

WATER PERMIT NO. 6973-3

Name of Applicant: Jamesville Colony

Address: 43582 NE James River Road, Utica SD 57067 Phone: 605 364-7307

Amount of Water Claimed: 0.167 cfs Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: Commercial County: Yankton

Type of Waste Disposal System:

Location: 15 miles northwest of Yankton

PRIORITY Date Received: 2-15-08 Application/License Fee: \$200

Corrected Application Received: Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW ¼ NE ¼ Sec 29-T96N-R56W

Land to be Irrigated: NA

Depth of Well: 750 feet

Well Driller:

Remarks:

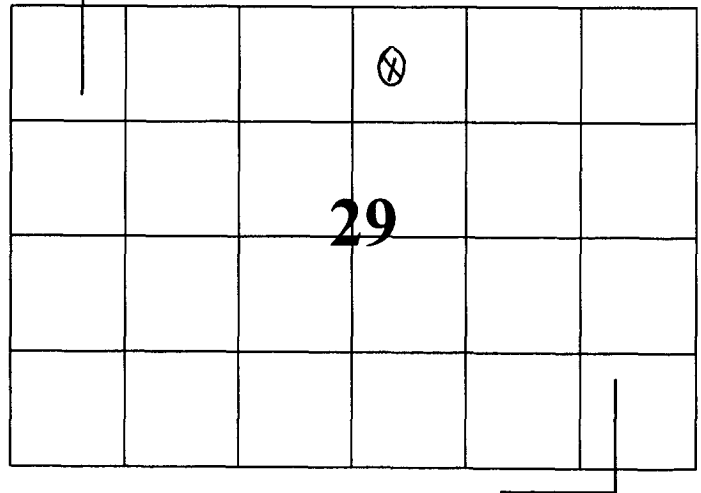
Type of Map: plat

Prepared by: Brian H Friedrichsen, PE

Reviewed and the Number Assigned on: 2-15-08

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6973-3</u>	(office use only) Hydrologic Unit <u>10160011</u>
	Basin <u>James River</u>	
	Newspaper <u>Daily Press & Dakota</u>	<u>PO Box 56</u>
	<u>605-665-7811</u>	<u>Yankton 57078</u>

RECEIVED
FEB 15 2008
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 | |

Type of Application:
(check one)

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

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

1. Name of Applicant JAMESVILLE COLONY Phone (605) 364-7307
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 43582 NE JIM RIVER ROAD, UTICA State SD 57067
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.167 *CFS or 75 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply DAKOTA FORMATION
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County YANKTON
1 WELL IN NW 1/4 OF NE 1/4 SECTION 29, T96N R56W
5. County or counties where water will be used YANKTON
6. Annual period during which water is to be used JANUARY 1 - DECEMBER 31
7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
PROPOSED WELL WILL SERVICE PROPOSED NORTH SWINE CONFINEMENT, REPLACE EXISTING WELLS AT EXISTING SOUTH SWINE CONFINEMENT AND TURKEY CONFINEMENT, AND SERVICE PASTURE TAP.

STATE OF SOUTH DAKOTA)

County of YANKTON) 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, EDWIN WURTZ, 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

Edwin Wurtz

Subscribed and sworn to before me this

13th

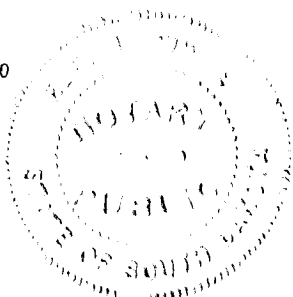
day of

February

20 08

Eden L. White

Notary Public signature



SOUTH DAKOTA
WATER PERMIT NO. 6973-3

Date of first receipt of application February 15, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6973-3 to Jamesville Colony 43582 NE Jim River Road, Utica SD 57067 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. 6973-3 appropriates 0.167 cubic feet of water per second from one well to be completed into the Dakota Aquifer (approximately 750 feet deep) located in NW 1/4 NE 1/4 Section 29-T96N-R56W.
2. The water appropriated shall be used for the purpose of commercial use at a livestock confinement facility 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. 6973-3 is April 21, 2008.
5. The date from which applicant may claim right is February 18, 2008.
6. One-fifth of the construction is to be completed on or before October 21, 2010.
7. All construction is to be completed on or before April 21, 2013.
8. Water is to be put to beneficial use on or before April 21, 2017.
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. The well authorized by Permit No. 6973-3 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. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04. In addition, any other wells on colony property that are abandoned shall be plugged in accordance with Chapter 74:02:04.

(continued)

4. Permit No. 6973-3 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.
5. Permit No. 6973-3 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

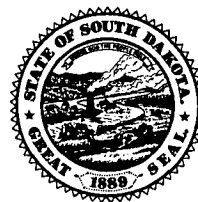
WATER MANAGEMENT BOARD

By: Garland Erbele

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

MAY 16 2008

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 7/8" Depth EST. 750'
- b) Casing Type PVC Diameter 5" Thickness Sch. 80
- c) Screen Type Slotted Diameter 2 1/2" Thickness Sch. 80
- d) Gravel Pack UNKNOWN @ PRESENT Length of Gravel Pack UNKNOWN @ PRESENT
- e) Depth to Top of Water Bearing Material EST. 650'
- f) Depth to Water (ground surface to water level) NATURAL FLOW
- g) Distance to nearest existing domestic well:
- On applicants property 2640' On property owned by others 2800'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) SEPTIC TANK & DRAIN FIELD AT CONFINEMENT OFFICES (?)
- b) System Capacity (gallons) 1,500 gal each Year Constructed proposed
- c) Connected to the City of N/A Sanitary System

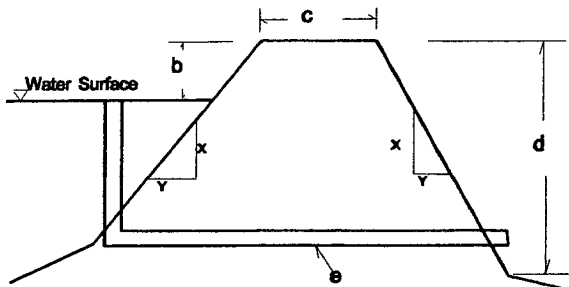
3. Dugout Information

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

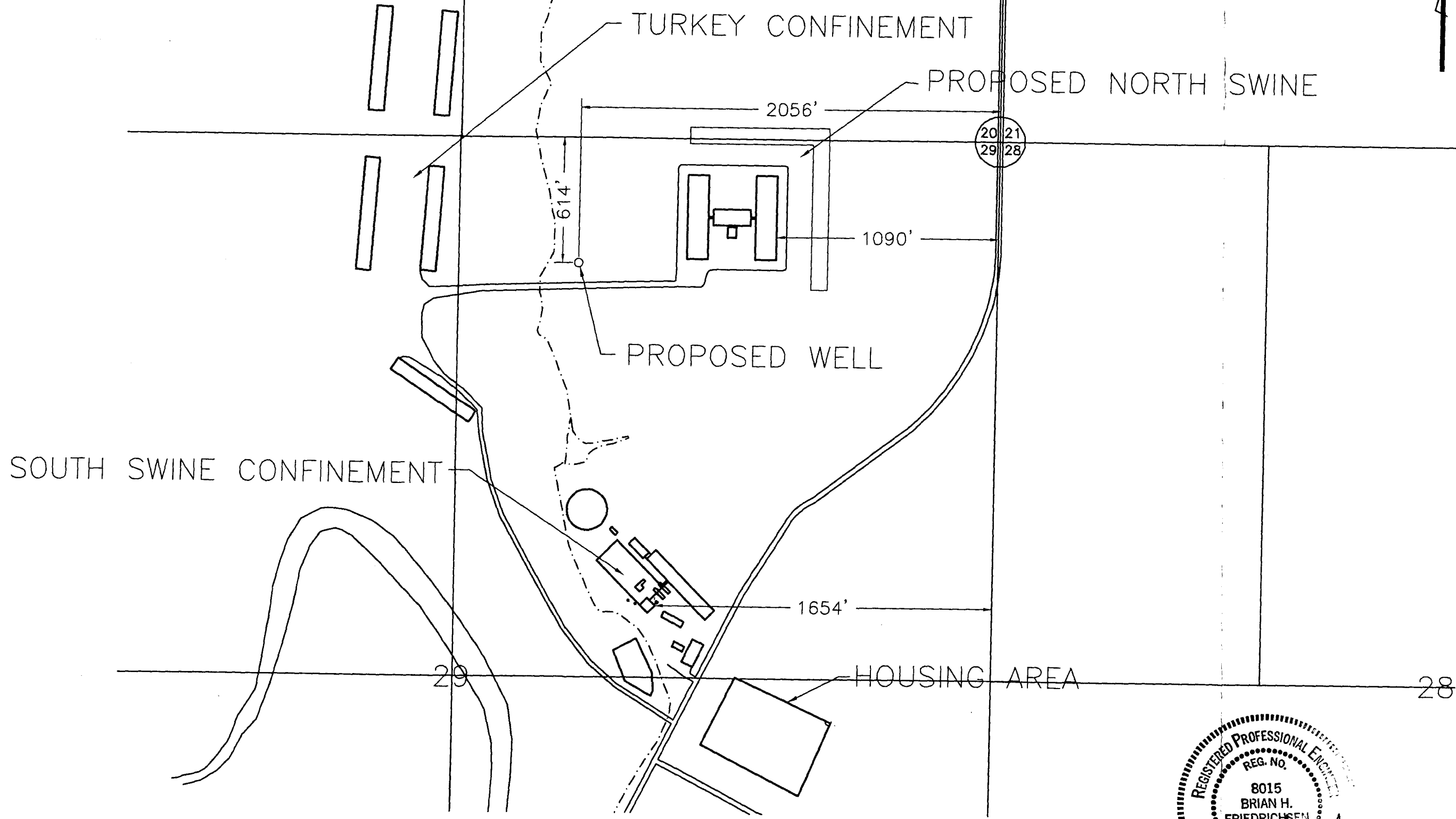
4. Water Storage Dams

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:



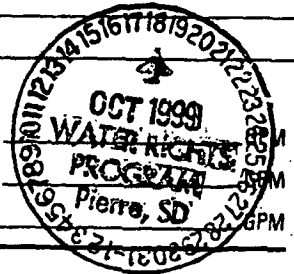
- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage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



PROPOSED WELL LOCATION		REV.	DATE	DESCRIPTION	BY	CHKD
JAMESVILLE COLONY AWMS			2/1/08	TB		BF
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED		P.O. BOX 636 HURON, SD 57350 605-352-5610				
		JOB NO: 22007				
		SCALE: 1"=500'				
		DWG: 1				

07-92

Date: _____



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Feb 15, 20 08

RECEIVED OF Jamesville Hutterian Brethern Inc, 43582 NE James River Rd, Utica SD

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

Fee for Application for Permit No. <u>6973-3</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>6973-3</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.

03550

By

Harland Erbele

Chief Engineer

(125)



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 18, 2007

Edwin Wurtz
Jamesville Colony
43582 NE Jim River Road
Utica, SD 57067-5103

RE: Jamesville Colony Swine Manure Management System Expansion
Revised Plans and Specifications Review

Dear Mr. Wurtz:

The Department of Environment and Natural Resources has received four copies of the revised plans and specifications for the proposed expansion of your existing swine feeding operation. The original plans and specifications for the proposed expansion were approved by the department on August 15, 2006. We approved revisions to the plans and specifications and an increase in the proposed swine numbers on July 17, 2007. The expanded manure management system is for an existing and proposed housed lot feeding a maximum of 13,931 farrow-to-finish swine consisting of 1,240 sows, 6 boars, 275 replacement gilts, 410 gilt growers, 8,000 finishers, and 4,000 nursers (9,931 swine weighing 55 pounds or more and 4,000 swine weighing less than 55 pounds). The swine feeding operation will consist of an existing South Site and a proposed North Site. **There will be no change in the approved animal numbers for the proposed expansion as a result of the current revisions.** The existing and proposed swine manure management system is located in the Northeast ¼ of Section 29, Township 96 North, Range 56 West in Yankton County, South Dakota.

The revisions to the previous plans and specifications approved by the department on July 17, 2007, consist of the following:

South Site:

- The existing small nursery barn to be for used as a gilt barn will require renovations consisting of replacement of the shallow pull plug pits;
- The existing grower/finisher barn to be used as a gestation barn will now be converted for use as a farrowing barn;
- A new 141.2 foot by 358.8 foot shallow pit gestation barn will be constructed instead of a new 101.0 foot by 348.0 foot farrowing barn;
- The proposed uncovered concrete storage tank that will replace an existing earthen holding

Edwin Wurtz
Jamesville Colony
December 18, 2007
Page 2 of 8

pond will be of circular configuration instead of rectangular and will be located further to the northwest of the existing barns;

- A reception pump pit will be constructed to the northwest of the proposed gestation barn which will pump all of the manure from the proposed and existing barns into the proposed concrete storage tank. The proposed circular concrete tank will have at least 365 days of liquid manure storage capacity; and
- A septic holding tank will be installed to contain domestic wastewater from the proposed office.

North Site:

- The outside dimensions of the two proposed deep pit finisher barns changed from 412.0 feet by 101.5 feet to 491.0 feet by 90.33 feet, and each deep pit barn will have at least 365 days of liquid manure storage for half of the finishers and nursers housed at the North Site;
- The deep pits will now have pull plugs installed in each of the pit sections which will allow the manure to be pumped from either the side pump out pit or from one of two end pump out pits;
- The outside dimensions of the side pump out pits changed from 5.83 feet by 6.5 feet to 8.0 feet by 8.0 feet; and
- The manure from the nursery barn will now enter the deep pit through the center pump out instead of the pit wall as was previously planned.

We have reviewed and hereby conditionally approve the plans and specifications for your project. This approval expires on December 18, 2007, unless construction of the proposed manure management system has been started by that date. Requirements that you must implement are listed on the attached pages. Failure to implement the requirements on the following pages prior to operation of the manure management system will invalidate this approval.

Two copies of the approved plans and specifications are being retained for our files. If any deviations are required from the approved plans, then those changes and all change orders must be submitted for approval prior to construction. A complete set of as-built plans will be required if any major deviations result.

Upon completion of construction, the enclosed Notice of Completion must be returned to the department. **You cannot populate the proposed barns or use the proposed concrete storage tank to store manure until the department issues an amended Certificate of Compliance and permit coverage.** Continued compliance is dependent upon you performing proper operation and maintenance activities. You will be liable for any noncompliance with applicable South Dakota environmental laws or regulations.

Edwin Wurtz
Jamesville Colony
December 18, 2007
Page 3 of 8

Our review is primarily to assure that the system meets the requirements of the general permit and does not cover items such as quality of materials, structural soundness, electrical, and mechanical design features. Approval of the plans and specifications does not in any way release the producer from the responsibility that the project will be an operable facility when construction is completed.

If you have any questions regarding the content of this letter, please feel free to contact Darold Krein, Surface Water Quality at (605) 773-3351. Thank you for your cooperation.

Sincerely,



Kent R. Woodmansey, PE
Natural Resources Engineering Director
Surface Water Quality Program

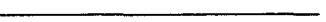
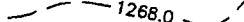
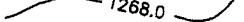
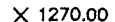
Cc: Brian H. Friedrichsen, PE, Dakota Environmental, Inc., Huron, SD
Scott Hipple, DENR, Pierre
Yankton County Commissioners
Jeff Sveen, Attorney, Siegel, Barnett & Schutz, LLP, Aberdeen, SD

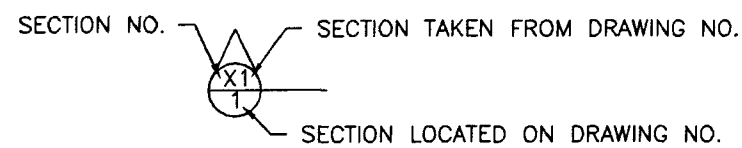
Enclosures: Construction Schedule postcard
Notice of Completion form

JAMESVILLE COLONY SWINE CONFINEMENT AWMS PLANS AND SPECIFICATIONS ISSUED MAY 10, 2007

OWNER: JAMESVILLE COLONY
c/o EDWIN WURTZ
ADDRESS: 43582 NE JIM RIVER Rd.
UTICA, SD 57067-5103
PHONE: (605) 364-7307
LOCATION: NE 1/4 OF SECTION 29, T-96-N, R-56-W
COUNTY: YANKTON

LEGEND

	CONCRETE		CULVERT
	ROCK		MW MONITORING WELL
	SELECT GRANULAR FILL		POWER POLE
	EXISTING EARTH		PROPERTY LINE
	COMPACTED FILL		DRAINAGE SWALE
	TOPSOIL		EXISTING CONTOUR LINE
	WETLAND		PROPOSED CONTOUR LINE
	CLEANOUT		BM BENCHMARK OR CONTROL POINT
	DEPTH MARKER LOCATION		X 1270.00 NEW SPOT ELEVATION
	SPLASH PAD		SBx SOIL BORING
	RESIDENCE		ELEVATION
			FENCE



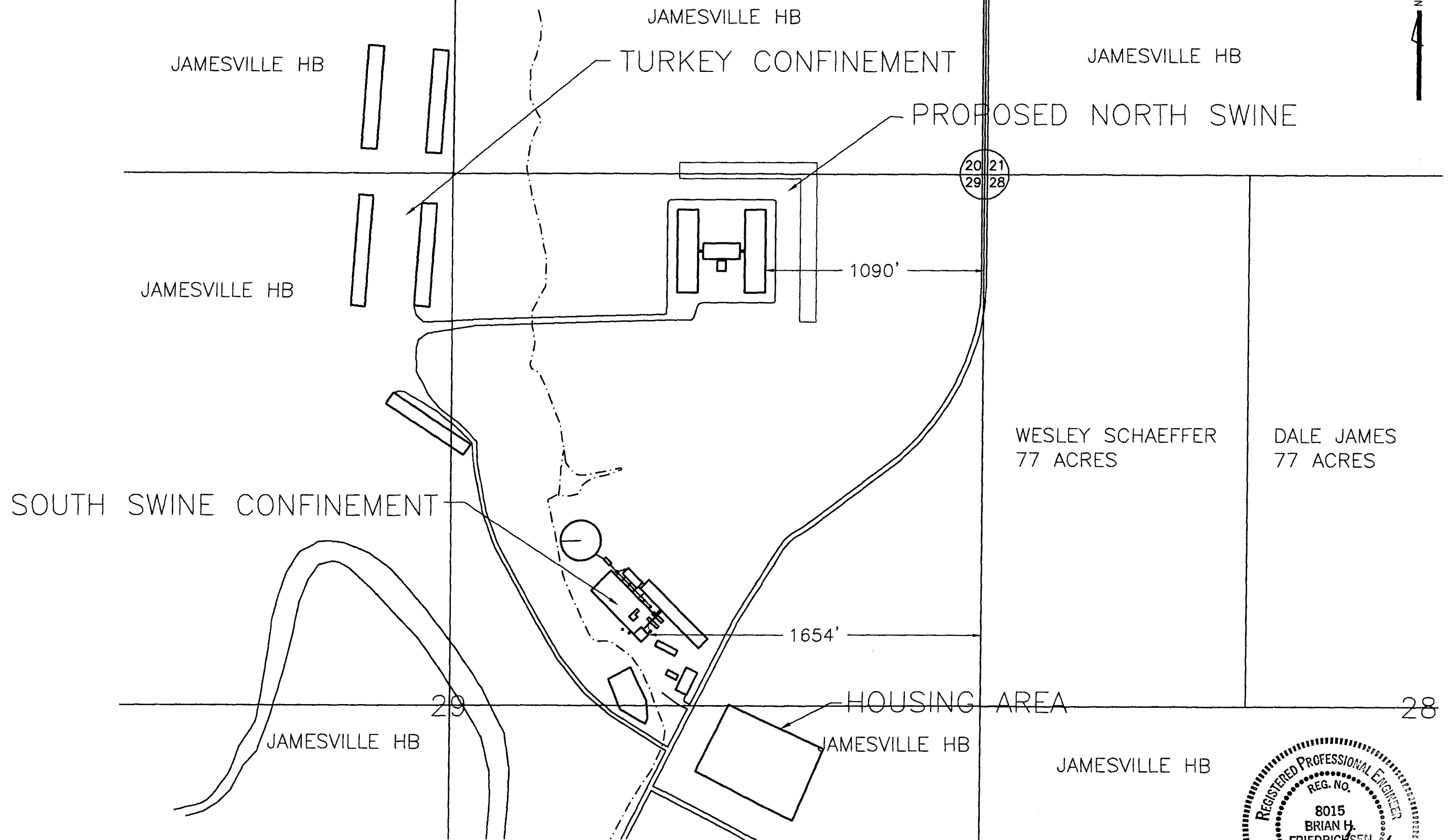
SHEET INDEX	
DWG. NO.	DESCRIPTION
1	TITLE PAGE
2	SITE MAP
3	NORTH SWINE SITE PLAN
4	SOUTH SWINE SITE PLAN
5	NURSERY BARN PIT PLAN
6	NURSERY BARN PIT SECTIONS
7	FINISHING BARN PIT PLAN
8	FINISHER ENDWALL PIT SECTION
9	FINISHER SIDEWALL/PUMPOUT SECTION
10	GESTATION BARN
10A	GESTATION BARN SECTIONS
11	FARROWING BARN
12	CONCRETE STORAGE TANK
13	CONSTRUCTION DETAILS
14	CONCRETE NOTES
15	CONSTRUCTION NOTES
16	RECEPTION PIT
17	GILT BARN PLAN/SECTIONS



Brian H. Friedrichsen, P.E.

I hereby certify that these plans were prepared by me, or prepared under my direct supervision; and that I am a duly Registered Professional Engineer under the Laws of the State of South Dakota.

11/30/07	REV.	DATE	5/10/07	DRAWN: RR	CHECKED: BF
	1				
ADD PAGES 10A, 16, 17					
DESCRIPTION					
TITLE PAGE					
JAMESVILLE COLONY AWMS					
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED					
P.O. BOX 636 HURON, SD 57350 605-352-5610					
					
JOB NO: 22007					
SCALE: NTS					
DWG: 1					



PROPOSED WELL LOCATION
JAMESVILLE COLONY AWMS

DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED

P.O. BOX 636 HURON, SD 57350 605-352-5610

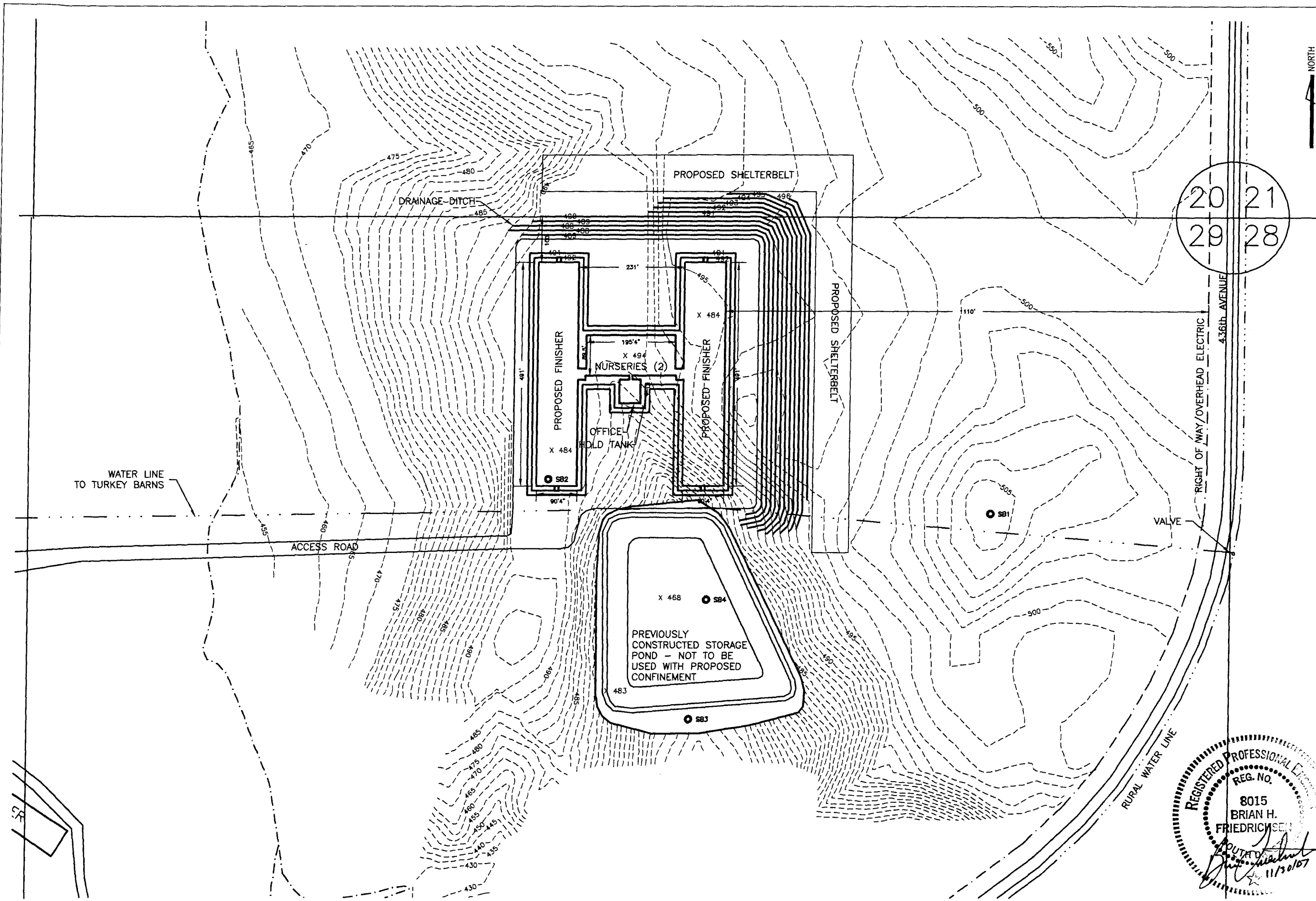


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22007

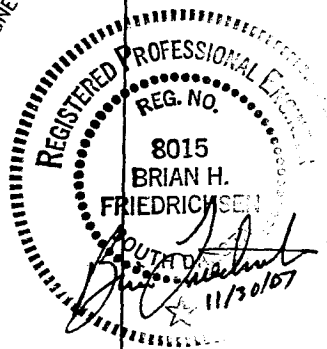
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DWG:
2

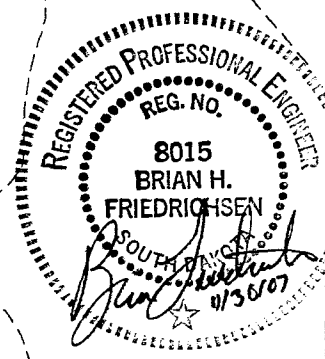
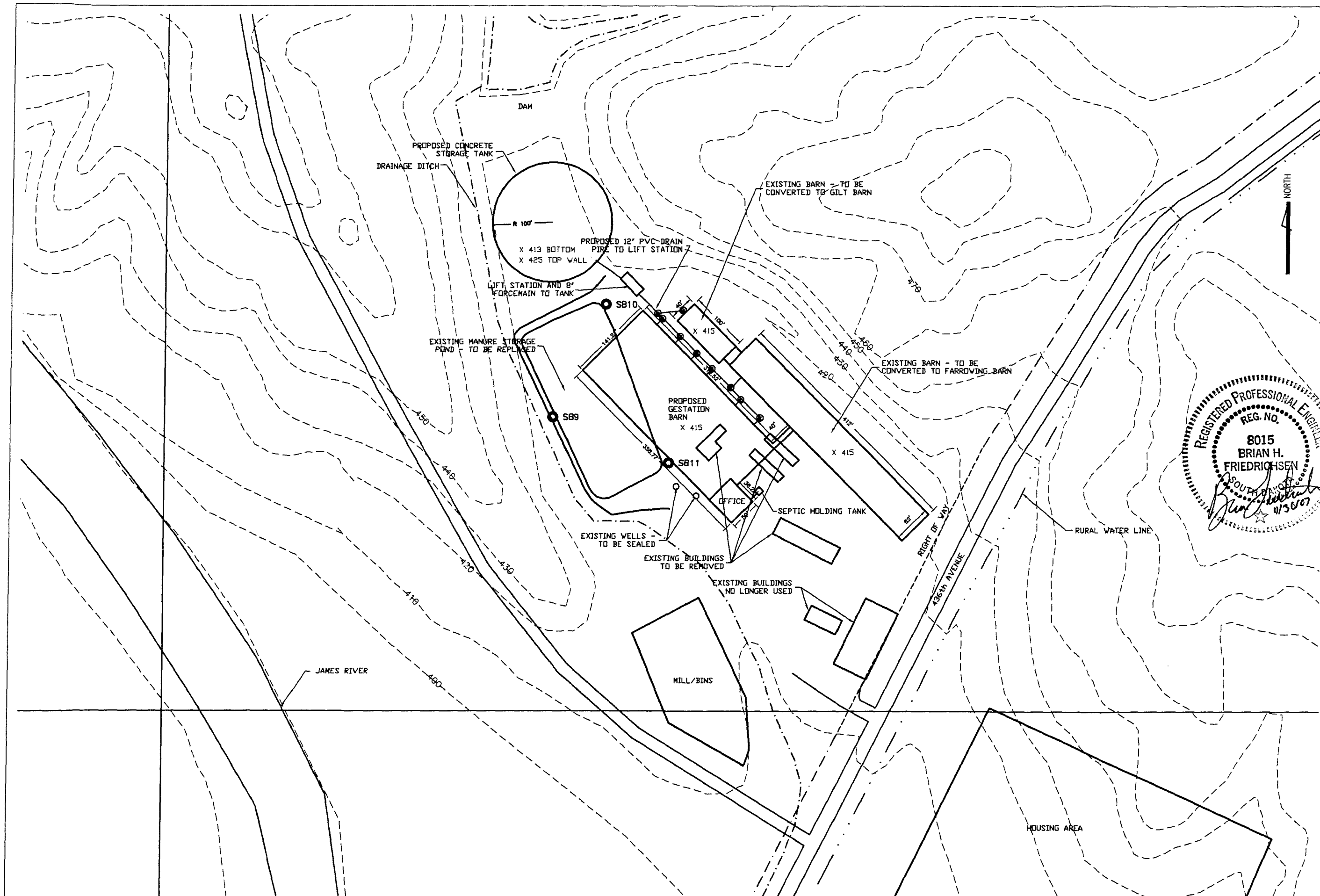
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	5/10/07	RR		
			CHECKED:	BF



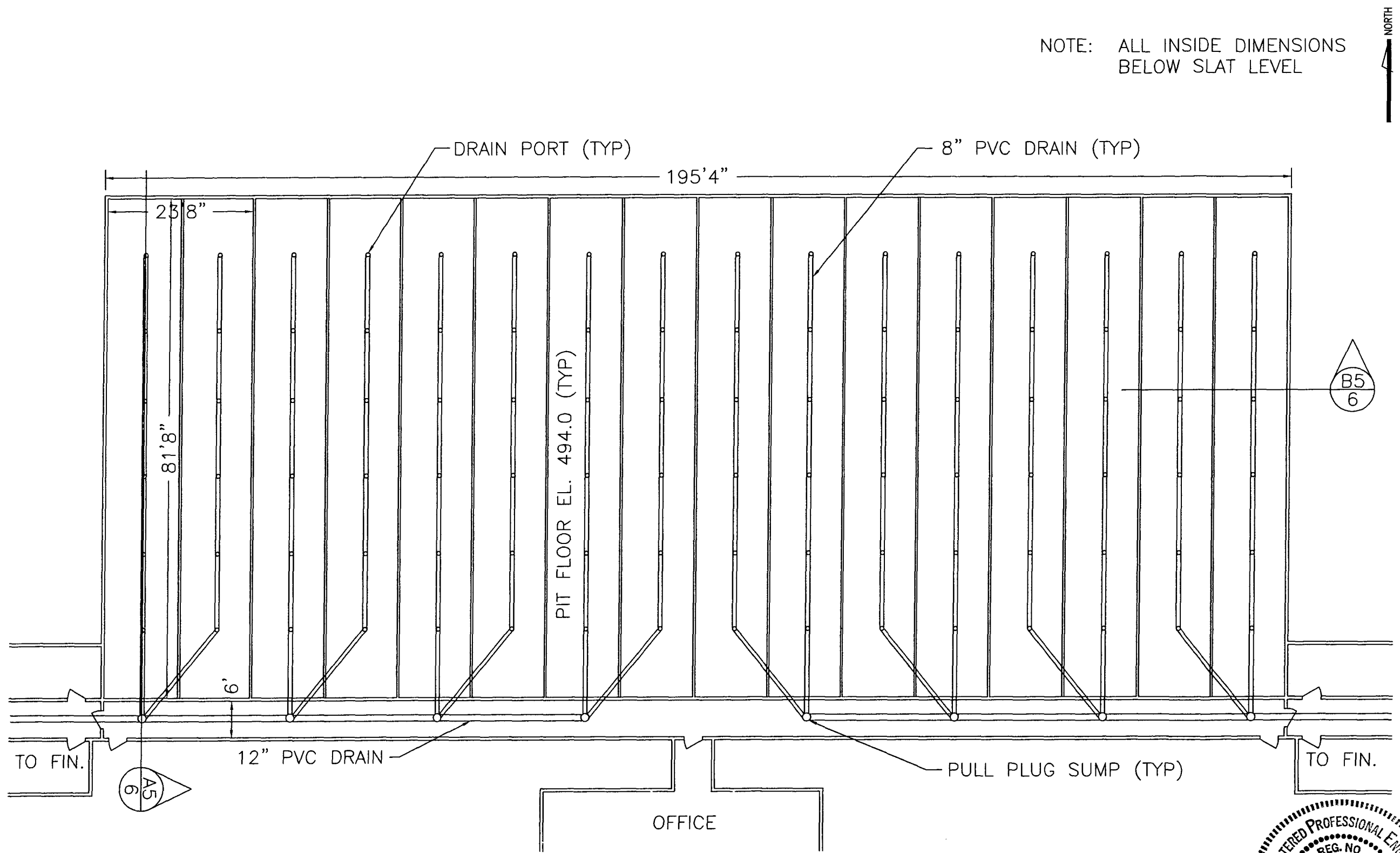
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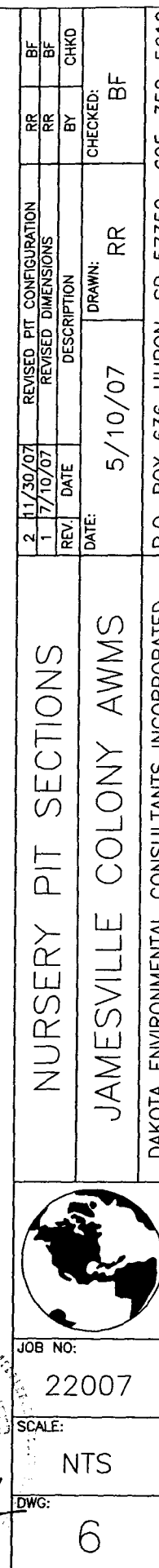
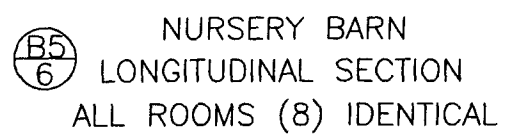
		NORTH SWINE SITE PLAN		11/30/07	FINISHER/NURSERY DIMENSIONS	RR	BF
		JAMESVILLE COLONY AWMS		REV. DATE	DESCRIPTION	BY	CHKD
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED		P.O. BOX 636 HURON, SD 57350 605-352-5610		DATE: 5/10/07	DRAWN: RR	CHECKED: BF	
JOB NO: 22007		SCALE: 1"=200'		DWG: 3			

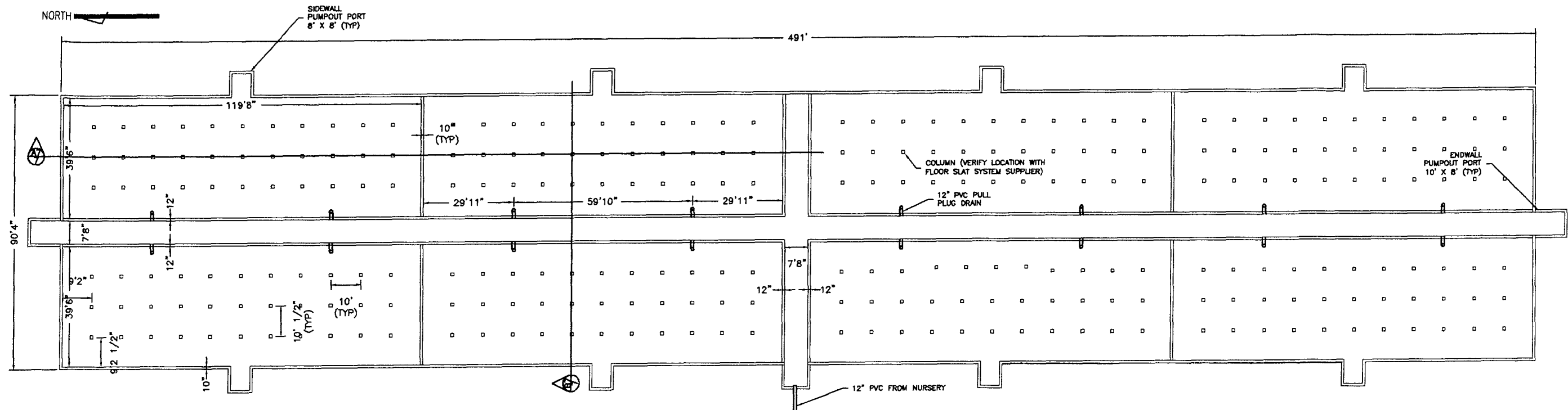


		SOUTH SWINE SITE PLAN		11/30/07 REV. DATE	REVISOR BY	11/30/07 REV. DATE	REVISOR BY
JAMESVILLE COLONY AWMS		DESCRIPTION		5/10/07 DATE		RR DRAWN	
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED		P.O. BOX 636 HURON, SD 57350 605-352-5610		5/10/07 DATE		RR DRAWN	
JOB NO: 22007		SCALE: 1"=150'		DWG: 4		CHECKED: BF	

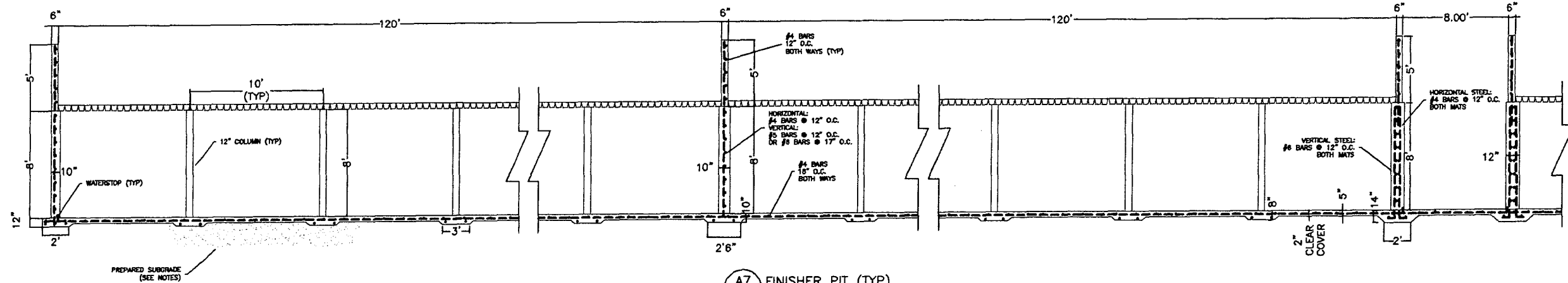


	NURSERY BARN PIT PLAN							1	11/30/07	REVISED PIT CONFIGURATION	RR	BF	
	JAMESVILLE COLONY AWMS							REV.	DATE	DESCRIPTION	BY	CHKD	
	DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED							DATE:		5/10/07	DRAWN: RR		CHECKED: BF
								P.O. BOX 636 HURON, SD 57350 605-352-5610					
JOB NO:		22007											
SCALE:		NTS											
DWG:		5											

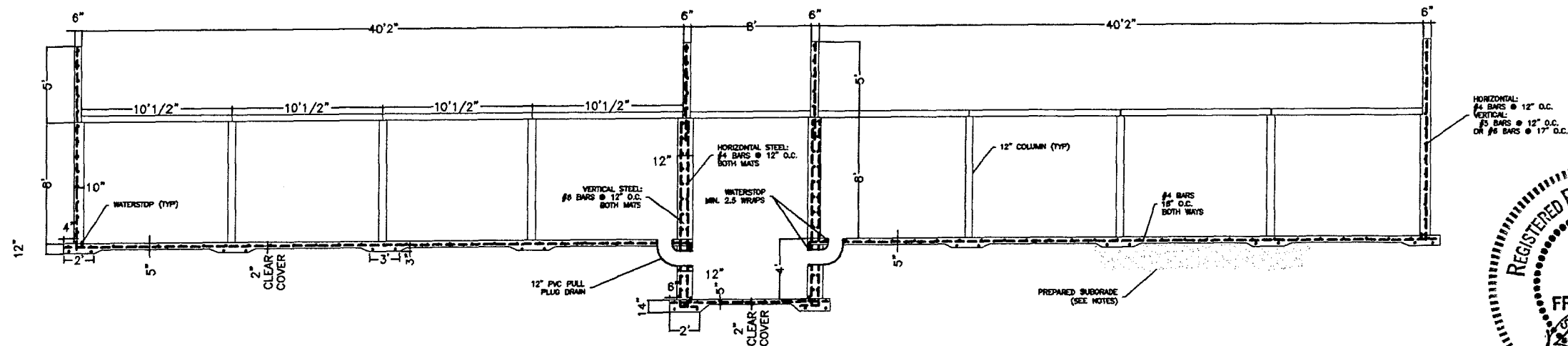




PLAN VIEW
EAST BARN SHOWN



(A7)
7
FINISHER PIT (TYP)
LONGITUDINAL SECTION



(B7)
7
FINISHER PIT (TYP)
TRANSVERSE SECTION



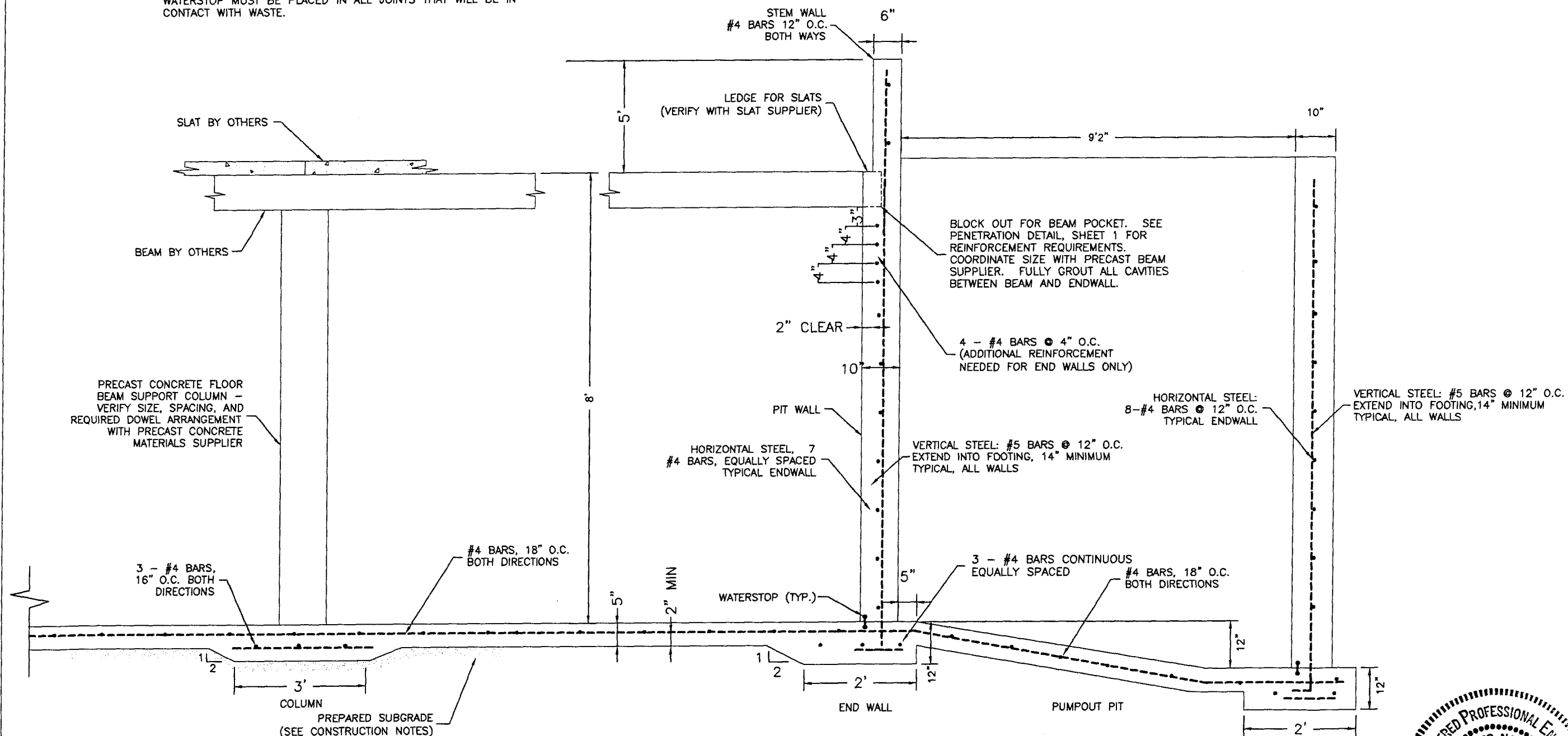
FINISHING BARN PIT PLAN				2	11/30/07	REVISED PIT CONFIGURATION	RR	BF
JAMESVILLE COLONY AWMS				1	7/10/07	REVISED DIMENSION	RR	BF
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED				DATE		DESCRIPTION	BY	CHECKED
				DATE		DATE	RR	BF
				5/10/07		5/10/07	RR	BF
				P.O. BOX 636 HURON, SD 57350		605-352-5610		



JOB NO:	22007
SCALE:	NTS
DWG:	7

NOTES:

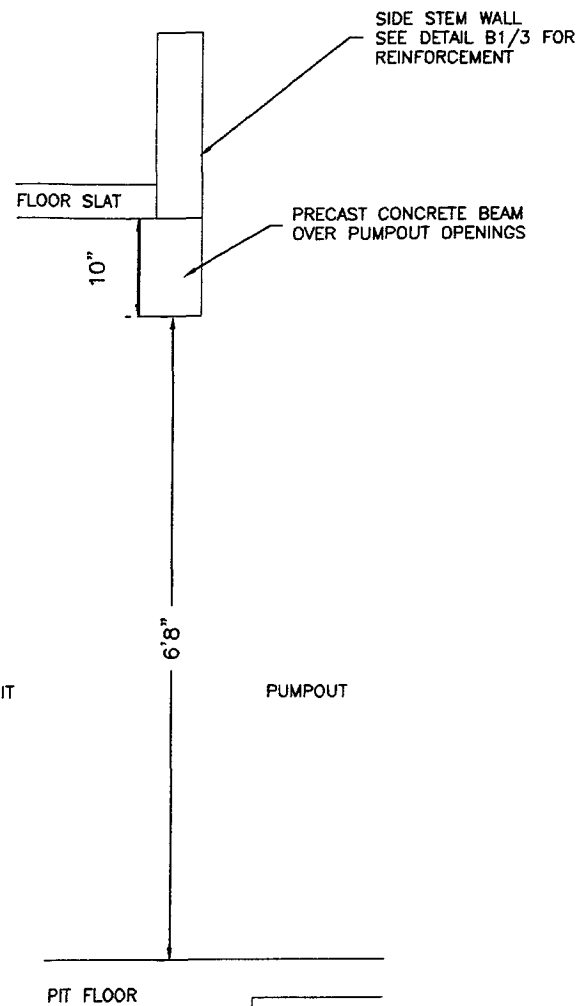
1. DIMENSIONS FROM OUTSIDE OF EDGE OF WALL TO STEEL ARE CLEARANCE DIMENSIONS, NOT ON CENTER
2. COLUMN AND BEAM CONFIGURATION TO BE CONFIRMED BY BUILDER WITH PRECAST SUPPLIER
3. ALL WALL REINFORCING STEEL TO BE 60 KSI AT SPACING SHOWN. 40 KSI REINFORCING STEEL MAY BE USED IN THE FLOOR.
4. EMBED ALL WALL REINFORCING BARS INTO FOOTING 12" MIN.
5. WALL TO FLOOR JOINTS MAY BE KEYED IF DESIRED, BUT WATERSTOP MUST BE PLACED IN ALL JOINTS THAT WILL BE IN CONTACT WITH WASTE.



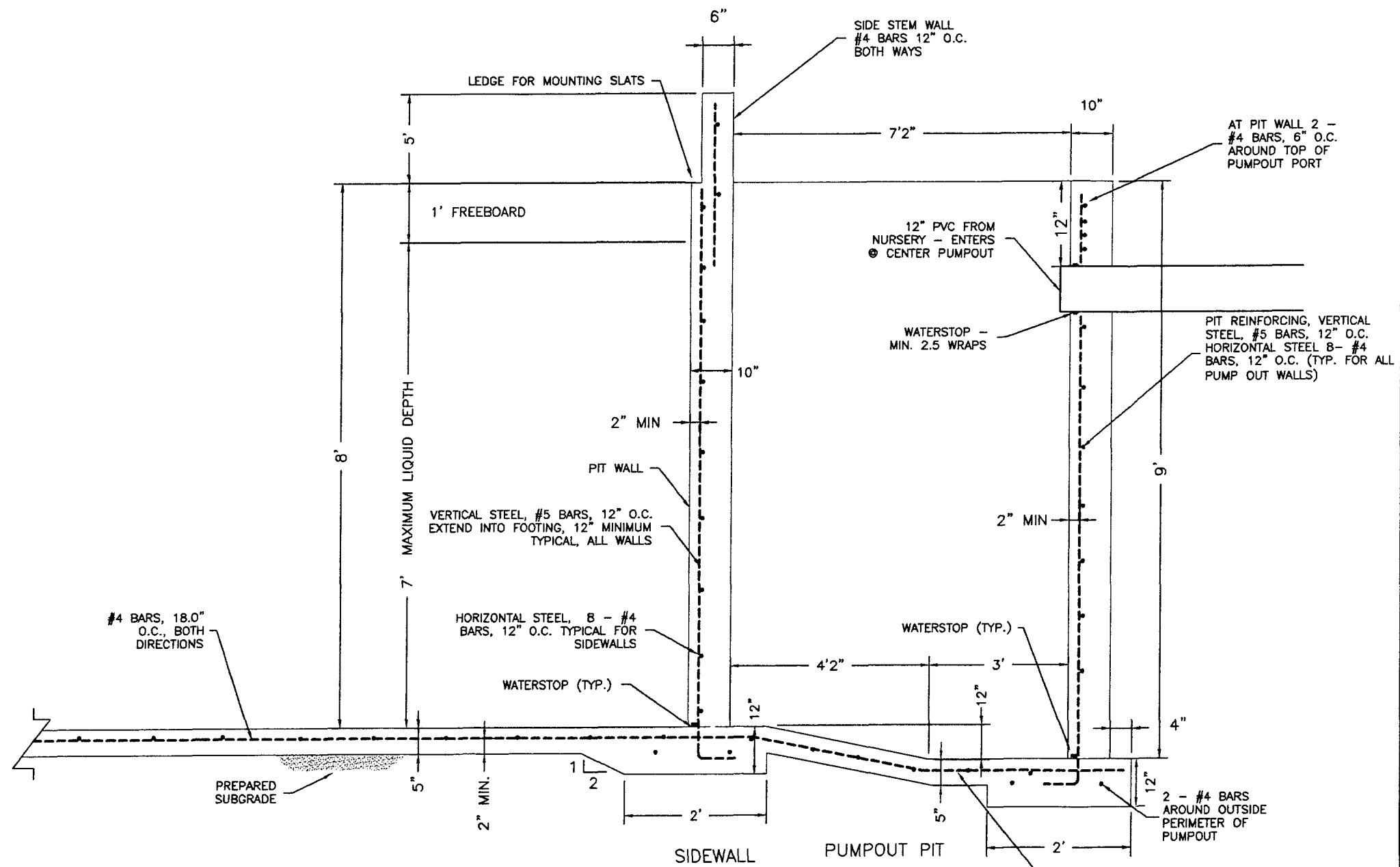
END WALL AND
PUMPOUT PIT SECTIONS
NTS



REVISED	RR	BF
PIT CONFIGURATION	BY	CHKD
DESCRIPTION	DATE	CHECKED
1 11/30/07	5/10/07	RR
DATE	5/10/07	RR
FINISHER ENDWALL PIT SECTION		
JAMESVILLE COLONY AWMS		
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED		
P.O. BOX 636 HURON, SD 57350 605-352-5610		
JOB NO: 22007		
SCALE: NTS		
DWG: 8		



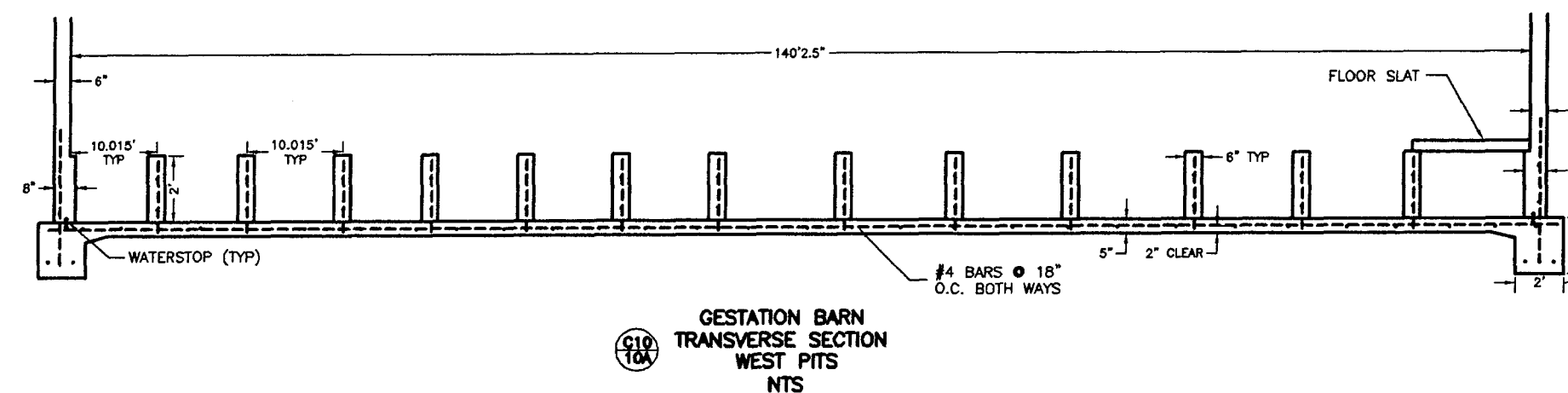
SECTION THROUGH
PUMPOUT PORT
OPENING



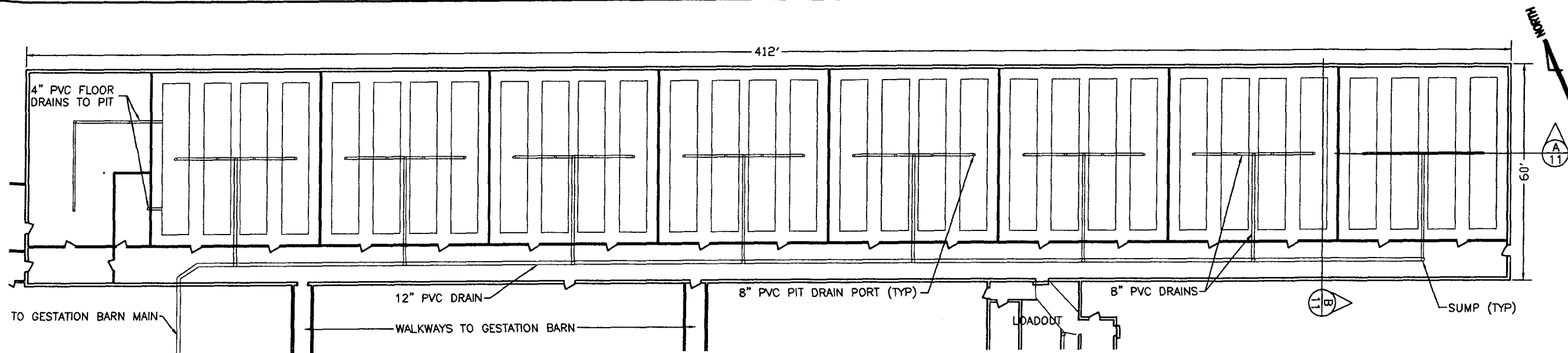
TYPICAL SIDEWALL AND PUMPOUT
PORT SECTIONS
NTS



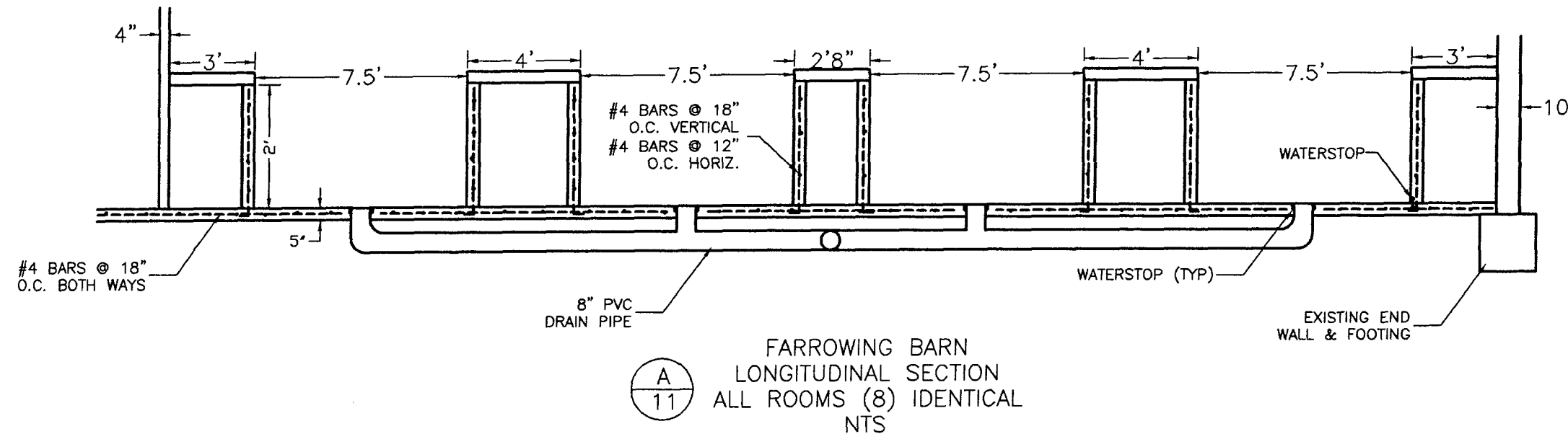
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DESCRIPTION		BY	CHKD
1	11/30/07	DATE	5/10/07
REV.	DATE	DATE	DATE
FIN. SIDEWALL/PUMPOUT SEC.		JAMESVILLE COLONY AWMS	
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED		P.O. BOX 636 HURON, SD 57350 605-352-5610	
JOB NO:		22007	
SCALE:		NTS	
DWG:		9	



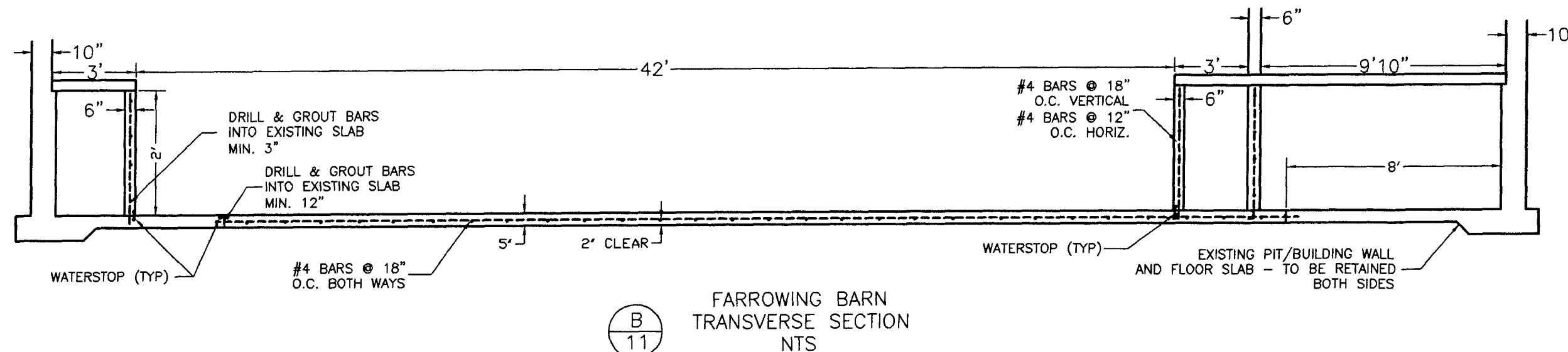
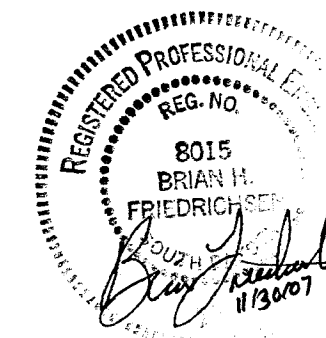
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	REV.	DATE	DESCRIPTION		BY	CHKD				
	DATE:		11/30/07		DRAWN: RR		CHECKED: BF			
JAMESVILLE COLONY AWMS										
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED P.O. BOX 516 HILBORN, SD 57750 605 750 5640										



PLAN VIEW

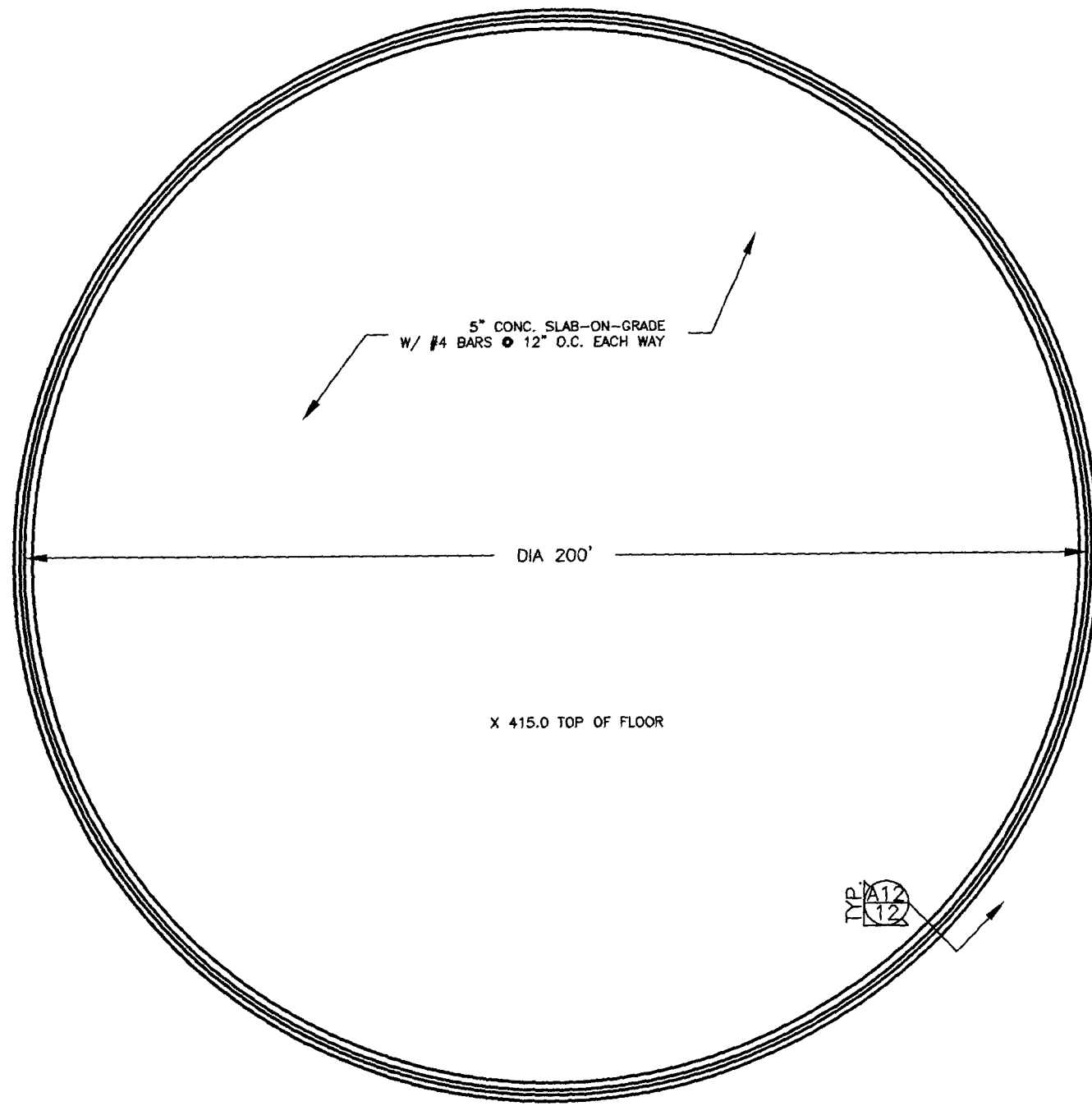


FARROWING BARN
LONGITUDINAL SECTION
ALL ROOMS (8) IDENTICAL
NTS

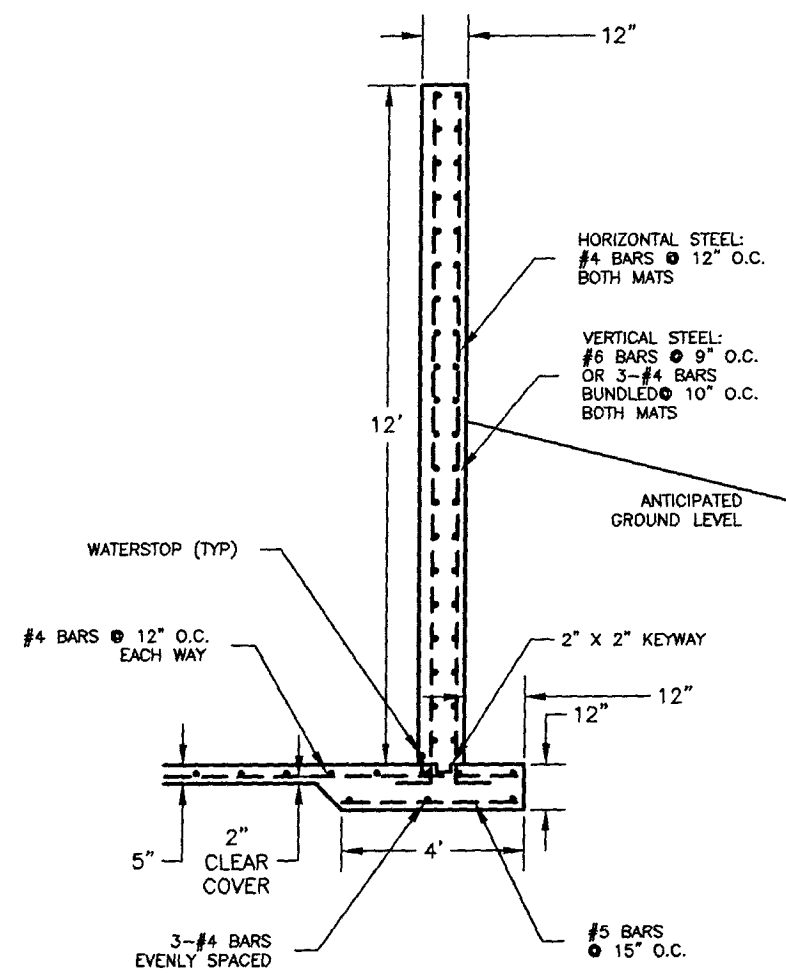


FARROWING BARN
TRANSVERSE SECTION
NTS

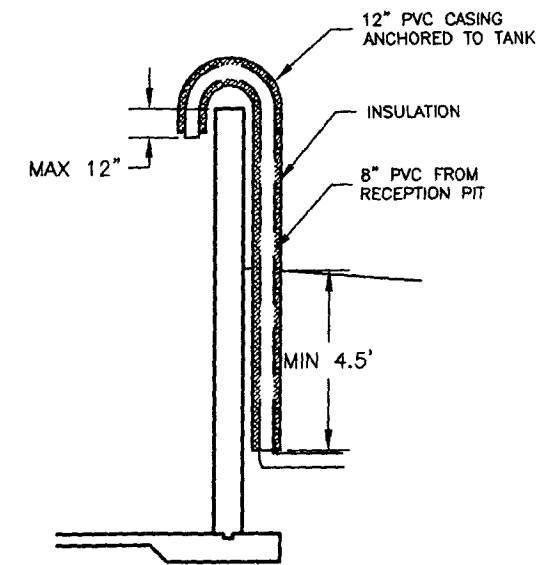
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	JAMESVILLE COLONY AWMS										1	7/10/07	PIT DEPTHS		RR	BF		
											REV.	DATE	DESCRIPTION		BY	CHKD		
	JAMESVILLE COLONY AWMS										DATE:		5/10/07		DRAWN: RR		CHECKED: BF	
											DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED							
JOB NO:										22007								
SCALE:										NTS								
DWG:										11								



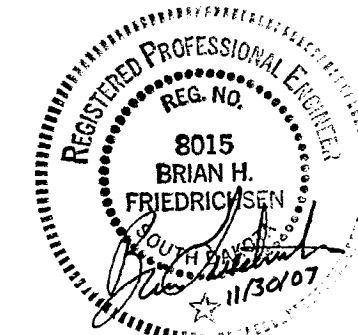
PLAN VIEW



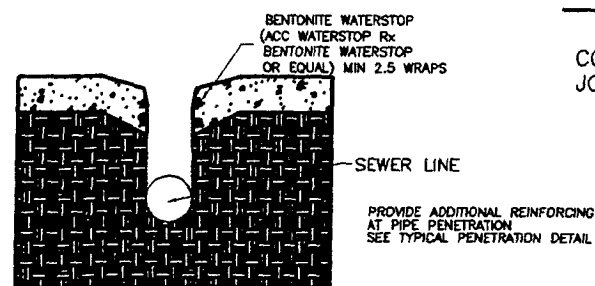
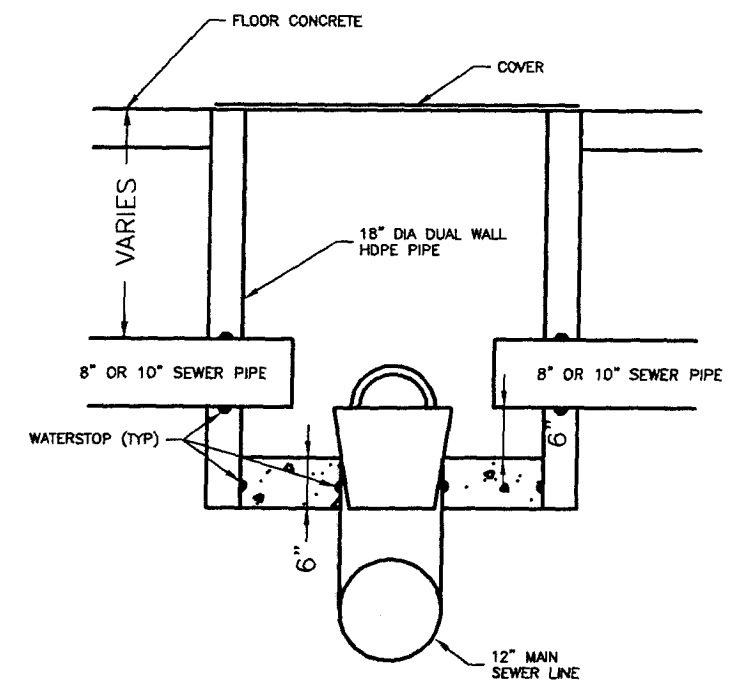
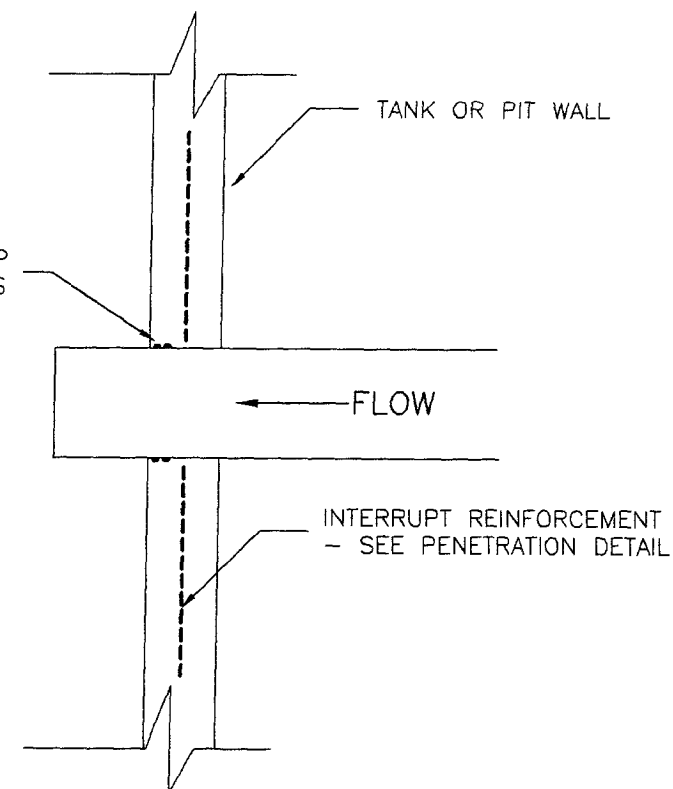
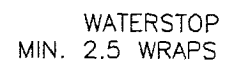
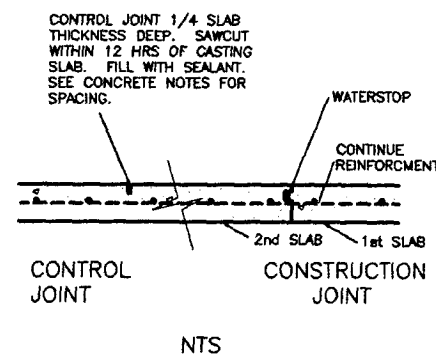
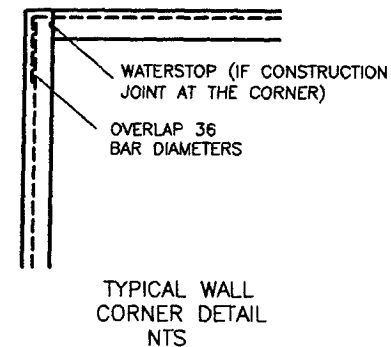
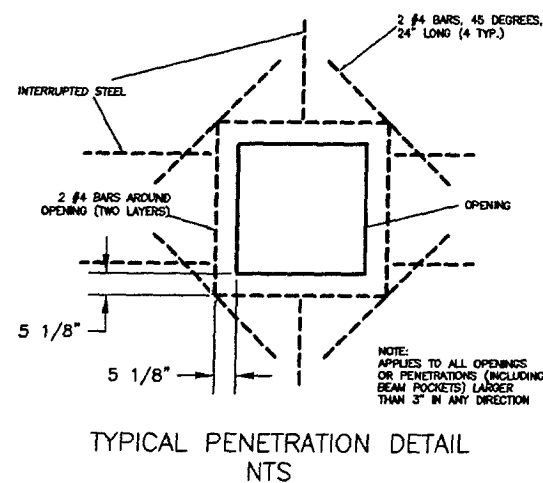
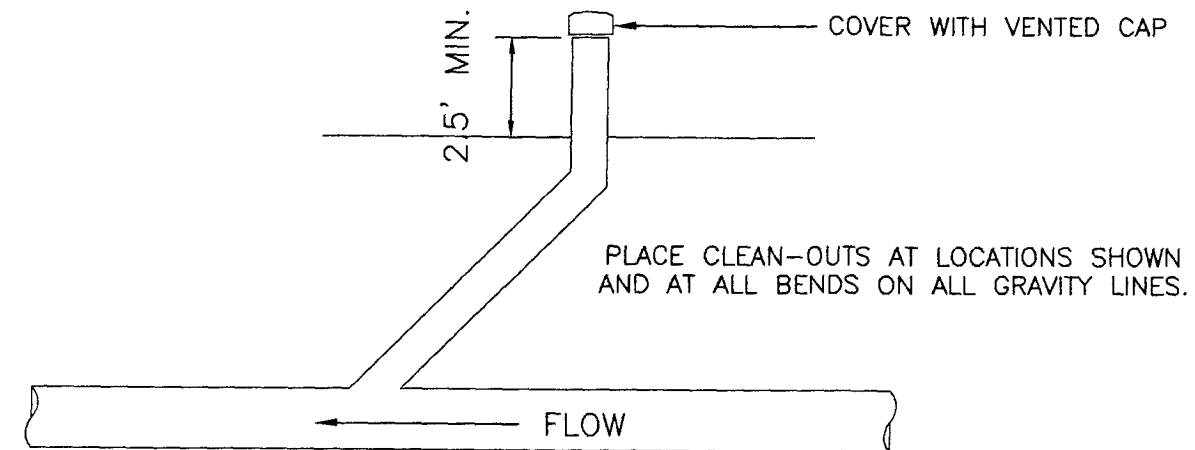
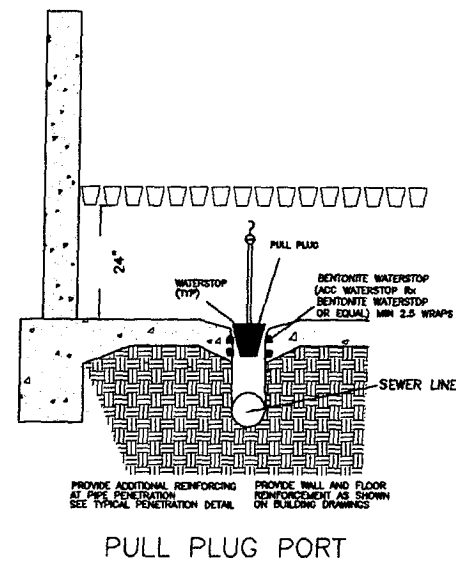
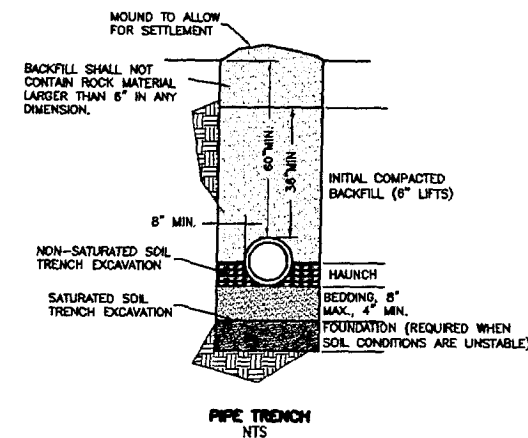
(A12/12) TYPICAL TANK WALL SECTION



TANK INLET DETAIL



	CONCRETE STORAGE TANK										
	1	11/30/07	REVISED TANK CONFIGURATION DESCRIPTION		RR	BF					
	REV.	DATE			BY	CHKD					
	DATE:		5/10/07		DRAWN: RR						
JAMESVILLE COLONY AWMS										CHECKED: BF	
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED											
P.O. BOX 636 HURON, SD 57350 605-352-5610											
JOB NO: 22007											
SCALE: NTS											
DWG: 12											



TYPICAL FLOOR DRAIN
NOT TO SCALE

PIPE PENETRATION DETAIL
NOT TO SCALE

PIT DRAIN SUMP DETAIL
NOT TO SCALE

CONSTRUCTION DETAILS

JAMESVILLE COLONY AWMS

DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED

P.O. BOX 636 HURON, SD 57350 605-352-5610

1	11/30/07	ADDED SUMP DETAIL	RR	BF
REV.	DATE	DESCRIPTION	BY	CHKD
DATE:		DRAWN: MEL		
5/10/07		CHECKED: BF		

ADDED SUMP DETAIL

DESCRIPTION	DRAWN:
-------------	--------

7 MEL

IRON SD 573

DB NO:

SCALE:

DWG:

CONCRETE CONSTRUCTION NOTES

1. BUILDER SHALL NOTIFY THE ENGINEER OF CONSTRUCTION SCHEDULE TO PERMIT SCHEDULING OF PRE-CONSTRUCTION MEETING AND CONSTRUCTION OBSERVATION.
2. NO VARIATION FROM THESE PLANS IS AUTHORIZED WITHOUT PRIOR APPROVAL OF THE ENGINEER.
3. BUILDER IS RESPONSIBLE TO ADVISE ENGINEER IMMEDIATELY UPON DISCOVERY OF ANY INCONSISTENCY OR DISCREPANCY IN THESE PLANS WITH FIELD CONDITIONS OR PLANS PROVIDED BY OTHERS.
4. Any required grounding of building components including concrete reinforcement shall be installed in accordance with the provisions of the National Electric Code and regulations.
5. No excavation shall begin without first having locations of all present utilities identified. Builder is responsible for contacting South Dakota One-Call at 1-800-781-7474.
6. All concrete work shall conform to the American Concrete Institute's "Building Code Requirements for Structural Concrete" (ACI 318).
7. Concrete Materials and Testing:
 - a) All concrete shall have 3/4 inch maximum aggregate size. Provide a mix with a slump of 4 inches +/- 1 inch. Do not exceed a water/cementitious materials ratio of 0.45. Water reducing admixtures may be used at the discretion of the contractor.
 - b) Concrete shall use Type II cement and be furnished with proper admixture to obtain 5% +/- 1% air entrainment.
 - c) Concrete shall develop a minimum 28 day strength of 4000 psi.
 - d) Provide quality assurance testing in accordance with the following requirements. Submit the results of all tests to the Engineer. Testing will be wholly the builder's responsibility.
 - e) Collect concrete test cylinders in accordance with ASTM C31. Test cylinders may be taken either at the batch plant (assure materials are thoroughly mixed, at least 1 1/2 minutes after all water and cementitious materials have been introduced), or in the field. Test cylinders shall be made in sets of two. At least one set of two cylinders shall be taken each day concrete may be placed, however, procurement of test cylinders may be waived with the concurrence of the engineer or when less than 40 cubic yards is placed in a given day.

Obtain at least the following numbers of test cylinders per building or structure:

three sets of 2 cylinders (six total) from the floor slab concrete; and two sets of 2 cylinders (four total) from the pit walls.

Test all cylinders in accordance with ASTM C39 at 7 and 28 days.
8. During hot weather (80° F and above), comply with ACI 305 "Hot Weather Concreting". During cold weather (40° F and below), comply with ACI 306 "Cold Weather Concreting."
9. Calcium Chloride accelerators will not be allowed.
10. Steel reinforcing shall comply with the following:
 - a) Steel for walls shall be ASTM A615, Grade 40 or 60.

b) Reinforcing steel for floors shall be ASTM A615, Grade 40 or Grade 60.

11. All steel shall be lapped 36 bar diameters at splices unless noted otherwise. Splices shall be staggered at least 3 feet. Splices occurring at the same location shall be at least 6 bars apart.
12. Standard concrete cover of bars shall be as follows, unless noted otherwise:
 - a) Where earth formed: 3 inches
 - b) Where exposed to earth or weather: 2 inches
13. Walls and slabs shall bear on soil capable of safely supporting 2500 psf. Perimeter wall bearing elevations are to be at least 4 feet below finished grade.
14. For backfill provide granular or low plasticity soil such as silt and clay mixtures, sandy clay, or clean sand and gravel. All backfill materials are subject to approval of the engineer. Compact all fill and backfill in maximum 12-inch layers (loose thickness) to at least 95% of the maximum density as determined by Standard Proctor test (ASTM D698).
15. Excavate the pit area to the required lines and grades. The entire area shall be rolled as needed to compact any loosened materials. The subgrade shall be trimmed and compacted to provide a uniform surface that does not vary in depth more than 2" in 10 feet from the grades shown on the plan. Fill below footings and slabs, if needed due to unsuitable soils or uneven surface grading, shall consist of clean granular material (less than 12% passing a #200 US sieve) compacted as specified for backfill in note #14, above. Constructed thickness of slabs shall not be less than the dimension given on the drawings.
16. If necessary, wall penetrations shall avoid interruption of steel reinforcement, where possible. Where interruption by piping is required, additional reinforcement around the openings shall be placed as shown on plans.
17. If groundwater conditions or any soft or potentially unstable materials are encountered during excavation, the Engineer shall be notified immediately.
18. Provide suitable chairs, spacers, or bolsters to support all reinforcing. Accessories shall be as specified in the latest edition of "Concrete Reinforcing Steel Institute Handbook." Maximum spacing of accessories shall be 5'-0". All accessories shall have galvanized or plastic feet. For slabs on grade, use supports with sand plates or horizontal runners if needed. No aluminum items shall be embedded.
19. Install all construction or control (contraction) joints as called for on the drawings or as approved by the engineer. At a minimum, in floor slabs install control joints with spacing between joints at approximately 40' to 50'. Joints shall be spaced to provide approximately equal square regions (max. 1.5:1 length:width ratio) in the floor. Joints shall be pre-formed, or sawed within 12 hours of concrete placement, and sealed with a polysulfide or urethane sealant designed for submerged applications, such as Vulkem 116, manufactured by Mameco International, or approved equal. Install sealant in accordance with the manufacturer's recommendations including use of any primers, bond breaker, backer rod, curing treatments or other accessories or procedures.
20. Concrete construction shall be planned to minimize the number of construction joints. Except at corners, the location of all

construction joints in walls and floor slabs, and the layout of slab control (contraction) joints, shall be reviewed with and approved by the engineer prior to construction.

21. All construction joints in and between floor slabs and exterior walls shall be provided with waterstop. Provide Waterstop RX 102, as manufactured by American Colloid Corp., or polyvinyl chloride waterstop, style #703 as manufactured by Greenstreak or approved equal. Install waterstop in accordance with manufacturer's recommendations on the manure side of reinforcing steel, near the middle of the of the wall or slab section, and as shown on the detail drawings. Maintain specified concrete cover over waterstop and reinforcing steel.
22. All pipe penetrations shall be provided with suitable waterstops. A minimum of 2 wraps of RX102 waterstop is acceptable.
23. Contractor/builder shall notify the Engineer approximately 48 hours prior to the following activities to permit inspections:
 - a) after subbase preparation, including compaction of granular cushion, and prior to placement of floor reinforcement.
 - b) during installation of wall forms and reinforcement, prior to casting concrete.
 - c) after form removal and prior to slat installation or backfill to permit visual inspection of finished work.
24. Any imperfections or damage to concrete surfaces below the waterline shall be repaired as approved by the Engineer.
25. Compaction of fill adjacent to new concrete shall not be started until at least seven days after placement of the concrete and after all walls are laterally braced.
26. These plans are intended to provide details relevant to the animal waste management system and are a supplement to the building plans supplied by others. The builder is responsible for confirmation of all work to be coordinated with others. Anchorage requirements, embedded items, dimensions of slats, openings for doors or fans, etc. shall be confirmed prior to erection of forms and concrete placement.



CONCRETE NOTES	CHKD	BY	CHECKED	BF
	DATE	5/10/07	RR	
JAMESVILLE COLONY AWMS				
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED				
P.O. BOX 636 HURON, SD 57350 605-352-5610				
JOB NO: 22007				
SCALE: NTS				
DWG: 14				

GENERAL NOTES/SPECIFICATIONS

1. NO VARIATION FROM THESE PLANS IS AUTHORIZED WITHOUT PRIOR APPROVAL OF ENGINEER. THE BUILDER IS TO ADVISE ENGINEER IMMEDIATELY UPON DISCOVERY OF ANY INCONSISTENCY OR DISCREPENCY IN THESE PLANS WITH FIELD CONDITIONS OR PLANS PROVIDED BY OTHERS.
2. No excavation shall begin without first having locations of all present utilities identified. Builder is responsible for contacting South Dakota One-Call at 1-800-781-7474.
3. Any new water supply wells placed on the site must be a minimum of 150 feet from the closest point of any waste holding structure including manure pits. Any new well must be a minimum of 50 feet from the closest point of a sewer line. All water service lines must maintain a separation of 10 feet from any manure containment.
4. Strip topsoil and vegetation from all areas under structures and embankments. Stripping excavation shall extend to a depth sufficient to expose subsoil reasonably free of roots and other perishable material. Excavated earth material determined to be satisfactory by the Engineer shall be used for earth fill or topsoil. Stripped material suitable for topsoil shall be stockpiled and spread, as specified in these specifications.
5. Stripping excavation for foundations shall extend to consolidated subsoil and shall be left as reasonably smooth surfaces free of unconsolidated or loose soil. In most soils we recommend that at least a 1:1 lateral oversize be maintained in excavating below footing grade. In soft clay and swamp deposits we generally recommend a 2:1 or even 3:1 lateral oversize.
6. The final 6 inches directly beneath the slabs shall be a fine draining granular material with less than 10% of soil material by weight passing a standard #200 sieve and compacted as specified for backfill.
7. Excavated soils consisting of loams and clay shall be deemed satisfactory for earth fill to the extent needed. Sandy soil shall be blended to provide for earth fills, or be wasted as directed by the Engineer. The selection, blending, routing, and disposition of material shall be the responsibility of the Builder and subject to approval by the Engineer. Fill materials shall contain no frozen material, ice, snow, sod, brush, roots or other perishable materials, or rocks larger than four inches in diameter. No fill shall be placed on a frozen surface.
8. Prior to placement of fill, the entire area to receive fill shall be rolled with heavy equipment (such as a loaded end-dump) and inspected to identify any unsuitable soils that require removal. Unsuitable materials shall be overexcavated to a depth of 2 feet. After stripping or overexcavating, the foundation shall be loosened thoroughly by scarifying or discing to a minimum depth 6 inches. The entire foundation area shall then be compacted to the density and at the moisture specified for the fill.
9. All foundation excavation and/or preparation shall be completed before placing fill. The fill shall be placed such that the distribution of materials is essentially uniform throughout the entire fill and is free from lenses, pockets, streaks, or layers of material differing substantially from surrounding material.
10. Fill shall be placed within specified moisture contents. When material deposited on the fill is too dry, water may be added to the fill material in the borrow area, or after material has been brought

11. Compaction of fill adjacent to concrete columns, walls or flatwork shall not be started until seven days have elapsed after placement of the concrete. Walls shall be laterally supported by slats, flooring, or other adequate permanent bracing prior to backfilling.
12. Density and moisture content of the fill will be tested during the course of the work following the methods described in ASTM D2216, ASTM D1556, or equivalent. The engineer shall be notified two days prior to the need for performance of compaction tests. Testing shall be performed at the following rates:

a) Earthfill: A minimum of one compaction test for every 5000 cu. yd.

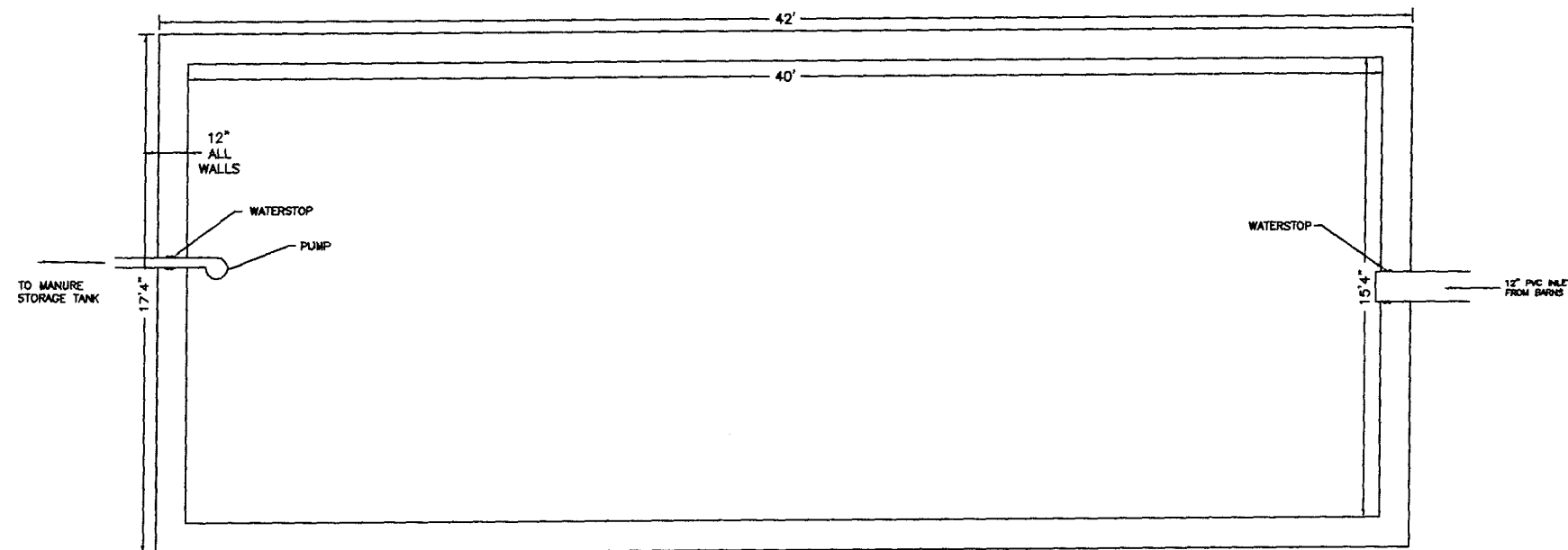
If a compaction test fails to meet the required level of compaction, the Builder shall be responsible for the cost of re-testing after the area has been recompacted.
13. Pipe trench bottoms shall be uniform so that the pipe will lay on the bottom without bridging. Clods, rocks, and uneven spots which could damage or cause non-uniform support to the pipe shall be removed. Where rocks, boulders or any other material which might damage pipe are encountered, the trench bottom shall be undercut a minimum of 4 inches below final compacted fine-grained soils. Provisions shall be made to insure safe working conditions where unstable soil, trench depth, or other conditions are such as to impose a safety hazard to personnel working in the trench.
14. Pipe shall be installed in accordance with these plans, the manufacturer's recommendations, and ASTM D2321. Pipe shall be fully supported its entire length by hand excavation or other suitable means. Initial pipe backfill shall be of selected material free from sharp edged rocks, stones or clods. Care shall be taken to avoid deformation or displacement of the pipe during initial backfill operation. The remainder of the backfill shall be placed and spread in approximately uniform layers in such a manner as to completely fill the trench so that there will be no unfilled spaces in the backfill. Mound the backfill soil to replace the soil removed from the trench.
15. Seed disturbed and topsoiled areas using Fairway Crested Wheatgrass at 15#/acre, or Smooth Bromegrass at 20#/acre. Apply seed when soil is not wet, using a grass drill at a depth of 1/4 to 3/4 inch, or with other approved types of equipment that will ensure a uniform distribution of the seed. Areas with slopes steeper than 4:1 shall be mulched with straw or hay and anchored by use of a mulching machine or netting.
16. Gravity sewer and drainage pipes shall be constructed using SDR 35 or heavier PVC pipe laid at the grades shown on the drawings. Pressure pipe (force main) shall be constructed using PVC pipe meeting the standards of AWWA C900. On pressure pipe systems, provide concrete thrust blocks, with at least 4 square feet of bearing on undisturbed, firm soil, at all bends, valves, tees, fittings or reducers. Where water supply pipes cross under or within 18 inches of any sewer piping, encase the water line in concrete (minimum of 6" surrounding the pipe) or a sealed casing of larger diameter pipe for at least 10 feet either side of the crossing.
17. All sewer pipes shall be pressure tested. Builder shall provide written certification of pressure testing results to the engineer prior

- to application for payment. The contractor shall provide all labor and materials for pressure testing.
18. Pressure tests of gravity sewers shall be performed as follows: A test plug shall be inserted at the point of discharge or end of segment. The sewer shall then be filled with water to the top of the inlet pipe. The water level at the top of the inlet shall not drop for at least fifteen minutes.
19. Unless otherwise specified on the plans, the fill shall be compacted to the following specifications. Maximum density shall be determined by ATSM-D-698, Standard Proctor Test.

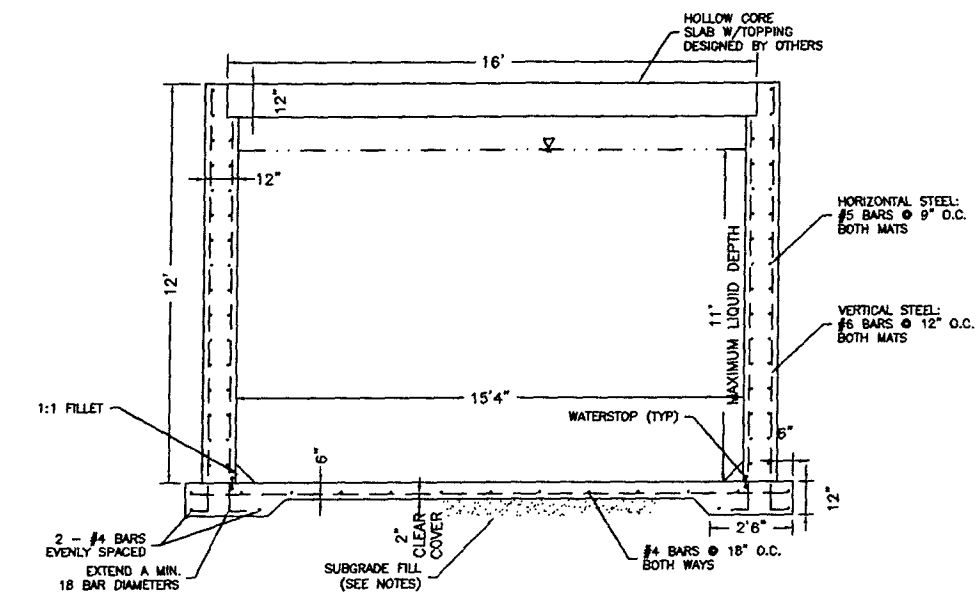
	% maximu m dry density	moisture range about optimum %	max. lift thickness	total liner thickness
Structural fill beneath slabs and pipe	95%	-3 to +3	8"	-
20. All piping shall be installed so a minimum of 4.5 feet of cover is present between the surface and the crown of the pipe if additional insulation is not provided.



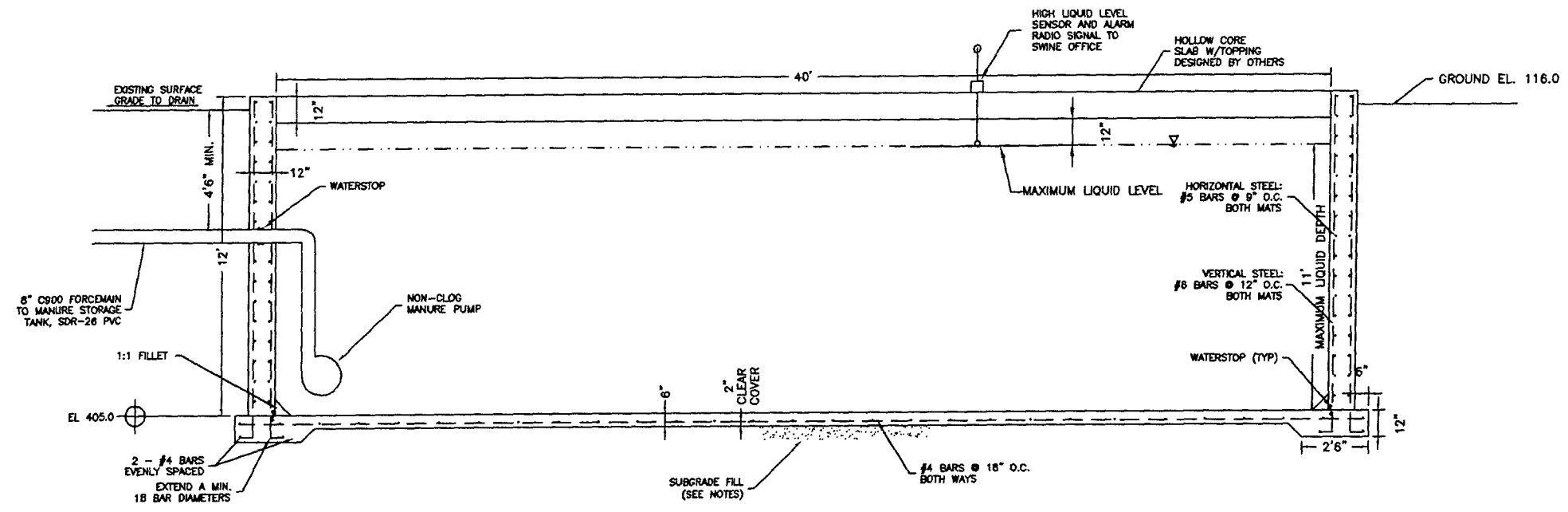
CONSTRUCTION NOTES	DATE: 5/10/07	DESCRIPTION: RR	CHECKED: BF	CHKD
JAMESVILLE COLONY AWMS	REV. DATE:			
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED				
JOB NO: 22007				
SCALE: NTS				
DWG: 15				
P.O. BOX 636 HURON, SD 57350				605-352-5610



PROPOSED
RECEPTION AND PUMP PIT
PLAN VIEW



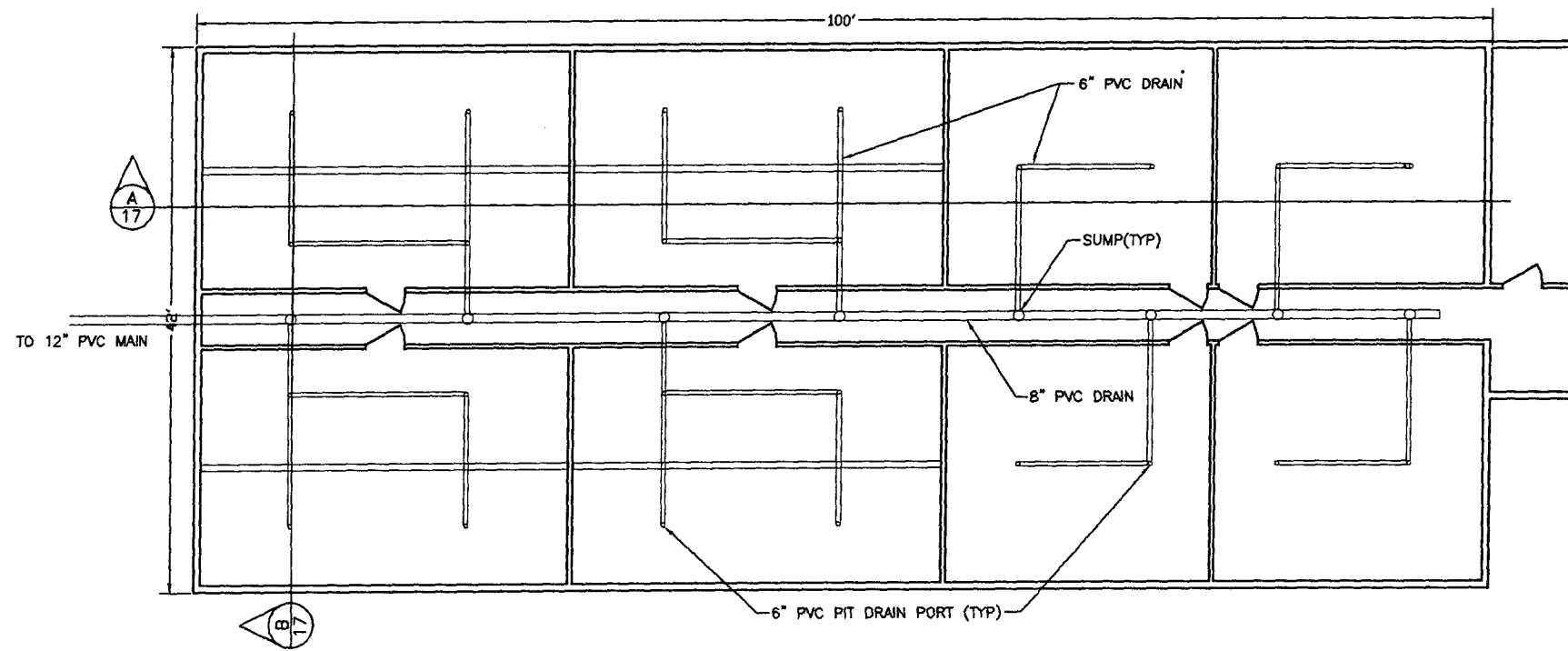
PROPOSED
RECEPTION AND PUMP PIT
TRANSVERSE VIEW



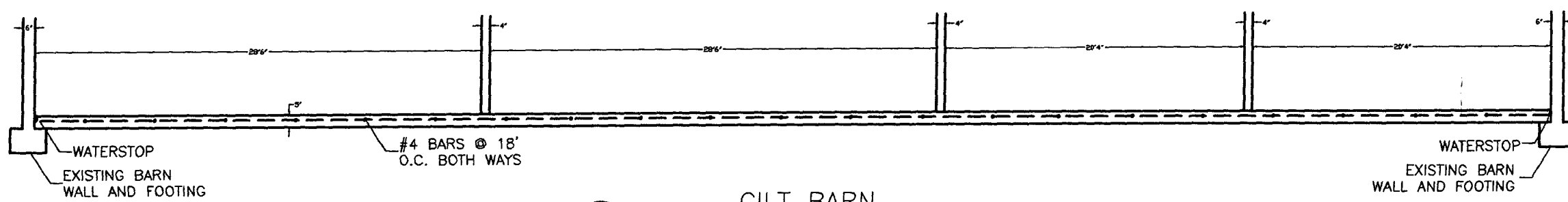
PROPOSED
RECEPTION AND PUMP PIT
LONGITUDINAL VIEW



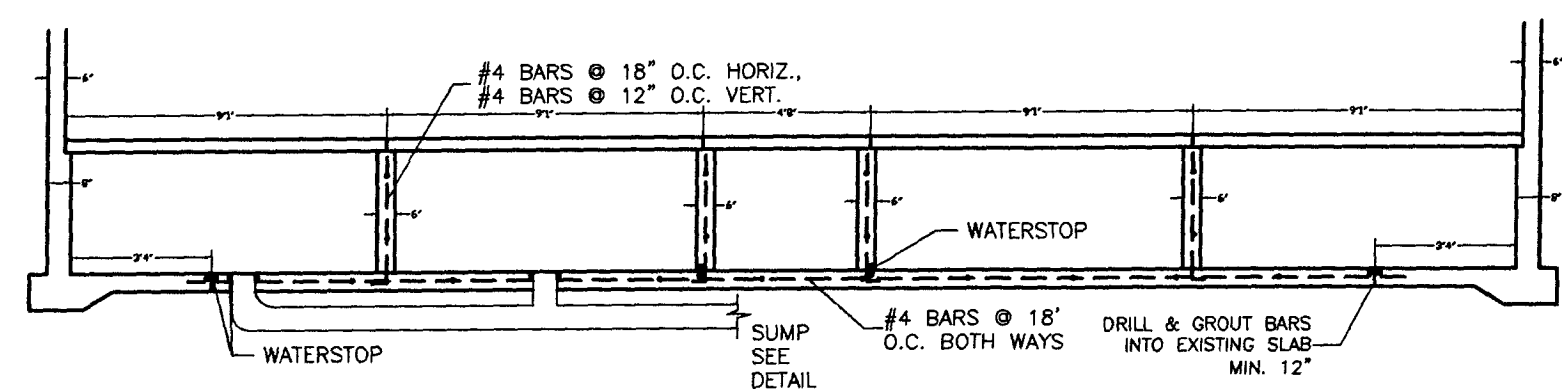
		RECEPTION PIT									
		JAMESVILLE COLONY AWMS									
JOB NO: 22007		DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED									
		P.O. BOX 636 HURON, SD 57350 605-352-5610									
SCALE: NTS		REV.		DATE		DESCRIPTION		BY		CHKD	
DWG: 16		DATE:		11/30/07		DRAWN:		RR		CHECKED: BF	



PLAN VIEW



A
17
GILT BARN
LONGITUDINAL SECTION
NOT TO SCALE



B
17
GILT BARN
TRANSVERSE SECTION
NOT TO SCALE



	GILT BARN																									
	JAMESVILLE COLONY AWMS										REV.	DATE	DESCRIPTION			BY	CHKD									
											DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED										DATE:	11/30/07	DRAWING: RR		CHECKED: BF	
																					P.O. BOX 636 HURON, SD 57350 605-352-5610					
JOB NO:											22007															
SCALE:											NTS															
DWG:											17															



DAKOTA ENVIRONMENTAL, INC.

Engineers...Hydrogeologists...Geologists...Remedial Specialists

February 14, 2008

Eric Gronlund
South Dakota DENR
523 East Capitol
Pierre, SD 57501

Re: Water Rights Permit Application
Jamesville Colony, Yankton County, SD
DEC Project No. 22007

Dear Mr. Gronlund:

On behalf of the owners of the above referenced project site, we are transmitting the following information as a request for a water rights permit as described below.

Jamesville Colony proposes to install a new well to provide water for stock consumption. A proposed swine confinement will be served by this well, as will an existing swine confinement which is being modified and an existing turkey confinement. A stock watering tank in a nearby pasture will also be served. The existing swine and turkey confinements are currently served by wells which will be replaced by the proposed well.

Two copies of forms 2 and 2A are included, as well as two copies of the map showing the proposed diversion point. Documentation prepared as part of the General Water Pollution Control Permit for Concentrated Animal Feeding Operations application is also included in two copies as additional reference material for the project.

Please also find enclosed a check for \$200.00 to address the filing fee and inspection/licensing fee for the withdraw volume proposed.

We believe you will find the enclosed information adequate to evaluate this application. As always, please feel free to contact us if you have any questions or require additional information.

Sincerely,

Brian Friedrichsen, PE
Senior Engineer

P.O. Box 636, Huron, SD 57350
605-352-5610 1-800-888-0423 Fax 605-352-0951

RECEIVED

FEB 15 2008

**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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6973-3, Jamesville 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. 6973-3, Jamesville Colony, c/o Edwin Wurtz, 43582 NE Jim River Road, Utica SD 57067.

The Chief Engineer is recommending APPROVAL of Application No. 6973-3 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. The well authorized by Permit No. 6973-3 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. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04. In addition, any other wells on colony property that are abandoned shall be plugged in accordance with Chapter 74:02:04.
4. Permit No. 6973-3 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.
5. Permit No. 6973-3 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

See report on application for additional information.

A handwritten signature in black ink, appearing to read "Garland Erbele". The signature is fluid and cursive, with the first name being more prominent.

Garland Erbele, Chief Engineer
March 28, 2008

NOTE: The staff report on this application found record of another Dakota Formation well that is used to supply colony residents. If the diversion from this well is greater than 18 gallons per minute a water permit is required for this well. Please contact Eric Gronlund @605 773-3352 if you have any questions.

REPORT ON WATER PERMIT NO. 6973-3
For Jamesville Colony
March 25, 2008

Application No. 6973-3 proposes to appropriate 0.167 cfs (75 gpm) from one well approximately 750 feet deep located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 29, T96N R56W in Yankton County. The water is used for a livestock confinement facility.

AQUIFER – DAKOTA FORMATION (DKOT)

The Dakota Formation is a buried sand, sandstone and shale that is under artesian conditions in this area. The aquifer underlies 523 square miles and contains an estimated 7.9 million acre-feet of recoverable water in storage in Yankton County (Hedges, 1982). The aquifer extends into all counties surrounding Yankton County and to the south into Nebraska. Bugliosi estimated the top of the aquifer at about 850 feet above mean sea level, with a static water level of about 1280 feet mean sea level. This equates to an aquifer depth of about 450 feet below surface with a water level about 80 feet above land surface at this site. The general direction of water movement appears to be from west to east across this area (Bugliosi, 1986). According to Bugliosi the static water level of the Dakota aquifer has declined some but probably less than 50 feet since the early 1900's. Also there has been little change in water levels during the last 30 years as shown by the observation well record for the Dakota aquifer.

There is a nearby production well for the colony and completed into the Dakota Formation. This well indicates the top of the Dakota at about 500 feet below land surface and a completed well capable of free flowing at 100 gpm.

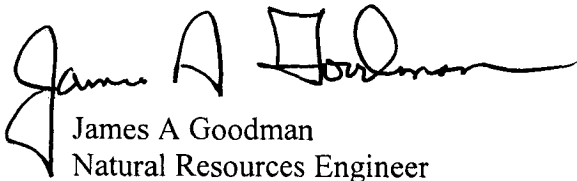
The Water Rights Program monitors two observation wells completed into the Dakota aquifer within 20 miles of this site. HT-80B is located about nine miles northwest of this application and YA-80P is located about 18 miles southeast of the application. Water levels for these wells show good response to climatic conditions. In general water levels rise during wet years and gradually decline during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2008). Hydrographs for these two observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby Water Permits/Rights from the Dakota aquifer in this area. The nearest domestic well from the Dakota aquifer is one for Jamesville Colony. This well is not permitted and probably should have a Water Permit/Right.

CONCLUSIONS

1. Water is available from the Dakota aquifer.
2. The aquifer is under artesian conditions at this site. In fact, the records would indicate this well could free flow at the land surface. Drawdown will occur as a result of pumping or allowing the well to free flow. This is not expected to adversely affect existing wells. It may be or become necessary to pump the amount of water needed.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards. Any wells that will be abandoned because of this project must be plugged in accordance with SD Well Construction Standards.
4. Since this well may free flow at the land surface it will be necessary to valve and control this well in order to prevent the waste of water.
5. Plans and Specifications for this facility were approved by the Department in December of 2007.



James A Goodman
Natural Resources Engineer

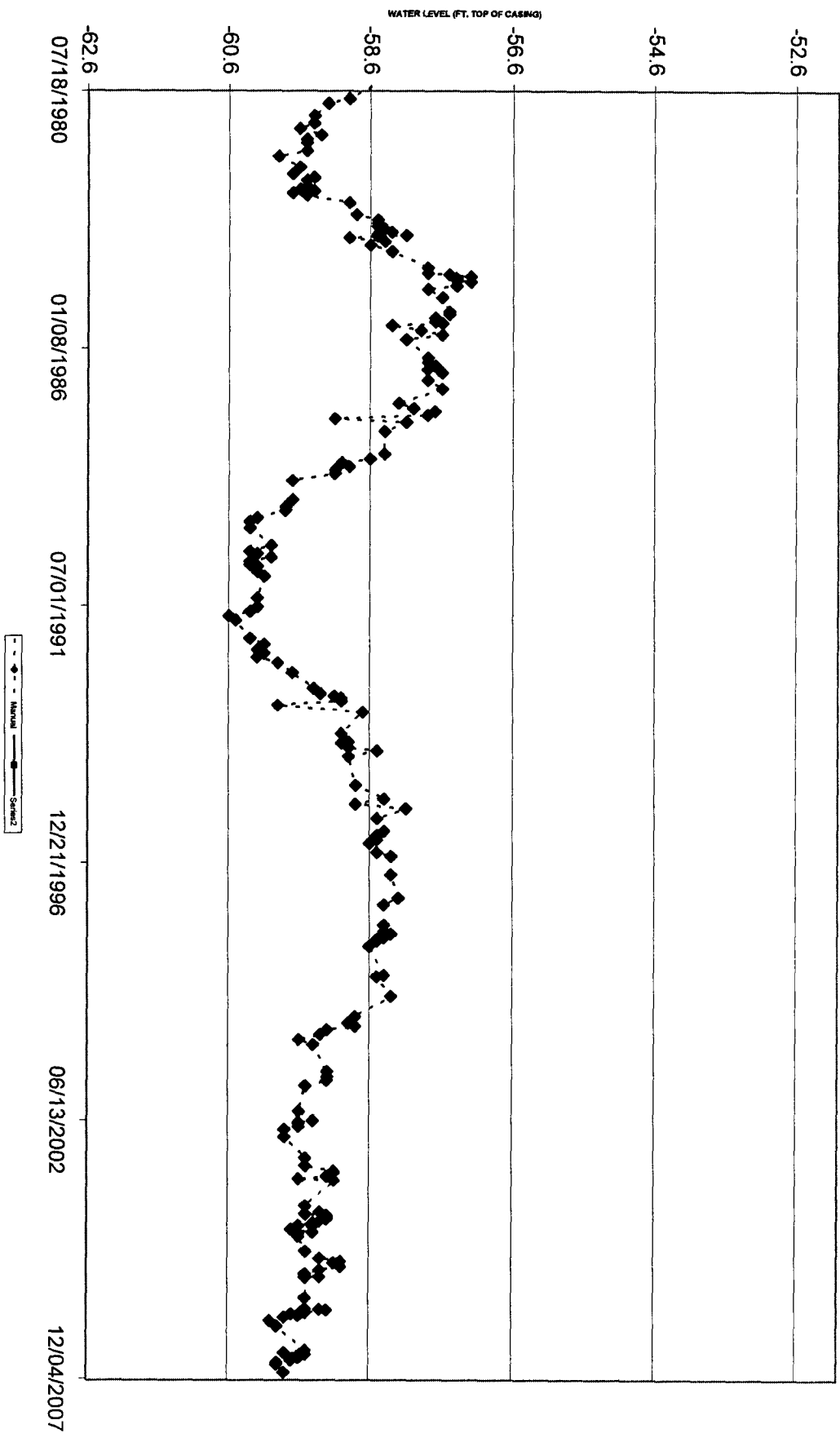
BIBLIOGRAPHY

Bugliosi, E.F., 1986, Water Resources of Yankton County, South Dakota, Water-Resources Investigations Report 84-4241, USGS, Huron, SD, 57350.

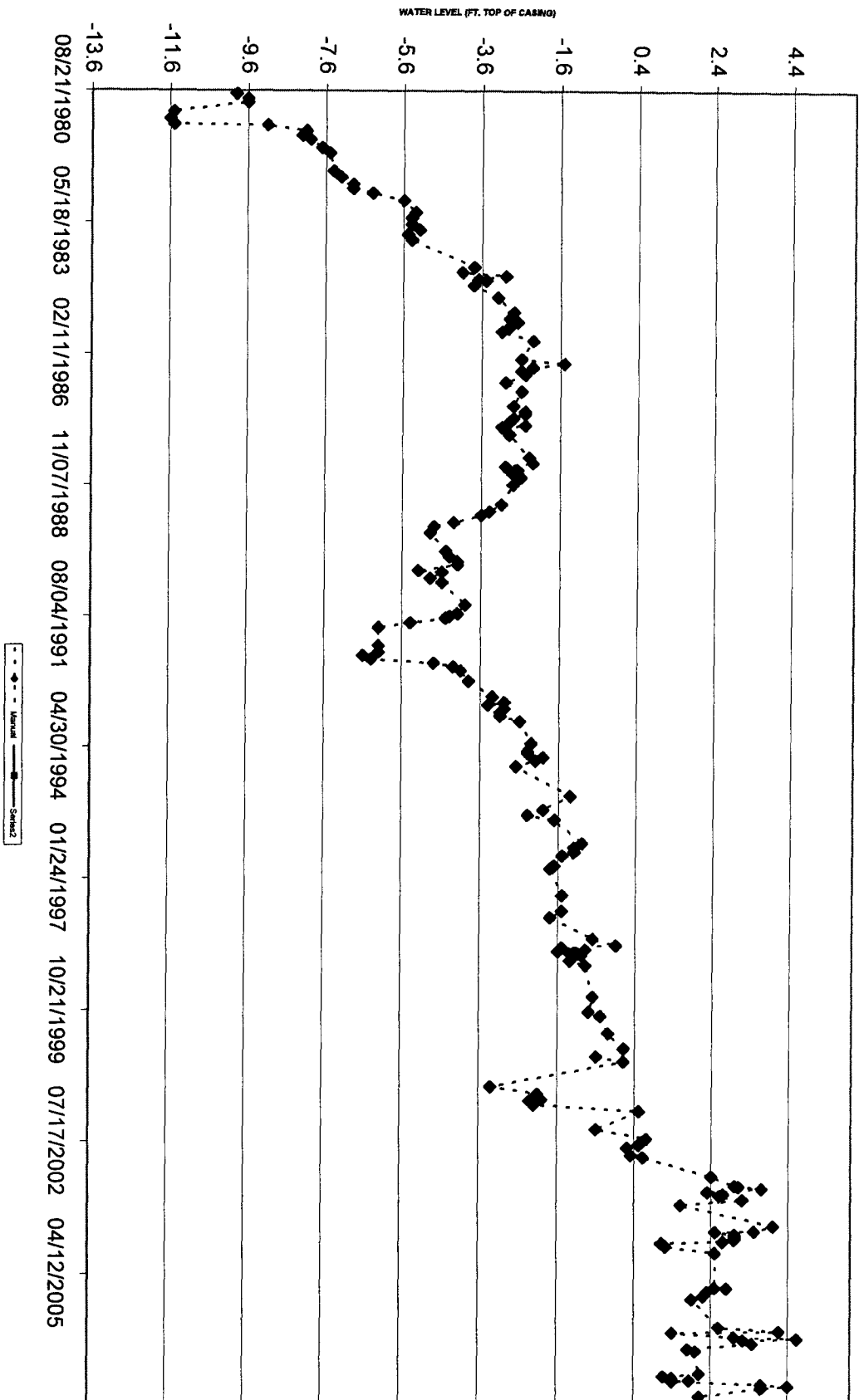
Hedges, L.S, and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2008, Unpublished Observation Well Data for the Dakota Formation, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
YA-80P



WATER RIGHTS' OBSERVATION WELL HT-80B



AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

RECEIVED

APR 15 2008

WATER RIGHTS
PROGRAM

DENR
PMB 2020
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE MANAGING EDITOR OF THE YANKTON
PRINTING COMPANY, A CORPORATION, THE PRINTER AND THE
PUBLISHER OF THE YANKTON DAILY PRESS AND DAKOTAN, A LEGAL
DAILY NEWSPAPER PRINTED AND PUBLISHED IN THE CITY OF YANKTON,
SAID COUNTY AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF
THE SAID COUNTY OF FACTS STATED IN THIS AFFIDAVIT, THAT THE
ANNEXED Notice of Application No. 6973-3 to Appropriate Water

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON THE 10th DAY OF April 2008
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$41.33 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 4/3, 4/10

FILED ON: 4/10/2008

SUBSCRIBED AND SWORN TO BEFORE ME THIS 10th DAY OF April, 2008

[Signature]
NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES 8/19/2009

4+3+10

**NOTICE OF APPLICATION
NO. 6973-3 to Appropriate
Water**

Notice is given that Jamesville Colony, c/o Edwin Wurtz, 43582 NE James River Road, Utica SD 57067 has filed an application for a water permit to appropriate 0.167 cubic feet of water per second from one well to be completed into the Dakota Aquifer (approximately 750 feet deep) located in NW 1/4 NE 1/4 Section 29-T96N-R56W for commercial use at a livestock confinement facility.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6973-3 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 April 21, 2008.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pimer, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 27, 2008

Daily Press & Dakotan
PO Box 56
Yankton SD 57078

ATTENTION: Legal Public Notice

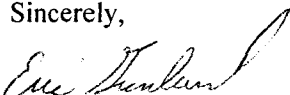
Enclosed is a Notice on Application No. 6973-3 to Appropriate Water to be published twice. Please publish the first notice on April 3, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Jamesville Colony, c/o Edwin Wurtz, 43582 NE Jim River Rd, Utica SD 57067 (Ph # 605-364-7307).

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. 6973-3

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

Date _____

We are in receipt of your letter of March 27, 2008 enclosing Notice to Appropriate Water by Application No. 6973-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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

March 27, 2008

Jamesville Colony
Edwin Wurtz
43582 NE Jim River Rd
Utica SD 57067

Dear Mr. Wurtz:

Water Permit Application No. 6973-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Daily Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). 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 are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on April 3, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6973-3 to Appropriate Water

Notice is given that Jamesville Colony, c/o Edwin Wurtz, 43582 NE James River Road, Utica SD 57067 has filed an application for a water permit to appropriate 0.167 cubic feet of water per second from one well to be completed into the Dakota Aquifer (approximately 750 feet deep) located in NW ¼ NE ¼ Section 29-T96N-R56W for commercial use at a livestock confinement facility.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6973-3 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 April 21, 2008.

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

MAY 16 2008

Jamesville Colony
Edwin Wurtz
43582 NE Jim River Rd
Utica SD 57067

Dear Mr. Wurtz:

Enclosed is Water Permit No. 6973-3 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

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 6973-3**

I have this day, September 23, 2020, made a thorough examination of the water use system constructed by Jamesville Colony, 43582 NE James River Road, Utica, SD 57067, holder of Permit No. 6973-3, bearing the priority of February 15, 2008, authorizing the diversion of 0.167 cu. ft. per second of the waters of groundwater (Dakota Aquifer) for commercial uses in Yankton County.

Inspection contact: Edwin Wurtz and Jim

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Stretch's Well Service, Inc.
- 2) No. of Wells: 1
- 3) Depth(s): 720 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 5 inches
- 2) Length: 520 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 2.5 inches
- 2) Length: 200 feet
- 3) Type: PVC
- 4) Static water level: Unknown feet

Pump:

- 1) Make: Grundfos
- 2) Model: 75S50-C
- 3) Capacity: 75 gpm

Motor:

- 1) Make: Grundfos
- 2) Model No.: Unknown
- 3) Horsepower rating: 5 hp

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

- 1) Type: PVC
- 2) Size: 2 inches
- 3) Length: Approximately 700 feet

C. Works used to apply water to beneficial use:

- 1) Livestock waterers in swine barns.

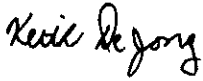
D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 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:
The well is 1,950 feet west and 830 feet south of the northeast corner of Section 29-T96N-R56W (Latitude 43.108890, Longitude -97.485120 – NW1/4 of the NE1/4).
2. The works are capable of diverting and conveying to the place of use 0.167 cu. ft. per second of water which is to be used for commercial purposes. Water has been put to beneficial use to the maximum extent at the commercial facility and the license should be issued for 0.167 cfs.
3. All structures, wells and lands on map Yes

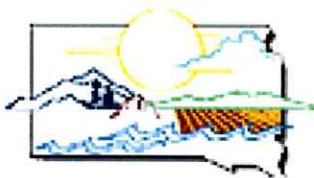
F. Comments or other permit(s) associated with the project: The existing wells have been capped. Jim stated that the swine barns use well water, but the turkey barns get water from BY Water.



Keith DeJong
Water Rights Inspector
DENR, Water Rights Program

Date report completed: September 28, 2020

Water Right No. 6973-3



Keith DeJong

Keith DeJong, PE
Staff Engineer
September 28, 2020

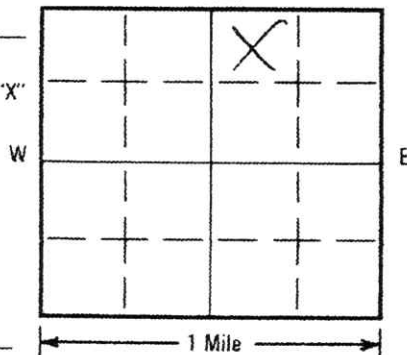
SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

6973-3

Location NW 1/4 NE 1/4 Sec 29 Twp 96N Rg 56W
County Yankton

Please mark well location with an "X"



Well Completion Date

9-25-08

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? NONE 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
SC488B/FT	5 IN	0 FT	530 FT	2 7/8 IN
SC488B/FT	2 1/2 IN	530 FT	720 FT	4 1/2 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
Portland	80	15 lb./gal	0 ft	530 ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Pumped Through 5"SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 2 1/2 IN Length 200 FEETMaterial SC480 PVCSlot Size 1/16 Set From 520 Feet to 720 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☒ YES ☐ NOIf so, what material? RubberDescribe packer(s) and location? Top of Slotted

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: _____☐ NO, Why Not? _____

Laboratory sent to for water quality analysis

ChlorineWell Owner: Jamesville Colony

Business Name: _____

Address: 43582 NE Jim River Rd.
Utica S.D. 57067

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Fine Sand	5	25
Sand & Gravel	35	160
Pea Rock	160	210
Shale	210	375
Dakota	375	495
Lakota	535	705
Shale	705	720

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure _____ PSI

GPM flow 50 through 2" inch pipeControlled by ☒ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? yes

WELL TEST DATA:

☐ Pumped Describe: _____☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

MAY 13 2009

WATER RIGHTS
PROGRAMThis well was drilled under license # 722

And this report is true and accurate.

Drilling firm Stretch's Well Service Inc.

Signature of License Representative:

Tom Gatty

Signature of Well Owner or Equitable Property Holder:

Date: _____



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 05 2020

6973-3

Ed Wurtz
Jamesville Colony
43582 NE James River Rd
Utica SD 57067

Dear Mr. Wurtz:

Enclosed is Water License No. 6973-3. 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, 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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6973-3

(1) Jamesville Colony, 43582 NE Jim River Rd., Utica SD 57067 made Application No. 6973-3, February 15, 2008 for a water permit to divert 0.167 cubic feet of water per second from ground water, one well (Dakota Aquifer), Yankton County, South Dakota for commercial purposes. Permit No. 6973-3, with a priority date of February 18, 2008 was approved April 21, 2008 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 21, 2013 and for the application to beneficial use of water on or before April 21, 2017.

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

- 1,950' W and 830' S of the NE corner of Section 29, T96N, R56W (NW ¼ NE ¼)
Latitude 43.108890, Longitude -97.485120

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in a livestock confinement facility.

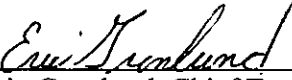
(4) Pursuant to South Dakota Water Law 46-5-30.1 Jamesville Colony, 43582 NE Jim River Rd., Utica SD 57067 the holder and/or owner of Water Right No. 6973-3 is issued a license to appropriate water, the right to use 0.167 cubic feet of water per second from ground water, one well (Dakota Aquifer) with a priority date of February 18, 2008 from the location specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6973-3 and subject to the following qualifications:

- The well approved under this Water Right 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.
- The well authorized by Permit No. 6973-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28. ***Well was drilled in September, 2008 by Stretch's Well Service Inc. A copy of the well completion report is on file with the Water Rights Program.***
- The well approved under this Water Right shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Water Right cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04. In addition, any other wells on colony property that are abandoned shall be plugged in accordance with Chapter 74:02:04.

Water License No. 6973-3
Jamesville Colony
Page 2

- Water Right No. 6973-3 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.
- Water Right No. 6973-3 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



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

087 0 5 2020

date

