

WATER PERMIT NO. 6992-3

Name of Applicant: R & R Farms

Address: 106 S Dak St, Clark SD 57225 Phone: 605 532-4006

Amount of Water Claimed: 2.0 Total Acres: 136

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Clark

Type of Waste Disposal System:

Location: 7 miles west of Clark

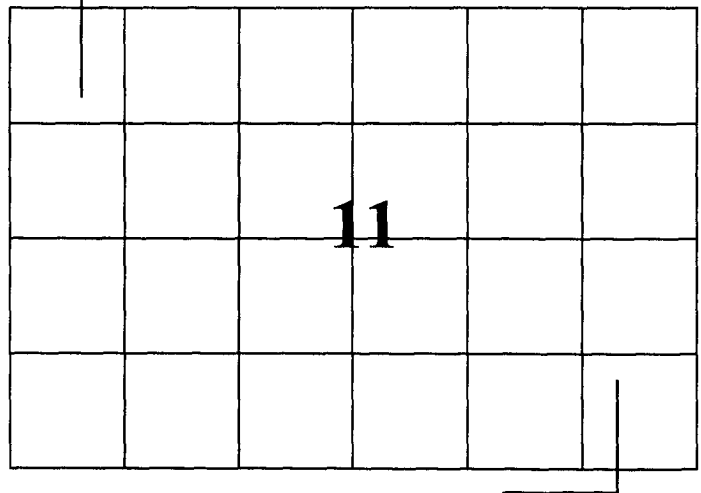
PRIORITY Date Received: 3-3-08 Application/License Fee: \$300

Corrected Application Received: Period of Annual Use: May 1 – October 31

Remarks:

Diversion Point: center of NE ¼ Sec 11-T116N-R59W

Land to be Irrigated: NE ¼ Sec 11-T116N-R59W



Depth of Well: 206 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Sharon Wiebs, Clark Co. FSA

Reviewed and the Number Assigned on: 3-4-08

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1992-3</u> (office use only)
	Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>Clark Co. Courier</u> <u>1191st Avenue</u> <u>605-532-3654</u> <u>Clark 57225</u>

RECEIVED
MAR - 3 2008
WATER RIGHTS PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ **New** ☐ **Vested Right** ☐ **Amendment/Correction to Permit No.** _____

(Use predates Mar 2, 1955)

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

1. Name of Applicant R+R Farms (Randy + Ryan Helkenn) Phone 605-532-4006
(check one) ☒ **Owner** ☐ **Tenant/lessee**
- Mailing Address 106 S. Oak St Clark State S.D. 57225
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 2 *CFS or 900 **GPM ***AF Total Acreage 136
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well in
center of section 11-116 N-59 W (Hogan Twp)
County Clark, SD
5. County or counties where water will be used Clark
6. Annual period during which water is to be used May - October
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NE 1/4 11-116 N-59 W	136		

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

1 center pivot with one well at or near the
center of the northeast quarter section 11-116 N-59 W
Hogan Township Clark Co. S.Dak.

STATE OF SOUTH DAKOTA) SS

County of Clark

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, Randy Helkenn, 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

Randy Helkenn

Subscribed and sworn to before me this 29th day of February 2007

Sharon Wicks

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6992-3**

Date of first receipt of application March 3, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6992-3 to R & R Farms, c/o Randy & Ryan Helkenn, 106 S Dakota St, Clark SD 57225 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. 6992-3 appropriates 2.0 cubic feet of water per second from one well to be completed into the Altamont Aquifer (approximately 206 feet deep) located in center of the NE ¼ Section 11 to irrigate 136 acres located in the NE ¼ Section 11; all in T116N-R59W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – October 31.
3. The date from which applicant may claim right is March 3, 2008.
4. The date of approval of Permit No. 6992-3 is May 19, 2008.
5. One-fifth of the construction is to be completed on or before November 19, 2010.
6. All construction is to be completed on or before May 19, 2013.
7. Water is to be put to beneficial use on or before May 19, 2017.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6992-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

JUN 27 2008

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 17 1/2" Depth up to 206 FT.
- b) Casing Type plastic Diameter 12" Thickness _____
- c) Screen Type PVC Diameter 12" 60FT Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 145 FT
- f) Depth to Water (ground surface to water level) 108 FT
- g) Distance to nearest existing domestic well:
On applicants property 1 mile On property owned by others _____

2. Wastewater Disposal System Information

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

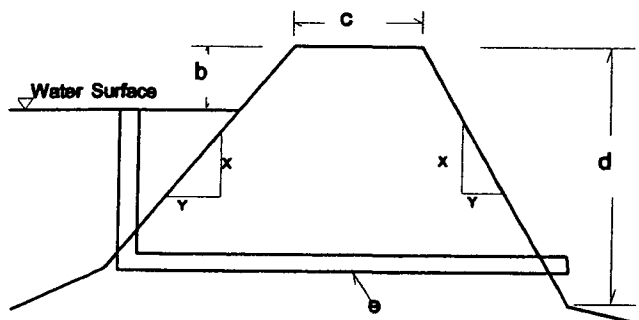
3. Dugout Information

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

4. Water Storage Dams

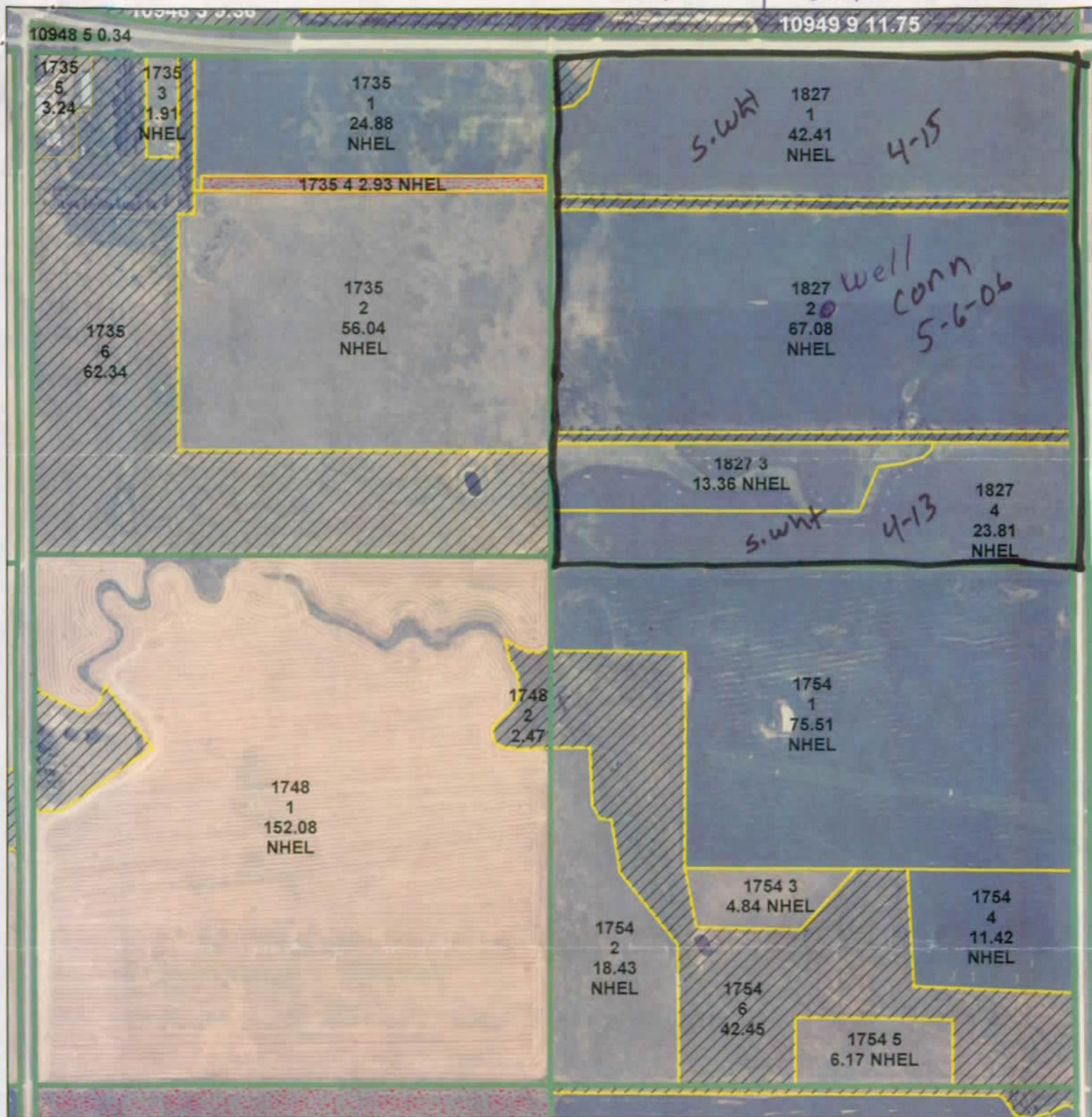
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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



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

center of section 11



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

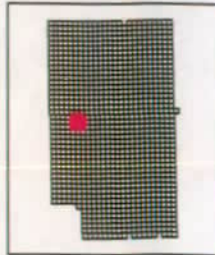
- CRP
- Easements
- Tract Boundary
- CLU Field Boundary
- NC

RECEIVED
MAR - 3 2008
WATER RIGHTS PROGRAM

South Dakota Clark County

11-116N-59W

Not to Scale / No Wetland Identification



April 13, 2006

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2004 ortho rectified imagery for South Dakota. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs.

Handwritten note: Monrovia Acting CEO FSA

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/4, 20 08

RECEIVED OF R & R Farms 106 S Dak St Elark SD 57225

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

Fee for Application for Permit No. <u>6992-3</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>6992-3</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.

03567

By

Galand Erbeke
Chief Engineer

gs



**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. 6992-3, R & R Farms**

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. 6992-3, R & R Farms, Randy and Ryan Helkenn, 106 S. Dakota Street, Clark SD 57225.

The Chief Engineer is recommending APPROVAL of Application No. 6992-3 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. 6992-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
April 23, 2008

REPORT ON WATER PERMIT APPLICATION NO. 6992-3
For R & R Farms
April 11, 2008

Application No. 6992-3 proposes to appropriate 2.00 cfs (900 gpm) from a well approximately 206 feet deep located in the center of the NE $\frac{1}{4}$ of section 11 to irrigate 136 acres located in the NE $\frac{1}{4}$ of section 11; all in T116N R59W in Clark County.

AQUIFER – ALTAMONT (A)

The Altamont is a predominantly buried outwash (sand and gravel) that may be under slightly artesian conditions in this area. Some of the drilling indicates artesian conditions others indicate water table conditions in this immediate area. In this area, Hamilton called the aquifer the Altamont 2. The Altamont 2 underlies 630 square miles and contains an estimated 3.2 million acre-feet of water in storage in Clark County (Hamilton, 1986). Ground water movement is from west to east across this portion of Clark County (Hamilton, 1986). Hamilton estimated the volume of recharge to the Altamont 2 and 3 aquifers to be about 54,000 acre-feet annually.

No test well was drilled for this application. Other tests and irrigation wells located both east and north of this site indicate the presence of the aquifer. This data matches up well with the county study, the observation well in the area and existing nearby irrigation wells. There is a Water Rights observation well CK-76F located about one-half mile to the northeast of the proposed irrigation well at this site. The map of the Altamont aquifer in the Clark County study indicates the aquifer does underlie section 11 but just to the west the aquifer is absent.

A hydrographs for CK-76F is included with this report. In general the hydrograph indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2008). Also, note the relatively small amount of fluctuation due to pumping. This is more indicative of a water table like behavior to pumping. Water levels appear to fluctuate a couple of feet annually in response to pumping. Overall the water level record indicates water levels respond well to climatic conditions. That is water levels rise during wet periods and gradually decline during dry periods.

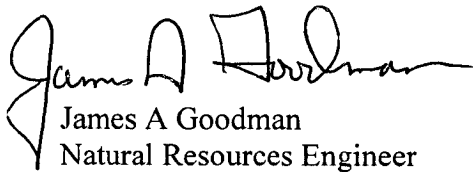
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing Water Permits/Rights within two miles of this application and one water permit application No. 6990-3 (3.56 cfs, 2 wells, irrigation of 280 acres). These are Water Right No. 6501-3 (1.0 cfs, irrigation of 112 acres) and Water Permit No. 6774-3 (3.89 cfs, 2 wells, irrigation of 272 acres). The nearest existing irrigation well to the well proposed in the NE $\frac{1}{4}$ of section 11 is about one-half mile north (Water Right No. 6501-3). Also the proposed well in the NW $\frac{1}{4}$ of section 12 (water permit application No. 6990-3) is located one-half mile east of this application. It also appears that one of the wells completed for Water Permit No. 6774-3 may be drilled about one-quarter mile west of where the well was proposed and permitted. The two existing irrigation wells under

Water Permit No. 6774-3 are prolific. Test data for these two wells indicate pumping rates of 900 gpm and 800 gpm with specific capacities of 180 gpm/ft of drawdown and 35 gpm/ft of drawdown, respectively. Note the apparent wide variation in specific capacity which underscores the necessity of drilling test holes and determining the best potential site for a production well.

CONCLUSIONS

1. Water is available from the Altamont aquifer.
2. The aquifer is under slight artesian conditions or water table conditions at this site. Drawdown does occur as a result of pumping but is not expected to be significant. Interference may occur but is not expected to cause adverse effects and should not be a problem.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. No test drilling was done for this site. Test well drilling will be necessary to determine the best potential site for a production well.



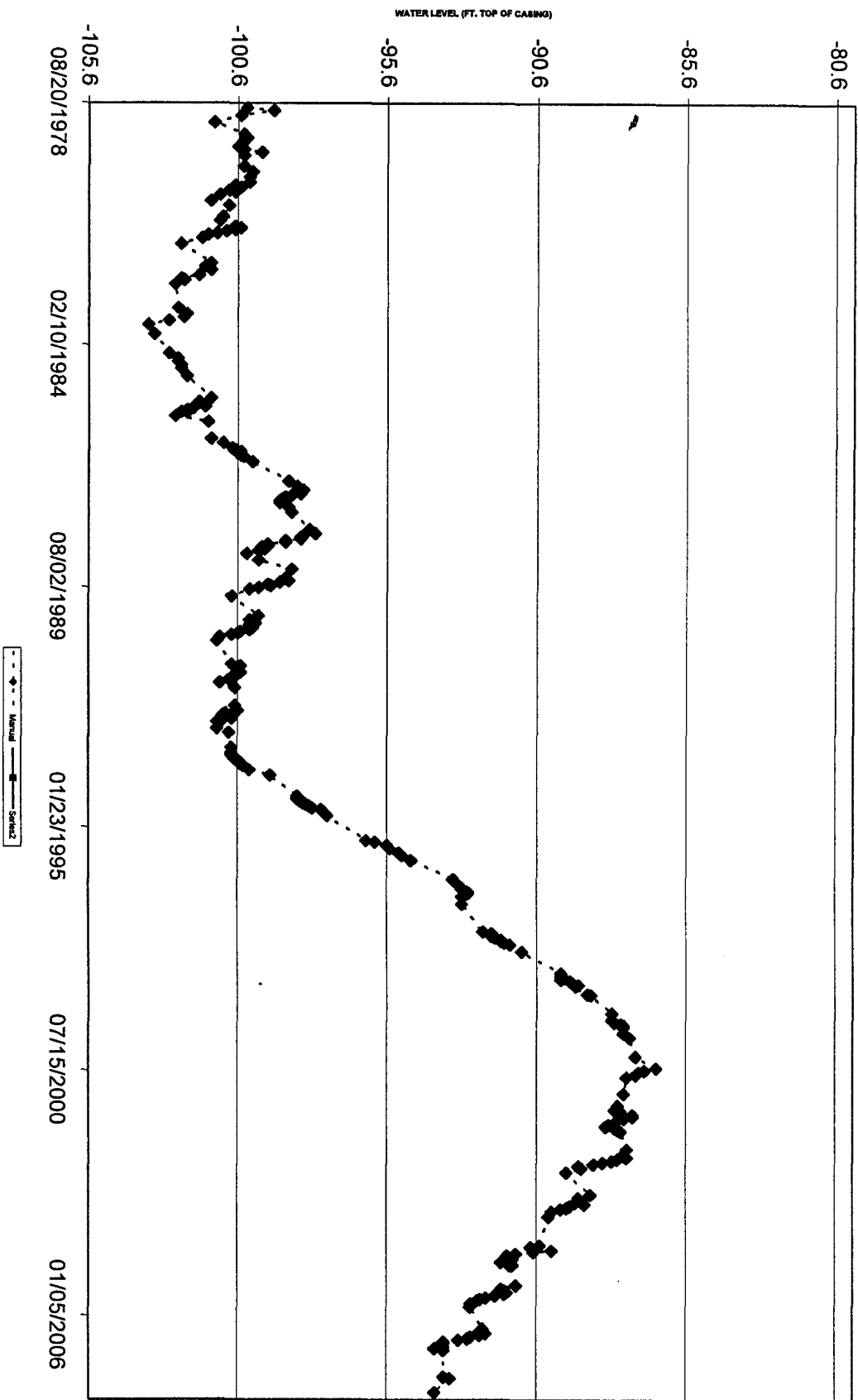
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hamilton, L.J., 1986, Geology and Water Resources of Clark County, South Dakota, Bulletin 29, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2007, Unpublished Observation Well Data for Clark County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
CK-78F**



**NOTICE OF APPLICATION NO.
6992-3 to Appropriate Water**

Notice is given that R & R Farms, c/o Randy and Ryan Helkenn, 106 S Dakota St, Clark S.D. 57225 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Altamont Aquifer (approximately 206 feet deep) located in center of the NE 1/4 Section 11 to irrigate 136 acres located in the NE 1/4 Section 11; all in T116N-R59W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6992-3 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 recommendation 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 S.D. 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 May 19, 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
4-30-2t

RECEIVED
MAY 21 2008
WATER RIGHTS
PROGRAM

Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

R&R FARMS

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

TWO

successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

APRIL 30, 2008

MAY 7, 2008

that the full amount of the fees for the publication of the annexed notice is

40.48

William J. Krikac

Subscribed and sworn to before me this

19th DAY OF MAY, 2008

Anne D. Helken

Notary Public
Clark County, South Dakota

My commission expires: 06/04/2013



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 23, 2008

Clark County Courier
119 1st Ave E
Clark SD 57225

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6992-3 to Appropriate Water to be published twice. Please publish the first notice on April 30, 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 R & R Farms, Randy Helkenn, 106 S Dakota St, Clark SD, 57225 (Ph # 605-532-4006).

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. 6992-3

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

Date _____

We are in receipt of your letter of April 23, 2008 enclosing Notice to Appropriate Water by Application No. 6992-3 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.

April 23, 2008

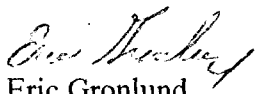
R & R Farms
Randy Helkenn
106 S Dakota St
Clark SD 57225

Dear Mr. Helkenn:

Water Permit Application No. 6992-3 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 Clark County Courier printed at Clark SD (Ph # 605-532-3654). 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 30, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6992-3 to Appropriate Water

Notice is given that R & R Farms, c/o Randy and Ryan Helkenn, 106 S Dakota St, Clark SD 57225 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Altamont Aquifer (approximately 206 feet deep) located in center of the NE ¼ Section 11 to irrigate 136 acres located in the NE ¼ Section 11; all in T116N-R59W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6992-3 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 recommendation 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 May 19, 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

JUN 27 2008

R & R Farms
c/o Randy & Ryan Helkenn
106 S Dakota St
Clark SD 57225

Dear Mssrs. Helkenn:

Enclosed is Water Permit No. 6992-3 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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6992-3</u> (office use only) Hydrologic Unit _____
	Basin _____
	Newspaper _____

RECEIVED
APR 18 2012
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 6992-3
(Use predates Mar 2, 1955)

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

change diversion POINT UNDER 46-5-13-1
NO additional WATER, NO additional ACRES

1. Name of Applicant R & R FARMS Phone 605-881-1008
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 925 No. Commercial ST. CLARK State SD 57225
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed N/A *CFS or N/A **GPM N/A ***AF Total Acreage _____
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply WELL approx 190' deep

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County CLARK
SE 1/4 NE 1/4 NE 1/4 11-116-59

5. County or counties where water will be used CLARK

6. Annual period during which water is to be used _____

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres

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

STATE OF SOUTH DAKOTA) SS

County of Clark

I, R & R Farms by Randy Helkenn

, 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 R & R Farms by Randy Helkenn

Subscribed and sworn to before me this 17 day of April 20 12

Cheryl Swanson
Notary Public signature
Cheryl Swanson, Clark County, SD
My Com. Expires: March 29, 2018

Center of section 11



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

- CRP
- Easements
- Tract Boundary
- CLU Field Boundary
- NC

RECEIVED
MAR - 3 2008
WATER RIGHTS
PROGRAM

South Dakota Clark County

11-116N-59W

Not to Scale/No Wetland Identification

*Maureen
Petersen
PSP*



April 13, 2006

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2004 aerial modified imagery for South Dakota. The producer accepts the data "as is" and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on the data outside of FSA Programs.

Approval of a Change of Diversion Point

NAME: R & R Farms c/o Randy Helkenn

ADDRESS: 925 N Commercial St, Clark SD 57225

DATE: April 30, 2012 **COUNTY:** Clark **TELEPHONE:** 605 881-1008

BACKGROUND

Water Permit No. 6992-3 appropriates 2.0 cubic feet of water per second from one well to be completed into the Altamont Aquifer located in the center of the NE ¼ Section 11 to irrigate 136 acres located in the NE ¼ Section 11; all in T116N-R59W.

On April 18, 2012 Randy Helkenn filed a request for a change of diversion point for the original well from the center of the NE ¼ Section 11 to the SE ¼ NE ¼ NE ¼ Section 11; all in T116N-R59W.

AUTHORITY

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

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

The water source remains the Altamont Aquifer. No additional water is to be appropriated by this request.

- **Irrigated acres**

No additional land is to be irrigated above the 136 acres authorized by Water Permit No. 6992-3. This request is solely to change the well location.

- **Review of Existing Diversions**

The well completion report database was reviewed and the nearest domestic well on file is located approximately 1 mile southeast of this location and is 947 feet deep. This well was drilled 1914 and is completed in the Dakota Formation. The review of the database records does not include well reports that were not filed nor does it provide an indication whether the domestic well is still in use.

The water right database was reviewed for existing water rights from the Altamont Aquifer. Water Right No. 6501-3, Russ Hulbert located ½ mile north, Water Permit No. 6990-3 and 7097-3, James

Orris located ½ mile & 1 mile to the east and No. 6992-3 and 6774-3-3 held by R & R Farms located ½ mile to the northeast.

Observation well CK-78F is located approximately ½ mile north of the proposed well location. Water levels for this well show good response to climatic conditions, that is rising water levels during wet years and gradually declining levels during dry years. The observation well shows a relatively small amount of fluctuations due to pumping.

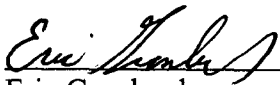
The proposed change in location will move the well from approximately 2,640 feet to about 1,320 feet from one of the wells authorized by Water Permit No. 6990-3. Given the aquifer characteristics, this change in location will not significantly increase drawdown or be adverse to the neighboring wells.

CONCLUSIONS

- The change in well location does not proposes to appropriate additional water.
- The well is to be completed into the Altamont Aquifer.
- Interference is not expected to be a concern.
- Existing domestic wells should not be adversely impacted by authorizing this change.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the change in diversion point located be authorized under Water Permit No. 6992-3.



Eric Gronlund
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14:01 that:

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



Garland Erbele, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 30, 2012

R & R Farms
c/o Randy Helkenn
925 N Commercial St
Clark SD 57225

Dear Mr. Helkenn:

Recently you filed a request to change the location of the diversion point authorized by Water Permit No. 6992-3. Water Permit No. 6992-3 appropriates 2.0 cubic feet of water per second (cfs) from one well to be completed into the Altamont Aquifer located in the center of the NE $\frac{1}{4}$ Section 11 to irrigate 136 acres located in the NE $\frac{1}{4}$ Section 11; all in T116N-R59W. The request proposes to change the diversion point location from the center of the NE $\frac{1}{4}$ Section 11 to the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11; all in T116N-R59W.

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

No increase in the authorized diversion rate of 2.0 cfs from the Altamont Aquifer is authorized. If the diversion rate increases or the well is developed into another aquifer, a new water permit will need to be obtained.

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

Sincerely,

A handwritten signature in black ink, reading "Garland Erbele". The signature is written in a cursive, flowing style.

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

enclosure

Approval of Location Change and/or Additional Diversion Point(s)

NAME: R&R Farms % Randy Helkenn

ADDRESS: 17464 417th Ave, Raymond SD

DATE: June 13, 2023

COUNTY: Clark

GENERAL DESCRIPTION OF AUTHORIZED PROJECT:

The permit holder is authorized to construct constructed one 206 foot deep well into the Altamont Aquifer in the center of the NE1/4 of Section 11 T116N-R59W for irrigation of 136 acres in the NE 1/4 of Section 11 T116N-R59W.

AUTHORITY:

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

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

The permit holder constructed one 206 foot deep well into the Altamont Aquifer in the NE1/4 SE1/4 of Section 11 T116N-R59W

- **If irrigation, no new land is irrigated**

The permit holder is developed 130.2 acres in the NE1/4 of Section 11 T116N-R59W

- **Review of Existing Diversions**

There are two existing water permits/rights within a mile of where the this well was developed by other water permit holders. One of the two was an existing permit/right when this permit was issued, it was determined that there was reasonable probability any well interference due to pumping of this well would not adversely or unlawfully impair existing rights. The same would be expected for the well constructed in the new location.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Mark D. Rath, Natural Resources Engineer
Water Rights Program

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

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Eric Gronlund, Chief Engineer
Water Rights Program



6992-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

JUN 14 2023

R&R Farms
c/o Randy Helkenn
17464 417th Ave
Raymond SD 57258

6992-3

Dear Mr. Helkenn:

Enclosed is Water License No. 6992-3. 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. 6992-3

(1) R&R Farms, c/o Randy Helkenn; 17464 417th Ave, Raymond SD 57258, made Application No. 6992-3, March 3, 2008, for a water permit to divert 2.0 cubic feet of water per second from groundwater, one well (Altamont Aquifer), Clark County, South Dakota for irrigation purposes. Permit No. 6992-3, with a priority date of March 3, 2008, was approved May 19, 2008, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 19, 2013 and for the application to beneficial use of water on or before May 19, 2017.

An investigation conducted for licensing purposes found the diversion point developed outside of the permitted area. Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01, the Chief Engineer made a finding that the change in the diversion point location did not increase the potential for adverse effects to existing diversions.

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

- 925 ft S & 60 ft W of the NE corner of Section 11, T116N, R59W (NE ¼ NE ¼)
(Latitude 44.87488 Longitude -97.87671)

(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 11, T116N, R59W	
NW ¼ NE ¼	32.8 acres
NE ¼ NE ¼	31.4 acres
SE ¼ NE ¼	32.3 acres
SW ¼ NE ¼	33.7 acres
TOTAL: 130.2 acres	

(4) Pursuant to South Dakota Water Law 46-5-30.1 R&R Farms, the holder and/or owner of Water Right No. 6992-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater, one well (Altamont Aquifer) with a priority date of March 3, 2008 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. 6992-3 and subject to the following qualifications:

1. 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 their withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

continued

2. The well authorized by Permit No. 6992-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

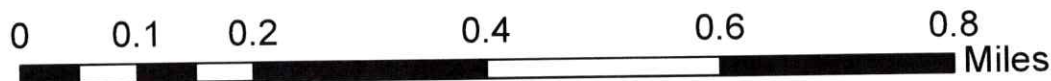
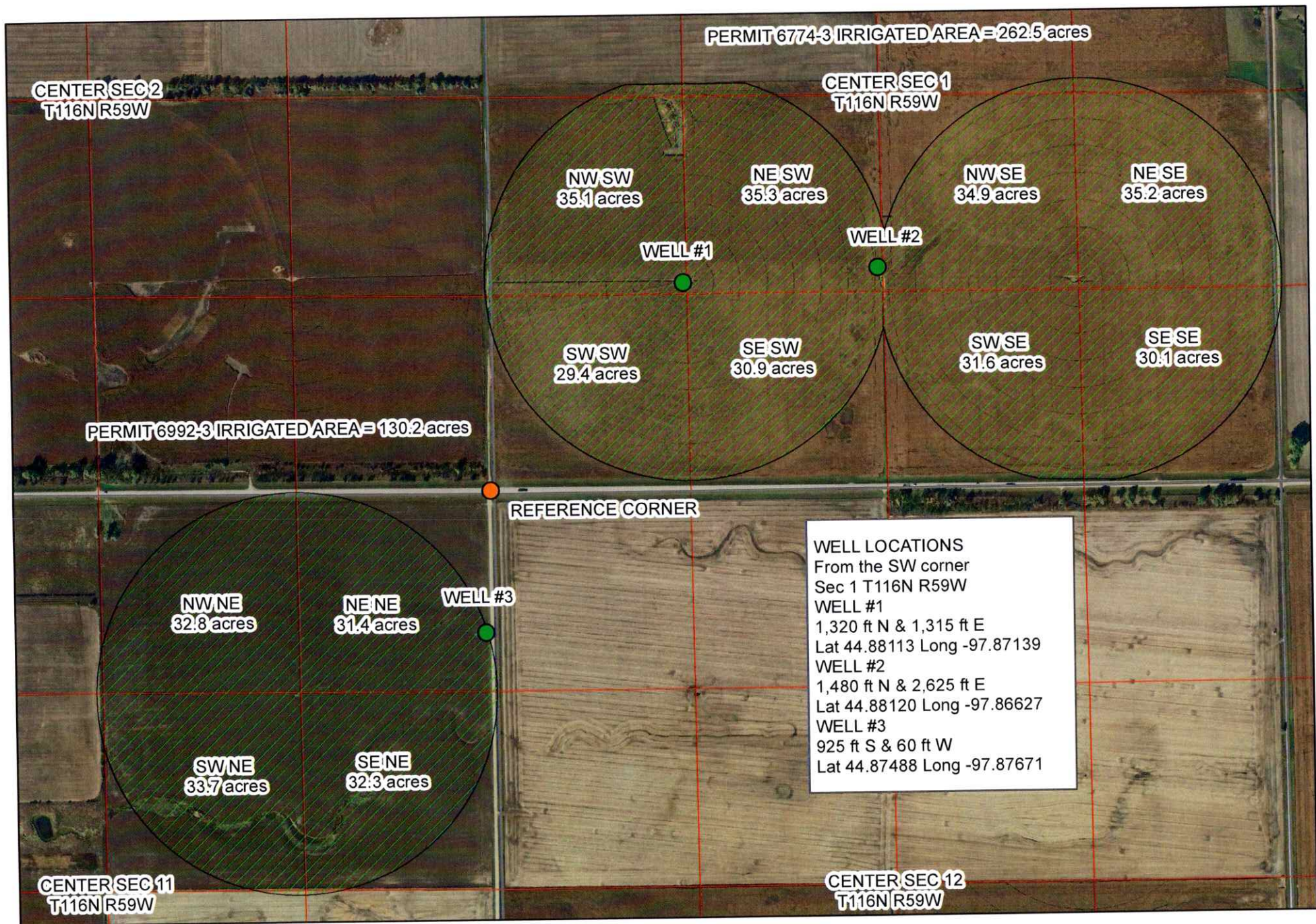
Eric Gronlund

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

JUN 14 2023

date





Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6992-3

I have this day, May 24, 2023, made a thorough examination of the water use system constructed by R & R Farms, c/o Randy Helkenn, 17464 417th Ave, Raymond, SD 57258 of Permit No. 6992-3, bearing the priority of March 3, 2008 authorizing the diversion of 2.0 cu. ft. per second of the waters of the Altamont Aquifer for irrigation purposes, in Clark County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Manikowski Well Drilling
- 2) No. of Wells 1 (Well #3)
- 3) Depth(s) 206 feet
- 4) Well log is available N - Nothing in DANR well data base – limited info available

Casing:

- 1) Diameter 12 inches
- 2) Length 146 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 60 feet
- 3) Static water level Unknown feet

Pump:

- 1) Make Submersible
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 800 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 Buried PVC pipe 2) Size 8 inches 3) Length 1380 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
2) Overall length 1300 feet
3) Number of towers 7
4) End gun Y
5) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period 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**
WELL #3: 925 ft S & 60 ft W of NE corner of Section 11, T116N, R59W, Lat 44.87488 Long -
97.87671 (NE ¼ NE ¼)
2. The works are capable of diverting and conveying to the place of use **1.78** 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 WITHIN**
SEC 11, T116N, R59W
NW ¼ NE ¼ – 32.8 acres
NE ¼ NE ¼ – 31.4 acres
SE ¼ NE ¼ – 32.3 acres
SW ¼ NE ¼ – 33.7 acres

comprising a total of **130.2** acres of land and the license should be issued for **1.78** 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.

The mailing address in the permit materials as shown above is current while a new contact phone number is 605/881-1008.

I talked to Randy Helkenn during the field inspection visit.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: **June 5, 2023**

Amanda Dewell called and spoke with Randy Helkenn on 6/13/23 to inquire about a well report.
Randy said the well was drilled by Manikowski Well Drilling in 2012 and was going to look for copy of report.

Approval of Location Change and/or Additional Diversion Point(s)

NAME: R&R Farms % Randy Helkenn

ADDRESS: 17464 417th Ave, Raymond SD

DATE: June 13, 2023

COUNTY: Clark

GENERAL DESCRIPTION OF AUTHORIZED PROJECT:

The permit holder is authorized to construct constructed one 206 foot deep well into the Altamont Aquifer in the center of the NE1/4 of Section 11 T116N-R59W for irrigation of 136 acres in the NE 1/4 of Section 11 T116N-R59W.

AUTHORITY:

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

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

The permit holder constructed one 206 foot deep well into the Altamont Aquifer in the NE1/4 SE1/4 of Section 11 T116N-R59W

- **If irrigation, no new land is irrigated**

The permit holder is developed 130.2 acres in the NE1/4 of Section 11 T116N-R59W

- **Review of Existing Diversions**

There are two existing water permits/rights within a mile of where the this well was developed by other water permit holders. One of the two was an existing permit/right when this permit was issued, it was determined that there was reasonable probability any well interference due to pumping of this well would not adversely or unlawfully impair existing rights. The same would be expected for the well constructed in the new location.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.


Mark D. Rath, Natural Resources Engineer
Water Rights Program

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

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.


Eric Gronlund, Chief Engineer
Water Rights Program