

WATER PERMIT NO. 7150-3

Name of Applicant: **Tim Ostrem**

Address: **45924 300th St, Centerville SD 57014**

Phone: **605 563-2702**

Amount of Water Claimed: **1.78 cfs**

Total Acres: **300**

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

Water to be used for: **irrigation**

County: **Clay**

Type of Waste Disposal System: **NA**

Location: **20 miles northwest of Vermillion**

PRIORITY

Date Received: **6-25-09**

Application/License Fee: **\$350**

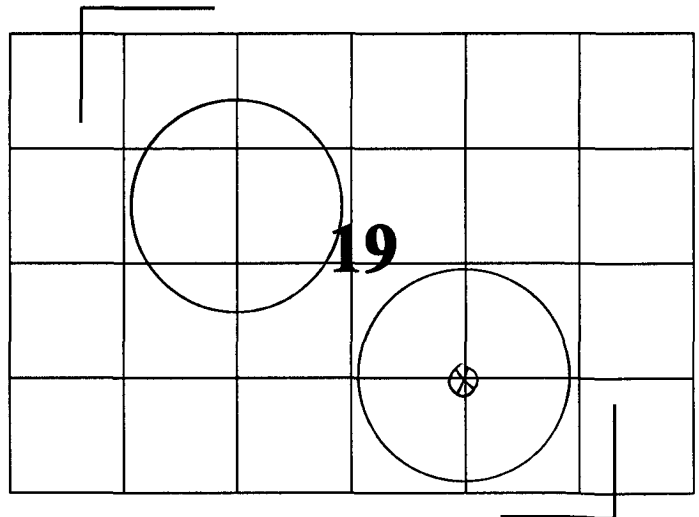
Corrected Application Received: **7-1-09**

Period of Annual Use: **April 1 – October 31**

Remarks:

Diversion Point: **Center SE ¼ Sec 19-T95N-R52W**

Land to be Irrigated: **SE ¼ and NW ¼, N ½ SW**
¼ Sec 19; all in T95N-R52W



Depth of Well: **180 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Kelly Anderson, Clay Co FSA**

Reviewed and the Number Assigned on: **7-7-09**

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	(office use only)	
	No. <u>7150-3</u>	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	
	Newspaper <u>Plain Talk 201 W Cherry St.</u> <u>605-624-2695</u> <u>Vermillion 57069</u>	

RECEIVED
JUN 25 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.)

1. Name of Applicant Tim Ostrem Phone 605 563 2702
(check one) Owner Tenant/lessee
Mailing Address 45924 300st Centerville State S.D. 57014
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 300
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SE 1/4 sec 19 95 52
 County Clay
5. County or counties where water will be used Clay
6. Annual period during which water is to be used Apr. 1 - Oct 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
SE 1/4 Sec 19 95 52	140		
W 1/2 Sec 19 95 52	180		

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

1 well with 2 pumps for

STATE OF SOUTH DAKOTA)

County of Turner)

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, Tim Ostrem, 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 Tim Ostrem

Subscribed and sworn to before me this 19 day of June 20 09

Notary Public signature
10-21-14

SOUTH DAKOTA WATER PERMIT NO. 7150-3

Date of first receipt of application June 25, 2009.

Date of return to applicant for corrections, amendments or changes June 25, 2009.

Date of receipt of corrected application July 1, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7150-3 to Tim Ostrem, 45924 300th St, Centerville SD 57014 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. 7150-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Lower Vermillion:Missouri or the Upper Vermillion Missouri Aquifer (approximately 180 feet deep) located in the center of SE 1/4 Section 19 to irrigate 300 acres located in the SE 1/4, NW 1/4, N 1/2 SW 1/4 Section 19; all in T95N-R52W.
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 June 25, 2009.
4. The date of approval of Permit No. 7150-3 is September 21, 2009.
5. One-fifth of the construction is to be completed on or before March 21, 2011.
6. All construction is to be completed on or before September 21, 2014.
7. Water is to be put to beneficial use on or before September 21, 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. 7150-3 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

JAN 13 2010

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22 Depth 180
- b) Casing Type PVC Diameter 16 Thickness 3/8
- c) Screen Type PVC Diameter 16 Thickness 3/8
- d) Gravel Pack 3" Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 120
- f) Depth to Water (ground surface to water level) 90
- g) Distance to nearest existing domestic well:

On applicants property 1 mi.

On property owned by others about 1/2 mi.

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 _____

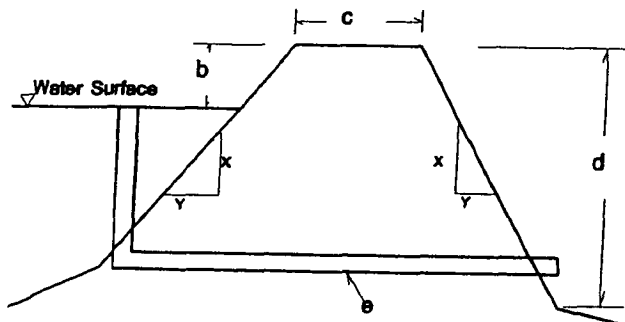
3. Dugout Information

- 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



Kelly Andersen
Clay County FSA DT
6-10-2009

RECEIVED
JUN 25 2009
WATER RIGHTS
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United States Department of Agriculture Farm Service Agency



South Dakota
Clay County

Farm Number
4611

Township-Range-Section
19-95N-52W

RECEIVED

JUL - 1 2009

WATER RIGHTS
PROGRAM

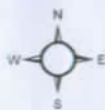
Legend

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Common Land Units

Tract Boundaries



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

1:8,196

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 6/25, 2009

RECEIVED OF TOM OSTREM 45924 300th St Centerville SD 57014

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

Fee for Application for Permit No. <u>7150-3</u> to Appropriate Water, to construct and to put water to beneficial use	300	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 _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300 00

No. 04103

By

[Signature]
Chief Engineer

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

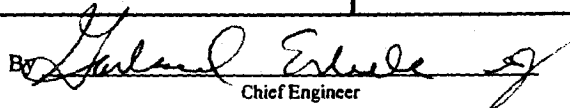
Date 7/1, 20 09

RECEIVED OF Tim Ostrem 45924 300th St Centerville SD 57014

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. <u>7150-3</u>		
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	50 00

No. 04109

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

June 25, 2009

Tim Ostrem
45924 300th St
Centerville SD 57014

Dear Mr. Ostrem:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation of 300 acres in Clay County. In order to complete the application, the following is required.

- Enclosed is the aerial photo map submitted with the application. Please mark the proposed well location on the map with an "X".
- We have received the \$300 application filing fee. In addition to the application filing fee, the Water Rights Program collects the \$50 licensing fee at the time of filing. Please submit the additional \$50.
- If available, please submit a well log or test hole log signed by a licensed South Dakota well driller.

If you have any questions, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7150-3, Tim Ostrem**

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. 7150-3, Tim Ostrem, 45924 300th Street, Centerville SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 7150-3 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. 7150-3 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
August 20, 2009

**Report on Water Permit Application No. 7150-3
for Tim Ostrem
July 30, 2009**

Application No. 7150-3 proposes to appropriate 800 gallons per minute (1.78 cfs) from one well approximately 180 feet deep located in the center of the SE $\frac{1}{4}$ of Section 19 to irrigate 300 acres located in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 19; all in T95N R52W in Clay County. The annual period during which water will be used is April 1 through October 31. The application location appears to be in the area where the Upper and Lower Vermillion aquifers blend into one another, or on the boundary between the two aquifers.

AQUIFER: Lower Vermillion Missouri and Upper Vermillion Missouri

This report will address the availability of unappropriated water from the Lower Vermillion Missouri aquifer and the Upper Vermillion Missouri aquifer.

WATER AVAILABILITY

Aquifer Characteristics:

The Lower Vermillion Missouri aquifer is a buried outwash (sand and gravel) that is under water table conditions in the area of this application, however, confined conditions are also present in the area. The aquifer holds an estimated 5 million acre-feet in transient storage in Clay County (Christensen, 1967). According to Hedges, the aquifer underlies 100,800 acres and contains an estimated 1.5 million acre-feet of recoverable water in storage in Clay County (Hedges, 1982). To the north, the aquifer blends into the Upper Vermillion Missouri aquifer, while to the south, the aquifer blends with the Missouri Elk Point aquifer while to the southeast the aquifer extends into Union County. The general direction of water movement in the aquifer is north to south and locally toward the Vermillion River (Christensen, 1967).

The Upper Vermillion Missouri aquifer is a buried outwash (sand and gravel) that is likely under water table conditions in the area of this application. The aquifer underlies 11,200 acres and contains an estimated 168,000 acre-feet of recoverable water in Clay County (Hedges, 1982).

This application location appears to be just south of the boundary of the Upper and Lower Vermillion aquifers, however, the aquifers are most likely one and the same at this location.

Observation Well Data:

The Water Rights Program monitors two observation wells, CL-66AR and CL-80K, located within six miles of this application location. CL-66AR was installed in the summer of 2009 to replace monitoring well CL-66A, which was located just over two miles to the east and completed into the Lower Vermillion Missouri aquifer. Data collection for well CL-66A stopped in 2005, however nearly 40 years of data had been collected prior to that. CL-80K is over five miles to the northwest and is known as an Upper Vermillion Missouri well. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years due to natural discharge and to pumping. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2008). Hydrographs for these observation wells are included with this report.

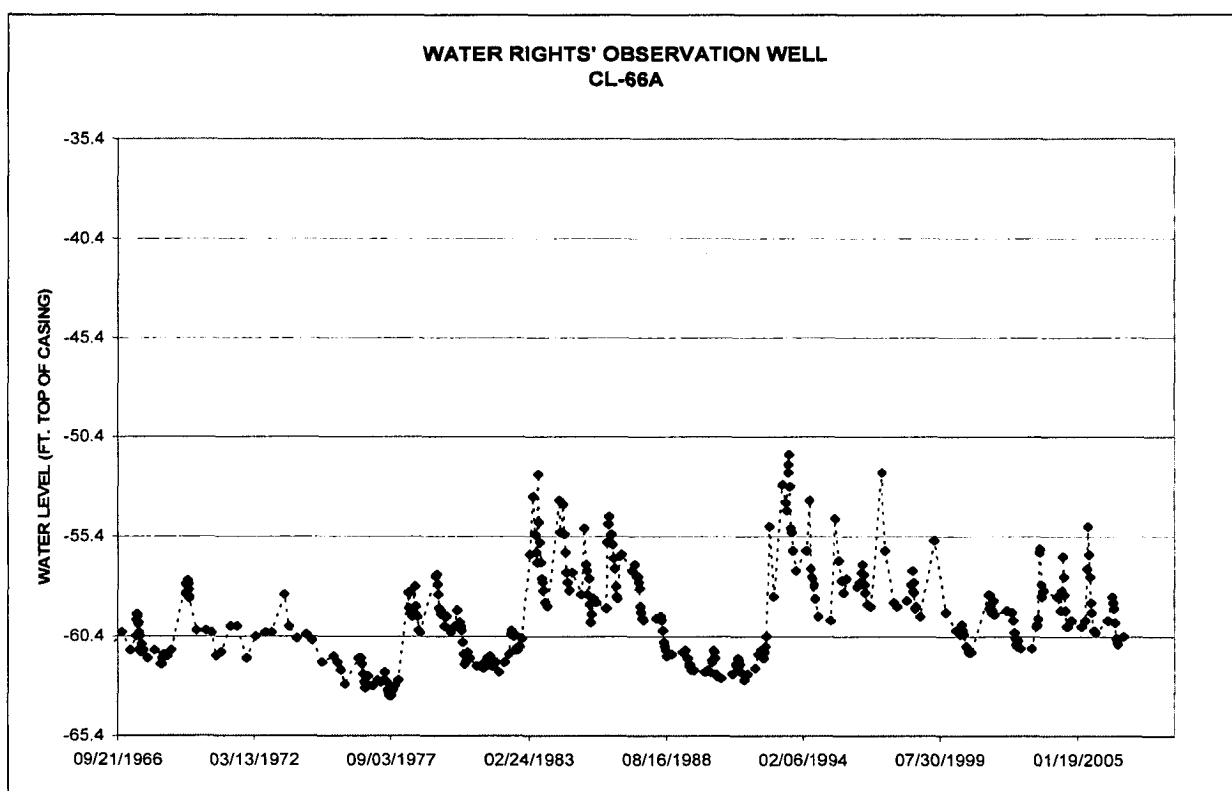


Figure 1. Hydrograph for Water Rights Observation Well CL-66A, completed into the Lower Vermillion Missouri Aquifer within two miles of 7150-3

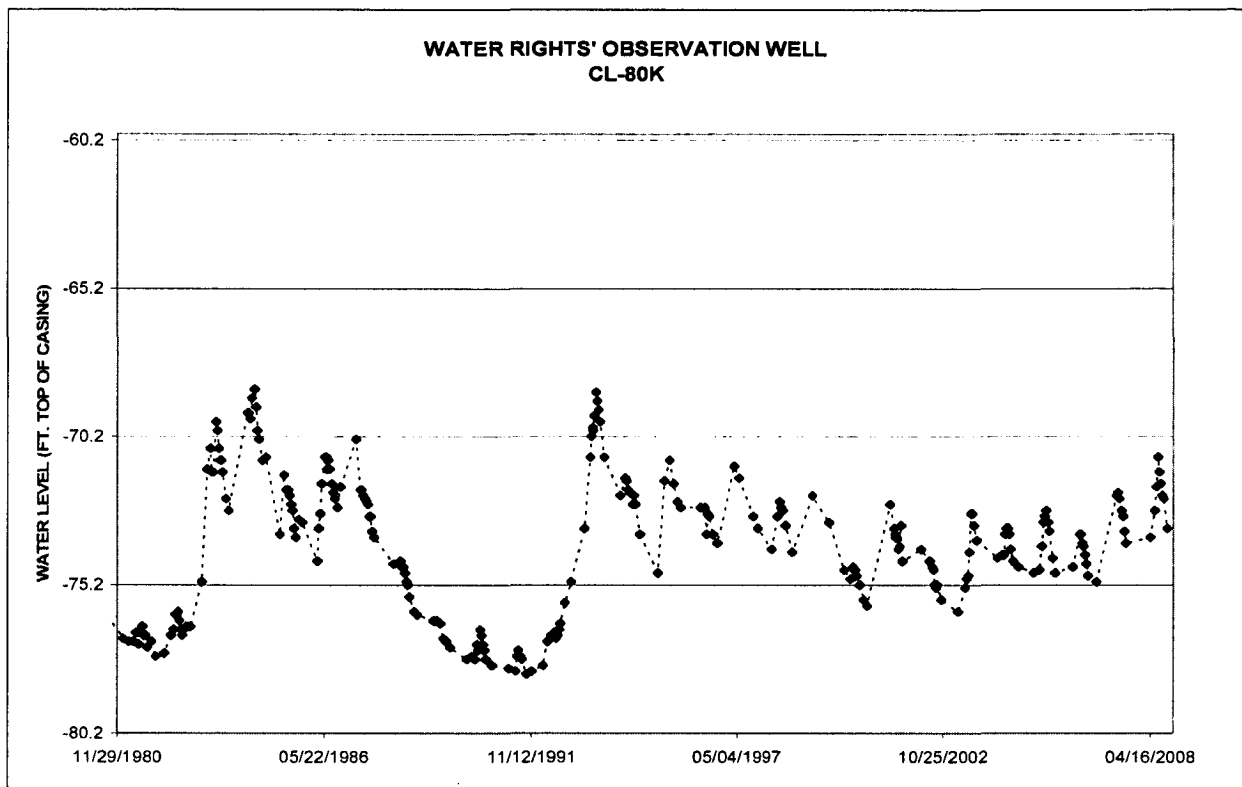


Figure 2. Hydrograph for Water Rights Observation Well CL-80K, completed into the Upper Vermillion Missouri Aquifer within three miles of 7150-3

In general, the hydrographs 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 Lower Vermillion Missouri aquifer date back to 1979.

Table 1 shows the number of appropriations, the total amount of water appropriated, and the reported amount of water pumped each year. The average number of appropriations is just over 40, with the average annual appropriation being about 16,500 acre-feet and the average annual pumpage reported at over 1,400 acre-feet.

IRRIGATION USE (ac-ft/yr) LVM			
Year	Number of Appropriations	Appropriation (ac-ft/yr)	Pumpage Reported (ac-ft/yr)
2007	50	16655.45	2909.12
2006	43	15254.45	2674.51
2005	45	15844.45	1410.24
2004	39	15013.45	1747.48
2003	40	15199.45	1800.56
2002	40	15199.45	1762.32
2001	38	14879.45	2036.96
2000	38	14879.45	2041.72
1999	38	14879.45	900.63
1998	36	14150.45	1032.91
1997	36	13656.14	1085
1996	36	14096.04	997.6
1995	37	14309.24	506.61
1994	39	14673.74	517.28
1993	39	15308	0
1992	39	15308.24	168.8
1991	39	15308.24	1670.1
1990	38	15657.34	2113.2
1989	38	15657.34	2301.2
1988	38	15657.34	2083.8
1987	37	15435.34	1115.4
1986	45	20477.34	1047.5
1985	46	20661.34	1328.2
1984	47	20754.3	691
1983	38	15480.34	716.3
1982	37	15862.84	870.04
1981	49	23003	1543
1980	47	22683	2417
1979	49	22683	1163
AVERAGE	40.72	16504.40	1401.78
MAXIMUM	50	23003	2909.12
MINIMUM	36	13656.14	0

Table 1. Irrigation usage from the Lower Vermillion Missouri aquifer (Water Rights, 1979-2008).

Records of irrigation use from the Upper Vermillion Missouri aquifer date back to 1979. The average number of appropriations is about 40, with the average annual appropriation being over 16,000 acre-feet and the average annual pumpage reported at close to 1,400 acre-feet.

There are seven existing water permits/rights for irrigation located within two miles of this application. 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 Lower Vermillion Missouri aquifer.
2. The aquifer appears to be under water table conditions at this location; however, it could be under confined conditions. No test-hole information was submitted with the application. Drawdown will result from pumping. Interference is not expected to be a problem.
3. If the well covered by this Permit depletes 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:

Christensen, C.M., J.C. Stephens, 1967, Geology and Water Resources of Clay County, South Dakota, Bulletin 19, Part II Water Resources, South Dakota Geological Survey, Vermillion, SD 57069

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

Water Rights, 2009, Unpublished Observation Well Records for Clay County, SD DENR, Division of Water Rights, Pierre, SD, 57501

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

RECEIVED

SEP 16 2009

Penny Tucker

WATER RIGHTS
PROGRAM

Being first duly sworn, deposes and says: That he/she is a resident of the County of Clay and State of South Dakota; that

THE PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Yankton Media, Inc., and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

NOTICE OF APPLICATION NO. 7150-3

TO APPROPRIATE WATER

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as aforesaid

was on Friday, the 4th day of September, 20 09, and that the succeeding publications were severally

on Friday, the 11th day of September, 20 09,

on Friday, the _____ day of _____, 20 09,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforesaid were

Forty-four dollars and 88 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, that no agreement or 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 other person whomsoever.

Penny Tucker

Subscribed and sworn to before me

this 14th day of September, 20 09

Paul A. Brenn

Notary Public

My Commission Expires 1/24/2010

NOTICE OF APPLICATION NO. 7150-3 to Appropriate Water

Notice is given that Tim Ostrom, 45924 300th St., Centerville SD 57014 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 Lower Vermillion-Missouri or the Upper Vermillion Missouri Aquifer (approximately 180 feet deep) located in the center of SE 1/4 Section 19 to irrigate 300 acres located in the SE 1/4, NW 1/4, N 1/2 SW 1/4 Section 19; all in T95N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7150-3 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 September 21, 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: September 4 & 11, 2009

Published twice at the total approximate cost of \$44.08

Estimated publishing cost per circulated copy: \$.01



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 24, 2009

Plain Talk
201 W Cherry St
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7150-3 to Appropriate Water to be published twice. Please publish the first notice on September 4, 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 Tim Ostrem, 45924 300th St., Centerville SD 57014 (Ph # 605-563-2702).

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. 7150-3

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

Date _____

We are in receipt of your letter of August 24, 2009 enclosing Notice to Appropriate Water by Application No. 7150-3 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.**

August 24, 2009

Tim Ostrem
45924 300th St
Centerville SD 57014

Dear Mr. Ostrem:

Water Permit Application No. 7150-3 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 Plain Talk printed at Vermillion SD (Ph # 605-624-2695). 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 Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the 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 September 4, 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. 7150-3 to Appropriate Water

Notice is given that Tim Ostrem, 45924 300th St., Centerville SD 57014 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 Lower Vermillion:Missouri or the Upper Vermillion Missouri Aquifer (approximately 180 feet deep) located in the center of SE ¼ Section 19 to irrigate 300 acres located in the SE ¼, NW ¼, N ½ SW ¼ Section 19; all in T95N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7150-3 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 September 21, 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_____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 18 2008

Tim Ostrem
45924 300th St
Centerville SD 57014

Dear Mr. Ostrem:

Enclosed is Water Permit No. 7150-3 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.

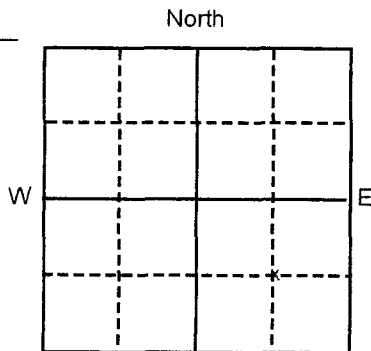
Sincerely,

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

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location ne 1/4 se 1/4 Sec 19 Twp 95n Rg 52wCounty clayPlease mark well
location with an "X"

Well Completion Date

December 2, 2011

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
2,500.0 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

direct rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	121.0 FT	22.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
bentonite	25	Lb/gal	0.0 Ft	115.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 60.0 FeetMaterial pvcSlot Size .060 Set From 121.0 Feet to 181.0 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 pellets
☐ No, Why Not?
 Lab to which water
 quality sample sent for analysis
Well Owner: Tim Ostrem7150-3

Business Name:

Address: 45924 300th StreetCity, State, Zip: Centerville SD 57014

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Clay, brown, pebbly	0	35
clay, gray, pebbly	35	77
gravel, medium	77	132
chalk, gray brown,	132	149
sand, green, coarse to medium	149	190

STATIC WATER LEVEL 62.0 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: submersible pump
☐ Bailed☐ Other

Pumping Level Below Land Surface

80.0 Ft. After 4.0 Hrs. pumped 900.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 800.0 GPM

REMARKS

RECEIVED

FEB - 1 2012

WATER RIGHTS
PROGRAMThis well was drilled under license # 666 and this
report is true and accurate.Drilling firm: Hammond Wetmore Drilling, LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: Dec 30, 2011

RECEIVED

MAY 13 2013

WATER RIGHTS
PROGRAM

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

Date 5-9-13

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

FROM: Tim Ostrom
(name)
45924 300st
(address)
Centerville S.D. 57014 605 530 1505
(city, state, zip) (phone)

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

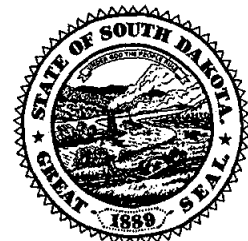
Water Permit No. 7150-3 states that the water use system is to be constructed by
9-21-2014, and water is to be put to beneficial use by 9-21-2018.
(date) (date)

The water use system was completed on April 2013.
(date)

Applying the water to beneficial use was completed on will drill + 15' pivot completed Fall 2011
(date)

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

Tim Ostrom
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 13, 2013

7150-3

Tim Ostrem
45924 300th St
Centerville SD 57014

Dear Mr. Ostrem:

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

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

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

Sincerely,

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

7150-3

May 31, 2023

Tim Ostrem
45924 300th St
Centerville SD 57014

Dear Mr. Ostrem:

The irrigation season is in full swing. This has led to the Department of Agriculture and Natural Resources (DANR) fielding inquiries regarding end gun overspray on to roads. This is a reminder that a water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right.

DANR received an inquiry alleging the irrigation system located in the W 1/2 and the SE 1/4 Section 19 - T95N-R52W had irrigation water from the end guns hitting the north/south and east/west roads. The water right for this system is held in your name under Water Permit No. 7150-3.

Please take steps to ensure end gun stops are functioning properly so there is not direct overspray on to the road. If you don't believe your irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us

Thank you for your cooperation,

Eric Gronlund, Chief Engineer
Water Rights Program, DANR

Schlaak, Karen

From: WIRELESS CALLER <+16056614008>
Sent: Tuesday, May 30, 2023 11:23 AM
To: Schlaak, Karen
Subject: Voice Mail (51 seconds)
Attachments: audio.mp3

Karen, this is Darrell Hendrickson from down in Clay County in Riverside Township. And I am on the Township board and we have a problem down here and it's with the center pivot irrigators that are spraying onto the roads, the county roads and onto the Township roads. And I just needed to talk to somebody and see if we can get that problem taking care of because the people that own the center pivots don't seem to pay any attention to anything. So my number is 605-661-4008 if you would have the time to give me a call back. I would like to visit with you about this problem we have. Thank you.

You received a voice mail from WIRELESS CALLER.

Thank you for using Transcription! If you don't see a transcript above, it's because the audio quality was not clear enough to transcribe.

Set Up Voice Mail

Water Rights Program - File Documentation

NAME: Darrell Hendrickson

DATE: 5-30-23 **COUNTY:** Clay

RE: Overspray

COMMENTS:

Called Darrell Hendrickson back. He indicated the area of the overspray is in Section 19-T95N-R52W which is Water Permit No. 7150-3, Tim Ostrem.

Mr. Hendrickson stated water is overspraying on the north/south road on the west side of the section and the east/west road south of the SE 1/4 of the section.

I indicated to Mr. Henderickson that we would send a letter to Mr. Ostrem informing him that overspray is not permitted. Also in most cases, after the permit holder receives the letter, they call informing us what action they have taken. I further stated that continued overspray can result in DANR taking enforcement action.

I told him that if he becomes aware of other areas of overspray to call us with the legal description so we can take the appropriate action.

Karen Schlaak

Karen Schlaak
Water Rights Program

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7150-3

I have this day, June 5, 2024, made a thorough examination of the water use systems owned by Tim Ostrem, 45924 300th Street, Centerville, SD 57014, holder of Permit No. 7150-3, bearing the priority date of June 25, 2009. This permit authorizes the diversion of 1.78 cu. ft. per second of the waters of groundwater (Lower Vermillion:Missouri or the Upper Vermillion:Missouri Aquifer) authorizing the irrigation of 300 acres located in Clay County.

Inspection contacts: Tim Ostrem

A. Works used to divert the water:

Well Information

- 1) Well Drilling Firm: Hammond Wetmore Drilling, LLC
- 2) No. of Wells: 1
- 3) Depth(s): 181 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 16 inches
- 2) Length: 121 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 16 inches
- 2) Length: 60 feet
- 3) Type: PVC
- 4) Static water level: 62 feet

Pump:

- 1) Make: Hydroflo
- 2) Model: 12TS73
- 3) Capacity: 800 GPM

Gear Drive:

- 1) Make: Amarillo
- 2) Model No.: SL60A
- 3) Horsepower rating: 60 Hp

Engine:

- 1) Make: Twin Disc
- 2) Model No.: C110HP4

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

- | | | |
|--------------------------|------------------------|--|
| 1) Type: <u>PVC</u> | Size: <u>10</u> inches | Length: <u>3,020</u> feet (SE Pivot to NW Pivot) |
| 2) Type: <u>Aluminum</u> | Size: <u>8</u> inches | Length: <u>10</u> feet (Well to SE Pivot) |

C. Works used to apply water to beneficial use:**Center Pivot: (NW Pivot)**

- 1) Make: Zimmatic
- 2) Overall length: 1,290 feet
- 3) Number of towers: 7
- 4) End gun: Yes Range: 99 feet
- 5) Capacity: 800 GPM

Chemigation Equipment:

- 1) Does chemigate: No

Center Pivot: (SE Pivot)

- 1) Make: Zimmatic
- 2) Overall length: 1,290 feet
- 3) Number of towers: 7
- 4) End gun: Yes Range: 99 feet
- 5) Capacity: 800 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 1,310 feet north and 1,450 feet west of the southeast corner of Section 19-T95N-R52W (Latitude 43.02934, Longitude -97.02769– approx. center of the SE1/4).
- 2) The works are capable of diverting and conveying to the places of use 1.78 cu. ft. per second of water from the well which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: All in

Section 19-T95N-R52W

<u>NW1/4NW1/4</u>	<u>7 acres</u>	<u>NW1/4SE1/4</u>	<u>36 acres</u>
<u>NE1/4NW1/4</u>	<u>7 acres</u>	<u>NE1/4SE1/4</u>	<u>31 acres</u>
<u>SW1/4NW1/4</u>	<u>37 acres</u>	<u>SW1/4SE1/4</u>	<u>36 acres</u>
<u>SE1/4NW1/4</u>	<u>38 acres</u>	<u>SE1/4SE1/4</u>	<u>29 acres</u>
<u>NW1/4SW1/4</u>	<u>23 acres</u>	<u>SW1/4 NE1/4</u>	<u>2 acres</u>
<u>NE1/4SW1/4</u>	<u>26 acres</u>	<u>SE1/4 NE1/4</u>	<u>1 acre</u>
<u>SE1/4SW1/4</u>	<u>2 acres</u>		

comprising a total of 275 acres of land and the license should be issued for 1.78 cfs.

- 3) All structures, wells and lands on map: Yes

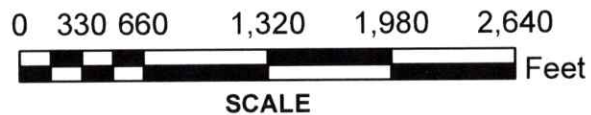
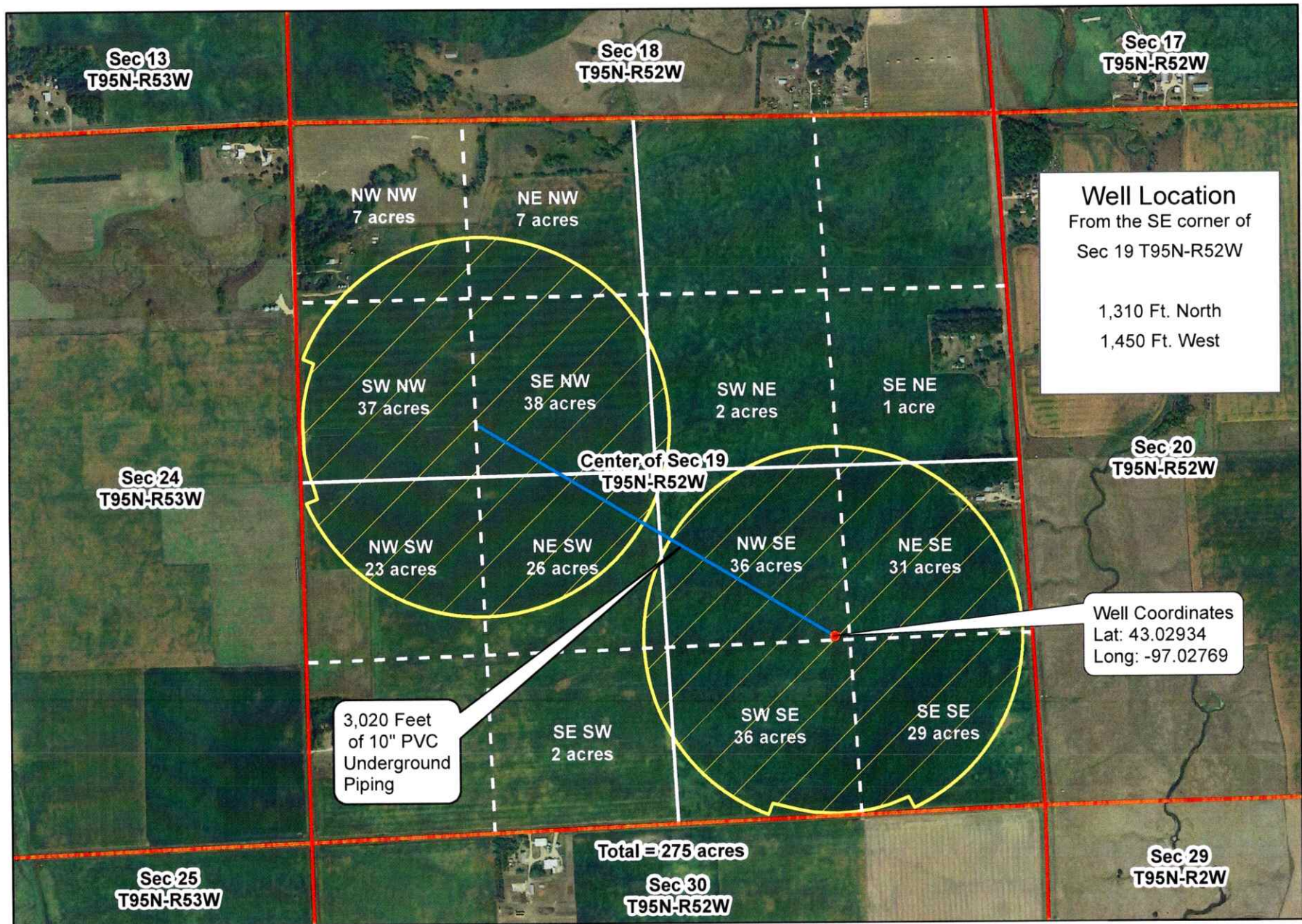
F. Comments or other permit(s) associated with the project: A small area is being irrigated that was not listed in the permit. This land is owned by the Ostrem's and is adjacent to the other property described in the permit.

Keith DeJong

Keith DeJong, PE Ret.
Water Rights Inspector
DANR, Water Rights Program

Date report completed: June 7, 2024

Water Permit No. 7150-3



Keith DeJong
Keith DeJong, PE Ret.
Staff Engineer
June 7, 2024

Licensing of Acreage Outside of Permitted Area

NAME: Tim Ostrem

ADDRESS: 45924 300th St, Centerville SD 57014

DATE: June 13, 2024 COUNTY: Clay

AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

The acreage developed for irrigation is 275 acres as compared to 300 acres authorized by the permit.

UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage**

The relocated 3 acres into the S ½ NE ¼ immediately adjacent to permitted acres in the N ½ SE ¼ & 2 acres into the SE ¼ SW ¼ immediately adjacent to permitted acre in the SW ¼ SE ¼; all in Section 19 T95N-R52W

- **Owned by Same Property Owner**

All the property involved is listed under the Tim Ostrem

- **Developed Prior to Expiration of Construction Period**

The construction completion date was to be completed by September 21, 2014. Irrigation was reported being performed in 2012.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the 5 acre area be included in the water license.



Amanda M Dewell, Permitting Administrator
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.



Eric Gronlund, Chief Engineer
Water Rights Program

Dewell, Amanda

From: Mathiowetz, Adam (DENR)
Sent: Thursday, June 13, 2024 9:34 AM
To: Dewell, Amanda
Cc: Gronlund, Eric
Subject: RE: 7150-3

Upper Vermillion Missouri: South. FYI, it may come up again later as Tyler is working on a list of aquifer reassignments and this one should be on that list.

This permit is in an area where an SD Geological Survey study in 2014 redefined, unintentionally, the boundary between the Upper and Lower Vermillion Missouri aquifers. This permit is at the original, Hedges et al., 1982 Corp of Engineers Report, boundary that got changed. That is why it was assigned two aquifers in the permit. This permit is one of the original permits that has provided an impetus to go through this reassignment process.



Adam Mathiowetz, PE
Engineer, Water Rights Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3352
danr.sd.gov

From: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Sent: Thursday, June 13, 2024 8:36 AM
To: Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us>
Cc: Gronlund, Eric <Eric.Gronlund@state.sd.us>
Subject: 7150-3

Adam –

I'm drafting the license for WP No. 7150-3 and noticed that there are 2 potential aquifers listed on the permit. Wondering if you are able to tell which one was tapped into based off the WCR, or if I should continue to list both Upper & Lower Vermillion Missouri on the water right?

Amanda Dewell

DANR - Water Rights Program
Permitting Administrator
Main Phone: 605 773-3352
Website: danr.sd.gov





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUN 17 2024

7150-3

Tim Ostrem
45924 300th St
Centerville SD 57014

Enclosed is Water License No. 7150-3. 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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7150-3**

(1) Tim Ostrem, 45924 300th St, Centerville SD 57014, made Application No. 7150-3, June 25, 2009, for a water permit to divert 1.78 cubic feet of water per second from groundwater, one well (Lower Vermillion Missouri or Upper Vermillion Missouri Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 7150-3, with a priority date of June 25, 2009, was approved September 21, 2009, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 21, 2014, and for the application to beneficial use of water on or before September 21, 2018.

An investigation conducted for licensing purposes found acreage developed outside of the permitted area. Pursuant to SDCL 46-5-30.5 and ARSD 74:02:01:14.01, the Chief Engineer made a finding that the change in acreage did not impair existing water rights and the overall project, as developed, is consistent with the original application.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,310 ft N & 1,450 ft W of the SE corner Section 19, T95N, R52W (approx. center SE $\frac{1}{4}$)
(Latitude 43.02934 & Longitude -97.02769)

(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.

(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 19, T95N, R52W

SW $\frac{1}{4}$ NE $\frac{1}{4}$	2 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	7 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$	26 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$	31 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1 acre	NW $\frac{1}{4}$ NW $\frac{1}{4}$	7 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$	23 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$	36 acres
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	37 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$	2 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$	36 acres
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	38 acres			SE $\frac{1}{4}$ SE $\frac{1}{4}$	29 acres

TOTAL: 275 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Tim Ostrem, the holder and/or owner of Water Right No. 7150-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater, one well (Upper Vermillion Missouri: South Aquifer), with a priority date of June 25, 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. 7150-3 and subject to the following qualifications:

continued

Qualifications

1. The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right shall control 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. 7150-3 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 2011 by Hammond Wetmore Drilling, LLC. A copy of the well completion report is on file with the Water Rights Program.)*
3. 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

JUN 17 2024

date

