by others 3/4 mile

**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 \_\_\_\_\_

Well history in

surrounding area

Mike Meyer NW 1/4 34-120-52R

Falk Farms NE 1/4 27-120-52R  
(Warren or)  
Wendell

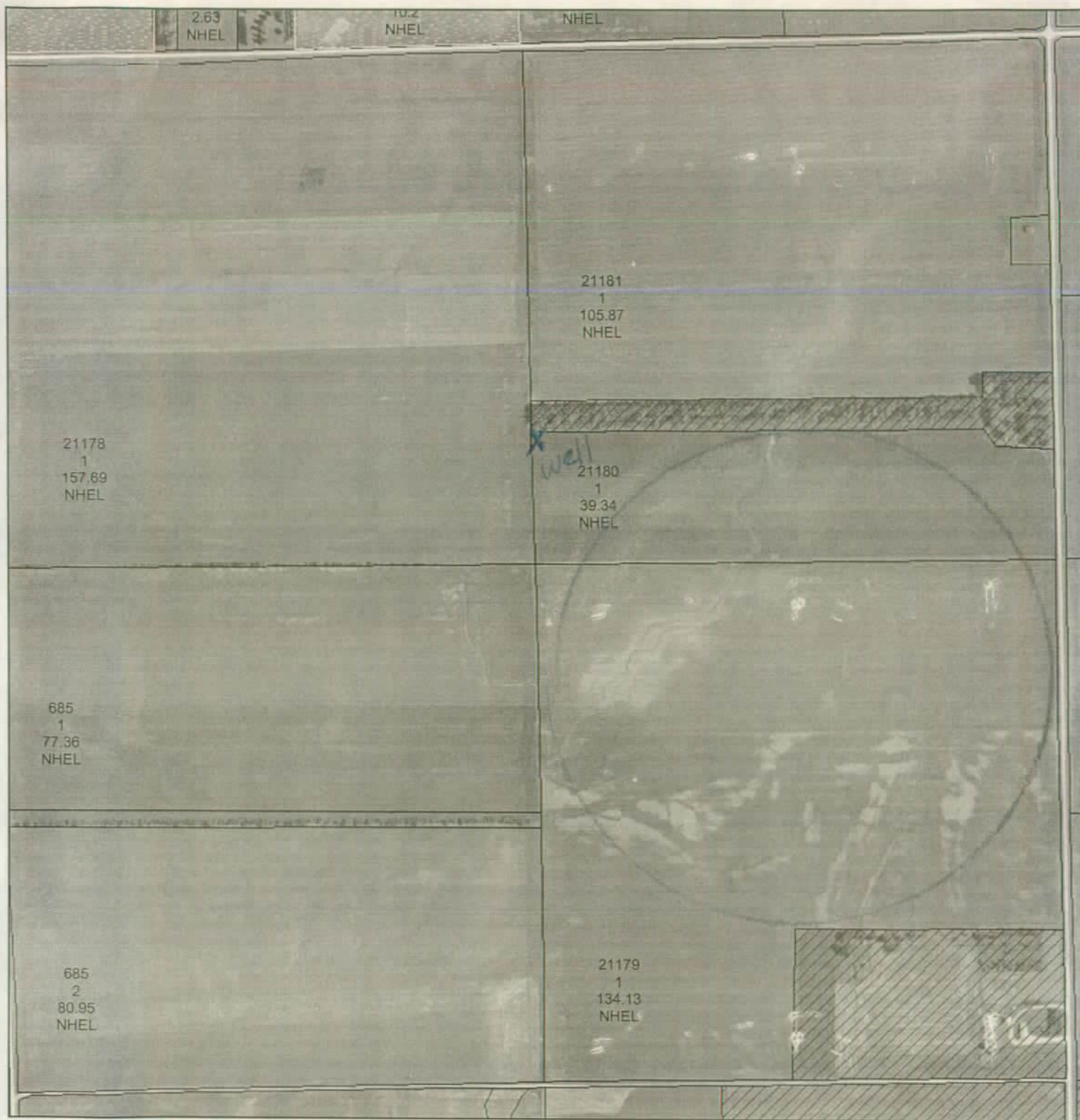
Capacity \_\_\_\_\_

Day Capacity \_\_\_\_\_

Impoundment \_\_\_\_\_

\_\_\_\_\_ Acre Feet

Storage Dam \_\_\_\_\_ Acres



USDA - Farm Service Agency

## Codington County



*Sarah Wanner  
PT for*

*Codington County FSA*

35-120R-52R

1:7,910

May 17, 2007

### Legend

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

### Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions



USDA FSA maps are for FSA Program administration only. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability. FSA MAPS DO NOT REPRESENT A LEGAL SURVEY. The user accepts the data 'as is' and assumes all risks associated with its use. Wetland points reflect records available with NRCS and may or may not constitute a full inventory of the property. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data. Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/18, 2007

RECEIVED OF Tim Grabow 15689 456th Ave South Shore SD 57263

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

|                                                                                                                        |     |    |
|------------------------------------------------------------------------------------------------------------------------|-----|----|
| Fee for Application for Permit No. <u>6906-3</u> to Appropriate Water, to construct and to put water to beneficial use | 250 | 00 |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                           |     |    |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                 |     |    |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6906-3</u>            | 50  | 00 |
| Fee for Filing Transfer Form _____                                                                                     |     |    |
| Fee for _____                                                                                                          |     |    |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                                    |     |    |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                                     |     |    |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                                 |     |    |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                              |     |    |
| (Any Other Work Provided by Law)                                                                                       |     |    |
| TOTAL                                                                                                                  | 300 | 00 |

No.

03184

By

Michael Erbe

Chief Engineer

30



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OCT 18 2007

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DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

October 11, 2007

Tim J Grabow  
15689 456<sup>th</sup> Ave  
South Shore SD 57263

Dear Mr. Grabow:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation. In order to complete the application the following is required.

- Enclosed is the Form 2A, Supplemental Information. Please complete Item No. 1 regarding the Well Information – Proposed Construction. At the very least, we need to know the proposed depth of the new well.
- If available, please submit a well log or test hole log signed by a licensed South Dakota well driller.
- After reviewing the application submitted by Jeff Grabow, are you proposing to use the same well for your project and his? The well location as marked on the maps appears to be in the same spot. *yes, Jeff & Tim will be using same well.*
- The lands outlined on the aerial photo map, do not match up with the legal descriptions as identified on Item No. 7 of the application. The area outlined on the map includes portions of the S ½ NE ¼ and portions of the SE ¼ Section 35. Do you agree?
- Also the application/license filing fee to irrigate 180 acres is \$300.00. Enclosed is your check for \$309.00. Please submit the correct fee.

If you have any questions, please contact me.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
605 773-3352  
[karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

enclosure

Water Rights Program - DENR  
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 6907-3, Jeff Grabow and  
Water Permit Application No. 6906-3, Tim Grabow

ADDRESS: COUNTY: Codington County

DATE: October 25, 2007 TELEPHONE: 882-2249 (Jeff Grabow)

RE: Discussion of which application holds priority

COMMENTS:

I contacted Jeff Grabow regarding his application and the application filed by his son. I said that the Water Rights Program needed to know which application should take priority in the event the land was sold to another party as some time in the future. This may become important because the applications plans to share a common well for the irrigation of separate parcels the E ½ of Section 35. If land ownership ever changes priority to the water from the shared well will be an issue

Mr. Grabow stated that the land under his application in the NE ¼ of Section 35 should take priority. This will require the diversion rate authority for the shared well to also be included under Jeff Grabow's application.

NAME: Eric Hendrix



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 6906-3, Tim J. Grabow**

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. 6906-3, Tim J. Grabow, 15689 456<sup>th</sup> Avenue, South Shore SD 57263.

The Chief Engineer is recommending APPROVAL of Application No. 6906-3 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 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. 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 29, 2007

NOTE: The diversion rate authority for the well in the NE ¼ of Section 35 to irrigate the acreage under this application is being filed for under Jeff Grabow's Application No. 6907-3. If approved, Permit No. 6907-3 will be given senior priority to this Permit No. 6906-3.

## REPORT ON WATER PERMIT APPLICATION NO. 6906-3

For Tim J. Grabow

October 23, 2007

Application No. 6906-3 proposes to share a well approximately 140 feet deep which has a diversion authority of 2.0 cfs (898 gpm) located in the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of section 35 to irrigate 180 acres located in the S  $\frac{1}{2}$  NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  of section 35; all in T120 N R52W in Codington County and within the former boundaries of the Sisseton Wahpeton Indian Reservation. This well is authorized by pending Water Permit application No. 6907-3.

### AQUIFER – PRAIRIE COTEAU (PCO)

The Prairie Coteau is a buried outwash (sand and gravel) that is under artesian conditions in this area. The aquifer is relatively thin and significant drawdown does occur from existing irrigation wells in the area. The aquifer underlies 760 square miles and contains an estimated 1.5 million acre-feet of recoverable water in storage in Grant and Codington County (Hansen, 1990). There are free flowing wells just to the south and west of this site supplying both irrigation and domestic uses from the Prairie Coteau aquifer. The applicant has not drilled holes and site specific geologic information is not available. The nearest test well drilled to this site is CD-76-1, drilled by Empire Drilling for Water Rights in June of 1976. The log indicates that no sand and gravel (no aquifer) was encountered to a total depth of 160 feet. This test was for an observation wells (the observation well ended up being constructed one-half mile to the west) and located near the NW corner of section 35, T120N R52W RES. Without adequate test drilling it will be impossible to determine the “best well locations” for obtaining water from the Prairie Coteau aquifer.

The Water Rights Program monitors three observation wells completed into the Prairie Coteau aquifer within three miles of this application. These are CD-76D (located about three-fourths mile northwest of this application), GT-76B (located about two miles north of this application) and CD-76A (located about three miles south of this application). Water levels for these wells show good response to climatic conditions and to pumping. The amount of annual fluctuation due to pumping can exceed 55 feet in CD-76D, 55 feet in GT-76B, and 45 feet in CD-76A under existing conditions. Overall however, the water levels recover and do recharge. In fact, the hydrographs for these three observation wells indicate that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2007). Hydrographs for these observation wells are included with this report.

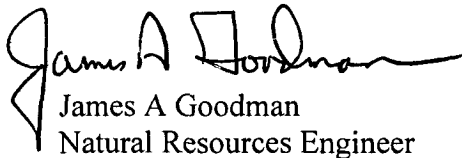
This area has been highly controversial in the past. There were many domestic wells completed into the Prairie Coteau aquifer that were affected by irrigation pumping. The most noticeable were the wells that were free flowing and would cease or diminish free flow during the irrigation season. In fact, the Water Management Board denied Water Permit application No. 5407-3 for public interest reasons in July of 1995. This application would have obtained water from the Prairie Coteau aquifer about two miles north of this application.

## REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing irrigation wells within two miles of this proposed well location. Interference will occur. This is shown by the drawdown created in observation well CD-76D that is located directly between the two existing irrigation wells. Even though the magnitude of the drawdown will increase this is not expected to cause adverse effects. This can not be ascertained for certain until the production well is completed and used during an irrigation season. Also this will be dependent upon the aquifer thickness and distance from an existing well at the final location of the proposed well.

## CONCLUSIONS

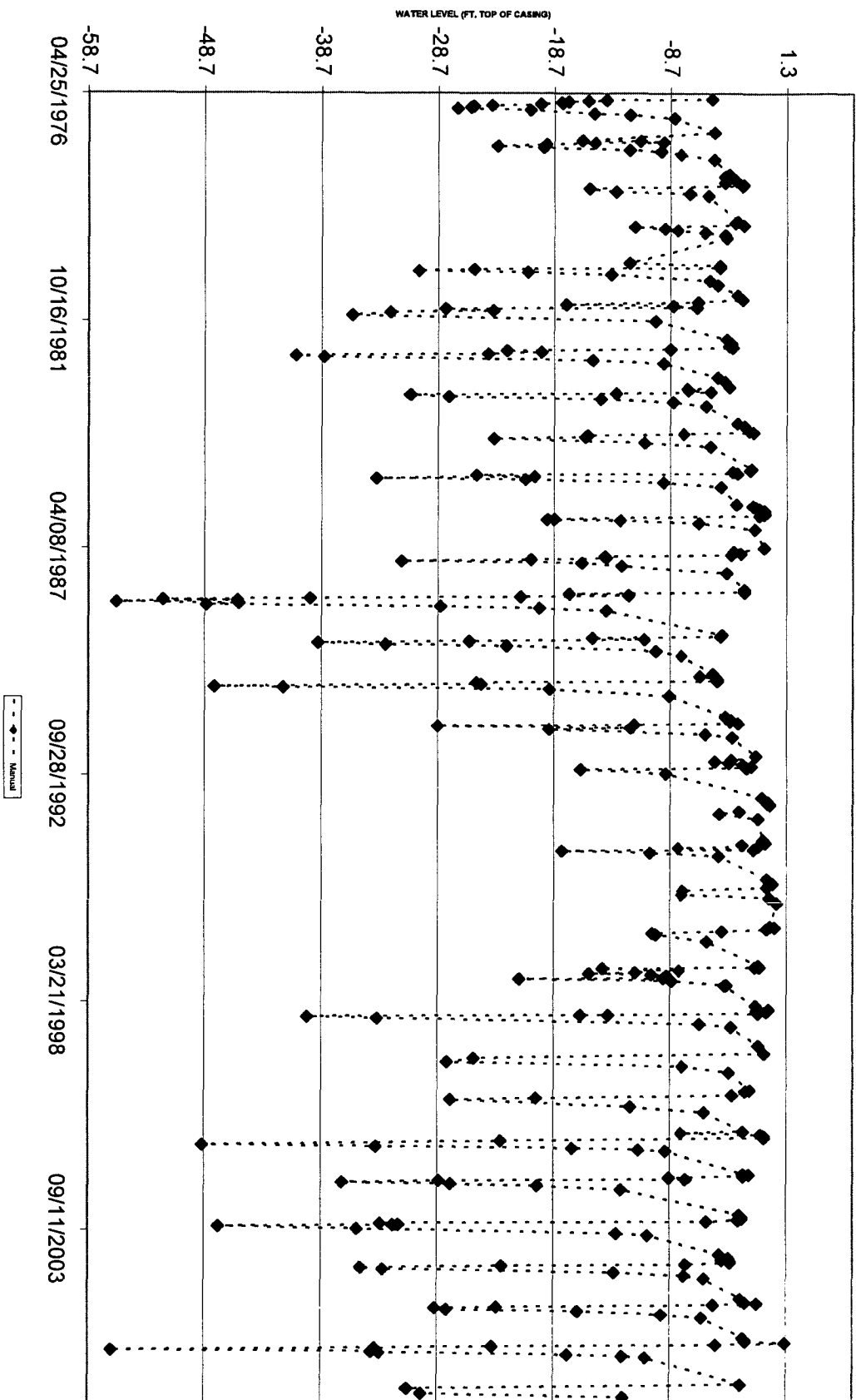
1. Water is available from the Prairie Coteau aquifer.
2. The aquifer is confined and under artesian conditions at this site. Interference will occur but is not expected to be adverse. Some pumps in domestic wells and irrigation wells may have to be lowered in order to maintain the amount of water needed.
3. This area has been very controversial in the past. Water Permit No. 5407-3 was denied by the Water Management Board (about two miles north of this application) for public interest reasons. The controversy concerned the amount of drawdown that occurred during the irrigation season and the fact that some free flowing wells ceased or diminished in flow.
4. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
5. A well at this site may free flow at the land surface especially during wet years. This well must be controlled to prevent the waste of water.
6. This application No. 6906-3 and application No. 6907-3 came in on the same day. Both applications will use a common well. Application No. 6907-3 should be given priority over application No. 6906-3 in order to settle potential disputes in the future. In practice this application is for additional acreage to an existing well (even though the well is not drilled yet).

  
James A Goodman  
Natural Resources Engineer

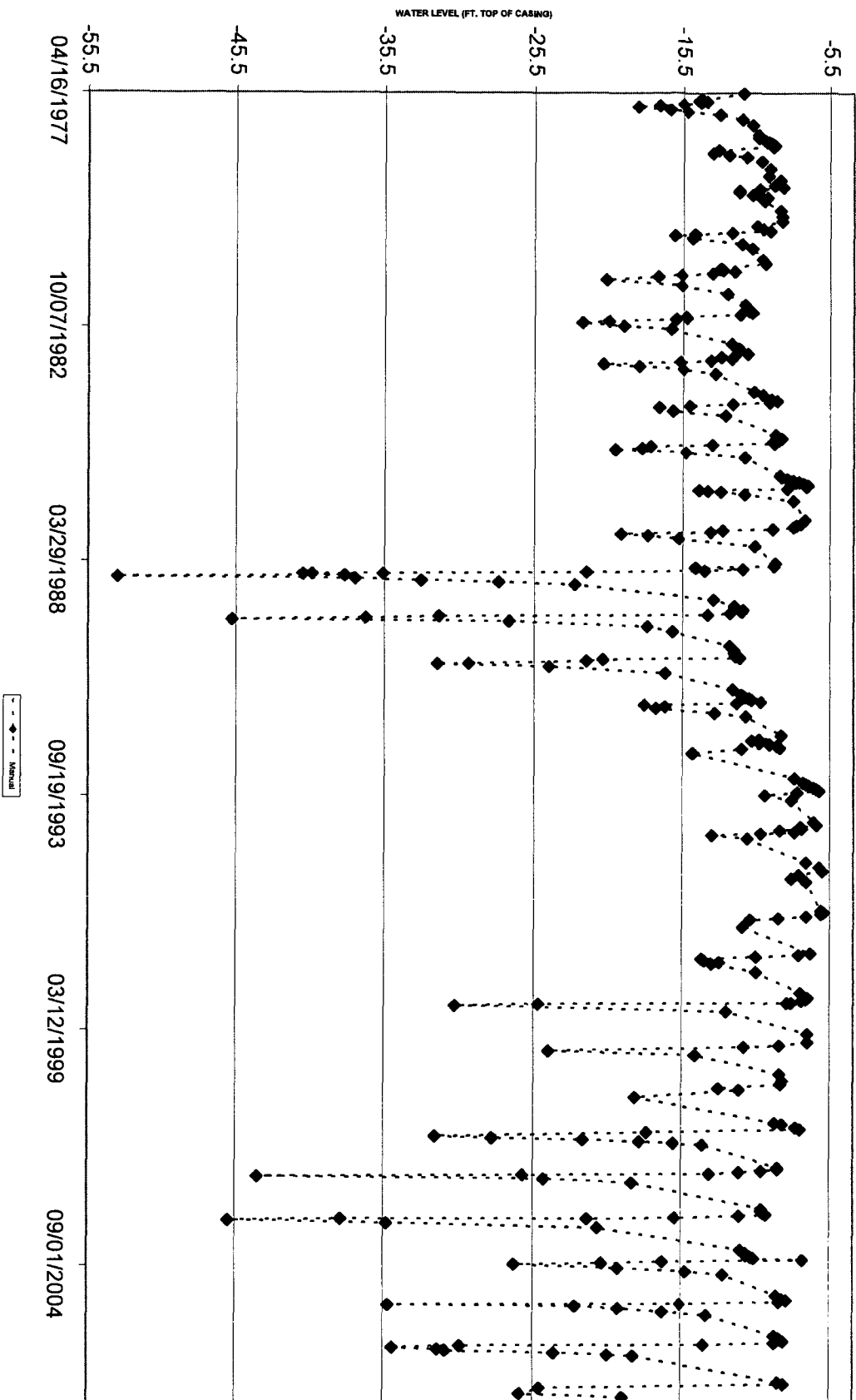
## BIBLIOGRAPHY

- Hansen, D. S., 1990, Water Resources of Codington and Grant Counties, South Dakota, Water Resources Investigations Report 89-4147, USGS, Huron, SD, 57350.
- Water Rights, 2007, Unpublished Observation Well Data for Codington and Grant Counties, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

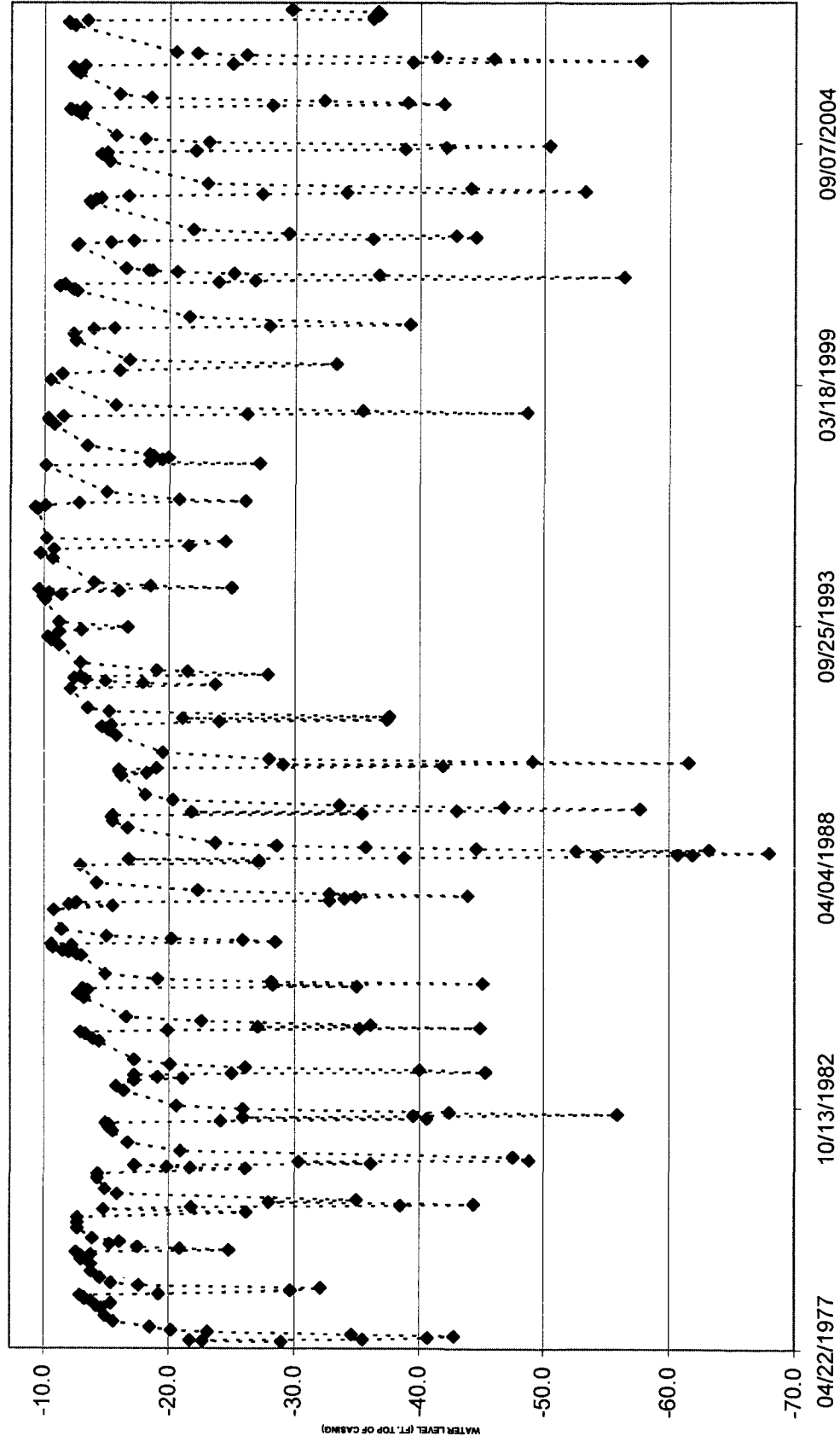
WATER RIGHTS' OBSERVATION WELL  
CD-76D



**WATER RIGHTS' OBSERVATION WELL  
CD-76A**



WATER RIGHTS' OBSERVATION WELL  
GT-76B



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NOV 16 2007

Form 8

WATER RIGHTS  
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County of Codington ) SS

I, Sherry Elmore

certify that the attached printed Notice was  
taken

from the South Shore  
Gazette

printed and published in South Shore, SD  
County of Codington and

state of South Dakota. The notice was  
published

in the newspaper on the following two dates:

Nov 8, 2007

Nov 15, 2007

Cost of Printing 48.26

Sherry Elmore  
(Signature)

Publisher / Editor  
(Title)

Nov 15, 2007

(Date Signed)

ay, November 15, 2007

SOUTH SHORE GAZETTE- Page 5

NOTICE OF APPLICATION NO.  
6906-3 to Appropriate Water

Notice is hereby given that Tim J. Grabow, 15689 456<sup>th</sup> Ave, South Shore SD 57263 has filed an application for a water permit to well to irrigate 180 acres located in the S1/2 NE 1/4, SE 1/4 Section 35; all in T120N-R52W. The applicant intends to share a well and the diversion rate authority authorized by pending application No. 6907-3 filed by Jeff Grabow. The well is to be completed into The Prairie Choteau Aquifer (approximately 140 deep) located in SW1/4 NE1/4 Section 35, T120N R52W

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6906-3 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 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

(November 8, 15, 2007)



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

October 29, 2007

South Shore Gazette  
PO Box 96  
South Shore SD 57263

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6906-3 to Appropriate Water to be published twice. Please publish the first notice on November 8, 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 Tim J Grabow, 15689 456<sup>th</sup> Ave, South Shore SD 57263 (Ph # 605-884-8654).

**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. 6906-3

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

Date \_\_\_\_\_

We are in receipt of your letter of October 29, 2007 enclosing Notice to Appropriate Water by Application No. 6906-3 which was first published in our issue of \_\_\_\_\_. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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[www.state.sd.us/denr](http://www.state.sd.us/denr)

NOTE: TO BE SURE OF PUBLICATION ON  
THE CORRECT DATES, CONTACT  
THE NEWSPAPER RIGHT AWAY.

October 29, 2007

Tim J Grabow  
15689 456<sup>th</sup> Ave  
South Shore SD 57263

Dear Mr. Grabow:

Water Permit Application No. 6906-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the South Shore Gazette printed at South Shore SD (Ph # 605-756-4200). 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 8, 2007 with the second publication 7 days later. The applicant is responsible for payment.

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NOTICE OF APPLICATION NO. 6906-3 to Appropriate Water

Notice is given that Tim J Grabow, 15689 456<sup>th</sup> Ave, South Shore SD 57263 has filed an application for a water permit to well to irrigate 180 acres located in the S ½ NE ¼, SE ¼ Section 35; all in T120N-R52W. The applicant intends to share a well and the diversion rate authority authorized by pending application No. 6907-3 filed by Jeff Grabow. The well is to be completed into the Prairie Choteau Aquifer (approximately 140 feet deep) located in SW ¼ NE ¼ Section 35, T120N R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6906-3 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.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

DEC 18 2007

Tim J Grabow  
15689 456<sup>th</sup> Ave  
South Shore SD 57263

Dear Mr. Grabow:

Enclosed is Water Permit No. 6906-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures

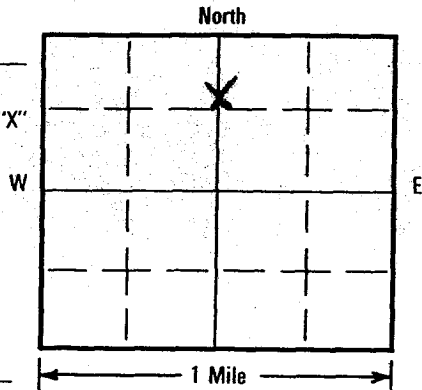
# SOUTH DAKOTA WATER WELL COMPLETION REPORT

6906-3  
07-92

Location 1/4 1/4 Sec 35 Twp 119N Rg 52W

County Codington

Please mark well location with an "X"



Well Completion Date

7-17-08

## LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1100 ft. from lowland (identify source).

## PROPOSED USE:

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

## METHOD OF DRILLING:

Direct Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT          | DIAMETER     | FROM           | TO            | HOLE DIAMETER    |
|---------------------|--------------|----------------|---------------|------------------|
| <u>Sch 40</u> LB/FT | <u>12</u> IN | <u>2991</u> FT | <u>118</u> FT | <u>18 3/4</u> IN |
| _____ LB/FT         | _____ IN     | _____ FT       | _____ FT      | _____ IN         |
| _____ LB/FT         | _____ IN     | _____ FT       | _____ FT      | _____ IN         |

## GROUTING DATA

| Grout Type             | No. of Sacks | Grout Weight      | From        | To            |
|------------------------|--------------|-------------------|-------------|---------------|
| <u>Portland Cement</u> | <u>75</u>    | <u>91</u> lb./gal | <u>0</u> ft | <u>100</u> ft |
| _____                  | _____        | _____ lb./gal     | _____ ft    | _____ ft      |

Describe grouting procedure pressure pull method  
Tremie 2" galv.

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 12 IN Length 20 FEET

Material Stainless Steel

Slot Size 10100 Set From 118 Feet to 138 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: 1+TH Tabs

Laboratory sent to for water quality analysis \_\_\_\_\_

☐ NO, Why Not? \_\_\_\_\_

Well Owner: Tim Grabow

Business Name: \_\_\_\_\_

Address: 15689 456 Ave  
Watertown SD 57201

## WELL LOG:

| FORMATION                | DEPTH      |            |
|--------------------------|------------|------------|
|                          | FROM       | TO         |
| <u>Top Soil</u>          | <u>0</u>   | <u>2</u>   |
| <u>yellow clay</u>       | <u>2</u>   | <u>10</u>  |
| <u>blue clay</u>         | <u>10</u>  | <u>118</u> |
| <u>soft yellow clay</u>  | <u>118</u> | <u>119</u> |
| <u>yellow med gravel</u> | <u>119</u> | <u>138</u> |
|                          |            |            |
|                          |            |            |
|                          |            |            |
|                          |            |            |

STATIC WATER LEVEL 2 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: Sub  
☐ Bailed  
☐ Other

Pumping Level Below Land Surface

80 ft. After 12 Hrs. pumped 700 GPM

80 ft. After 24 Hrs. pumped 700 GPM

If pump installed, pump rate 650 GPM

## REMARKS

This well was drilled under license # 689

And this report is true and accurate.

Drilling firm Kaiser Well Drilling Inc

Signature of License Representative: \_\_\_\_\_

Signature of Well Owner or Equitable Property Holder:

Tim Grabow

Date: 3-6-09

RECEIVED  
 MAR - 9 2009  
 WATER RIGHTS  
 PROGRAM

6906-3

RECEIVED

SEP 19 2011

WATER RIGHTS  
PROGRAMNOTICE OF COMPLETION OF WORKS AND  
APPLICATION OF WATER TO BENEFICIAL USEDate 9-7-11TO: Water Rights Program, DENR  
523 E. Capitol  
Pierre, SD 57501-3181

FROM:

Tim J Grabow

(name)

15689 456<sup>th</sup> Ave

(address)

South Shore SD 57263

(city, state, zip)

605-884-8654

(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. 6906-3 states that the water use system is to be constructed by11-26-12

(date)

, and water is to be put to beneficial use by 11-26-16

(date)

The water use system was completed on 6-1-08

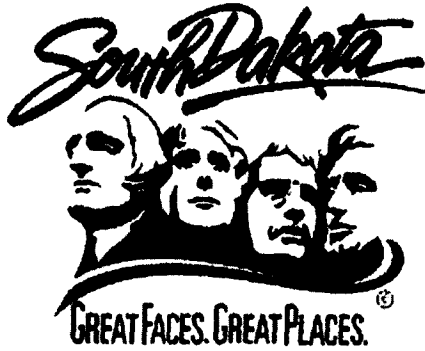
(date)

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.

Tim J Grabow  
(signature)



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
<http://denr.sd.gov>

September 19, 2011

6906-3

Tim J Grabow  
15689 456<sup>th</sup> Ave  
South Shore SD 57263

Dear Mr. Grabow:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system.

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](mailto:genny.mcmath@state.sd.us)



6906-3

**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

**JUN 28 2023**

Tim Grabow  
15689 456<sup>th</sup> Ave  
South Shore SD 57263

6906-3  
7305-3  
8076-3

Dear Mr. Grabow:

Enclosed are Water License Nos. 6906-3, 7305-3, & 8076-3. These are the final water right documents completing your process of obtaining Water Rights. Included with your licenses 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 Licenses, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

**NOTE:** The investigation into Water Right No. 8076-3 found your irrigation system is capable of diverting 1.56 cubic feet of water per second (cfs) (equivalent to 700 gpm). Water Right No. 8076-3 authorizes 0.52 cfs while the remaining 1.04 cfs is authorized by Water Right No. 8077-3.

*enclosures*

**STATE OF SOUTH DAKOTA  
WATER LICENSE NO. 6906-3**

(1) Tim Grabow, 15689 456<sup>th</sup> Ave, South Shore SD 57263, made Application No. 6906-3, October 11, 2007, for a water permit to irrigate an additional 180 acres of land, located in the S  $\frac{1}{2}$  NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  Section 35, T120N, R52W, Codington County from one existing well (Prairie Coteau Aquifer). Permit No. 6906-3, with a priority date of October 11, 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 well being used for irrigating this parcel of land is owned by Jeff Grabow. The construction of this well was authorized under Water Permit No. 6907-3 with a priority date of October 11, 2007. Senior priority and diversion rate authority is held by Water Right No. 6709-3.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.33 cubic feet of water per second for beneficial use. The location of the diversion point is: *(within former boundaries of the Sisseton Wahpeton Indian Reservation)*

- Well #3: 2,650 ft S & 1,080 ft W of the NE corner of Section 35, T120N, R52W (SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ )  
(Latitude 45.12999 Longitude -97.12797)

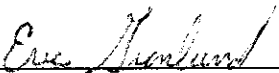
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

| Section 35, T120N, R52W                                                       |            |                                   |             |
|-------------------------------------------------------------------------------|------------|-----------------------------------|-------------|
| <i>(within former boundaries of the Sisseton Wahpeton Indian Reservation)</i> |            |                                   |             |
| NW $\frac{1}{4}$ SE $\frac{1}{4}$                                             | 39.5 acres | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 15.0 acres  |
| NE $\frac{1}{4}$ SE $\frac{1}{4}$                                             | 39.5 acres | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 15.0 acres  |
| SE $\frac{1}{4}$ SE $\frac{1}{4}$                                             | 11.0 acres |                                   |             |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$                                             | 11.0 acres | TOTAL:                            | 131.0 acres |

(4) Pursuant to South Dakota Water Law 46-5-30.1 Tim Grabow, the holder and/or owner of Water Right No. 6906-3, is issued a license to appropriate water, the right to use 1.33 cubic feet of water per second from groundwater, one well (Prairie Coteau Aquifer), with priority dates outlined in (1) from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6906-3 and subject to the following qualifications:

1. The well will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right shall control 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. This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

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

JUN 28 2023  
date



## Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6906-3

I have these days, May 8 & 10, 2023, made a thorough examination of the water use system constructed by Tim Grabow 15689 456<sup>th</sup> Ave, South Shore, SD 57263 of Permit No. 6906-3, bearing the priority of October 11, 2007, authorizing the diversion of not specified cu. ft. per second of the waters of the Prairie Coteau Aquifer for irrigation purposes, in Codington County.

### A. Works used to divert the water:

#### Well Information:

- 1) Well Drilling Firm: Kaiser Well Drilling
- 2) No. of Wells 1 (well #3)
- 3) Depth(s) 138 feet
- 4) Well log is available Y

#### Casing:

- 1) Diameter 12 inches
- 2) Length 118 feet
- 3) Type Plastic

#### Screen:

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

#### Pump:

- 1) Make Submersible
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 600 GPM

#### Motor:

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

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

- 1) Type PVC buried
- 2) Size 8 inches
- 3) Length 700 feet

**C. Works used to apply water to beneficial use:**

**Center pivot:**

- 1) Make Zimmatic
- 2) Overall length 1300 feet
- 3) Number of towers 7
- 4) End gun Y
- 5) Capacity 600 GPM

**Chemigation Equipment:**

- 1) Does chemigate N

**D. Compliance with Permit Requirements:**

- 1) Permit qualifications being abided by Y

If no, describe: **See Section F**

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 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: **WELL LOCATION**  
**From the NE corner Sec 35 T120N R52W WELL #3: 2,650 ft S & 1,080 ft W, Lat 45.12999 Long -**  
**97.12797 (SE ¼ NE ¼)**
2. The works are capable of diverting and conveying to the place of use 3.33 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:  
**legal description/acreage**  
All land in Sec 35 T120N R52W  
SW ¼ NE ¼ – 15.0 acres  
SE ¼ NE ¼ – 15.0 acres  
NW ¼ SE ¼ – 39.5 acres  
NE ¼ SE ¼ – 39.5 acres  
SE ¼ SE ¼ – 11.0 acres  
SW ¼ SE ¼ – 11.0 acres  
  
comprising a total of 131.0 acres of land and the license should be issued for 3.33 cfs
3. All structures, wells and lands on map Y

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

**The irrigated acreage was determined with the aid of FSA imagery and ArcMAPS software.**

**The pump rate reported in a recent Irrigation Questionnaire was used to establish the system flow capacity.**

**Initially, the proposal was to share a well and rate authorization with his father using Permit 6907-3 for the location of the current well. Only the permitted acres for this Permit are using this well.**

**The mailing address in the permit materials is current but the telephone number must be updated to 605/880-1487 (cell).**

**I talked to Tim (son) during a field visit and with Jeff (Dad) via telephone.**

A handwritten signature in black ink, appearing to read 'D W DeBoer', written in a cursive style.

Darrell W DeBoer  
Water Rights Inspector  
DANR, Water Rights Program

Date report completed: May 11, 2023

