

WATER PERMIT NO. 7105-3

Name of Applicant: West Central Land LLP

Address: 26406 470th Ave, Morris MN 56267

Phone: 320 392-5609

Amount of Water Claimed: no additional

Total Acres: 364 acres

Source of Water Supply: groundwater (2 wells)

Water to be used for: irrigation

County: Clark

Type of Waste Disposal System: NA

Location: 10 miles southwest of Clark

PRIORITY

Date Received: 3-16-09

Application/License Fee: \$400

Corrected Application Received:

Period of Annual Use: April 1 – October 31

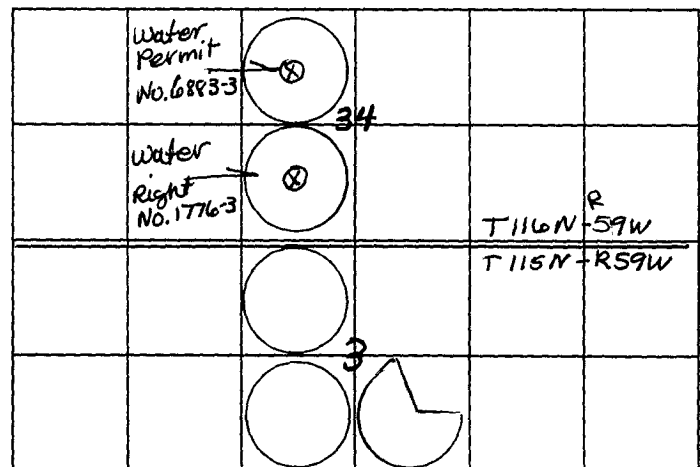
Remarks: Proposing to use the wells authorize by Water Right No. 1776-3 and Permit No. 6883-3. A new well will be drilled to replace the well authorized by 6883-3.

Diversion Point: centers of the NW ¼ and SW ¼

Section 34-T116N-R59W

Land to be Irrigated: W ½, S ½ SE ¼, NW ¼ SE ¼

Sec 3-T115N-R59W



Depth of Well: 125 feet deep

Well Driller:

Remarks:

Type of Map: plat

Prepared by: Stephen K Westerbuhr, PE

Reviewed and the Number Assigned on: 3-16-09

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>7105-3</u> (office use only)
	Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>Clark Co. Courier</u> <u>P.O. Box 830</u> <u>605-874-2799</u> <u>Clark 52226</u>

RECEIVED
MAR 16 2009
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.)

Intend to use existing water appropriation authorized under permits 1776-3 and 6883-3 to irrigate additional acres to use in conjunction with waste water disposal.

- Name of Applicant West Central Land, LLP Phone (320) 392-5609
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 26406 470th Avenue Morris State MN 56267
(no add'l water) (Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 3.81 CFS or ***GPM ***AF Total Acreage 267 existing
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable) 364 additional
- Source of water supply Wells from permit #1776-3 and #6883-3. Plans are to replace 6883-3's well.
- Location of point of diversion (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W) County Clark
Wells located in the center of the NW 1/4 and SW 1/4 of Section 34 T116N, R59W.
- County or counties where water will be used Clark
- Annual period during which water is to be used April 1-October 31
- 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
NW 1/4 of NW 1/4 Section 3 T115N, R59W	33	NW 1/4 of SW 1/4 Section T115N, R59W	33
SW 1/4 of NW 1/4 Section 3 T115N, R59W	33	SW 1/4 of SW 1/4 Section T115N, R59W	33
SE 1/4 of NW 1/4 Section 3 T115N, R59W	33	SE 1/4 of SW 1/4 Section T115N, R59W	33
NE 1/4 of NW 1/4 Section 3 T115N, R59W	33	NE 1/4 of SW 1/4 Section T115N, R59W	33

8. Give a description of the project. (Attach sheet if more space is needed) all 3 (continued)

Buried PVC pipe will be utilized to transfer well water from the wells in the SW 1/4 and the NW 1/4 of Section 34 to three irrigators in Section 3. This well water may be blended with waste water from the holding pond at the feedlot in Section 3. A new well will be drilled to replace the well in the NW 1/4 S 34, permit 6883-3.

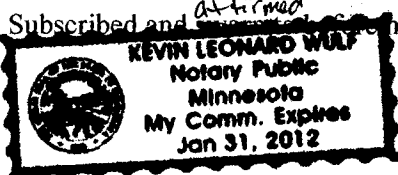
STATE OF SOUTH DAKOTA) SS

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, West Central Land, LLP, 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 Brady Jansen, General Partner



me this 11 day of March 20 09

Kevin Wolf
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7105-3**

Date of first receipt of application March 16, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7105-3 to West Central Land, LLP, 26406 470th Ave, Morris MN 56267 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. 7105-3 authorizes irrigation of an additional 364 acres. Water Right No. 1776-3 appropriates 1.93 cubic feet of water per second (cfs) from one well located in the center of the SW ¼ Section 34 to irrigate 135 acres located in the SW ¼ Section 34; all in T116N-R59W. Water Permit No. 6883-3 appropriates 1.88 cfs from one well located in the center of the NW ¼ Section 34 to irrigate 132 acres located in the NW ¼ Section 34; all in T116N-R59W. The permit holder will replace the well authorized by Permit No. 6883-3. Both wells are completed into the Altamont Aquifer (approximately 115 feet deep). This permit authorizes the irrigation of an additional 364 acres located in the W 1/2, S ½ SE ¼, NW ¼ SE ¼ Section 3-T115N-R59W. The permit holder may apply well water directly for irrigation or blend well water and wastewater from a holding pond for the animal confinement facility in the W ½ NE ¼ Section 3-T115N-R59W prior to irrigation. This permit, Water Right No. 1776-3 and Permit No. 6883-3, will authorize a total diversion rate of 3.81 cfs for the irrigation of 631 acres.
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: April 1 – October 31.
3. The date from which applicant may claim right is March 16, 2009 (for additional 364 acres).
4. The date of approval of Permit No. 7105-3 is June 8, 2009.
5. One-fifth of the construction is to be completed on or before December 8, 2011.
6. All construction is to be completed on or before June 8, 2014.
7. Water is to be put to beneficial use on or before June 8, 2018.
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 Nos. 6883-3 and 7105-3 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.

(continued)

3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Water from the wells may be diverted into the wastewater pond only at times when pumping is occurring from the pond to land apply the effluent.
5. The system shall be designed to prohibit the flow of liquid from the livestock wastewater pond back towards the well. This will require installation of a check valve, air gap or similar device.

WATER MANAGEMENT BOARD

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

AUG 04 2009
date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 16 Depth 125
- b) Casing Type Plastic Diameter 12 Thickness
- c) Screen Type Stainless Steel Diameter 12 Thickness
- d) Gravel Pack Yes Length of Gravel Pack 30
- 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

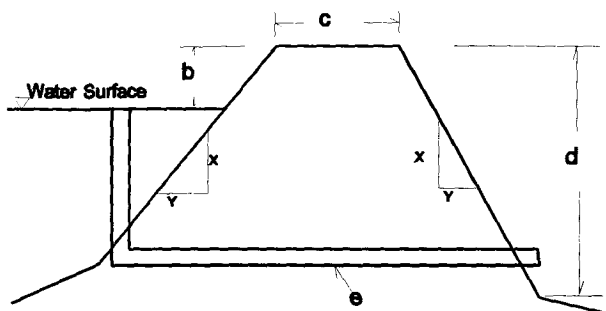
3. Dugout Information

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

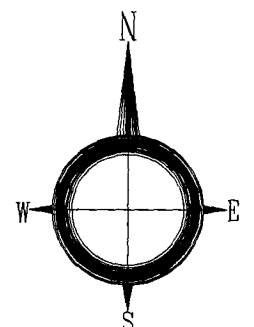
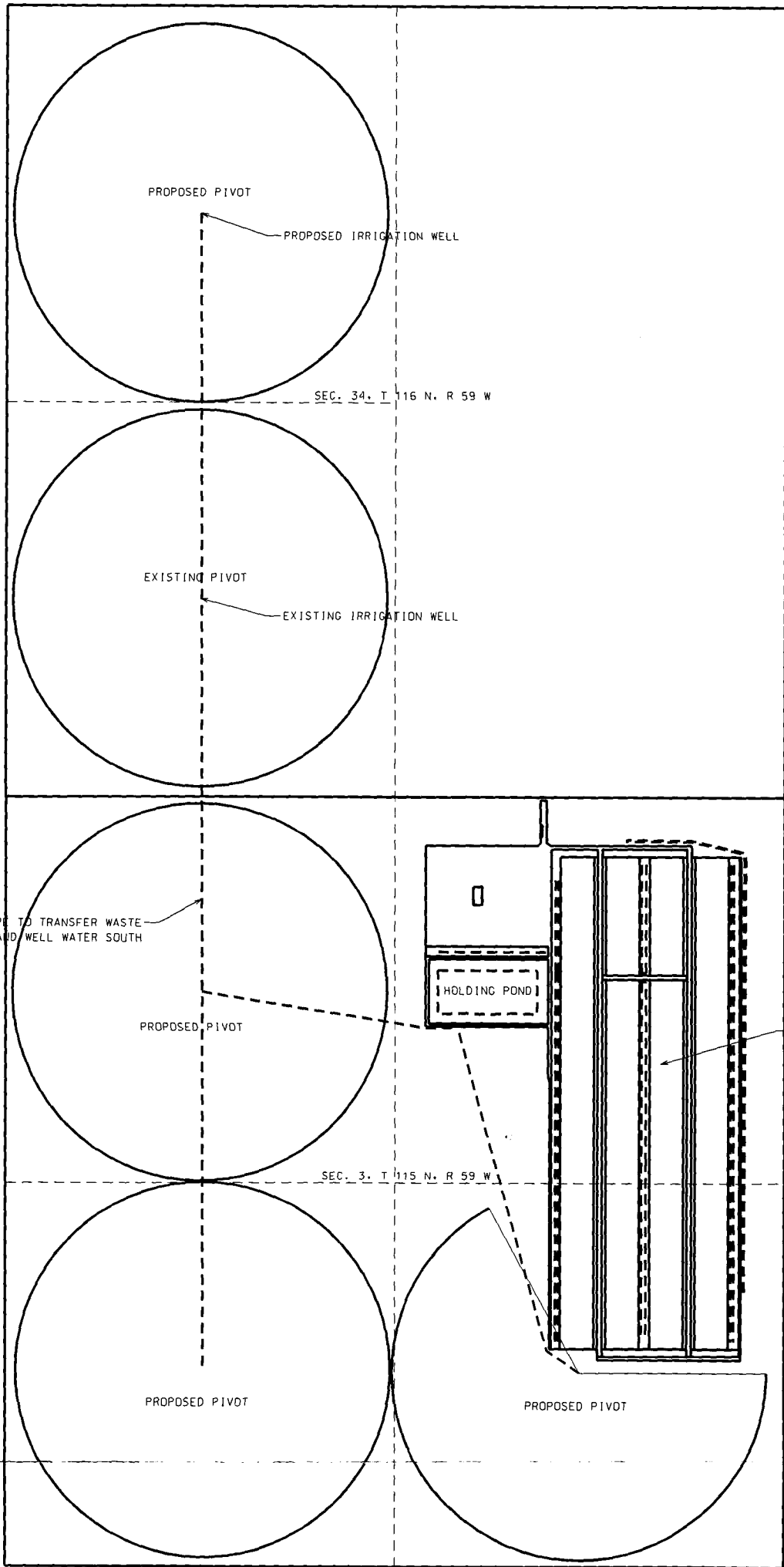
4. Water Storage Dams

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:

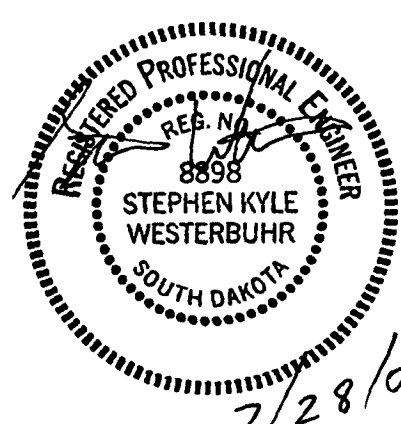


- b) Freeboard
- c) Crest Width
Crest Length
- d) Height
- e) Primary Outlet Capacity
If pipe, diameter
- f) Secondary Spillway Capacity
Spillway Width
- g) X & Y Slope
Upstream
Downstream
- h) Surface Area of Impoundment
- i) Storage Acre Feet
- j) Drainage Area Above Dam Acres



SCALE: 1"=1000'

RECEIVED
MAR 16 2009
WATER RIGHTS
PROGRAM



IRRIGATION PLAN
UNITED FEEDERS, LLP
E 1/2, SEC 3, T 115 N, R 59 W
CLARK COUNTY
SETTJE AGRI SERVICES
AND ENGINEERING, INC.
SW

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/16, 20 09

RECEIVED OF Riverview LLP 26406 470th Ave Morris MN 56267

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

Fee for Application for Permit No. <u>7105-3</u> to appropriate Water, to construct and to put water to beneficial use	350	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>7105-3</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	400 00

No.

04074

By

Michael Erbe
Chief Engineer



**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. 7105-3, West Central Land, LLP**

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. 7105-3, West Central Land, LLP, c/o Brady Janzen, 26406 470th Avenue, Morris MN 56267.

The Chief Engineer is recommending APPROVAL of Application No. 7105-3 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 Nos. 6883-3 and 7105-3 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.
4. Water from the wells may be diverted into the wastewater pond only at times when pumping is occurring from the pond to land apply the effluent.
5. The system shall be designed to prohibit the flow of liquid from the livestock wastewater pond back towards the well. This will require installation of a check valve, air gap or similar device.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 12, 2009

NOTE: The livestock facility must comply 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 operation. This includes a nutrient management plan. The changes proposed by West Central Land may require revisions to the nutrient management plan. I encourage you to contact Kent Woodmansey with the Surface Water Quality Program of DENR to determine what, if any, changes are necessary. Mr. Woodmansey or his staff may be contacted at 605 773-3351.

REPORT ON WATER PERMIT NO. 7105-3
For West Central Land LLP
April 17, 2009

Application No. 7105-3 requests to irrigate an additional 364 acres. Water Right No. 1776-3 appropriates 1.93 cfs from one well located in the center of the SW $\frac{1}{4}$ of section 34 to irrigate 135 acres located in the SW $\frac{1}{4}$ of section 34; all in T116N R59W. Water Permit No. 6883-3 appropriates 1.88 cfs from one well located in the center of the NW $\frac{1}{4}$ of section 34 to irrigate 132 acres located in the NW $\frac{1}{4}$ of section 34; all in T116N R59W. The applicant intends to replace the well authorized by Water Permit No. 6883-3. The water source for both appropriations is the Altamont aquifer. This application proposes to irrigate an additional 364 acres located in the W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 3, T115N R59W. The applicant may directly irrigate these additional acres from the wells or blend well water and wastewater from a holding pond for an animal confinement facility in the W $\frac{1}{2}$ NE $\frac{1}{4}$ of section 3, T115N R59W prior to irrigation. This application if approved along with Water Right No. 1776-3 and Water Permit No. 6883-3 will authorize a total diversion rate of 3.81 cfs for irrigation of 631 acres.

AQUIFER – ALTAMONT (A)

The Altamont is a buried outwash (sand and gravel) that is under artesian conditions at this site. The aquifer was called the Altamont 2 by Hamilton in this area. 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). Hamilton estimated the volume of recharge to the Altamont 2 and Altamont 3 aquifer to be about 54,000 acre-feet per year. Ground water movement is from east to west across the portion of Clark County (Hamilton, 1986).

There is an existing well for Water Right No. 1776-3. Also Water Permit No. 6883-3 authorizes a new well to replace the well authorized by Water Right No. 3013-3 that had been cancelled for abandonment. This application also requests to drill a new well for No. 6883-3 which appears to duplicate what is already authorized.

The Water Rights Program monitors two observation wells CK-76I and CK-76E that are located within a one mile radius of this application. CK-76E is located about one mile north and CK-76I is located about one mile west of this application. Hydrographs for these two observation wells are included with this report. The water level record indicates fluctuation due to pumping does occur and can approach 30 to 35 feet during the irrigation or pumping season. This drawdown is not expected to adversely affect water availability from the aquifer (Water Rights, 2009).

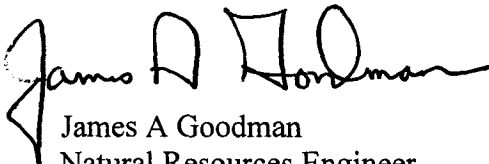
REVIEW OF EXISTING WATER PERMITS/RIGHTS

In addition to the two previously mentioned permits/rights there is Water Permit No. 6998-3 (0.89 cfs, two wells) and Water Right No. 3059-3 (2.01 cfs, one well, 269 acres) in this immediate area. Water Permit No. 6998-3 is located in the NE $\frac{1}{4}$ of section 3, T115N R59W and Water Right No. 3059-3 is located in the S $\frac{1}{2}$ of section 33, T116N

R59W. This application will not change the location of any well but will authorize additional acreage for irrigation. Although the potential for drawdown will increase (primarily because additional pumping may occur) thus increasing total drawdown. Until pumping under this regimen occurs for a few years it will be difficult to assess potential impacts.

CONCLUSIONS

1. Water is available from the Altamont aquifer.
2. The aquifer is under artesian conditions at this site. Drawdown will occur and likely will increase because of potential for increased pumping. It is not expected that this will adversely affect water availability from the aquifer however operating the system for a few years will be the best test possible.
3. The well which will be replaced is already authorized to be replaced. In any event this well must be completed in accordance with SD Well Construction Standards. The old well at this site must be plugged pursuant to these same standards.
4. This application appropriates an additional 728 acre feet of water. However, under the present configuration of wells proposed piping this is not likely to ever be used.
5. The applicant proposes to dispose of wastewater generated from a livestock feeding facility (authorized by Water Permit No. 6998-3) through the irrigation systems. The applicant also proposes to potentially mix well water with wastewater prior to pumping.
6. This application should be conditioned so that the wastewater can never enter the wells because of an equipment failure. Also the well water can only be put into the wastewater pond when pumping is occurring from the pond. During mixing if it occurs in the pond there should be no net gain in water storage in the wastewater pond.
7. Water from the existing wells for Water Permit No. 6998-3 are not authorized to be used as mixing water or irrigation purposes and are considered a separate system.



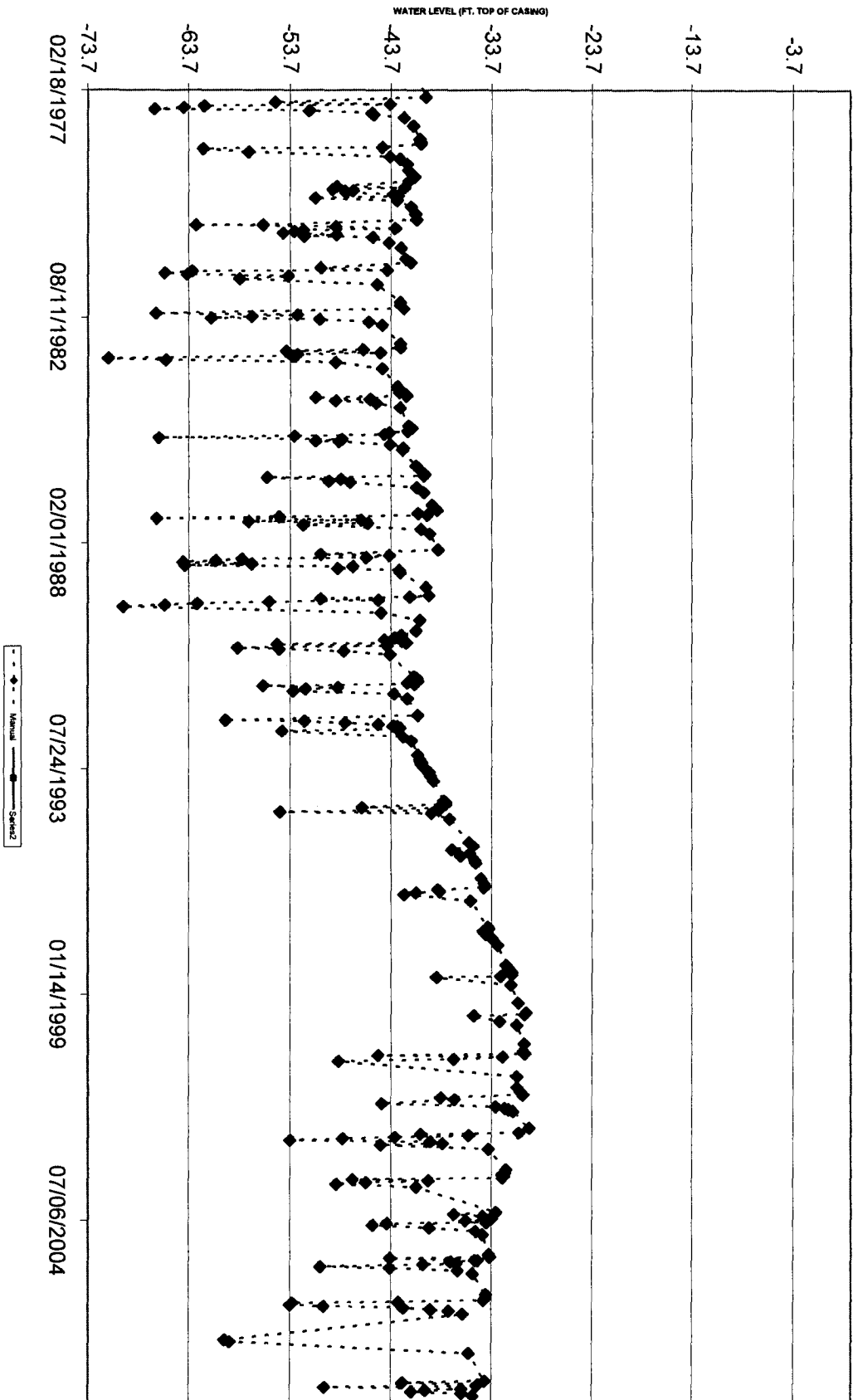
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

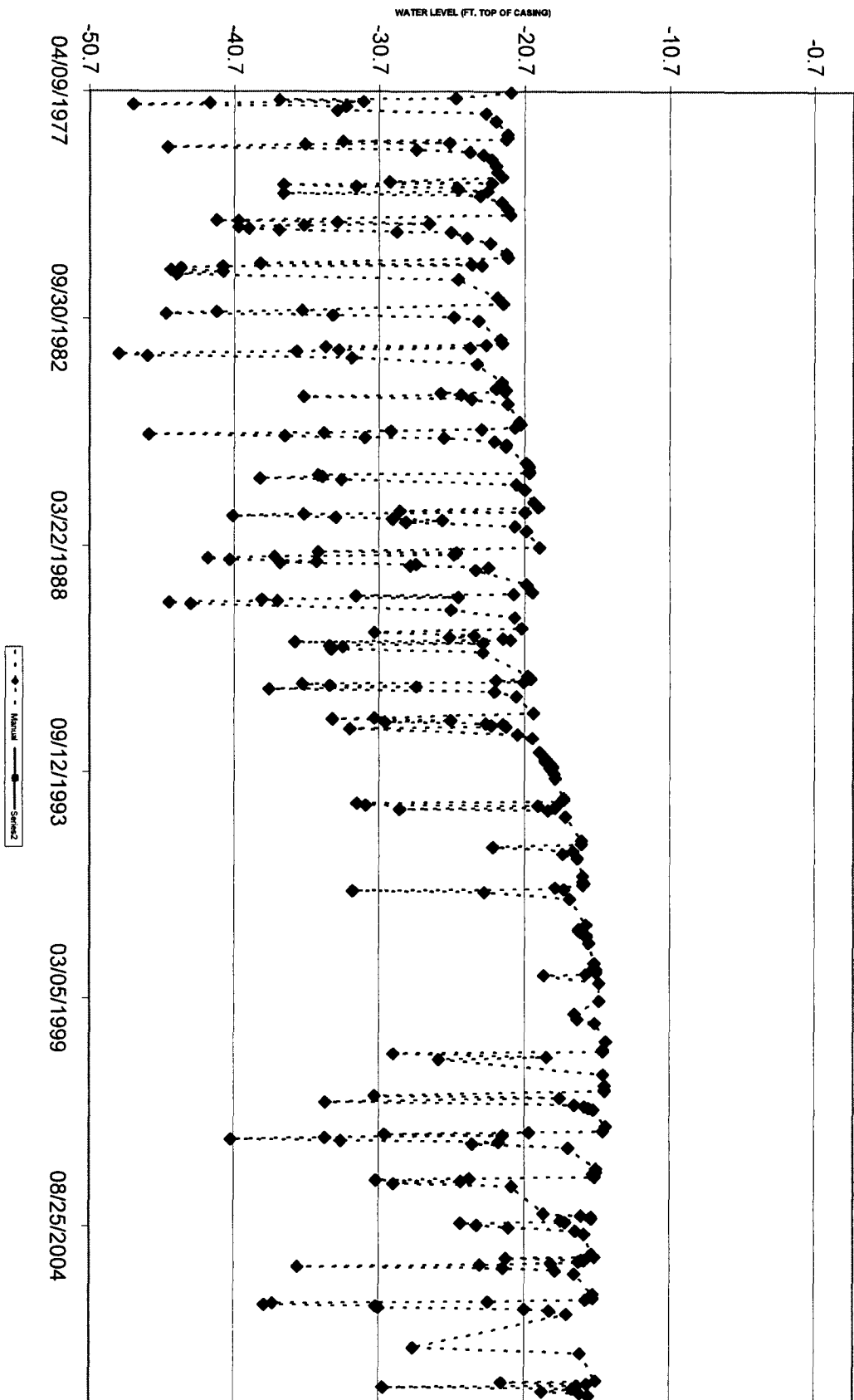
Hamilton, L.J., 1986, Geology and Water Resources of Clark County, South Dakota, Bulletin 29, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2009, Unpublished Observation Well Data for Clark County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
CK-76E**



**WATER RIGHTS' OBSERVATION WELL
CK-761**



RECEIVED

JUN - 1 2009

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION
NO. 7105-3 to Appropriate Water

Notice is given that West Central Land, LLP c/o Brady Janzen, 26406 470th Ave, Morris MN 56267 has filed an application to irrigate an additional 364 acres. Water Right No. 1776-3 appropriates 1.93 cubic feet of water per second (cfs) from one well located in the center of the SW 1/4 Section 34 to irrigate 135 acres located in the SW 1/4 Section 34; all in T116N-R59W. Water Permit No. 6883-3 appropriates 1.88 cfs from one well located in the center of the NW 1/4 Section 34 to irrigate 132 acres located in the NW 1/4 Section 34; all in T116N-R59W. The applicant intends to replace the well authorized by Permit No. 6883-3. Both wells are completed into the Altamont Aquifer (approximately 115 feet deep). This application proposes to irrigate an additional 364 acres located in the W 1/2, S 1/2 SE 1/4, NW 1/4 SE 1/4 Section 3-T115N-R59W. The applicant may apply well water directly for irrigation or blend well water and wastewater from a holding pond for the animal confinement facility in the W 1/2 NE 1/4 Section 3, T115N, R59W prior to irrigation. This application, if approved, and Water Right No. 1776-3 and Permit No. 6883-3, will authorize a total diversion rate of 3.81 cfs for the irrigation of 631 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7105-3 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 of 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 June 8, 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.

5-20-2t

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 a 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

WEST CENTRAL LAND, LLP

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:

MAY 20, 2009

MAY 27, 2009

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

54.81

William J. Krikac

Subscribed and sworn to before me this

28TH DAY OF MAY, 2009

Anna Helke

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

May 13, 2009

Clark County Courier
119 1st Ave E
Clark SD 57226

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7105-3 to Appropriate Water to be published twice. Please publish the first notice on May 20, 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 West Central Land, LLP, c/o Brady Janzen, 26406 470th Ave., Morris MN 56267 (Ph # 320-392-5609).

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. 7105-3

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

Date _____

We are in receipt of your letter of May 13, 2009 enclosing Notice to Appropriate Water by Application No. 7105-3 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.

May 13, 2009

West Central Land LLP
c/o Brady Janzen
26406 470th Ave
Morris MN 56267

Dear Mr. Janzen:

Water Permit Application No. 7105-3 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 # 605-874-2499). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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 Notices and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on May 20, 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. 7105-3 to Appropriate Water

Notice is given that West Central Land, LLP c/o Brady Janzen, 26406 470th Ave, Morris MN 56267 has filed an application to irrigate an additional 364 acres. Water Right No. 1776-3 appropriates 1.93 cubic feet of water per second (cfs) from one well located in the center of the SW ¼ Section 34 to irrigate 135 acres located in the SW ¼ Section 34; all in T116N-R59W. Water Permit No. 6883-3 appropriates 1.88 cfs from one well located in the center of the NW ¼ Section 34 to irrigate 132 acres located in the NW ¼ Section 34; all in T116N-R59W.

The applicant intends to replace the well authorized by Permit No. 6883-3. Both wells are completed into the Altamont Aquifer (approximately 115 feet deep). This application proposes to irrigate an additional 364 acres located in the W 1/2, S ½ SE ¼, NW ¼ SE ¼ Section 3-T115N-R59W. The applicant may apply well water directly for irrigation or blend well water and wastewater from a holding pond for the animal confinement facility in the W ½ NE ¼ Section 3, T115N, R59W prior to irrigation. This application, if approved, and Water Right No. 1776-3 and Permit No. 6883-3, will authorize a total diversion rate of 3.81 cfs for the irrigation of 631 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7105-3 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 June 8, 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

AUG 04 2009

West Central Land LLP
c/o Brady Janzen
26406 470th Ave
Morris MN 56267

Dear Mr. Janzen:

Enclosed is Water Permit No. 7105-3 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

7105-3

McMath, Genny

From: Gronlund, Eric
Sent: Friday, October 15, 2010 10:17 AM
To: 'Brady Janzen'
Cc: McMath, Genny
Subject: RE: Riverview Water Rights

Oh Brady, Brady, Brady -- Genny is not going to like you! There appears to be 10 water rights/permits that will need to be transferred.

West Central Land LLP - 1776-3, 6883-3 and 7105-3
 United Feeders - 6724-3, 1072-3, 1073-3, 3035-3, 6998-3, 7063-3 and 3175A-3

We can send you partially completed transfer of ownership forms for each water right/permit to get them in Riverview LLP's name.

That won't happen until next week sometime as Genny just completed the mass mailing of irrigation questionnaires and is out of here for the rest of the week. Does she send the forms to you at:

Riverview LLP
 26406 470th Avenue
 Morris MN 56267

Eric Gronlund
 Water Rights Program, DENR
 605 773-3352
eric.gronlund@state.sd.us

-----Original Message-----

From: Brady Janzen [mailto:brady.janzen@riverviewllp.com]
Sent: Friday, October 15, 2010 9:00 AM
To: Gronlund, Eric
Cc: Bruce Ritter
Subject: Riverview Water Rights

Hi Eric,

West Central Land, LLP has recently merged into Riverview, LLP. I believe Water Permit No. 7105-3 is in West Central Land's name. What do we need to do to transfer that permit into Riverview's name? Also, could you tell me if you have any other water permits/rights in West Central Land or United Feeder's name? Both of these entities have merged with Riverview.

Thanks,

Brady Janzen
 Riverview, LLP
 320-349-0318



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 2010

Brady Janzen
Riverview LLP
26406 470th Ave
Morris MN 56267

RE: United Feeders LLP and West Central Land LLP Water Rights and Permits

I am writing in follow-up to your email communication with Eric Gronlund concerning the recent merger of West Central Land LLP and United Feeders LLP into Riverview LLP.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for the following Water Permits or Rights:

- West Central Land LLP - 1776-3, 6883-3 and 7105-3
- United Feeders - 6724-3, 1072-3, 1073-3, 3035-3, 6998-3, 7063-3 and 3175A-3

Please complete the forms and return them to our office with a required filing fee of \$50.00 each (total of \$500.00). The check or money order for the fee can be made payable to the Water Rights Program.

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

enclosures

RECEIVED

OCT 25 2010

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 7105-3

Date: 10-21-10

I/We request that Water Permit No. 7105-3

formerly owned by: West Central Land LLP

be transferred to: (name & address) Riverview, LLP

26406 470th Ave

Morris, MN 56267

Telephone No. 320-392-5609

Title to the following described land(s)/property has been transferred as described above:

364 acres - W 1/2, S 1/2 SE 1/4 and NW 1/4 SE 1/4 Section 3, T115N, R59W

I/We understand that the validity of Water Permit No. 7105-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Riverview, LLP, the new owner, certify that the above information is true and correct.

Brady James, Partner
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/25, 20 10

RECEIVED OF Riverview LLP 26406 470th Ave Morris MN 56267

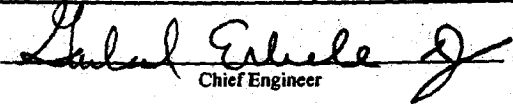
The following amount in fees for services rendered as provided for by law:

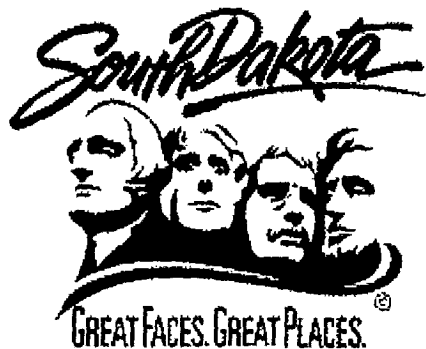
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>7105-3</u>		
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	50 00

No.

04645

By


Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 26, 2010

Brady Janzen
Riverview LLP
26406 470th Ave
Morris MN 56267

Re: Water Permit or Right Nos. 7105-3, 7063-3, 6998-3, 6883-3, 6724-3, 3175A-3,
3035-3, 1776-3, 1073-3, 1072-3

Dear Mr. Janzen:

The recent ownership changes you filed for Riverview LLP have been completed. The water rights or permits formerly held by West Central Land LLP and United Feeders are now listed in the name of Riverview LLP.

The receipts for the filing fees are enclosed. If you have any questions, please contact me.

Sincerely,

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

enclosures

McMath, Genny

From: Brady Janzen <brady.janzen@riverviewllp.com>
Sent: Thursday, July 21, 2011 7:56 AM
To: mikedurre@hotmail.com; Peterson, Mark (DOT); Hicks, Matt;
mcdirector@venturecomm.net; Mohan, Krishna (MDH); Wegleitner, Paul; Myers, Ben;
billkleindl@co.stevens.mn.us; Schwint, George (MPCA); McMath, Genny;
sheri.reuss@state.mn.us; janell.miersch@state.mn.us; Gronlund, Eric; Woodmansey, Kent;
Kindt, Trish
Cc: anthony.ekren@riverviewllp.com; brad.fehr@riverviewllp.com
Subject: Contact Change

Hello,

Just wanted to give everyone notice that Anthony Ekren will be taking over the permitting, zoning, and annual reporting duties here at Riverview. Please direct all future correspondences to him. He can be reached at 320.392.5609 ext 297 (office), 320.287.0978 (cell), or anthony.ekren@riverviewllp.com.

Thanks and have a great day!

Brady Janzen
Riverview, LLP
320.392.5609

SOUTH DAKOTA WATER WELL COMPLETION REPORT

7105-3

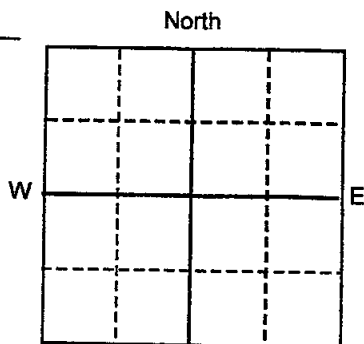
SD EForm - 1621LD V1

11-02

Location SW ¼ NW ¼ Sec 34 Twp 116 Rg 59

County Clark

Please mark well location with an "X"



Well Completion Date

March 11, 2013

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
ft. from _____ (Identify source) _____

PROPOSED USE:

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

METHOD OF DRILLING:

mud rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>12.00</u> IN	<u>2.0</u> FT	<u>106.0</u> FT	<u>18.00</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Quick Grout	<u>40</u>	Lb/gal	<u>0.0</u> Ft	<u>96.0</u> Ft
Red Flint		Lb/gal	<u>96.0</u> Ft	<u>126.0</u> Ft

Describe grouting procedure
Tremmy

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 12.00 Inches Length 20.0 Feet

Material Stainless Steel

Slot Size 80 Set From 106.0 Feet to 126.0 Feet

Other information _____

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material? _____

Describe packer(s) and location _____

DISINFECTION:

Was well disinfected upon completion?

☐ Yes, How? _____

☐ No, Why Not? _____

Lab to which water
quality sample sent for analysis _____

Well Owner: Clark Feeders

Business Name: Riverview Farms LLC

Address: 26406 470th AVE

City, State, Zip: Morris MN 56267

WELL LOG:

			DEPTH	
FORMATION			FROM	TO
Top Soil	Blk	M	0	1
Clay	Tan	M	1	30
Clay	Gry	M	30	76
Sand/Clay	Gry	S	76	86
Sand	Dk Gry	VF	86	96
Sand	Multi	M	96	126

STATIC WATER LEVEL 37.3 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: submersible

☐ Bailed

☐ Other

Pumping Level Below Land Surface

51.4 Ft. After 6.0 Hrs. pumped 950.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

44 48 47.9N
97 54 44.0W

RECEIVED

SEP 12 2013

WATER RIGHTS PROGRAM

This well was drilled under license # 463 and this report is true and accurate.

Drilling firm: Steffl Drilling & Pump Inc / Kris VanHeuveln

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____



February 24, 2020

26406 470th Ave
Morris, MN 56267
(320) 392-5609

SD DENR Water rights program

RE: Change in contact information

Dear Eric Gronlund,

I will no longer be with Riverview at the end of March, please remove me as the contact person for the Riverview water rights permits. Please make the following changes:

Please make the following person the main contact person for Riverview water rights permits:

Brady Janzen
320-349-0318
Brady.janzen@riverviewllp.com

Additionally, please make the following person a secondary contact person for Riverview water rights permits:

Matt Waldbeser
320-287-1028
Matt.waldbeser@riverviewllp.com

Thank you,

Anthony Ekren

File No. 6883-3
& 7105-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Matt Walbeser w/ Riverview LLP

DATE: 07/25/2024

TELEPHONE: 320-287-1028

RE: irrigation practices of 6883-3

COMMENTS:

After Darrell's inspection found no irrigation system in place at the acreage authorized by 6883-3, I contacted Matt w/ Riverview LLP to determine whether any system had ever been constructed at that location, also outlining the IQ responses from 2008-2023. (see email in 6883-3 file from July 8, 2024)

On July 25, 2024, Matt called to confirm that there had never been an irrigation system constructed on that acreage and that the 2023 IQ response was incorrect.

Since 6883-3 provides diversion authority to 7105-3, it has been determined by Ron Duvall and myself that the best way to handle the situation would to incorporate 6883-3 & 7105-3, allowing the diversion rate to continue being used, while subsequently dropping coverage of the acres that were not developed for irrigation.

Matt was informed of this decision, which would negate the need to bring 6883-3 before the Board for cancellation.



Amanda Dewell
Water Rights Program

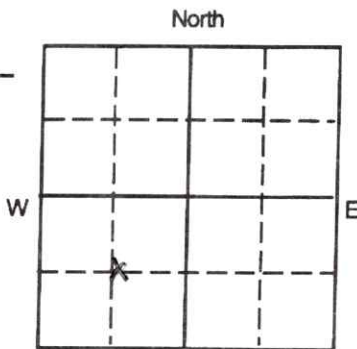
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location Center 1/4 SU 1/4 Sec 34 Twp 116N Rg 59W

County clark

Please mark well location with an "X"



Well completion Date 7/10/23

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? 2000 ft. from feed lot (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SPR 21</u> LB/FT	<u>12</u> IN	<u>2</u> FT	<u>100</u> FT	<u>17 1/2</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Estimate Grout</u>		Lb/gal	<u>0</u> Ft	<u>40</u> Ft
	<u>18</u>	<u>9.8</u> Lb/gal	<u>9.8</u> Ft	

Describe grouting procedure Twice line pumping bottom to top

SCREEN:

- ☐ Perforated pipe ☒ Manufactured

Diameter 12 Inches Length 10 Feet

Material stainless steel

Slot Size 070 Set From 100 Feet to 110 Feet

Other information Reddit #120 pack

WAS A PACKER OR SEAL USED?

- ☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

- ☒ Yes, How?

chlorine

- ☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner:

RiverView LLP

Business Name:

Address:

26406 470TH AVE

City, State, Zip:

Morris Mn. 56267

WELL LOG:

DEPTH

FORMATION	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>2</u>
<u>yellow clay</u>	<u>2</u>	<u>4</u>
<u>Oxidized sand</u>	<u>4</u>	<u>18</u>
<u>Blue clay</u>	<u>18</u>	<u>98</u>
<u>sand gravel</u>	<u>98</u>	<u>110</u>
<u>shale</u>	<u>110</u>	

STATIC WATER LEVEL

55 FEET

If flowing: closed in pressure

PSI

GPM flow

through

Inch pipe

Controlled by

☐ Valve

☐ Reducers

☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:

Air

☐ Bailed

☐ Other

Pumping Level Below Land Surface

100 Ft. After

4 Hrs. pumped

600 GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

Replacement well

This well was drilled under license #

843

And this report is true and accurate.

Drilling firm:

Dakota Well Drilling

Signature of License Representative:

[Signature]

Signature of Well Owner or Equitable Property Holder:

RECEIVED

SEP 05 2023

Date:

523 E Capitol Ave.

Pierre SD 57501

OFFICE OF
WATER

Please return WHITE COPY to: DENR Water Rights

Report of Examination of Works and/or Application of Water to Beneficial Use

Form Water Right No. 1776-3 and Permit Nos. 6883-3 & 7105-3

I have on this day, May 24th & November 13th, 2023, made a thorough examination of the water use systems constructed by West Central Land LLP, (now owned by Riverview LLP, 26406 470th Ave, Morris MN 56267) of Water Right No. 1776-3, bearing a priority date of September 20, 1970; Water Permit No. 6883-3, bearing a priority date of August 23, 2007; and Water Permit No. 7105-3, bearing a priority date of March 16, 2009, authorizing a combined diversion rate of 3.81 cubic feet of water per second of the waters of the Altamont aquifer for irrigation purposes in Clark County.

A. Works Used to Divert Water:

Well Information:

- 1) Well Drilling Firm: Steffl Drilling & Pump and Dakota Well Drilling
- 2) Number of Wells: 2
- 3) Well Depth(s): 110 & 126 feet
- 4) Well log(s) Available YES If no, explain in comments

Casing:

- 1) Diameter: 17.5 & 18 inches
- 2) Length: 104 & 98 feet
- 3) Type: Plastic (both)

Screen:

- 1) Type: Stainless Steel (both)
- 2) Length: 20 & 10 feet
- 3) Static Water Level: 37.3 & 55 feet

Pump

- 1) Make: Submersible (both)
- 2) Model: Unknown (both)
- 3) Size: Unknown (both)
- 4) Capacity: 1,700 (combined) GPM

Motor:

- 1) Make: Unknown (both)
- 2) Model Number: Unknown (both)
- 3) Horsepower Rating: Unknown (both)

B. Works Used to Transport Water to Place of Use:

- 1) Type: PVC
- 2) Size: 8 inches
- 3) Length: 9,500 (total) feet

Comments: None

C. Works Used to Apply Water to Beneficial Use:

Center Pivot:

- 1) Make: Valley (x4)
- 2) Overall Length: 1,300 feet
- 3) Number of Towers: 7
- 4) End Gun: Yes
- 5) Capacity: 850 (each) GPM

Chemigation Equipment:

- 1) Does Chemigation: No

D. Compliance with Permit Requirements:

- 1) Permit Qualification Being Abided By: Yes
- 2) Irrigation Questionnaire Checked to Determine if Irrigation Started by End of Construction Period:
Yes
- 3) Exceptions to Compliance: None

E. Condition and Location

- 1) The system is in good condition and the point(s) of diversion located as follows: From the SW corner Section 34, T116N-R59W, Well #1: 2,905 ft N & 1,260 ft E (Lat 44.81316/Long -97.91227) (SW ¼ NW ¼) Well #2: 1,390 ft N & 1,216 ft E (Lat 44.80901/Long -97.91222) (center SW ¼)
- 2) The works are capable of diverting and conveying to the place of use 3.79 cubic feet of water per second of waters which is to be used for irrigation. Water has been put to beneficial use to the maximum extent, as follows:

Legal Description/Acreage:**Section 3, T115N-R59W**

NE NW – 9 ac
 NW NW – 29 ac
 SW NW – 33 ac
 SE NW – 23 ac
 NE SW – 33 ac
 NW SW – 33 ac
 SW SW – 33 ac
 SE SW – 33 ac
 NW SE – 23 ac
 SW SE – 32 ac
 SE SE – 29 ac

Section 34, T116N-R59W

NE SW – 34.5 ac
 NW SW – 34.5 ac
 SW SW – 33 ac
 SE SW – 33 ac

Comprising a total of 445 acres of land and the license should be issued for 3.79 cfs

- 3) All Structures, Wells, and Lands on Map: Yes

F. Comments or Other Permit(s) Associates with Project:

Wells authorized by Right No. 1776-3 and Permit No. 6883-3 supply water to irrigation system construction under 7105-3.

No land was irrigated using Permit 6883-3 according to submitted Irrigation Questionnaires Pump rate reported on recent Irrigation Questionnaires were used to establish system flow capacity. Water from wells comes together at Well #2 location and is mixed at the point of delivery to the 4 pivots.

Original well authorized by Right No. 3013-3 was constructed in 1978 and plugged in 2022. The new well authorized under Permit 6883-3 was constructed in 2013.

The irrigated acreage is estimates with the aid of FSA imagery and ArcMaps software.



Darrell W DeBoer
 Water Rights Inspector
 DANR, Water Rights Program

Date report completed: November 14, 2023

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

NAME: Riverview LLP

COUNTY: Clark

ADDRESS: 26406 470th Ave, Morris MN 56267

DATE: July 25, 2024

GENERAL DESCRIPTION OF AUTHORIZED PROJECT:

The permit holder is authorized to construct one well into the Altamont Aquifer in the approximate center NW ¼ Section 34, to divert 1.88 cubic feet of water per second (cfs) for the irrigation of 132 acres located in the NW ¼, Section 34; 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 added, 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 completed the well into the Altamont Aquifer, located in the SW ¼ NW ¼ Section 34, T116N, R59W. No additional diversion was developed.

If irrigation, no new land is irrigated

While the well was drilled and the diversion authority used to provide water to acres authorized by Permit No. 7105-3, no acres were developed for irrigation under Permit No. 6883-3.

Review of Existing Diversions

There are five existing water permits/rights located within approximately 2 miles of where the well was developed, also authorizing diversion from the Altamont Aquifer. The nearest of which being 7419-3 (James Orris), located approximately 0.4 miles northeast of the well site in question. It was determined that there was reasonable probability any well interference due to pumping of the original well would not adversely or unlawfully impair existing rights. The same would be expected for the well constructed in the new location.

The closest domestic well is approximately 0.4 miles to the northwest, located in the SE ¼ SE ¼ Section 27, T116N, R59W, on property owned by the James Orris Trust, according to the Clark-Hamlin County plat book. The next nearest domestic well is approximately 1.5 miles to the southeast, located in the SE ¼ SE ¼ Section 3, T115N, R59W, on property owned by United Feeders LLC, according to the Clark-Hamlin County plat book. The location of the domestic wells in the well completion report database maintained by the Water Rights Program is based on the location listed by the driller on the well completion report.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the change in diversion point location be approved.



Amanda Dewell, Permitting Administrator
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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

7105-3
Well #2

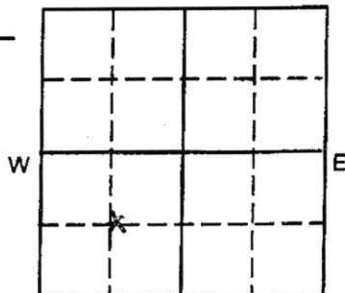
11-02

Location Center 1/4 SW 1/4 Sec 34 Twp 116 N Rg 59 W

County Clark

North

Please mark well location with an "X"



Well completion Date

7/10/23

1 Mile

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? 2000 ft. from Feed lot (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>5DR21</u> LB/FT	<u>12</u> IN	<u>22</u> FT	<u>100</u> FT	<u>17 1/2</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u> Bentonite Grout </u>	<u>18</u>	<u>9.8</u> Lb/gal	<u>0</u> FT	<u>70</u> FT
		<u>9.8</u> Lb/gal	<u>9.8</u> FT	

Describe grouting procedure Twelve line pumping bottom to top

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 12 Inches Length 10 Feet
Material stainless steel
Slot Size 070 Set From 100 Feet to 110 Feet
Other information Reddit #120 pack

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? chlorine

☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner:

RiverView LLP

Business Name:

Address:

26406 470th Ave

City, State, Zip:

Morris Mn 56267

WELL LOG:

DEPTH

FORMATION	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>2</u>
<u>yellow clay</u>	<u>2</u>	<u>4</u>
<u>Oxidized Sand</u>	<u>4</u>	<u>18</u>
<u>Blue clay</u>	<u>18</u>	<u>98</u>
<u>Sand gravel</u>	<u>98</u>	<u>110</u>
<u>shale</u>	<u>110</u>	

STATIC WATER LEVEL

55

FEET

If flowing: closed in pressure

PSI

GPM flow through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: Air

☐ Bailed

☐ Other

Pumping Level Below Land Surface

100 Ft. After 4 Hrs. pumped 600 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

Replacement well

This well was drilled under license #

843

And this report is true and accurate.

Drilling firm:

Dakota Well Drilling

Signature of License Representative:

[Signature]

Signature of Well Owner or Equitable Property Holder:

RECEIVED

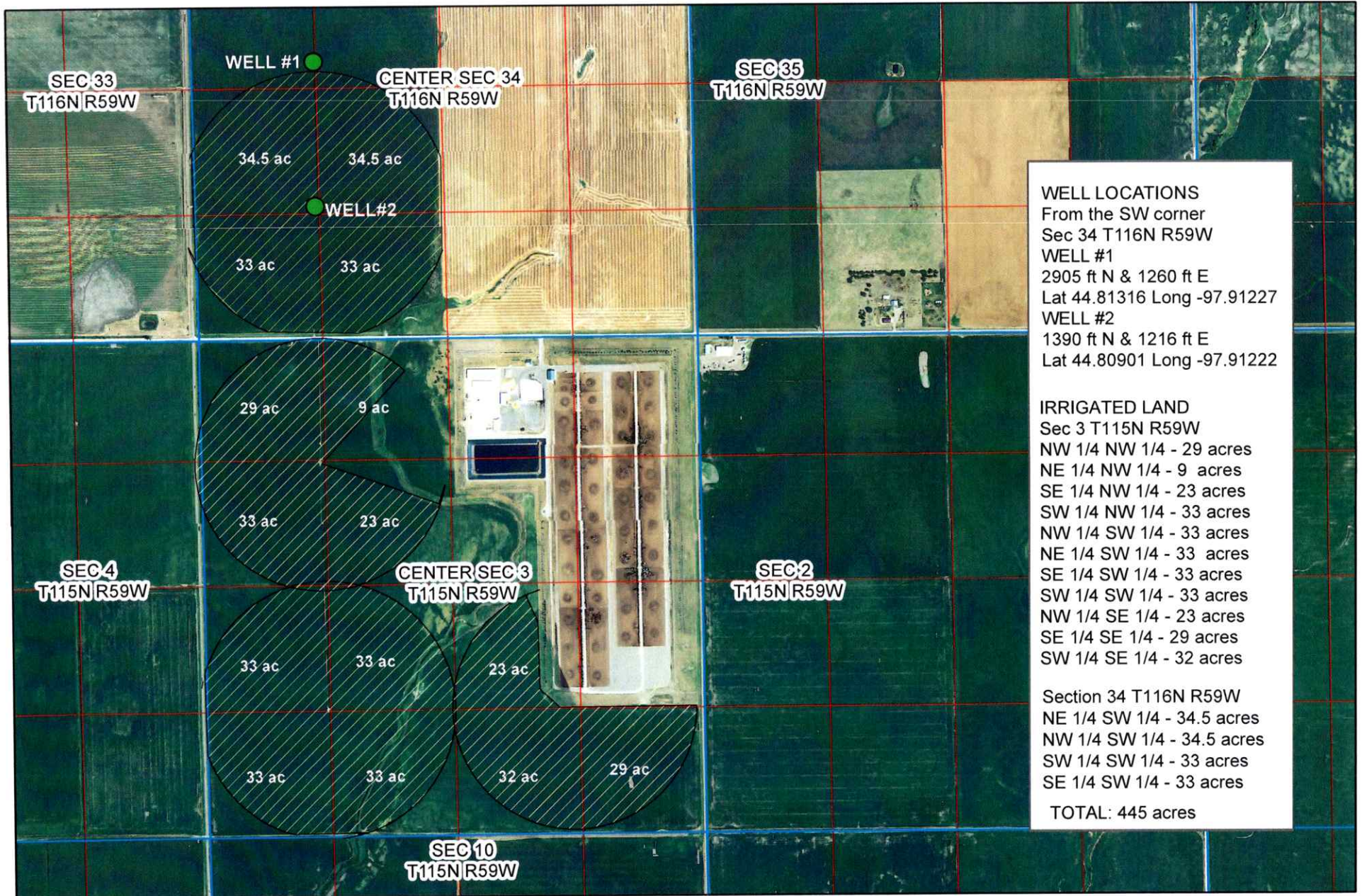
SEP 05 2023

Date:

OFFICE OF WATER

Please return **WHITE COPY** to: **DENR Water Rights**

523 E Capitol Ave. Pierre SD 57501



0 1,150 2,300 4,600 6,900 9,200 Feet

Darrell DeBoer
 Water Right Inspector
 DANR-Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUL 29 2024

1776-3
6883-3
7105-3

Riverview LLP
c/o Matt Waldbeser
26406 470th Ave
Morris MN 56267

Dear Mr. Waldbeser:

Enclosed is Water License No. 7105-3. 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.

So 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

NOTES: The applicable portions of Water Right No. 1776-3 and Permit No. 6883-3 have been incorporated into Water Right No. 7105-3.

The acreage authorized for irrigation under Permit No. 6883-3 had not been developed for irrigation by the construction deadline. You will note that those acres have been left off this license, which does not prohibit you from submitting a new application for the project in the future.

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7105-3

(1) Water Right No. 1776-3, held by Riverview LLP, 26406 470th Ave, Morris MN 56267, authorized the diversion of 1.93 cubic feet of water per second (cfs) from groundwater, one well (Altamont Aquifer) for the irrigation of 135 acres.

The applicable portions of Water Right No. 1776-3 have been incorporated into this license.

Lloyd Terrill made Application No. 6883-3, August 23, 2007, for a water permit to divert 1.88 cubic feet of water per second from groundwater, one well (Altamont Aquifer), Clark County, South Dakota for irrigation purposes. Permit No. 6883-3, with a priority date of August 23, 2007, was approved by the Water Management Board March 11, 2008, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 11, 2013, and for the application to beneficial use of water on or before March 11, 2017.

Ownership of Water Permit No. 6883-3 was transferred to Riverview LLP in October 2010.

The applicable portions of Water Permit No. 6883-3 have been incorporated into this license.

An investigation conducted for licensing purposes found the diversion point authorized by Permit No. 6883-3 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.

West Central Land LLP made Application No. 7105-3, March 16, 2009, for a water permit to add an additional 364 acres to what was already authorized for irrigation by Water Right No. 1776-3 and Water Permit No. 6883-3. Permit No. 7105-3, with a priority date of March 16, 2009, was approved June 8, 2009, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 8, 2014, and for the application to beneficial use of water on or before June 8, 2018.

Ownership of Water Permit No. 7105-3 was transferred to Riverview LLP in October 2010.

(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 3.79 cubic feet of water per second for beneficial use. The locations of the diversion points are:

- Well #1: 2,905 ft N & 1,260 ft E of the SW corner Section 34, T116N, R59W (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
(Latitude 44.81316 & -97.91227)
- Well #2: 1,390 ft N & 1,216 ft E of the SW corner Section 34, T116N, R59W (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
(Latitude 44.80901 & Longitude -97.91222)

(3) The amount of 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: April 1 – October 31.

continued

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

Section 3, T115N, R59W		
NE ¼ NW ¼	9 acres	NE ¼ SW ¼ 33 acres
NW ¼ NW ¼	29 acres	NW ¼ SE ¼ 23 acres
SW ¼ NW ¼	33 acres	SW ¼ SE ¼ 32 acres
SE ¼ NW ¼	23 acres	SE ¼ SE ¼ 29 acres
		SE ¼ SW ¼ 33 acres

Section 34, T116N, R59W

NE ¼ SW ¼	34.5 acres
NW ¼ SW ¼	34.5 acres
SW ¼ SW ¼	33 acres
SE ¼ SW ¼	33 acres

TOTAL: 445 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Riverview LLP, the holder and/or owner of Water Right No. 7105-3 is issued a license to appropriate water, the right to use 3.79 cubic feet of water per second from groundwater, two wells (Altamont Aquifer), with priority dates outlined below, from the locations specified in (2) of this license for irrigation purposes.

Priority Dates	Diversion Authority	Irrigated Acres
September 20, 1970 (established by 1776-3)	1.93 cfs	135 acres
August 23, 2007 (established by 6883-3)	1.86 cfs	
March 16, 2009 (established by 7105-3)		310 acres

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7105-3 and subject to 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 wells or in adequate wells having prior water rights.
2. The well authorized by Permit Nos. 6883-3 and 7105-3 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. *(The well was drilled in 2013 by Steffl Drilling & Pump Inc. A copy of the well completion report is on file with the Water Rights Program.)*
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Water from the wells may be diverted to the wastewater pond only at times when pumping is occurring from the pond to land apply the effluent.

continued

5. The system shall be designed to prohibit the flow of liquid from the livestock wastewater pond back towards the well. This will require installation of a check valve, air gap, or similar device.

Eric Gronlund

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

JUL 29 2024

date

