

WATER PERMIT NO. 7084-3

Name of Applicant: ~~Cameron~~ Colony

Address: 28971 3447th Ave, Viborg SD 57070

Phone: 605 327-0036

Amount of Water Claimed: 0.222 cfs

Total Acres: XX

Source of Water Supply: groundwater (2 wells)

Water to be used for: commercial

County: Turner

Type of Waste Disposal System:

Location: 9 miles east of Viborg

PRIORITY Date Received: 11-12-08

Application/License Fee: \$275

Corrected Application Received: 11-17-08

Period of Annual Use: January 1 – December 31

Remarks: turkey growing operation

Diversion Point: NE ¼ NE ¼ Section 31-T97N-
R54W

Land to be Irrigated: NA

Depth of Well: 210 feet deep

Well Driller: : Marion Well

Remarks:

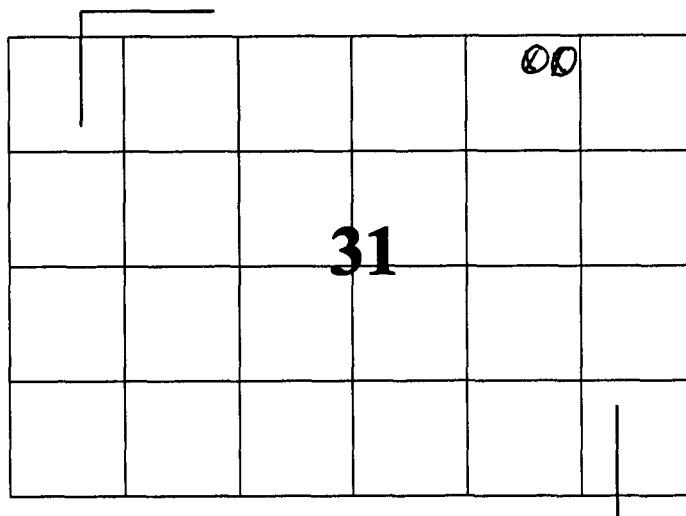
Type of Map: aerial

Prepared by: Edie Schoenwald, Turner Co. FSA

Reviewed and the Number Assigned on: 11-17-08

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>7084-3</u> (office use only) Hydrologic Unit <u>10170103</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Viborg Ent./ Honey Leader PO Box 398</u> <u>605-766-7827 (hus) Viborg 57010</u>

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

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

- Name of Applicant Cameron Colony (check one) ☒ Owner ☐ Tenant/lessee Phone 605-327-0036 ext 503
Mailing Address 28971 447th Ave Viborg SD 57070
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.222 *CFS or 100 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Well (2 existing wells)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) NE 1/4 NE 1/4
SEC 31 Twp 97 Rg 54
County Turner
- County or counties where water will be used Turner
- 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)

(2) 50 gal per minute well for animal use.
It is located next to a turkey starter barn which is pitless
with shavings on a concrete floor.

STATE OF SOUTH DAKOTA
County of Turner 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, Joe Waldner, 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 Joe Waldner

Subscribed and sworn to before me this 7 day of November 2008

Commission Expires
April 29, 2011

Notary Public signature Linda K. Korte

SOUTH DAKOTA
WATER PERMIT NO. 7084-3

Date of first receipt of application November 12, 2008.

Date of return to applicant for corrections, amendments or changes November 12, 2008.

Date of receipt of corrected application November 17, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7084-3 to Cameron Colony, c/o Ted Waldner, 28971 447th Ave, Viborg SD 57070 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. 7084-3 appropriates 0.222 cubic feet of water per second (100 gpm) from two wells completed into the Turkey Ridge Aquifer (210 feet deep) located in NE ¼ NE ¼ Section 31-T97N-R54W.
2. The water appropriated shall be used for the purpose of commercial use in a turkey raising 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. 7084-3 is January 26, 2009.
5. The date from which applicant may claim right is November 12, 2008.
6. One-fifth of the construction is to be completed on or before July 26, 2011.
7. All construction is to be completed on or before January 26, 2014.
8. Water is to be put to beneficial use on or before January 26, 2018.
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 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.
2. Permit No. 7084-3 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. 7084-3 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

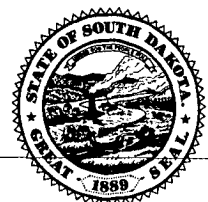
Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

MAR 02 2009

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 10" Depth 210'
- b) Casing Type plastic Diameter 5" Thickness 200 #
- c) Screen Type plastic Diameter 5" Thickness 200 #
- d) Gravel Pack yes 1/8" x 3/16" Length of Gravel Pack 25'
- e) Depth to Top of Water Bearing Material 185'
- f) Depth to Water (ground surface to water level) 80'
- g) Distance to nearest existing domestic well:
On applicants property 1/4 mile On property owned by others 1/2 mile

2. Wastewater Disposal System Information

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

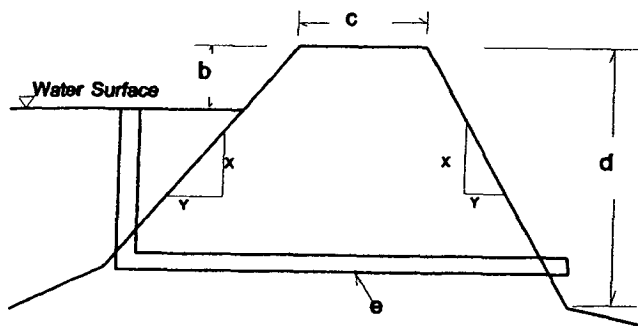
3. Dugout Information

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

4. Water Storage Dams

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

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



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- 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



290th St.

290th St.

NE 1/4

NE 1/4

370'

Well #1
Well #2
175'
240'

N
↑

6081
3
34.48

6081
2
45
NHSL

Edin Schoenwald
7SA- P.T.
11/7/08

446th Ave

447th Ave

Section
31

Township
97

Range 54

6079
8
59.9
NHSL

291th St.

#1 Well STATE OF SOUTH DAKOTA WELL DRILLERS REPORT EAST Well

Location NE 1/4 NE 1/4 Sec 31 Twp 97 Rg 54

County TURNER

Please mark well location with an "X"

EAST Well #1

Well Completion Date 10-16-08

PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

ST. ROTARY

WELL CONSTRUCTION:

Diameter of hole 10 inches Depth 210 feet

Casing: ☐ Steel ☒ Plastic ☐ Other

Specify _____

Pipe Weight: Diameter From To
200# lb/ft 3 inches 0 feet 210 feet
_____ lb/ft _____ inches _____ feet _____ feet

Was a well screen used? ☐ Yes ☒ No

If Not Specify _____

Screen Type SLOTED PERM Slot Size 16

Length 20' Diameter 3"

Was Casing left open end? ☒ Yes ☐ No

Was a Packer or seal used? ☐ Yes ☒ No

If so what material? _____

Was well gravel packed? ☒ Yes ☐ No

Was well grouted? ☒ Yes ☐ No

Describe grouting procedure TRIME LIME

a Pumped FW

To what depth? _____ Feet

What was grouting material? BENTONITE SEPT

If cement, how many sacks? _____

Location of packer(s) and screen or perforated pipe SCREEN FROM 190'-210'

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No

If so how and with what material? _____

Well Owner:

Name CAMERON COLONY

Address 28971 447 Ave

Well Log: VERBORG S.D. Depth 57070

Formation

From

To

<u>TOP SOIL</u>	<u>0</u>	<u>3</u>
<u>Blue Clay</u>	<u>3</u>	<u>55</u>
<u>SAND</u>	<u>55</u>	<u>65</u>
<u>Blue Clay</u>	<u>65</u>	<u>97</u>
<u>Layne Rock</u>	<u>97</u>	<u>98</u>
<u>Blue Clay</u>	<u>101</u>	<u>185</u>
<u>Hard Sand</u>	<u>185</u>	<u>210</u>

STATIC WATER LEVEL 80 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? _____

WELL TEST DATA:

☒ Pumped

☒ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

110 ft. After 24 Hrs. pumped 25 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

Remarks:

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W.

This well was drilled under license # 1315 and this report is true and accurate

MARTIN WILL

Drilling Firm

11-3-08

Date

Signed by [Signature]

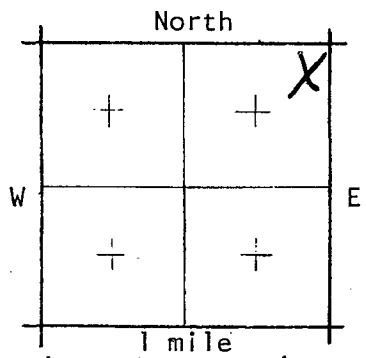
#2 Well

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

West Well

Location NE 1/4 NE 1/4 Sec 31 Twp 97 Rg 54

County TURNER



Please mark well location with an 'X'
Well #2
West Well

Well Completion Date 11-5-08

PROPOSED USE:
☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:
ST ROTARY

WELL CONSTRUCTION:
Diameter of hole 10 inches Depth 210 feet
Casing: ☐ Steel ☒ Plastic ☐ Other
Specify _____
Pipe Weight 200# Diameter 5 inches From 0 feet To 210 feet
_____ lb/ft _____ inches _____ feet _____ feet

Was a well screen used? ☒ Yes ☐ No
If Not Specify _____
Screen Type SLOTED PIPE Slot Size 16
Length 20' Diameter 5"
Was Casing left open end? ☒ Yes ☐ No
Was a Packer or seal used? ☐ Yes ☒ No
If so what material? _____

Was well gravel packed? ☒ Yes ☐ No
Was well grouted? ☒ Yes ☐ No
Describe grouting procedure TRIME GROUT
Pumped
To what depth? 185 Feet
What was grouting material? BENTONITE GROUT
If cement, how many sacks?
Location of packer(s) and screen or perforated pipe SCREEN FROM 190' - 210

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No
If so how and with what material?

Well Owner:
Name CAMERON COLONY
Address 28911 44th Ave
Well Log DIORCA S.D. 58050

Formation	From	To
<u>TOP SOIL</u>	<u>0</u>	<u>3</u>
<u>BLUC CLAY</u>	<u>3</u>	<u>97</u>
<u>Rock Layer</u>	<u>97</u>	<u>100</u>
<u>Blue Clay</u>	<u>100</u>	<u>140</u>
<u>CLAY w/ SAND STRIPS</u>	<u>140</u>	<u>148</u>
<u>BLUE CLAY</u>	<u>148</u>	<u>185</u>
<u>SAND HARD</u>	<u>185</u>	<u>210</u>

STATIC WATER LEVEL 80 Feet
If flowing: closed in pressure _____ PSI
GPM flow _____ through _____ inch pipe
Controlled by ☐ Valve ☐ Reducers ☐ Other
If other; specify _____
Can well be completely shut off? _____

WELL TEST DATA:
☒ Pumped
☒ Bailed Describe: _____
☐ Other _____

Pumping Level Below Land Surface
100 ft. After 24 Hrs. pumped 25 GPM
_____ ft. After _____ Hrs. pumped _____ GPM
_____ ft. After _____ Hrs. pumped _____ GPM

Remarks: **RECEIVED**
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WATER RIGHTS PROGRAM
This well was drilled under license # 916
and this report is true and accurate.
MARION Well Signed by [Signature]
Drilling Firm 11-5-08
Date

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/12, 20 08

RECEIVED OF Cameron Hutterian Brethren 28971 447th Ave Viborg SD 57070

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

Fee for Application for Permit No. <u>7084-3</u> to Appropriate Water, to construct and to put water to beneficial use	225	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>7084-3</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	275 00

No.

372

By

Harold Erbe
Chief Engineer



November 12, 2008

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Ted Waldner
Cameron Colony
28971 447th Ave
Viborg SD 57070

Dear Mr. Waldner:

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

- Enclosed is the aerial photo map submitted with the application. This map needs to reference a government section corner or quarter corner and the township and range as identified on the application.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosure



**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. 7084-3, Cameron 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. 7084-3, Cameron Colony, c/o Ted Waldner, 28971 447th Avenue, Viborg SD 57070.

The Chief Engineer is recommending APPROVAL of Application No. 7084-3 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 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.
2. Permit No. 7084-3 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. 7084-3 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.

Garland Erbele, Chief Engineer
December 23, 2008

REPORT ON WATER PERMIT APPLICATION NO. 7084-3
For Cameron Colony
November 20, 2008

Application No. 7084-3 proposes to appropriate 0.222 cfs (100 gpm) from two wells completed to a depth of 210 feet and located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 31, T97N R54W in Turner County.

AQUIFER – TURKEY RIDGE (TR)

The Turkey Ridge aquifer is a buried outwash (sand and gravel) that is under artesian conditions at this site. The aquifer underlies 44 square miles and contains an estimated 231,000 acre-feet of water in storage in Turner and Hutchinson Counties (Lindgren, 1990). The general direction of ground water movement appears to be from west to east in southwestern Turner County (Lindgren, 1990). In the subsurface the Turkey Ridge aquifer could be interconnected with the Niobrara aquifer but in the vicinity of this application this does not appear to be likely. The Turkey Ridge aquifer is not mapped as underlying the area of this application however, the driller's log and surrounding information all tend to indicate the most likely source of water for these wells would be the Turkey Ridge aquifer.

Two driller's logs have been filed with this application. Both indicate "hard sand" from 185 to 210 feet below land surface with mostly clay from the surface to the depth of 185 feet. Both wells have a static water level of about 80 feet below land surface and were capable of producing 25 gpm each with about 30 feet of drawdown. Both wells have been constructed in accordance with SD Well Construction Standards.

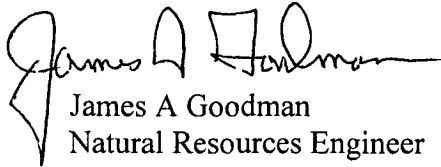
The Water Rights Program does not monitor any observation wells completed into this aquifer. Very little historical information is available concerning water levels for this aquifer and what is available is from the county study and domestic wells for the area.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby existing water permits/rights that obtain water from this aquifer. Interference is not a concern. These wells are to be pumped at a relatively small rate and drawdown created by pumping is not expected to be significant.

CONCLUSIONS

1. Water is available from the Turkey Ridge aquifer.
2. The aquifer is under artesian conditions at this site. Pumping will create drawdown but this is not expected to be significant nor cause any adverse effects.
3. These wells have been constructed in accordance with SD Well Construction Standards.
4. At this time plans and specifications for this facility have not been received or reviewed by the Department.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Lindgren, R.J., 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, Water-Resources Investigations Report 90-4093, USGS, Huron, SD, 57350.

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FEB 20 2009

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF TURNER)

Allyson M. Hill, being first duly sworn, on oath says the VIBORG ENTERPRISE is a WEEKLY newspaper published in VIBORG in said county of TURNER, State of South Dakota; and that she is authorized to and does make this affidavit on behalf of said VIBORG ENTERPRISE; that affiant has personal knowledge of all facts stated in this affidavit; that said newspaper is a legal newspaper as defined by SDCL 17-2-2.1 through 17-2-2.4 inclusive as amended, has a bona fide circulation of at least two hundred copies WEEKLY, has been published in the English language within said county and has been admitted to the United States mail under the second class mailing privilege, for at last one year continuously 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 said notice, a printed copy of which taken from the paper in which the same was published is hereto attached and is made part of this affidavit, was published in said newspaper

2 time(s) as follows: that the first publication of said

notice in said newspaper aforesaid was on Thursday

the 8th day of January, 2009,

and that the succeeding publications were severally

on Thursday, the 15 day of January, 2009;

on Thursday, the ____ day of _____, 2009;

on Thursday, the ____ day of _____, 2009;

on Thursday, the ____ day of _____, 2009;

Affiant further says that the full amount of the fees charged for the publication of said notice inures to the benefit of the publishers of said newspaper; that no agreement of understanding for the division thereof has been made with any other person, that no part therefore has been agreed to be paid to any person whomsoever; and that the fees charged for the publication thereof are:

DOLLARS (\$ 37.30)

(x) Allyson M. Hill, Allyson M. Hill

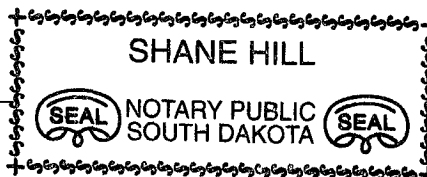
Subscribed and sworn to before me this 31 day of

January, 2009

Shane Hill

Notary Public

My commission expires 11/14/2012.



NOTICE OF APPLICATION NO. 7084-3 to Appropriate Water

Notice is given that Cameron Colony, c/o Ted Waldner, 28971 447th Ave, Viborg SD 57070 has filed an application for a water permit to appropriate 0.222 cubic feet of water per second (100 gpm) from two wells completed into the Turkey Creek Aquifer (210 feet deep) located in the 1/4 NE 1/4 Section 31-T97N-R54W. The water is for commercial use in a turkey raising operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7084-3 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 contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-5522)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed

by January 26, 2009.

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. Pinner, 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

December 24, 2008

Viborg Enterprise/Hurley Leader
PO Box 398
Viborg SD 57070

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7084-3 to Appropriate Water to be published twice. Please publish the first notice on January 8, 2009 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 Cameron Colony, c/o Ted Waldner, 28971 447th Ave., Viborg SD 57070 (Ph # 605-327-0036 ext. 203).

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. 7084-3

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

Date _____

We are in receipt of your letter of December 24, 2008 enclosing Notice to Appropriate Water by Application No. 7084-3 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.

December 24, 2008

Cameron Colony
c/o Ted Waldner
28971 447th Ave
Viborg SD 57070

Dear Mr. Waldner:

Water Permit Application No. 7084-3 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 Viborg Enterprise/Hurley Leader printed at Viborg SD (Ph # 605-766-7827). 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 January 8, 2009 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7084-3 to Appropriate Water

Notice is given that Cameron Colony, c/o Ted Waldner, 28971 447th Ave, Viborg SD 57070 has filed an application for a water permit to appropriate 0.222 cubic feet of water per second (100 gpm) from two wells completed into the Turkey Ridge Aquifer (210 feet deep) located in NE ¼ NE ¼ Section 31-T97N-R54W. The water is for commercial use in a turkey raising operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7084-3 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 January 26, 2009.

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

MAR 02 2009

Cameron Colony
c/o Ted Waldner
28971 447th Ave
Viborg SD 57070

Dear Mr. Waldner:

Enclosed is Water Permit No. 7084-3 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

7084-3
RECEIVED
MAR 11 2009
WATER RIGHTS
PROGRAM

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Date March 6, 2009

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

FROM:

Ted Waldner / Cameron Colony
(name)

28971 447th Ave
(address)

Viborg SD 57070
(city, state, zip)

605-327-0036
(phone) ext 203

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

Water Permit No. 7084-3 states that the water use system is to be constructed by

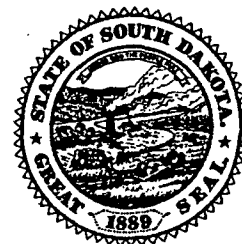
January 26, 2014, and water is to be put to beneficial use by January 26, 2018.
(date) (date)

The water use system was completed on March 5, 2009.
(date)

Applying the water to beneficial use was completed on May 1, 2009.
(date)

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

Ted Waldner
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 13, 2009

7084-3

Ted Waldner
Cameron Colony
28971 447th Ave
Viborg SD 57070

Dear Mr. Waldner:

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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