

WATER PERMIT NO. 7134-3

Name of Applicant: **Ordell Gustad**

Address: **30491 447th Ave, Volin SD 57072** Phone: **605 267-2272**

Amount of Water Claimed: **1.78 cfs** Total Acres: **220**

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

Water to be used for: **irrigation** County: **Yankton**

Type of Waste Disposal System: **NA**

Location: **4 miles west of Volin**

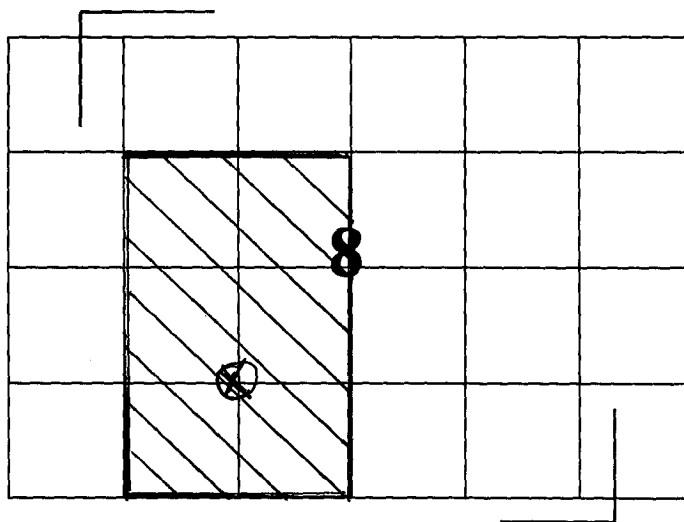
PRIORITY Date Received: **5-15-09** Application/License Fee: **\$325**

Corrected Application Received: Period of Annual Use: **May 1 – September 30**

Remarks:

Diversion Point: **approximate center of the SW ¼**
Sec 8-T94N-R54W

Land to be Irrigated: **SW ¼, S ½ NW ¼ Sec 8-**
T94N-R54W



Depth of Well: **200 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Mike Reifenroth, Yankto Co FSA**

Reviewed and the Number Assigned on: **5-18-09**

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>7134-3</u> (office use only)	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	<u>PO Box 56</u>
	Newspaper <u>Daily Press & Dakotan</u>	<u>Yankton 57028</u>
	<u>605-665-7811</u>	

RECEIVED
MAY 15 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.)

- Name of Applicant Ordel Gustad (check one) ☒ Owner ☐ Tenant/lessee Phone (605) 267-2272
Mailing Address 30491 447th Ave Union State SD 57022
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 230
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply ground water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Yankton
1 well center of SW 1/4 section 8 Union T-94-N R-54-W
South 80 of the NW 1/4 section 8 Union T-94-N R-54-W
- County or counties where water will be used Yankton
- Annual period during which water is to be used May 1 to September 30
- 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
<u>SW 40 of SW 1/4 sec. 8</u>	<u>35</u>	<u>SW 40 of NW 1/4 sec. 8</u>	<u>35</u>
<u>SE 40 of SW 1/4 sec. 8</u>	<u>35</u>	<u>SE 40 of NW 1/4 sec. 8</u>	<u>35</u>
<u>NW 40 of SW 1/4 sec. 8</u>	<u>40</u>		
<u>NE 40 of SW 1/4 sec. 8</u>	<u>40</u>		

- Give a description of the project. (Attach sheet if more space is needed)
ground water well for irrigation of crop ground

STATE OF SOUTH DAKOTA) SS
County of Yankton

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, Ordel Gustad, 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

Ordel Gustad

Subscribed and sworn to before me this 27 day of April 20 09

8-29-2012

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7134-3**

Date of first receipt of application May 15, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7134-3 to Ordel Gustad, 30491 447th Ave, Volin SD 57072 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. 7134-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 200 feet deep) located in center of the SW ¼ Section 8 to irrigate 220 acres located in the SW 1/4, S ½ NW ¼ Section 8; all in T94N-R54W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is May 15, 2009.
4. The date of approval of Permit No. 7134-3 is June 22, 2009.
5. One-fifth of the construction is to be completed on or before December 22, 2011.
6. All construction is to be completed on or before June 22, 2014.
7. Water is to be put to beneficial use on or before June 22, 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 No. 7134-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

AUG 04 2009

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 10" 22" Depth 200'
- b) Casing Type plastic PVC Diameter 16" Thickness 1/2
- c) Screen Type PVC Diameter 16" Thickness 1/2
- d) Gravel Pack 1/8" - 1/4" rock Length of Gravel Pack 70'
- e) Depth to Top of Water Bearing Material 130'
- f) Depth to Water (ground surface to water level) 60'
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others 1320 feet

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

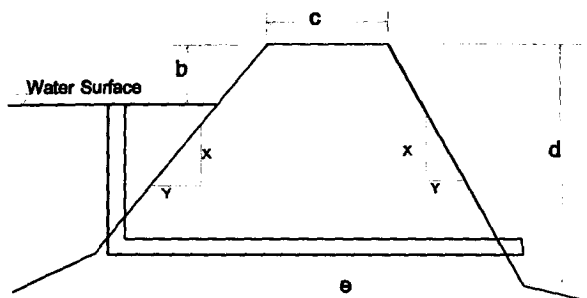
3. Dugout Information

- 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



United States Department of Agriculture Farm Service Agency



South Dakota
Yankton County

Farm Number 31
Township-Range-Section 94N54W8
WATER RIGHTS PROGRAM

Legend

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions
- CLU Field Boundary
- Tract Boundary



1:8,159

USDA FSA maps are for FSA Program administration only. This map does not represent actual ownership, rather it depicts the information provided directly from the producer and/or the 2008 orthorectified imagery for South Dakota. The producer accepts the data "as is" and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs.

Yankton County FSA

Mike Rasmussen - PT

Apr 22, 2009

4-30-2009

2009

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/18, 20 09

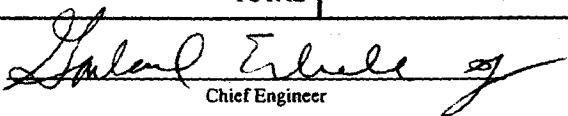
RECEIVED OF Ordell Gustad 30491 447th Ave Volin SD 57072

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

Fee for Application for Permit No. <u>7134-3</u> to Appropriate Water, to construct and to put water to beneficial use	275	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>7134-3</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	325 00

No. 04133

By


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. 7134-3, Ordel Gustad**

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. 7134-3, Ordel Gustad, 30491 447th Avenue, Volin SD 57072.

The Chief Engineer is recommending APPROVAL of Application No. 7134-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7134-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 29, 2009

**Report on Water Permit Application No. 7134-3
for Ordel Gustad
May 21, 2009**

Application No. 7134-3 proposes to appropriate 800 gallons per minute (1.78 cfs) from one well approximately 200 feet deep to be completed into the Missouri Elk Point aquifer located in the SW $\frac{1}{4}$ of Section 8 to irrigate 220 acres located in the SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 8; all T94N-R54W in Yankton County. The annual period during which water will be used is May 1 through September 30.

AQUIFER: Missouri Elk Point

This report will address the availability of unappropriated water from the Elk Point management unit of the Missouri aquifer.

WATER AVAILABILITY

Aquifer Characteristics:

The Missouri Elk Point aquifer is an alluvium mantled outwash (sand and gravel) that is under predominantly water table conditions in the area of this application. The aquifer underlies 45,000 acres and contains an estimated 675,000 acre-feet of recoverable water in storage in Yankton County (Hedges, 1982). The aquifer extends into Union County to the south-east, into Clay County to the east, blends into the Lower Vermillion Missouri directly to the east of the application location and is hydraulically connected to the James, Vermillion and Missouri Rivers. Ground water movement is from northwest to southeast and locally toward the Missouri River.

Observation Well Data

The Water Rights Program has a monitor well within one mile of this application location. Monitor well YA-78F is located less than one mile to the south-east. A hydrograph for this well is included with this report.

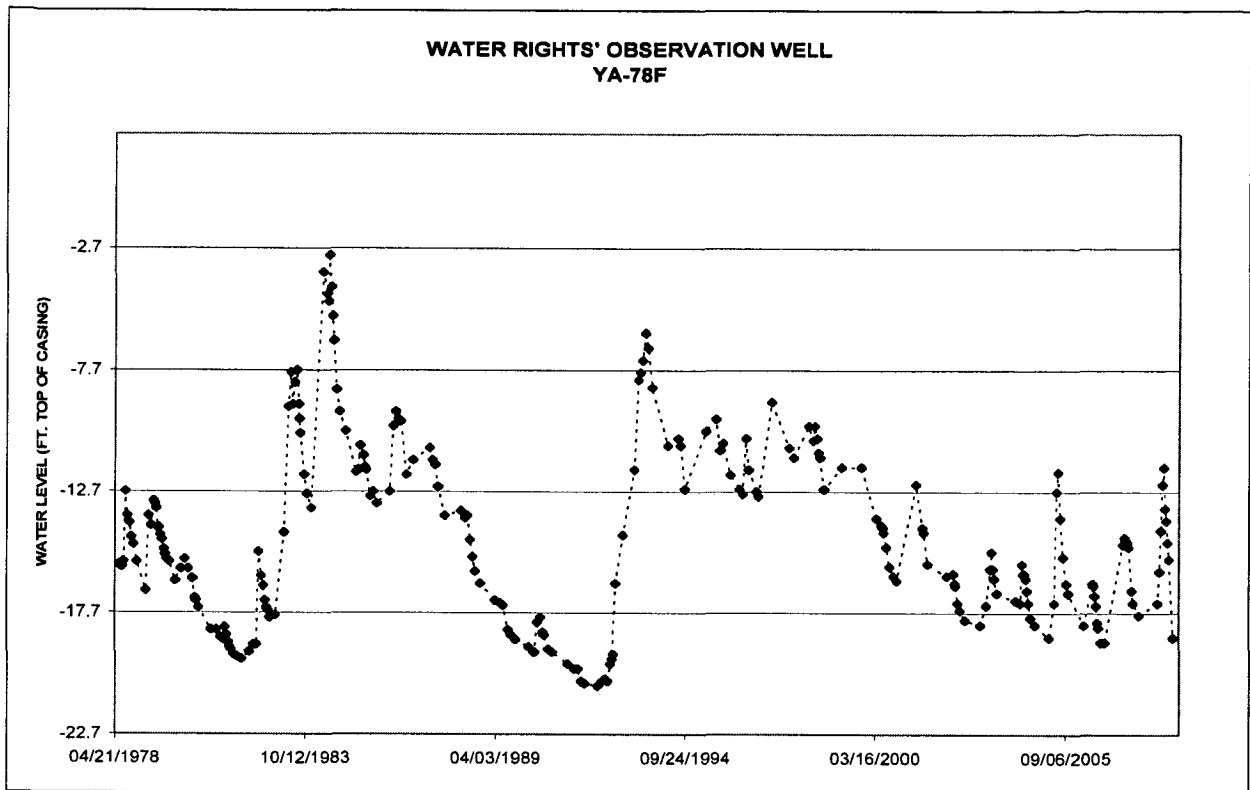


Figure 1. Hydrograph for Water Rights Observation Well YA-78F, completed into the Missouri Elk Point Aquifer within one mile of 7134-3

In general, the hydrograph shows that over the period of record, withdrawals have not exceeded recharge.

Review of Existing Water Permits/Rights/Water Use:

Records of irrigation use from the Missouri aquifer, which includes the Peoria management unit, the Pierre management unit, the Greenwood management unit and the Elk Point management unit date back to 1979. The Elk Point management unit typically includes the majority of irrigators; irrigators in the other management units typically total less than ten.

Table 1 shows the number of appropriations, the total amount of water appropriated, and the reported amount of water pumped for each year. The average number of appropriations is just over 301, with the average annual appropriation being nearly 148,000 acre-feet and the average annual pumpage reported at over 17,000 acre-feet.

Year	IRRIGATION USE (ac-ft/yr) M		
	Number of Appropriations	Appropriation (ac-ft/yr)	Pumpage Reported (ac-ft/yr)
2007	368	140746.6	31052.03
2006	355	137411.6	28874.29
2005	337	130966.6	24176.62
2004	323	127635.8	24515.85
2003	315	126059.8	27161.56
2002	316	126235.8	24105.36
2001	314	126217.4	19451.93
2000	310	125532.2	27070.99
1999	308	125225.6	14748.02
1998	313	127862.6	11127.24
1997	305	126518.2	17182
1996	296	124606.2	9412.78
1995	292	121644.25	18320.24
1994	297	123656.75	10323.94
1993	299	125656.3	1475.2
1992	296	125336.68	1881.95
1991	301	126551.68	18798.6
1990	299	128458.33	19694.5
1989	294	126847.33	25941.9
1988	283	124014.13	28756.35
1987	282	124104.33	13439.7
1986	288	125842.47	6451.6
1985	284	125068.47	13983.5
1984	283	126743.35	9194.3
1983	274	121895.73	10834.04
1982	272	123559.28	18822.35
1981	302	136318	14233
1980	267	126362	15205
1979	265	124828	10377
AVERAGE	301.31	126962.26	17124.55
MAXIMUM	368	140746.6	31052.03
MINIMUM	265	121644.25	1475.2

Table 1. Irrigation usage from the Elk Point management unit of the Missouri aquifer (Water Rights, 1979-2008).

There are thirteen existing water permits/rights located within one mile of this application with the nearest about half to the west of this application. Interference could occur during times of pumping and water levels do fluctuate as a result of area pumping but this does not affect the availability of water from the aquifer.

Conclusions:

1. Water is available from the Elk Point management unit of the Missouri aquifer.
2. The aquifer appears to be under water table conditions at this location. Drawdown will result from pumping. Interference could occur due to the close proximity of nearby wells.
3. If the well covered by this Permit adversely impacts the domestic supplies or interferes with prior water rights, restrictions, to the extent necessary, of the capacity of the well or periods of operation or other arrangements may be required to protect these water supplies.
4. This well must be constructed in accordance with SD Well Construction Standards.



Hayes Haas
Natural Resources Engineer

Bibliography:

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

Water Rights, 2008, Irrigation Records for the Missouri Elk Point Aquifer, SD DENR, Division of Water Rights, Pierre, SD, 57501

RECEIVED

JUN 17 2009

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

DEPT. OF ENVIRONMENT & NATURAL RESOURCES
523 EAST CAPITOL
PIERRE, SD 57501

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE MANAGING EDITOR OF THE YANKTON
PRINTING COMPANY, A CORPORATION, THE PRINTER AND THE
PUBLISHER OF THE YANKTON DAILY PRESS AND DAKOTAN, A LEGAL
DAILY NEWSPAPER PRINTED AND PUBLISHED IN THE CITY OF YANKTON,
SAID COUNTY AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF
THE SAID COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE
ANNEXED APPLICATION NOTICE 7134-3

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON THE 12TH DAY OF JUNE 2009
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$40.82 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: JUNE 12TH, 2009

FILED ON: JUNE 15TH, 2009

SUBSCRIBED AND SWORN TO BEFORE ME THIS 15TH DAY OF JUNE

2009

NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 8/19/2009

NOTICE OF APPLICATION
NOS. 7134-3 to
Appropriate Water

Notice is given that Ordel Gustad, 30491 447th Ave, Volin, SD 57072 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be complete into the Missouri: Elk Point Aquifer (approximately 200 feet deep) located in the center of the SW 1/4 Section 8 to irrigate 220 acres located in the SW 1/4, S 1/2 NW 1/4 Section 8; all in T94N-R54W,

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7134-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is in the public interest, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this applica-

tion, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendations. 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 recommendations. 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 22nd, 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.

Published twice at the total approximate cost of: \$40.82
Estimated Publishing Cost: \$40.82
Copy: \$0.00



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 29, 2009

Daily Press & Dakotan
PO Box 56
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7134-3 to Appropriate Water to be published twice. Please publish the first notice on June 5, 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 Ordel Gustad, 30491 447th Ave., Volin SD 57072 (Ph # 605-267-2272).

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. 7134-3

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

Date _____

We are in receipt of your letter of May 29, 2009 enclosing Notice to Appropriate Water by Application No. 7134-3 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 29, 2009

Ordel Gustad
30491 447th Ave
Volin SD 57072

Dear Mr. Gustad:

Water Permit Application No. 7134-3 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 Daily Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the 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 June 5, 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. 7134-3 to Appropriate Water

Notice is given that Ordel Gustad, 30491 447th Ave, Volin SD 57072 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 200 feet deep) located in center of the SW ¼ Section 8 to irrigate 220 acres located in the SW 1/4, S ½ NW ¼ Section 8; all in T94N-R54W.

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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

AUG 04 2009

Ordel Gustad
30491 447th Ave
Volin SD 57072

Dear Mr. Gustad:

Enclosed is Water Permit No. 7134-3 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

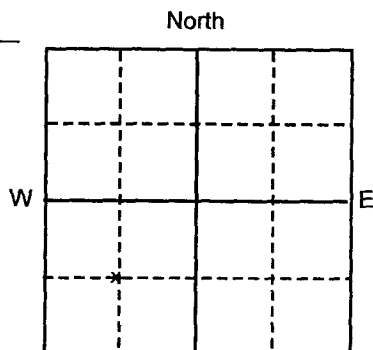
SD EForm - 1621LD V1

11-02

Location SW 1/4 SW 1/4 Sec 8 Twp 94n Rg 54w

County Yankton

Please mark well location with an "X"



Well Completion Date

7/29/09

← 1 Mile →

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
1,500.0 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other
 If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	85.0 FT	22.00 IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
bent grt	19	9.5 Lb/gal	0.0 Ft	77.0 Ft

Describe grouting procedure
 tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 40.0 Feet

Material pvc

Slot Size .080 Set From 85.0 Feet to 125.0 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? hth tablets

☐ No, Why Not? _____

Lab to which water

quality sample sent for analysis _____

Well Owner: Ordell Gustad

Business Name: Gustad Farms

Address: 30491 447th Street

City, State, Zip: Volin SD 57072

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Silt, dark brown, clayey	0	6
Clay, Brown, silty	6	46
Clay, gray, silty, pebbly	46	81
Gravel, coarse, sandy	81	127

STATIC WATER LEVEL 29.0 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 lift development

☒ Bailed

☐ Other _____

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 666 and this report is true and accurate.

Drilling firm: Hammond-Wetmore Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

RECEIVED
 JAN 29 2010
 WATER RIGHTS
 PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 18, 2011

7134-3

Ordell Gustad
30701 Cedar Bluff Rd
Mission Hill SD 57046 6008

Dear Mr. Gustad:

Enclosed is a "Notice" dated October 14, 2011 concerning the 2011 irrigation questionnaire.

The notice was originally mailed to 30491 447th Ave, Volin SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 7134-3**

I have this day, August 4, 2021, made a thorough examination of the water use system constructed by Ordell Gustad, 30701 Cedar Bluff Road, Mission Hill, SD 57046, holder of Permit No. 7134-3, bearing the priority of May 15, 2009 authorizing the diversion of 1.78 cu. ft. per second of the waters of groundwater (Missouri: Elk Point Aquifer) for the irrigation of 220 acres located in Yankton County.

Inspection contact: Ordell Gustad

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hammond Wetmore Drilling
- 2) No. of Wells: 1
- 3) Depth(s): 127 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 16 inches
- 2) Length: 85 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 16 inches
- 2) Length: 40 feet
- 3) Type: PVC
- 4) Static water level: 29 feet

Pump:

- 1) Make: Grundfos
- 2) Model: 625s400-2
- 3) Capacity: 750 GPM

Motor:

- 1) Make: Grundfos
- 2) Model No.: Unknown
- 3) Horsepower rating: 40 hp

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

- | | | |
|--------------------------|--------------------------|---|
| 1) Type: <u>Aluminum</u> | 2) Size: <u>8</u> inches | 3) Length: <u>30</u> feet to the south pivot |
| 2) Type: <u>PVC</u> | 2) Size: <u>8</u> inches | 3) Length: <u>1,320</u> feet to the north pivot |

C. Works used to apply water to beneficial use:**North Center Pivot:**

- 1) Make: Valley
- 2) Overall length: 1292 feet
- 3) Number of towers: 8
- 4) End gun: Yes
- 5) Capacity: 750 GPM

Chemigation Equipment:

- 1) Does chemigate: No

South Center Pivot

- 1) Make: Valley
- 2) Overall length: 1278 feet
- 3) Number of towers: 8
- 4) End gun: Yes
- 5) Capacity: 750 GPM

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by: Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period: Yes
- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows:
The well is 1,300 feet east and 1,410 feet north of the southwest corner of Section 8-T94N-R54W (Latitude 42.97108, Longitude -97.25466 – NW1/4 of the SW1/4).
2. The works are capable of diverting and conveying to the place of use 1.67 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

All in Section 8-T94N-R54W

<u>SW1/4NW1/4</u>	<u>34 acres</u>
<u>SE1/4NW1/4</u>	<u>35 acres</u>
<u>NW1/4SW1/4</u>	<u>38 acres</u>
<u>NE1/4SW1/4</u>	<u>39 acres</u>
<u>SW1/4SW1/4</u>	<u>30 acres</u>
<u>SE1/4SW1/4</u>	<u>25 acres</u>

comprising a total of 201 acres of land and the license should be issued for 1.67 cfs.

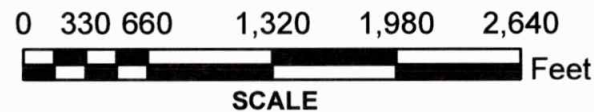
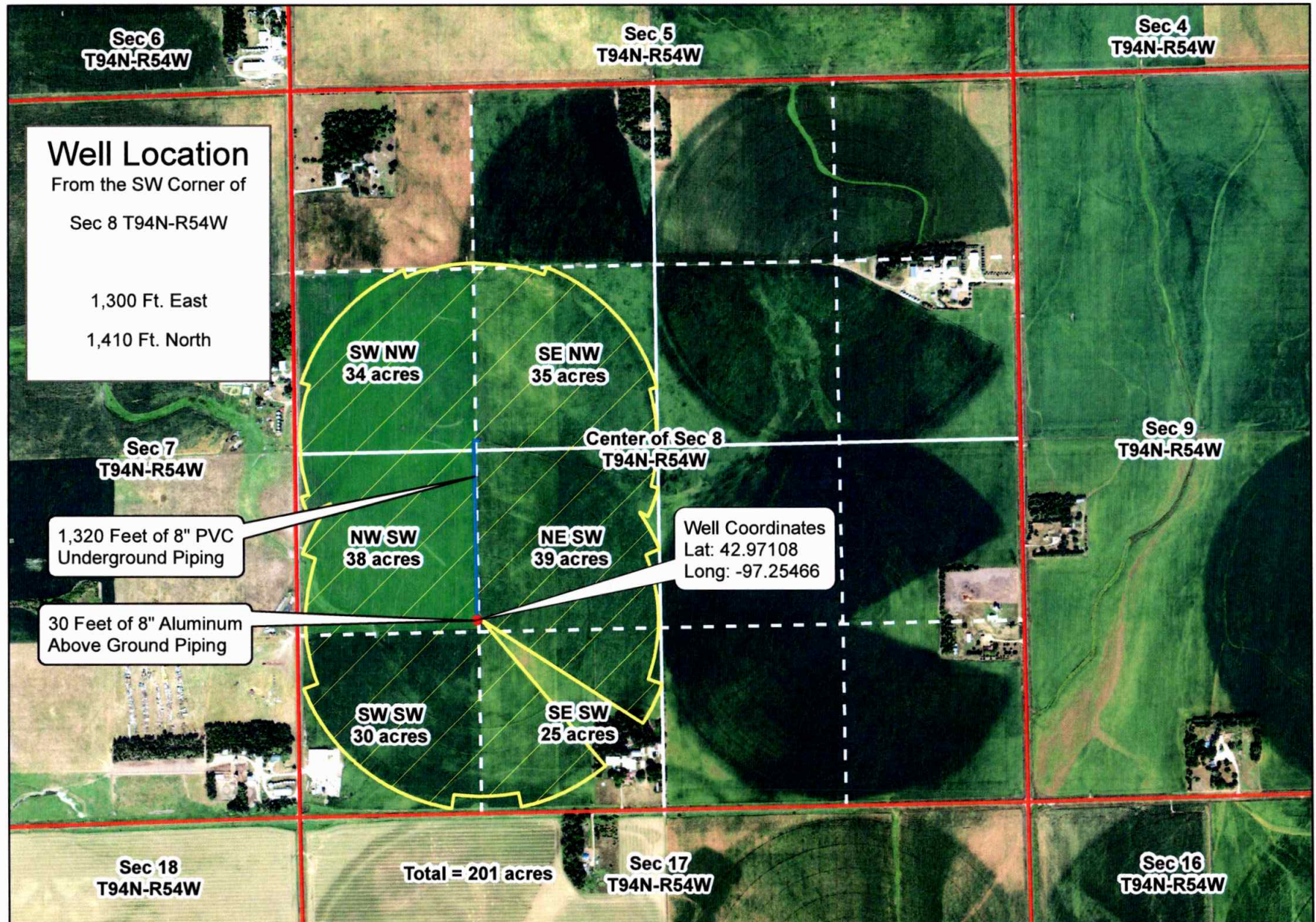
3. All structures, wells and lands on map: Yes

F. Comments or other permit(s) associated with the project: The pump and motor information was obtained from Dick Hammond.

Keith DeJong
Water Rights Inspector
DANR, Water Rights Program

Date report completed: September 10, 2021

Water Right No. 7134-3



Keith DeJong
Keith DeJong, PE
Staff Engineer
August 31, 2021



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

SEP 20 2021

7134-3

Ordell Gustad
30701 Cedar Bluff Rd
Mission Hill SD 57046

Dear Mr. Gustad:

Enclosed is Water License No. 7134-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7134-3**

(1) Ordell Gustad, 30701 Cedar Bluff Rd., Mission Hill SD 57046 made Application No. 7134-3, May 15, 2009 for a water permit to divert 1.78 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer), Yankton County, South Dakota for irrigation purposes. Permit No. 7134-3, with a priority date of May 15, 2009 was approved June 22, 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 22, 2014 and for the application to beneficial use of said water on or before June 22, 2018.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,300'E and 1,410'N of the SW corner of Section 8, T94N, R54W (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
Latitude 42.97108, Longitude -97.25466

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

Section 8, T94N, R54W	NW $\frac{1}{4}$ SW $\frac{1}{4}$	38 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$	34 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	39 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	35 acres
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	30 acres		
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	25 acres	Total	201 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ordell Gustad, 30701 Cedar Bluff Rd., Mission Hill SD 57046 the holder and/or owner of Water Right No. 7134-3 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer) with a priority date of May 15, 2009 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7134-3 and subject to the following qualifications:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 7134-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. ***The well was drilled in July 2009 by Hammond Wetmore Drilling. A copy of the well completion report is on file with the Water Rights Program.***
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.



Eric Gronlund, Chief Engineer
Water Rights Program

Department of Agriculture and Natural Resources

SEP 20 2021

date

