

WATER PERMIT NO. 7035-3

Name of Applicant: **Nathan Meland**

Address: **43812 156th St, Wallace SD 57272** Phone: **605 758-2123**

Amount of Water Claimed: **0.067 cfs** Total Acres: **NA**

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

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

Type of Waste Disposal System:

Location: **3 miles northwest of Wallace**

PRIORITY Date Received: **5-21-08** Application/License Fee: **\$200 (need to refund)**

Corrected Application Received: Period of Annual Use: **Jan 1 – Dec 31**

Remarks: **commercial feedlot operation**

Diversion Point: **SW ¼ SW ¼ Sec 9-T119N-R55W**

Land to be Irrigated: **NA**

Depth of Well: **220 feet deep**

Well Driller: : **Wieber Well Drilling**

Remarks:

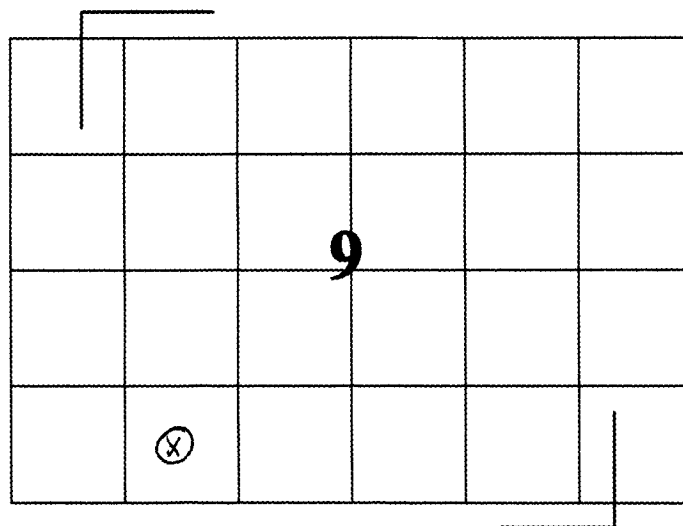
Type of Map: **topo**

Prepared by: **Gregory G Grabbs, PE**

Reviewed and the Number Assigned on: **5-21-08**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



RECEIVED

MAY 21 2008

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7035-3</u>	(office use only) Hydrologic Unit <u>10170201</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Watertown Public Opinion PO Box 10</u>	
	<u>605-886-6901</u>	<u>57201</u>

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 <u>Livestock</u>	

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.)

- Name of Applicant Nathan Meland Phone (605) 758-2123
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 43812 156th Street, Wallace State SD 57272
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.067 *CFS or 30.0 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply ground water (one well)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Codington
SW 1/4, SW 1/4, Section 9, T 119 N, R 55 W
- County or counties where water will be used Codington
- Annual period during which water is to be used Year round Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Application for an existing well to serve a 2,500 head beef feedlot

STATE OF SOUTH DAKOTA)

County of Codington

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, Nathan Meland, 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 Nathan Meland

Subscribed and sworn to before me this 20th day of May 20 08

Linda Dale

Notary Public signature

Expires: 11-5-2010

**SOUTH DAKOTA
WATER PERMIT NO. 7035-3**

Date of first receipt of application May 21, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7035-3 to Nathan Meland, 43812 156th St, Wallace SD 57272 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. 7035-3 appropriates 0.067 cubic feet of water per second from one well completed into the Prairie Coteau Aquifer (220 feet deep) located in SW1/4 SW1/4 Section 9-T119N-R55W.
2. The water appropriated shall be used for the purpose of commercial use in a cattle feedlot operation and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 7035-3 is August 10, 2008.
5. The date from which applicant may claim right is May 21, 2008.
6. One-fifth of the construction is to be completed on or before February 10, 2011.
7. All construction is to be completed on or before August 10, 2013.
8. Water is to be put to beneficial use on or before August 10, 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. Permit No. 7035-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 7035-3 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

SEP 17 2008

date



07-92

Well Owner: NATHAN Meland
Business Name: ~~Waterbury~~ SD
Address: 43812 156th ST
WALLACE SD 57272

8-1-2100

Distance from nearest potential pollution source (septic tank, abandoned well, and lot, etc.)? 120 ft. from Septic (identify source).

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

SING DATA: ☐ Steel ☐ Plastic ☐ Other
 other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Best</u>	<u>9</u>	<u>10</u> lb./gal	<u>30</u> ft.	<u>160</u> ft.
<u>Drone</u>	<u>3</u>	<u>15</u> lb./gal	<u>0</u> ft.	<u>30</u> ft.

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ Manufactured
 Diameter 4" IN Length 20 FEET
 Material PVC
 Lot Size .025 Set From 200 Feet to 220 Feet
 Other information _____

Describe packer(s) and location?

2 YES. Now:

_____ NO. Why Not?

Pierrie

DEPTH

FORMATION	FROM	TO
TOPSOIL	0	1
YELLOWISH CLAY	1	50
Blue clay	50	110
GRAY CLAY & STRIKS SAND	100	200
STRIKS SAND LENSES	200	220

STATIC WATER LEVEL 75' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: AIR

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface
120 ft. After 3 Hrs. pumped 36 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS.

REMARKS Sealed old 4" well with
Neat Cement pump stuck at
Bottom

This well was drilled under license # 480

And this report is true and accurate.

Drilling firm Wieber Well Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder

Date:



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property _____ 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 _____

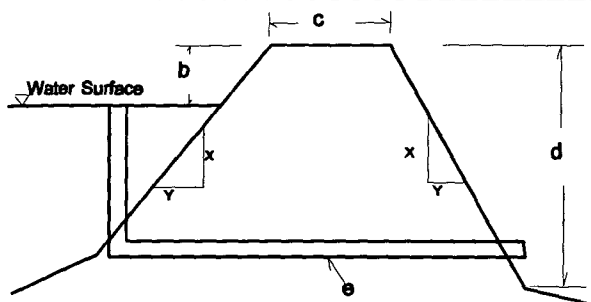
3. Dugout Information

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

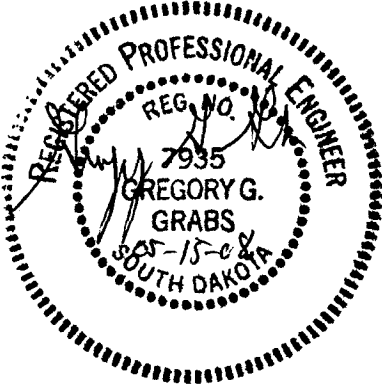
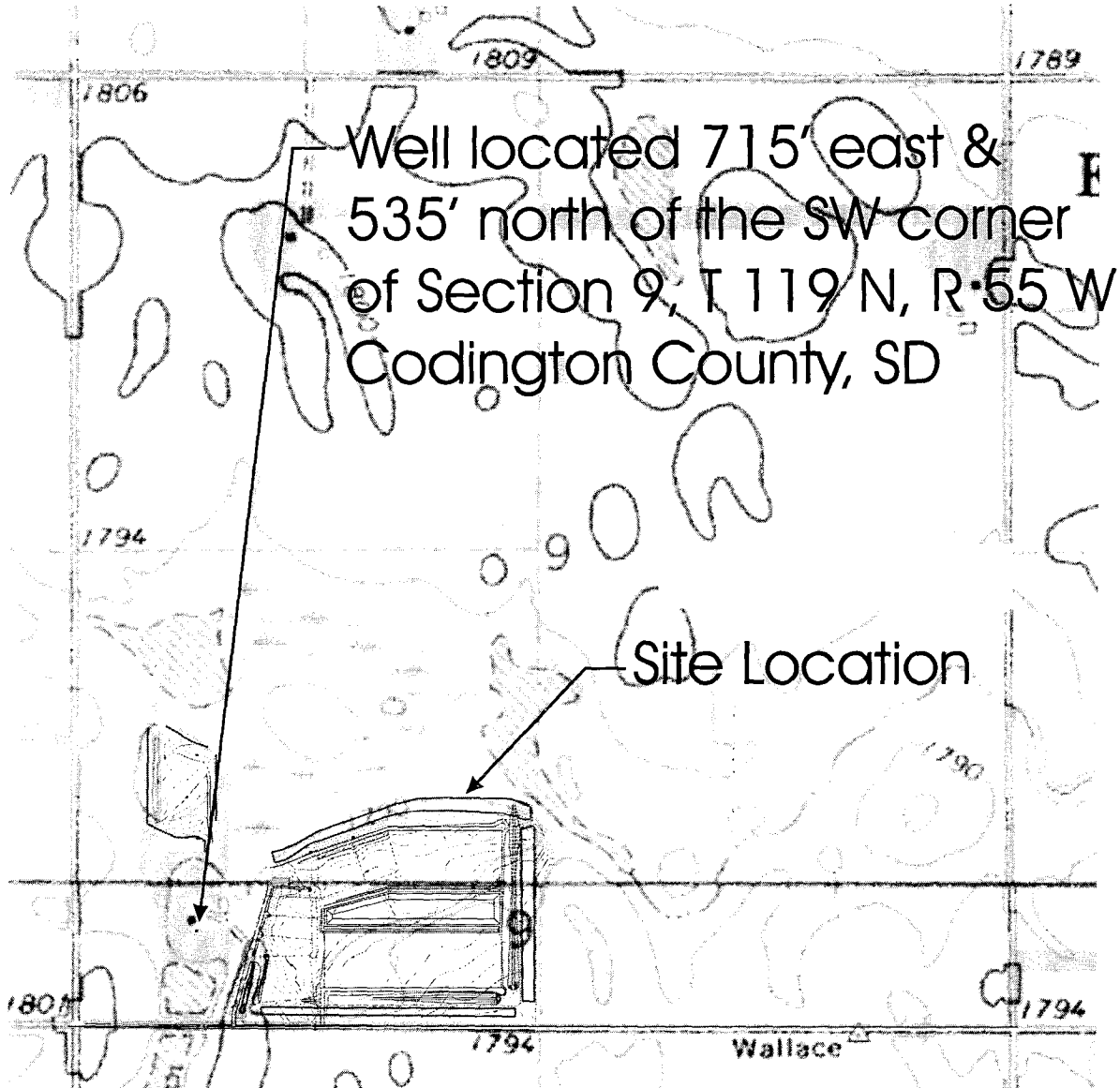
4. Water Storage Dams

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



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WATER RIGHTS
PROGRAM

Nathan Meland Well Location Map

SW 1/4, Section 9, Township 119 North, Range 55 West
Codington County, South Dakota



**DeHaan, Grabs
& Associates, LLC**
Consulting Engineers

PO Box 522, Mandan, ND 58554
(701) 663-1116, FAX: (701) 667-1356

Revision	
Date: May 15, 2008	Date:
Scale: 1" = 1000'	Scale:
Drawn By: CAS	Drawn By:
Checked By: GGG	Checked By:
Page: 4	Page:
File Name: SD Projects/Beef/Meland, Nathan/CorelDraw/PG4	

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/21, 20 08

RECEIVED OF Nathan Meland 43812/156th St Wallace SD 57272

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

Fee for Application for Permit No. _____ 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. _____	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.

03004

By

Michael E. White

Chief Engineer



**DeHaan, Grabs
& Associates, LLC**
Consulting Engineers
www.dgaengineering.com

RECEIVED
MAY 21 2008
WATER RIGHTS
PROGRAM

SD Dept. of Natural Resources
Water Rights Program
523 East Capital
Pierre, SD 57501-3181

May 15, 2008

Dear Sir:

I have enclosed one copy of the *Application For Permit To Appropriate Water Within The State Of South Dakota*. The application is for Nathan Meland located in Codington County, SD.

This Application is for the well located in Section 9, T 119 N, R 55 W, Codington County, SD. Please review and process the enclosed documents accordingly.

Sincerely,

Greg Grabs, PE
Vice-President

Enclosures

cc: Nathan Meland

North Dakota Office

P.O. Box 522
Mandan, ND 58554-0522
(701) 663-1116
Fax (701) 667-1356

Nebraska Office

4727 N. 26th St. Suite A
Lincoln, NE 68521-4706
(402) 742-4976
Fax (402) 742-4977

09/17/2008

PAYMENT REQUEST FORM

PAYEE: Nathan Meland
43218 156th St
Wallace SD 57272

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund on 7035-3 overpayment of permit fee

AMOUNT: \$100.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Barclay Ehl 9/18/08

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**REVISED RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7035-3, Nathan Meland**

Pursuant to SDCL 46-2A-2, the following is the revised recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 7035-3, Nathan Meland, 43812 156th Street, Wallace SD 57272.

The Chief Engineer is recommending APPROVAL of Application No. 7035-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Permit No. 7035-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 7035-3 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,
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 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions

See report on application for additional information.

Garland Erbele, Chief Engineer
July 15, 2008

REPORT ON WATER PERMIT APPLICATION NO. 7035-3

For Nathan Meland

June 27, 2008

Application No. 7035-3 proposes to appropriate 0.067 cfs (30 gpm) from one well approximately 220 feet deep located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 9, T119N R55W in Codington County for use in a cattle feedlot operation.

AQUIFER – PRAIRIE COTEAU (PCO)

The Prairie Coteau is a buried outwash (sand and gravel) that is under artesian conditions in this area. The aquifer extends into Clark County to the west and into Day County to the north. The aquifer underlies 590 square miles and contains an estimated 1.5 million acre-feet of water in storage in Grant and Codington County. The main portion of this aquifer is located east of this area (also east of the Big Sioux River) and that is where most of the water use from the aquifer is located. This depth well was included with the Prairie Coteau aquifer even though the depth appears to be a little deeper than the aquifer is mapped. Regardless the term Prairie Coteau is kind of a catchall for aquifers confined by till both above and below in this area of the state.

The well for this application indicates sand lenses from 200 to 220 feet below land surface. This well had a static water level of 75 feet below land surface and was capable of producing 30 gpm using air to develop. The well as constructed by Wieber Well Drilling is completed in accordance with SD Well Construction Standards.

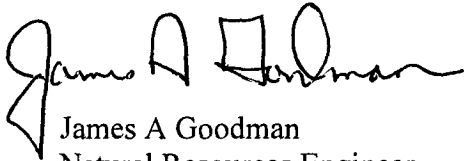
The Water Rights Program monitors three observation wells completed into the Prairie Coteau aquifer and within three miles of this site. These are observation wells CD-77D, CD-77E and CD-78B. Water levels for these wells show good response to climatic conditions. Water levels rise during wet periods (recharge) and gradually decline during dry years. In general, the water level record indicates the aquifer is capable of sustaining additional withdrawals (Water Rights, 2008). Hydrographs for these three observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby water permits/rights that obtain water from the Prairie Coteau aquifer. The nearest permitted diversion is Water Right No. 4139-3 (3.74 cfs, irrigation of 262 acres). This application is located about two and one-half miles north of the irrigation wells. Interference is not expected to be a concern. This is shown by the relatively minor impact of the observation well water levels for the period of record.

CONCLUSIONS

1. Water is available from the Prairie Coteau aquifer.
2. The aquifer is under confined conditions at this site. This is a relatively small request and drawdown created by pumping will not be significant. Interference is not a concern.
3. This well has been constructed in accordance with SD Well Construction Standards.
4. Because of the depth of this well the aquifer may be something different than the Prairie Coteau aquifer as described in the County Study.
5. Plans and specifications for this facility have been submitted to and approved by the Department.

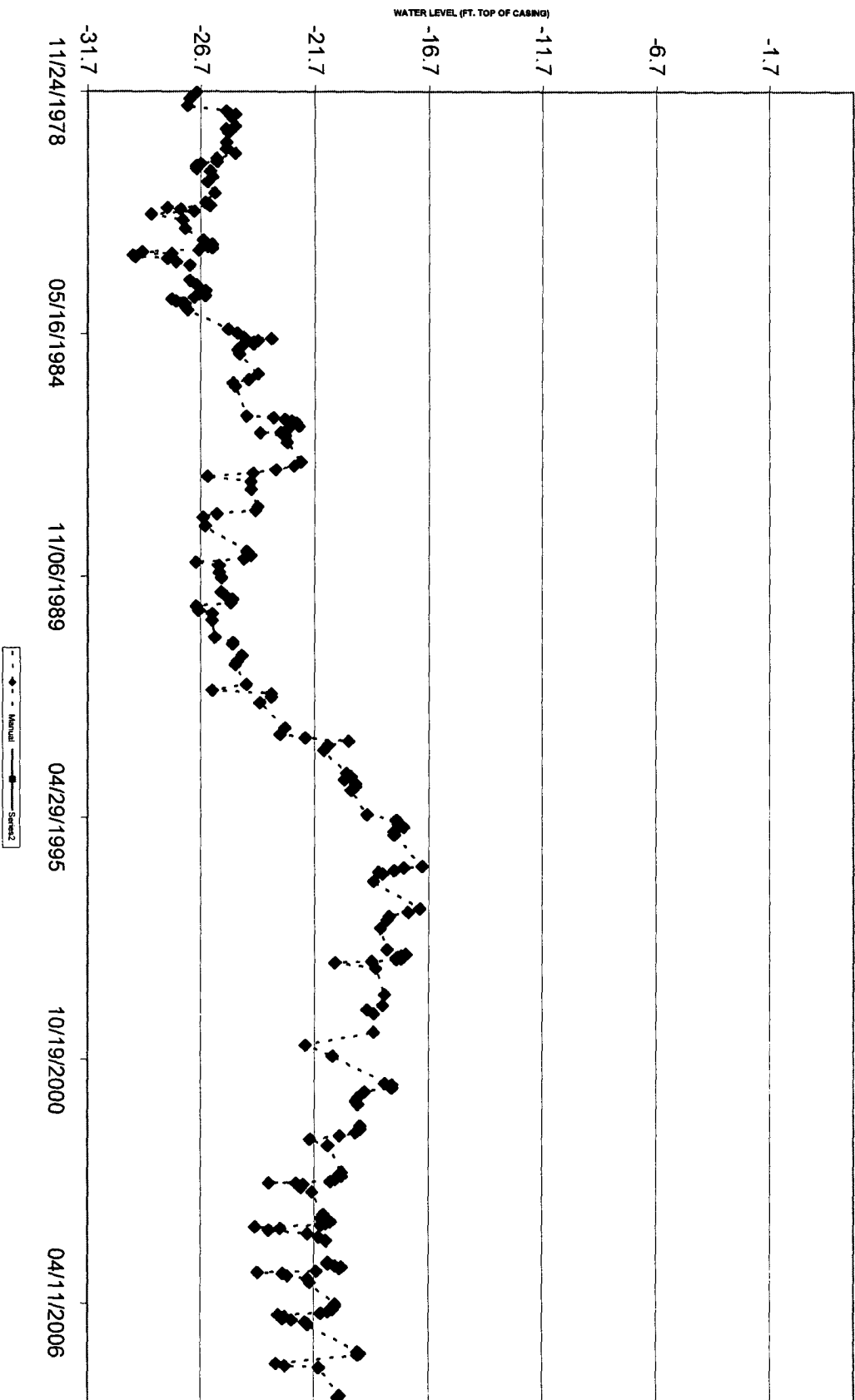


James A Goodman
Natural Resources Engineer

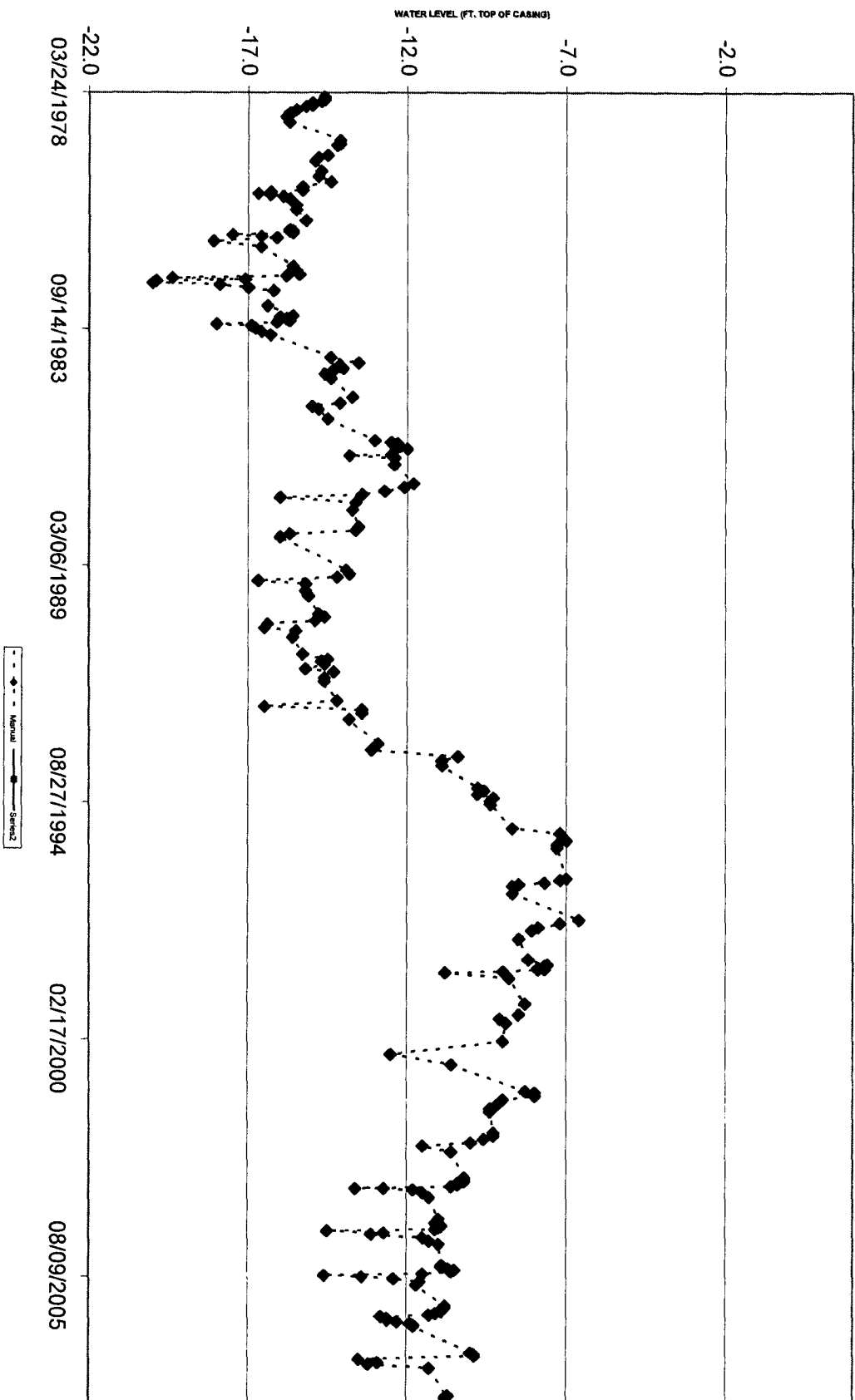
BIBLIOGRAPHY

- Hansen, D.S., 1990, Water Resources of Codington and Grant Counties, South Dakota, Water-Resources Investigations Report 89-4147, USGS, Huron, SD, 57350.
- Water Rights, 2008, Unpublished Observation Well Data for Codington County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

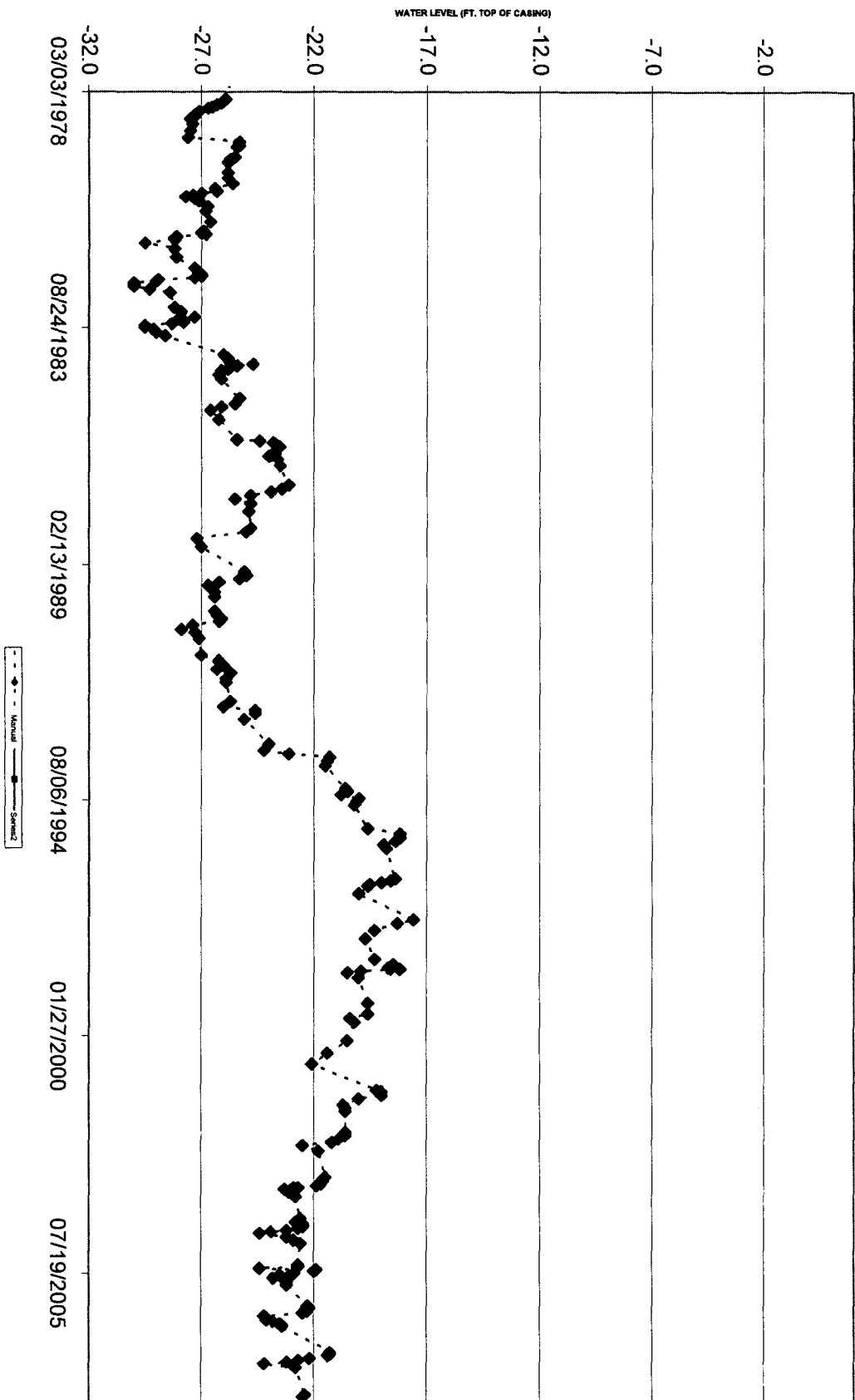
**WATER RIGHTS' OBSERVATION WELL
CD-78B**



**WATER RIGHTS' OBSERVATION WELL
CD-77D**



**WATER RIGHTS' OBSERVATION WELL
CD-77E**



RECEIVED

AUG - 4 2008

Form 8

WATER RIGHTS
PROGRAM

DENR

NOTICE OF APPLICATION
NO. 7035-3 to Appropriate
Water

Notice is given that Nathan Meland, 43812 156th St, Wallace SD 57272 has filed an application for a water permit to appropriate 0.067 cubic feet of water per second from one well completed into the Prairie Coteau Aquifer (220 feet deep) located in SW1/4 SW1/4 Section 9-T119N-R55W for commercial use in a cattle feedlot operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7035-3 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 August 10, 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.

(July 24 & 31, 2008)

58.66

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of CODINGTON) SS

I, MONICA K. SAATHOFF

certify that the attached printed Notice was
taken

from the WATERTOWN PUBLIC OPINION

printed and published in WATERTOWN

County of CODINGTON and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

JULY 24th, 2008

JULY 31st, 2008

Cost of Printing \$88.66

(Signature)

BOOKKEEPER

(Title)

JULY 31st, 2008

(Date Signed)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 16, 20008

Watertown Public Opinion
PO Box 10
Watertown SD 57201

ATTENTION: Legal Public Notice

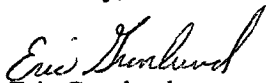
Enclosed is a Notice on Application No. 7035-3 to Appropriate Water to be published twice. Please publish the first notice on July 24, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Nathan Meland, 43812 156th St., Wallace SD 57272 (Ph # 605-758-2123).

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. 7035-3

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

Date _____

We are in receipt of your letter of July 16, 2008 enclosing Notice to Appropriate Water by Application No. 7035-3 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.

July 16, 2008

Nathan Meland
43812 156th St
Wallace SD 57272

Dear Mr. Meland:

Water Permit Application No. 7035-3 for livestock 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 Watertown Public Opinion printed at Watertown SD (Ph # 605-886-6901). 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 July 24, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 7035-3 to Appropriate Water

Notice is given that Nathan Meland, 43812 156th St, Wallace SD 57272 has filed an application for a water permit to appropriate 0.067 cubic feet of water per second from one well completed into the Prairie Coteau Aquifer (220 feet deep) located in SW ¼ SW ¼ Section 9-T119N-R55W for commercial use in a cattle feedlot operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7035-3 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 August 10, 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

SEP 18 2003

Nathan Meland
43812 156th St
Wallace SD 57272

Dear Mr. Meland:

Enclosed is Water Permit No. 7035-3 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.

The application was submitted with a filing fee of \$200.00 which was more than required. Therefore, \$100.00 will be refunded to you. The refund check should be received within the next couple of weeks.

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

Permit No. 7035-3
Big Sioux - Water District

Contact Person & Address: **Nathan Meland, 43812 156th St, Wallace SD 57272**

Report of Examination of Works

On, **February 29, 2016**, I made a thorough examination of the water use system constructed by **Nathan Meland** holder of Permit No. **7035-3**, bearing the priority of **May 21, 2008** authorizing the diversion of **0.067** cu. ft. per second of the waters of **ground water (Prairie Coteau)** for **commercial** purposes, in **Codington** County.

The system is in the following condition **good**. The points of diversion are located from the **SW corner of Sec 9 T119N-R55W; Well 1 – 1250 ft north and 1980 ft east** with latitude of **45.12619** and a longitude of **-97.44513** and **Well 2 – 560 ft north and 700 ft east** with latitude of **45.124317** and a longitude of **-97.450092** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **0.067** cu. ft. per second of water which is to be used for **commercial use purposes**. Water has been put to beneficial use to the maximum extent and the license should be issued for **0.067** cfs.

Review of Permit Qualifications and Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

Well Information: Well 1

- 1) Well Drilling Firm: **Wieber Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **220** feet
- 4) Well log is available **yes**

Casing:

- 1) Diameter **4** inches
- 2) Length **200** feet
- 3) Type **pvc**

Screen:

- 1) Type **pvc**
- 2) Length **20** feet
- 3) Static water level **75** feet

Pump:

- 1) Make **Goulds**
- 2) Model **106510**
- 3) Size **3**
- 4) Capacity **10** GPM

Motor:

- 1) Make **Goulds**
- 2) Model No. **106510**
- 3) Horsepower rating **10** hp

Well Information: Well 2

- 1) Well Drilling Firm: Wieber 2) No. of Wells 1 3) Depth(s) 220 feet 4) Well log is available yes

Casing:

- 1) Diameter 4 inches 2) Length 200 feet 3) Type pvc

Screen:

- 1) Type pvc 2) Length 20 feet 3) Static water level 75 feet

Pump:

- 1) Make Goulds 2) Model NA 3) Size 3 4) Capacity 20 GPM

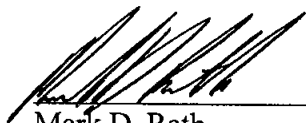
Motor:

- 1) Make Goulds 2) Model No. NA 3) Horsepower rating 10 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type black poly 2) Size 1 inches 3) Length NA feet

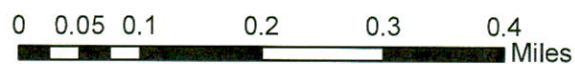
Comments : there is an additional well constructed into the same aquifer with no increase in the authorized diversion rate.



Mark D. Rath
Natural Resources Engineer III
DENR, Water Rights Program

3-8-16

Date



Mark D Rath
Mark D Rath
Natural Resources Engineer
3-8-2016

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

NAME: Nathan Meland

ADDRESS: 43812 156th St, Wallace SD 57272

DATE: 3/8/16 **COUNTY:** Codington **TELEPHONE:** 605-758-2123 (cell)

GENERAL DESCRIPTION OF AUTHORIZED PROJECT:

The permit holder is authorized to construct a single 200+ foot well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 9 T119N-R55W into the Prairie Coteau Aquifer with a diversion authority of 0.067 cfs (30gpm) for commercial use purposes for livestock water in a feedlot. During my inspection I found a second well located in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 9 T119N-R55W approximately 400 yards away from the original well that is being used to supply the feedlot. The combined capacity of the two wells is 0.067 cfs (30 gpm).

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**

Yes, both well are constructed into the Prairie Coteau Aquifer.

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

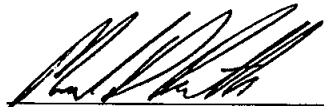
Not for irrigation

- **Review of Existing Diversions**

Combined capacity of the existing well (SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 9 T119N-R55W) and additional well (SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 9 T119N-R55W) is equal to the authorized diversion authority of 0.067 cfs.

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.



Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

7035-3

MAR 22 2016

Nathan Meland
43812 156th St
Wallace SD 57272

Dear Mr. Meland:

Enclosed is Water License No. 7035-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7035-3

(1) Nathan Meland, 43812 156th St, Wallace SD 57272 made Application No. 7035-3, May 21, 2008 for a water permit to divert 0.067 cubic feet of water per second from one well - Prairie Coteau Aquifer, Codington County, South Dakota for commercial use purposes. Permit No. 7035-3, with a priority date of May 21, 2008 was approved August 10, 2008 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 10, 2013 and for the application to beneficial use of water on or before August 10, 2017.

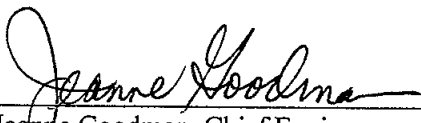
An investigation conducted for licensing purposes found an additional diversion point developed under Water Permit No. 7035-3 and not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the location and additional diversion point does not increase the potential for interference with existing water rights.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 7035-3 is issued a license, bearing a priority date of May 21, 2008 to appropriate 0.067 cubic feet of water per second from two wells - Prairie Coteau Aquifer for commercial use in a cattle feedlot operation.

The diversion points are located: Well #1 - 1,250 feet north and 1,980 feet east from the SW corner (SE 1/4 SW 1/4) and Well #2 - 560 feet north and 700 feet east from the SW corner (SW 1/4 SW 1/4); all in Section 9-T119N-R55W.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 7035-3 including the following qualifications:

- The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- Permit No. 7035-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
- Permit No. 7035-3 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



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAR 22 2016

date

