

WATER PERMIT NO. 7193-3

Name of Applicant: **Claremont Colony**

Address: **46271 184th St, Castlewood SD 57223** Phone: **605 793-2352**

Amount of Water Claimed: **1.33 cfs** Total Acres: **130**

Source of Water Supply: **groundwater (3 wells)**

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

Type of Waste Disposal System:

Location: **3 miles north of Castlewood**

PRIORITY Date Received: **3-30-2010**

Application/License Fee: **\$1,050**

Corrected Application Received: **4-7-2010**

Period of Annual Use: **May 1 – Sept 30**

Remarks:

Diversion Point: **SE ¼ SW ¼ Sec 15-T115N-R52W**

Land to be Irrigated: **SW ¼ Sec 15-T115N-R52W**

Depth of Well: **23 feet deep**

Well Driller: **Kaiser Well Drilling**

Remarks:

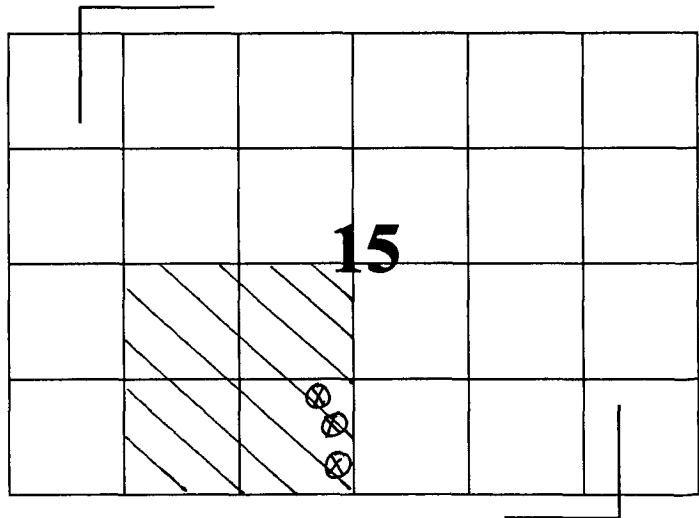
Type of Map: **aerial**

Prepared by: **Damon Storm, Hamlin Co FSA**

Reviewed and the Number Assigned on: **4-7-2010**

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>7193-3</u> (office use only)	Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Castwood Hamlin Co. Republican</u>	
	<u>605-793-2293</u>	<u>PO Box 50 57223</u>

RECEIVED
MAR 30 2010
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 CLAREmont Colony Phone 605-793-2352
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 46271 184th St Castlewood SD State 57223
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.33*CFS or 600 **GPM ***AF Total Acreage 130
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply groundwater
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 3 wells in SE 1/4 SW 1/4 Sec 15-115N 52W Wells are on East Side of RTR
County Hamlin
- County or counties where water will be used Hamlin
- Annual period during which water is to be used May thru 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
SW 1/4 Sec 15-115N 52W	130		

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

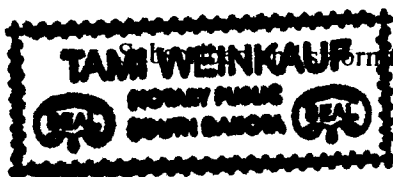
STATE OF SOUTH DAKOTA

County of Hamlin

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)

Jonathan Walkman 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 Jonathan Walkman
Subscribed and sworn to before me this 29th day of March 20 10



Tam Weinkauff Exp. 1-13-2012
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7193-3**

Date of first receipt of application March 30, 2010.

Date of return to applicant for corrections, amendments or changes March 31, 2010.

Date of receipt of corrected application April 7, 2010.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7193-3 to Claremont Colony, 46271 184th St, Castlewood SD 57223 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. 7193-3 appropriates 1.33 cubic feet of water per second from three wells completed into the Big Sioux:North Aquifer (23 feet deep) located in SE 1/4 SW 1/4 Section 15 to irrigate 130 acres located in the SW 1/4 Section 15; all in T115N-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: May 1 – September 30.
3. The date from which applicant may claim right is March 30, 2010.
4. The date of approval of Permit No. 7193-3 is June 1, 2010.
5. One-fifth of the construction is to be completed on or before December 1, 2012.
6. All construction is to be completed on or before June 1, 2015.
7. Water is to be put to beneficial use on or before June 1, 2019.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

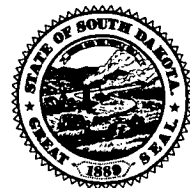
QUALIFICATIONS

1. The wells approved 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. 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

JUL 14 2010
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24 Depth 23'
- b) Casing Type PVC Diameter 16" Thickness Sch 40
- c) Screen Type PVC Diameter 16" Thickness Sch 40
- d) Gravel Pack Pea rock Length of Gravel Pack 12'
- e) Depth to Top of Water Bearing Material 2
- f) Depth to Water (ground surface to water level) 2
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others 3000'

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 _____

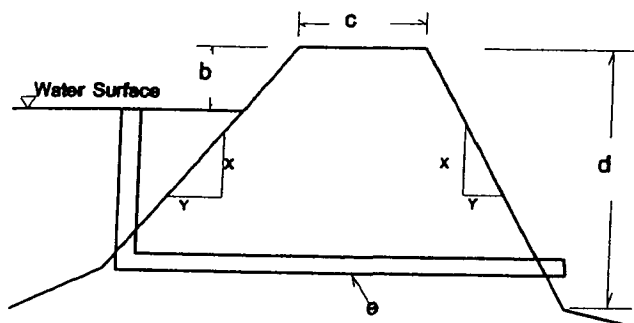
3. Dugout Information

- 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.

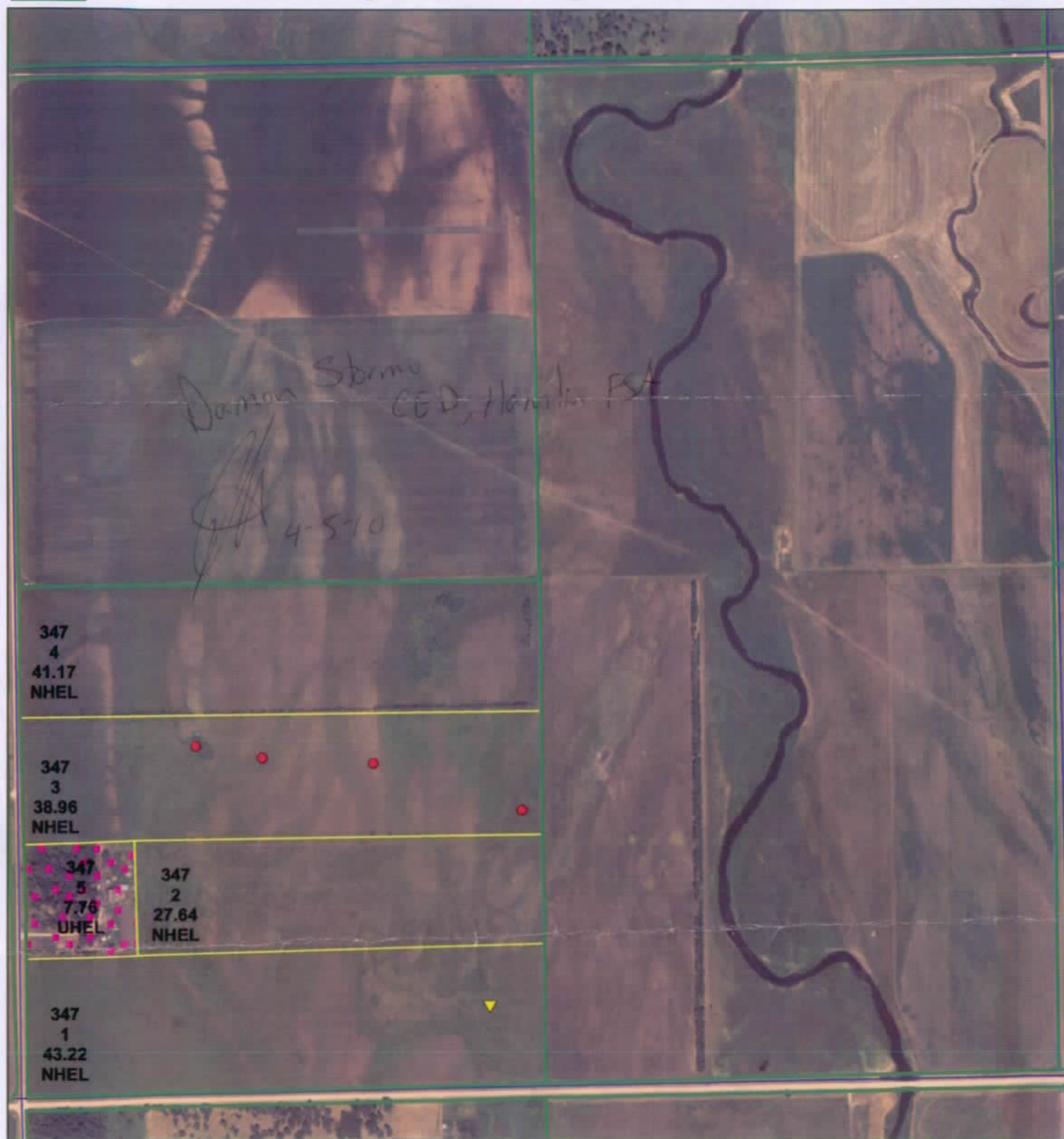
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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
Hamlin County**

**Section-Township-Range
PLSS: 15_115N_52W
Farm: 4847**

Legend

Wetland Determination Identifiers

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

Common Land Units

Tract Boundaries

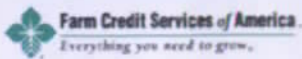
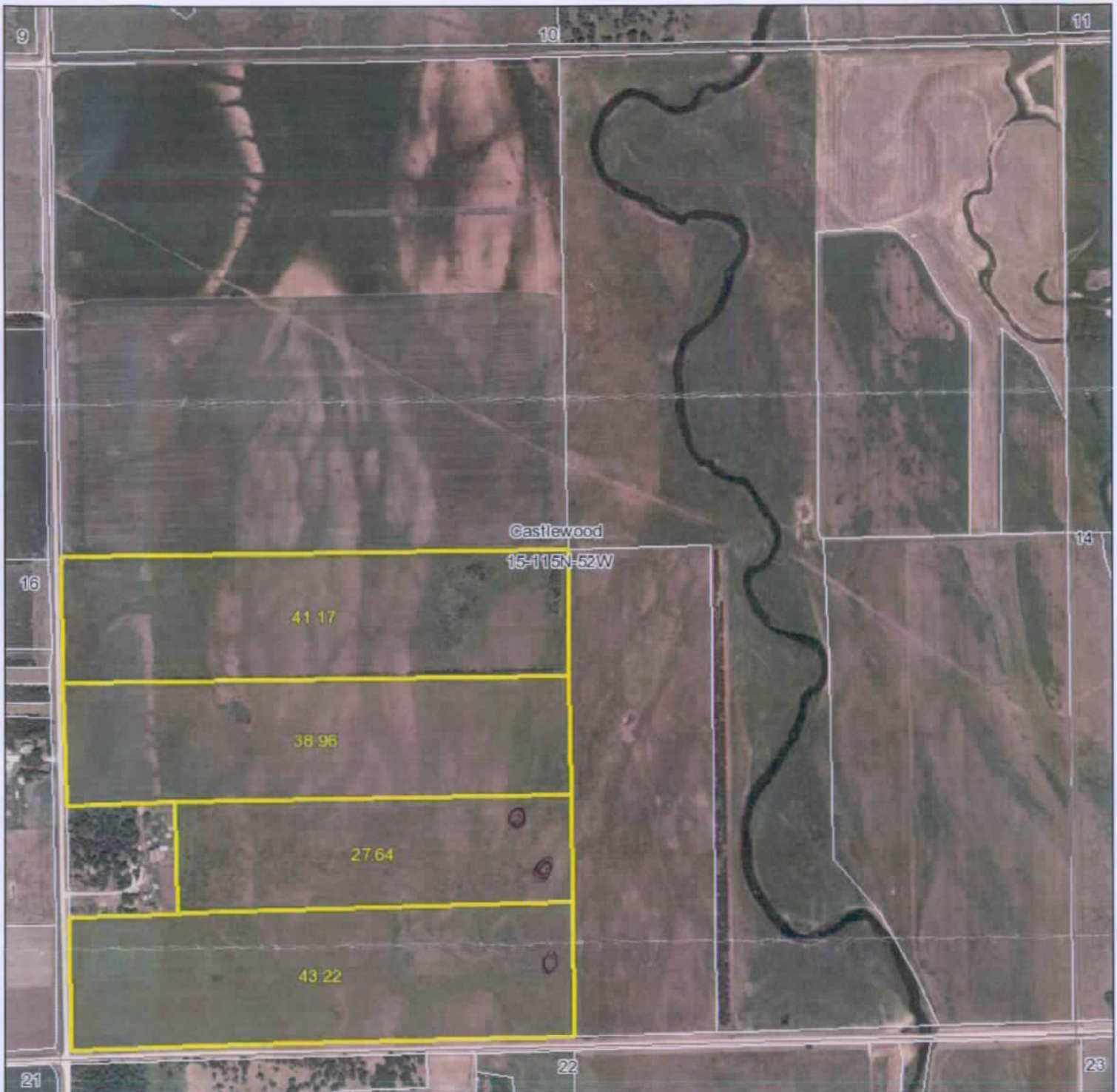


USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2008 ortho rectified imagery for South Dakota. The producer accepts the data 'as is' and assumes 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.

1:8,119

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.

Aerial Map



Maps provided by:



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www.AgriDataInc.com

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MAR 30 2010

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PROGRAM

15-115N-52W
Hamlin County
South Dakota

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APR - 7 2010

WATER RIGHTS
PROGRAM

map center: 44.767977, -97.057309

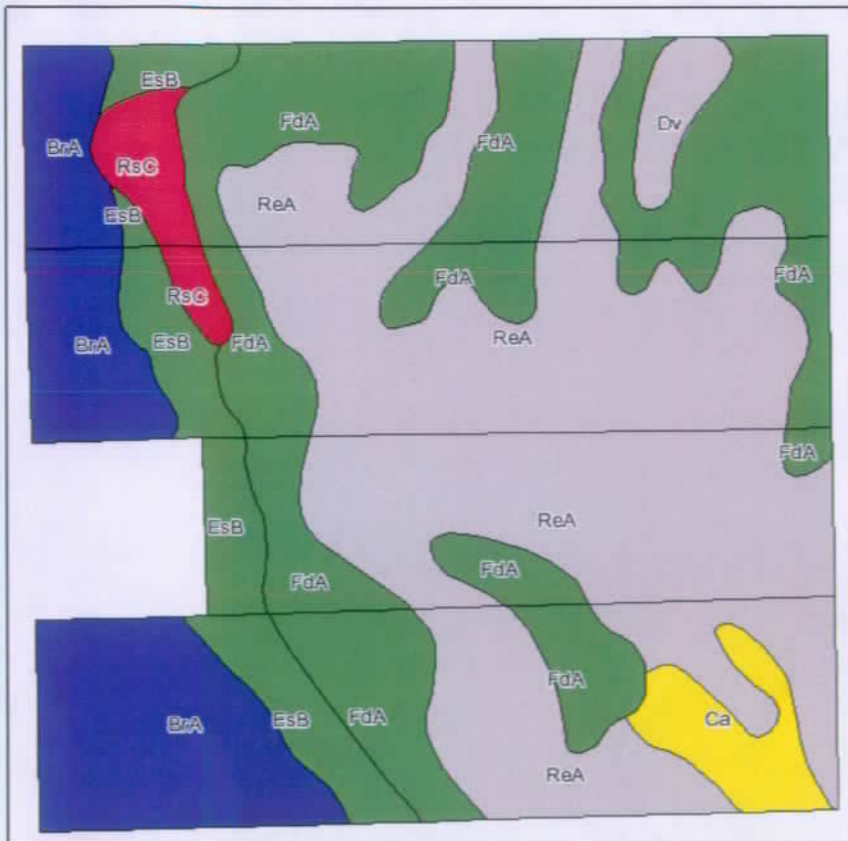
scale: 10103



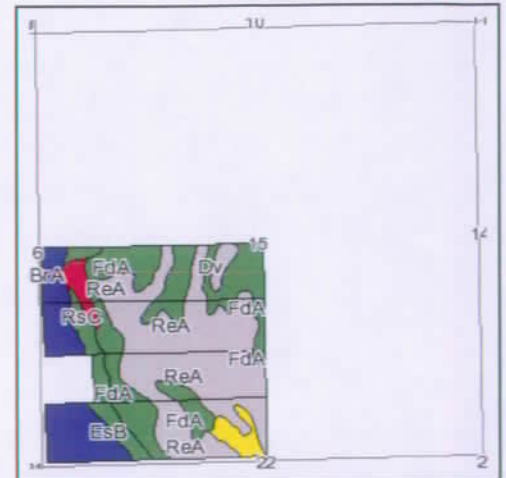
3/29/2010

Field borders provided by Farm Service Agency as of 5/23/2008. Aerial photography provided by Aerial Photography Field Office.

Soils Map



Fsa borders provided by the Farm Service Agency as of May 23, 2008.
Soils data provided by USDA and NRCS.



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/31, 20 10

RECEIVED OF Claymont Buttrian Brethren 46271 184th St Castlewood SD 57223

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

Fee for Application for Permit No. <u>7193-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	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>7193-3</u>	200	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	1050 00

No.

04519

By

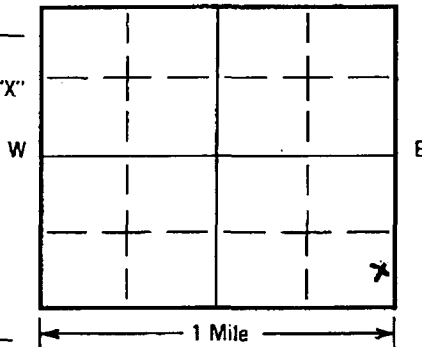
Leland E. Lingo
Chief Engineer

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 SW 1/4 Sec 15 Twp 115N Rg 52W
 County Hamlin

Please mark well location with an "X"



Well-Completion Date

12-5-09

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 300 ft. from State Wells (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Boring Rig

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>5440</u> LB/FT	<u>16</u> IN	<u>24</u> FT	<u>12</u> FT	<u>24</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>portland cement</u>	<u>30</u>	<u>94</u> lb./gal	<u>0</u> ft.	<u>11</u> ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 16 IN Length 10 FEET

Material plastic

Slot Size 10SS Set From 12 Feet to 22 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

Laboratory sent to for water quality analysis

NO, Why Not? _____

Pigman

Well Owner: Clairmont Colony
 Business Name: _____
 Address: 46071 184th St
Castnewood SD 57223

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>1</u>
<u>Sandy Clay</u>	<u>1</u>	<u>4</u>
<u>yellow gravel mixed</u>	<u>4</u>	<u>22</u>

STATIC WATER LEVEL 3 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: Sub pump

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

12 ft. After 4 Hrs. pumped 300 GPM

8 ft. After 8 Hrs. pumped 200 GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

MAR 30 2010

WATER RIGHTS PROGRAM

This well was drilled under license # 689

And this report is true and accurate.

Drilling firm Kaiser Well Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

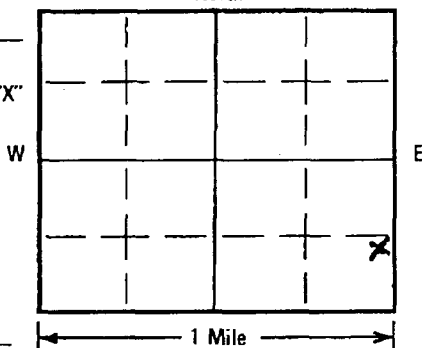
SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 Sw 1/4 Sec 15 Twp 15N Rg 52WCounty Humboldt

North

Please mark well location with an "X"



Well Completion Date

12-7-09Well Owner: Clairmont Colony

Business Name:

Address: 416271 184th St
Castletown SD 57223

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>1</u>
<u>yellow sandy clay</u>	<u>1</u>	<u>5</u>
<u>yellow mixed gravel</u>	<u>5</u>	<u>22</u>

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 500 ft. from State wells (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Boring RigCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>Sch 40</u> LB/FT	<u>16</u> IN	<u>24</u> FT	<u>12</u> FT	<u>24</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>Portland Cement</u>	<u>30</u>	<u>94</u> lb./gal	<u>0</u> ft	<u>11</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 16 IN Length 10 FEETMaterial plasticSlot Size 20SS Set From 12 Feet to 22 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? _____

Laboratory sent to for water quality analysis

PierreSTATIC WATER LEVEL 4 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ PumpedDescribe: Sub pump☐ Bailed☐ Other

Pumping Level Below Land Surface

12 ft. After 4 Hrs. pumped 300 GPM8 ft. After 8 Hrs. pumped 200 GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

MAR 30 2010

WATER RIGHTS PROGRAM

This well was drilled under license # 689

And this report is true and accurate.

Drilling firm Keiser Well DrillingSignature of License Representative: [Signature]

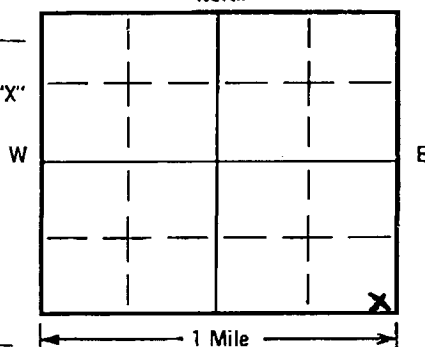
Signature of Well Owner or Equitable Property Holder: _____

Date: _____

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 SW 1/4 Sec 15 Twp 115N Rg 52W
 County Hamlin
 Please mark well location with an "X"



Well-Completion Date

12-9-09

Well Owner: Clairmont Colony
 Business Name: 416271 184th St
 Address: Castleton SD 57023

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
Sandy clay	1	4
yellow gravel Mixed	4	22

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 100 ft. from State wells (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Boring Rig

STATIC WATER LEVEL 2 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: Sub pump

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

12 ft. After 4 Hrs. pumped 400 GPM

7 ft. After 8 Hrs. pumped 200 GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

MAR 30 2010

WATER RIGHTS
PROGRAM

This well was drilled under license # 687

And this report is true and accurate.

Drilling firm Kaiser Well Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

GROUTING DATA

Grout Type Portland Cement No. of Sacks 30 Grout Weight 94 lb./gal From 0 ft. To 11 ft.
Cement lb./gal _____ ft. _____ ft.

Describe grouting procedure _____

SCREEN: ☒ Perforated pipe ☒ Manufactured

Diameter 10 IN Length 10 FEET

Material plastic

Slot Size 20SS Set From 12 Feet to 22 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

Laboratory sent to for water quality analysis _____ NO, Why Not? _____

Purple



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 10, 2010

Clairmont Colony
46271 184th St
Castlewood SD 57223

Dear Sir:

Well driller's reports filed by Kaiser Well Drilling shows that they completed three wells for you. The reports indicate the well water will be used for irrigation. I have reviewed our files and can not find a water permit for a well located in Section 15-T115N-R52W. Based on the information in the reports, it appears you need a water permit.

Enclosed are application forms and an instruction sheet to apply for a water permit for irrigation. The completed forms with the application fee and map can be returned to: Water Rights Program, 523 E Capitol, Pierre SD 57501.

If you believe your water use does not require a water permit or that you have an existing permit, or if help is needed completing the application forms, please contact Eric Gronlund or me at (605) 773-3352. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 31, 2010

Claremont Colony
Jonathan Wollman
46271 184th St
Castlewood SD 57223

Dear Mr. Wollman:

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

- Enclosed is the aerial photo map submitted with the application. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS or FSA office).
- On the application, please complete Item No. 2 regarding the amount of water claimed. State Statutes limit diversions to 1 cubic feet of water per second (cfs) for each 70 acres irrigated. This would mean that you are allowed 2.28 cfs or approximately 1026 gallons per minute to irrigate 160 acres.

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7193-3, Claremont Colony**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 7193-3, Claremont Colony, c/o Jonathon Wollman, 46271 184th Street, Castlewood SD 57223.

The Chief Engineer is recommending APPROVAL of Application No. 7193-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use, and 4) it is in the public interest with the following qualifications:

1. The wells approved 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. 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
April 29, 2010

REPORT ON WATER PERMIT NO. 7193-3
For Claremont Colony
April 27, 2010

Application No. 7193-3 proposes to appropriate 1.33 cfs (600 gpm) from three wells all approximately 23 feet deep located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 15 to irrigate 130 acres located in the SW $\frac{1}{4}$ of section 15; all in T115N R52W in Hamlin County.

AQUIFER – BIG SIOUX NORTH (BS-N)

The Big Sioux North is a surficial outwash (sand and gravel) aquifer that is under water table conditions in this area. The aquifer underlies 6,200 acres and contains an estimated 13,950 acre feet of recoverable water in storage in Hamlin County (Hedges, 1982). The aquifer extends into Codington County to the north and blends into the much larger Big Sioux Brookings aquifer just to the south of this application. Ground water movement is from north to south (Kume, 1985). Locally ground water movement appears to be controlled by the Big Sioux River which probably behaves as a discharge boundary for ground water over most of the year. Kume estimated that the entire Big Sioux aquifer underlies 113,920 acres and contains an estimated 480,000 acre feet of water in storage in Hamlin and Deuel Counties (Kume, 1985). Recharge to the Big Sioux aquifer in Codington and Grant counties has been estimated to be about 5.53 inches per year (Putnam, 1996). Recharge occurs from rainfall and snowmelt directly into the aquifer and under certain hydrologic conditions by leakage from creeks, sloughs, lakes and in particular the Big Sioux River.

The production wells have been drilled for this application. Three wells were completed to depths of 22 feet. All three wells are cased with 16 inch plastic and screened with 10 feet of 85 slot plastic screen set from 12 to 22 feet below land surface. All three wells were tested between 200 and 400 gpm and with specific capacities from 33 to 50 gpm/ft of drawdown. Although the aquifer is very thin in this area testing indicates that the wells are capable of producing the amount of water requested. The real concern would occur during drought when ground water levels are naturally lower.

The Water Rights Program monitors three observation wells within two miles of this application. These are HN-2008A, HN-2008B and HN-57A. Hydrographs for these three observation wells area included with this report. Note that the record is very short for the 2008 monitoring wells which are being monitored because of a complaint against Water Permit No. 6870-3. Since that permit was issued there have been no further complaints from the area and the permit has been developed and has reported irrigation.

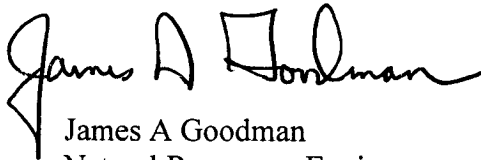
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing water permit Nos. 6408A-3, 6408B-3 and one Water Right No. 5441-3 located within one mile of this application. The closest well to this application is probably located 1,500 to 1,800 southwest or southeast of south well of this group of three. Interference is not expected to be a concern. Drawdown created by pumping does

not appear significant. The historical record indicates the potential for six to seven feet of change in water levels over time due to the effects of extreme wet years and dry years.

CONCLUSIONS

1. Water is available from the Big Sioux North aquifer.
2. The aquifer is under water table conditions in this area. Drawdown created by pumping is not significant. Interference with other water users in the area is not a concern.
3. These are existing wells and appear to be constructed in accordance with SD Well Construction Standards.
4. This area has a history of controversy. Application No. 6870-3 located about one mile southwest of this application resulted in a contested case hearing. The application was eventually approved and the Water Rights Program began measuring the two 2008 monitoring wells as a result of that hearing. Since that time no additional concerns over water availability have occurred.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

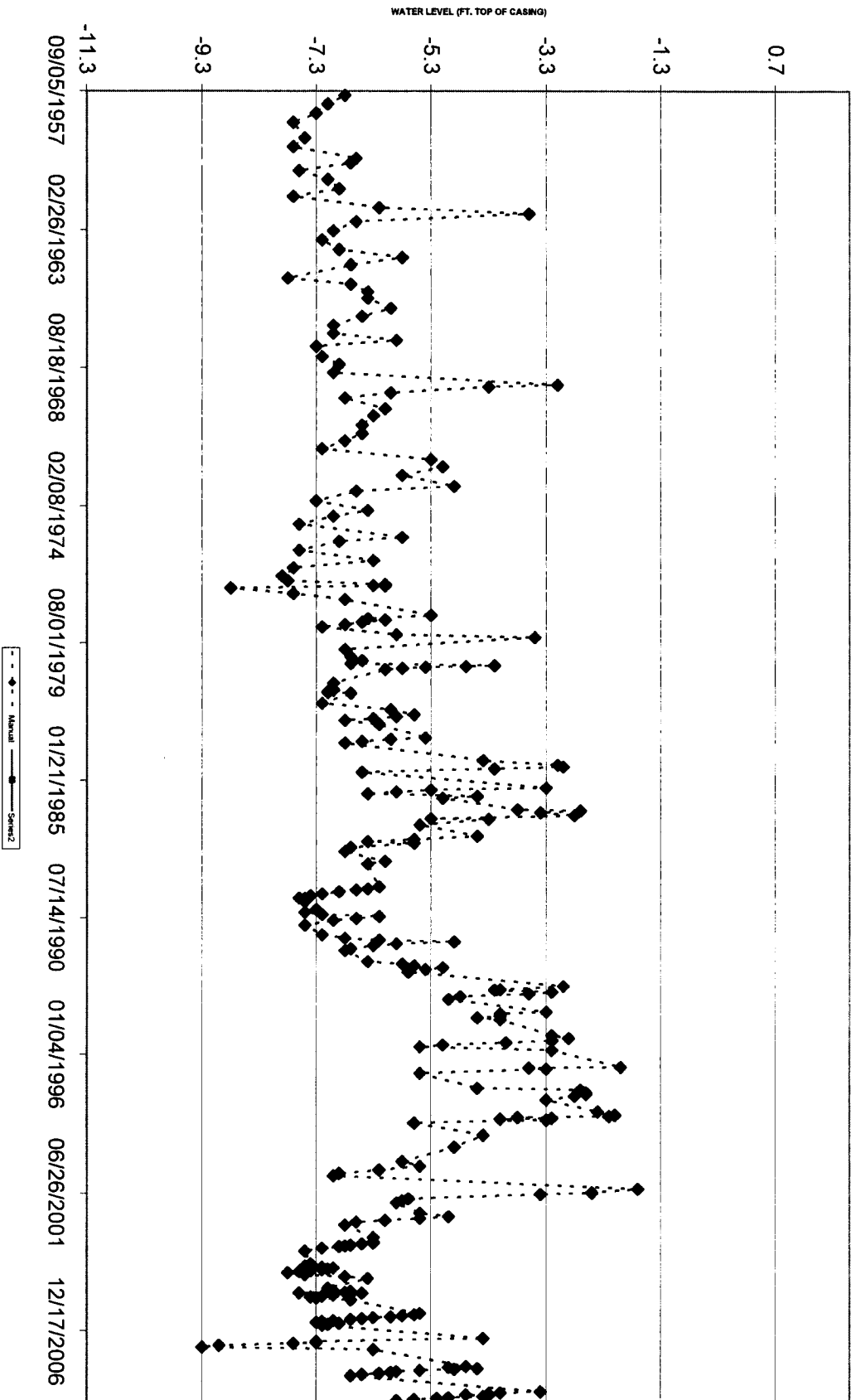
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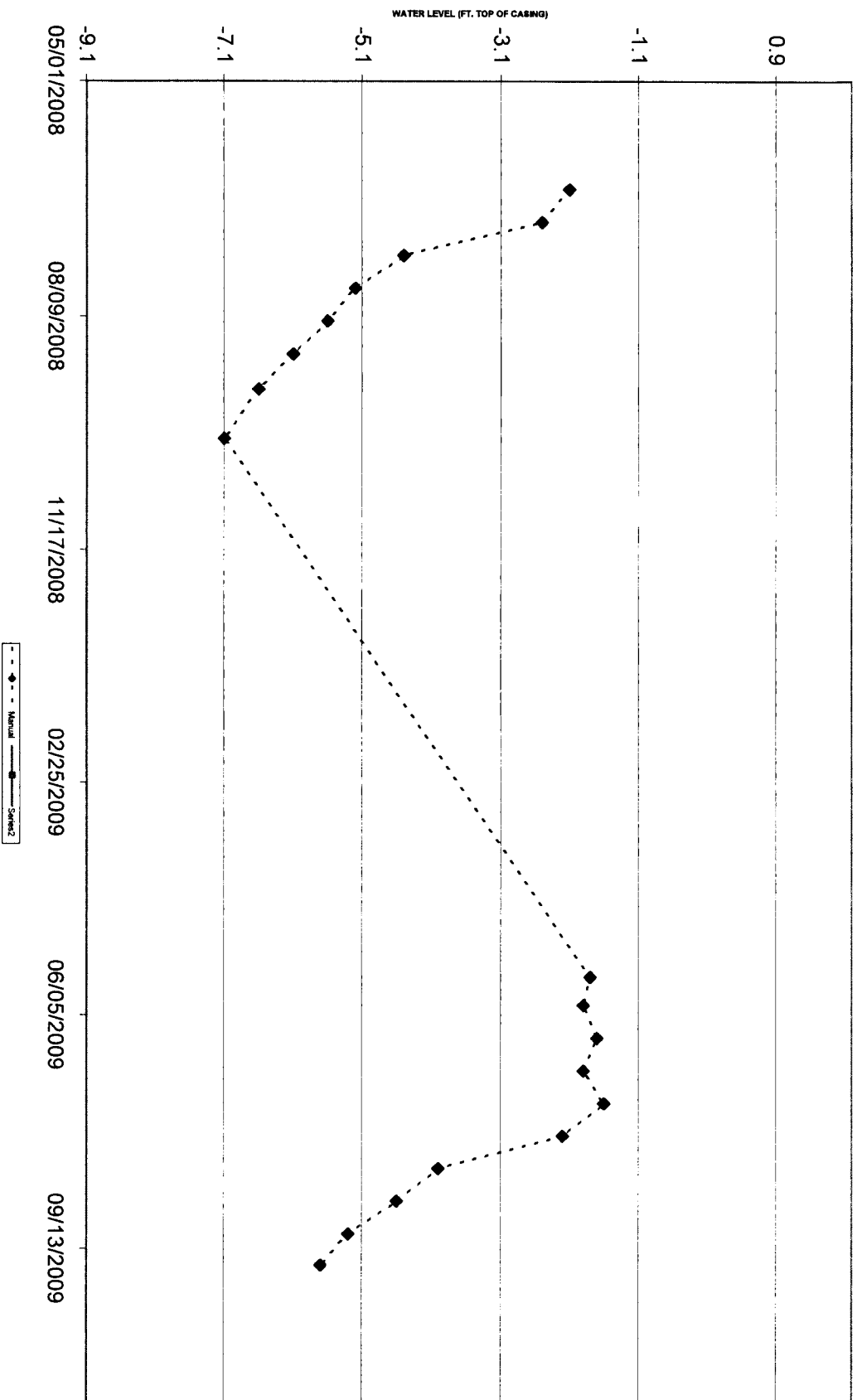
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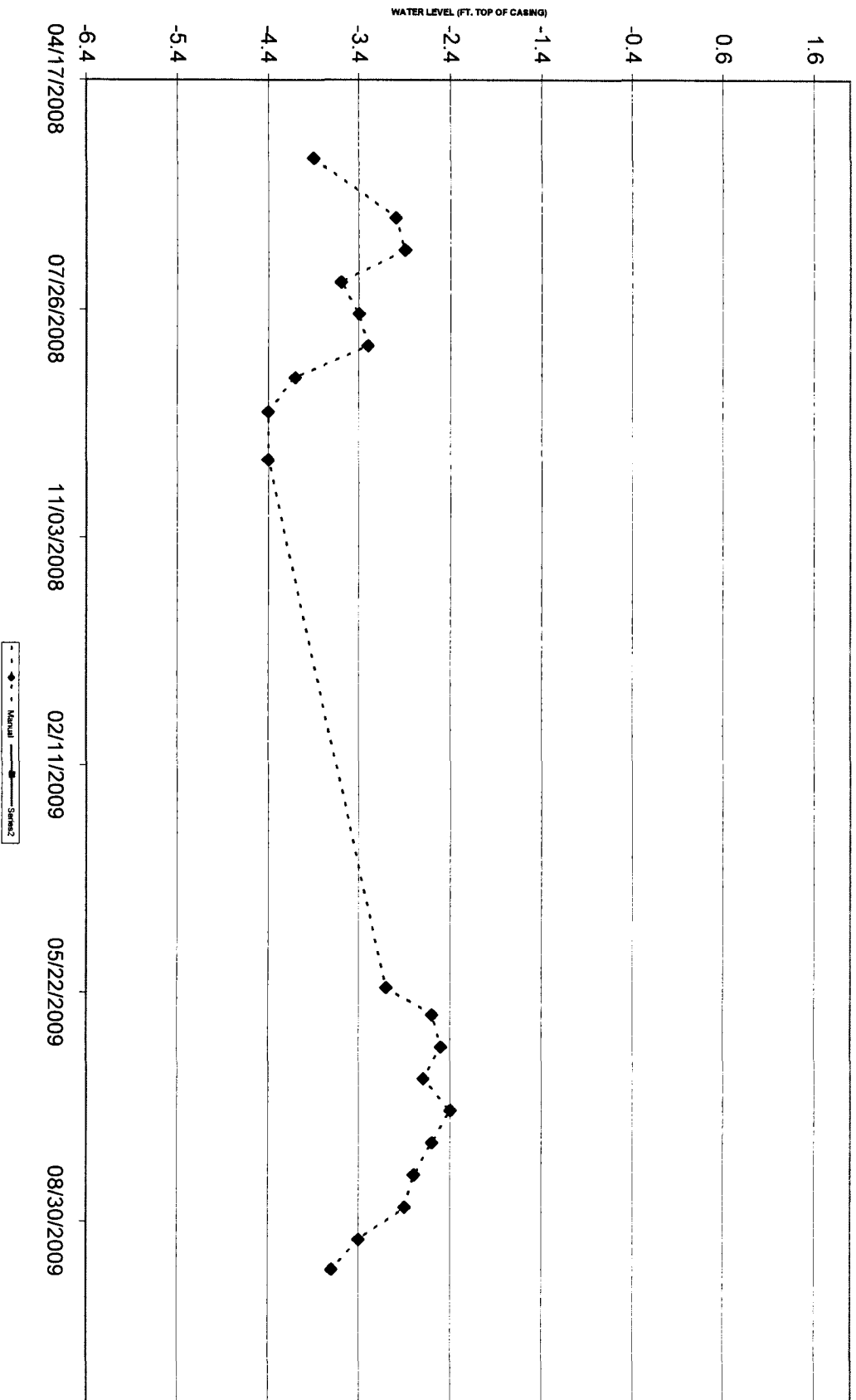
WATER RIGHTS' OBSERVATION WELL
HN-57A



**WATER RIGHTS' OBSERVATION WELL
HN-2008B**



**WATER RIGHTS' OBSERVATION WELL
HN-2008A**



RECEIVED

JUN 03 2010

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SS

I, LeeAnne Archer

certify that the attached printed Notice was
taken

from the Hamlin County
Republican

printed and published in Castlewood

County of Hamlin and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

May 12, 2010

May 19, 2010

Cost of Printing \$40.99

LeeAnne Archer
(Signature)

Owner
(Title)

6-2-2010
(Date Signed)

NOTICE OF APPLICATION NO. 7193-3 TO APPROPRIATE WATER
Notice is given that Claremont Colony, c/o Jonathan Wollman, 46271 184th St, Castlewood SD 57223 has filed an application for a water permit to appropriate 1.33 cubic feet of water per second from three wells completed into the Big Sioux: North Aquifer (23 feet deep) located in SE 1/4 SW 1/4 Section 15 to irrigate 130 acres located in the SW 1/4 Section 15; all in T115N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7193-3 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 1, 2010. The petition may be informal, but

must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.
Steven M. Pinner, Secretary
Department of Environment and Natural Resources.
Published May 12 and 19, 2010, at total cost of \$40.99.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 30, 2010

Hamlin County Republican
PO Box 50
Castlewood SD 57223

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7193-3 to Appropriate Water to be published twice. Please publish the first notice on May 12, 2010 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 Claremont Colony, c/o Jonathon Wollman, 46271 184th St., Castlewood SD 57223 (Ph # 605-793-2352).

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. 7193-3

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

Date _____

We are in receipt of your letter of April 30, 2010 enclosing Notice to Appropriate Water by Application No. 7193-3 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
denr.sd.gov

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

April 30, 2010

Claremont Colony
c/o Jonathon Wollman
46271 184th St
Castlewood SD 57223

Dear Mr. Wollman:

Water Permit Application No. 7193-3 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 Hamlin County Republican printed at Castlewood SD (Ph # 605-793-2293). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352
eric.gronlund@state.sd.us

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 12, 2010 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. 7193-3 to Appropriate Water

Notice is given that Claremont Colony, c/o Jonathan Wollman, 46271 184th St, Castlewood SD 57223 has filed an application for a water permit to appropriate 1.33 cubic feet of water per second from three wells completed into the Big Sioux:North Aquifer (23 feet deep) located in SE ¼ SW ¼ Section 15 to irrigate 130 acres located in the SW ¼ Section 15; all in T115N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7193-3 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 1, 2010.

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

'JUL 14 2010

Claremont Colony
Jonathon Wollman
46271 184th St
Castlewood SD 57223

Dear Mr. Wollman:

Enclosed is Water Permit No. 7193-3 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



7193-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: CLAREMONT COLONY, JONATHAN WOLLMAN, 46271 184th ST, CASTLEWOOD, SD 57223

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaires

Our records indicate that the 2011 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2579-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 & 7193-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 7, 2012** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 & 7193-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2579-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link:
<http://denr.sd.gov/iq.aspx>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 2012

Jonathan Wollman
Claremont Colony
46271 184th St
Castlewood SD 57223

RE: Water Permit or Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 & 7193-3

Dear Mr. Wollman:

I am writing to acknowledge receipt of the 2011 irrigation questionnaires for Claremont Colony.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 and 7193-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7193-3

I have this day, March 31, 2015, made a thorough examination of the water use system constructed by Claremont Hutterian Brethren, 46271 184th St., Castlewood SD 57223 of Permit No. 7193-3, bearing the priority of March 30, 2010 authorizing the diversion of 1.33 cu. ft. per second of the waters of the Big Sioux North aquifer for irrigation purposes, in Hamlin County.

Inspection contact & relationship **Jonathon Wollman**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Kaiser Well Drilling
- 2) No. of Wells 2
- 3) Depth(s) each 22 feet
- 4) Well logs available Yes, see comments. If no, explain in comments

Comments: **Kaiser submitted 3 well completion reports. Even though 3 logs are on file, only 2 wells are in use. The wells are in the SW1/4 SW1/4, not in the permitted location.**

Casing (North Well):

- 1) Diameter 16 inches
- 2) Length 12 feet
- 3) Type Plastic

Screen:

- 1) Type Manufactured
- 2) Length 10 feet
- 3) Static water level approx. 3 feet

Pump:

- 1) Make 20 hp submersible

Casing (South Well):

- 1) Diameter 16 inches
- 2) Length 12 feet
- 3) Type Plastic

Screen:

- 1) Type Manufactured
- 2) Length 10 feet
- 3) Static water level approx. 3 feet

Pump:

- 1) Make 30 hp submersible

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 660 feet

C. Works used to apply water to beneficial use:

Center pivot: (full circle – trees removed)

- 1) Make Reinke

- 2) Number of towers 7

- 3) End gun Yes

4) Capacity 750 GPM at 35 psi

Chemigation Equipment:

1) Does chemigate No

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 List any extended period of nonuse: none
- 3) Exceptions to compliance are: none (see file documentation for well location correction)

E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows: North Well: 1,150 feet east and 1,300 feet north from the SW corner section 15-T115N-R52W (SW1/4 SW1/4 – Longitude - - 97.06308, Latitude 44.76435); South Well: 1,160 feet east and 840 feet north from the SW corner section 15-T115N-R52W (SW1/4 SW1/4 – Longitude -97.06306, Latitude 44.76308).

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. Water has been put to beneficial use to the maximum extent as follows:

All in section 15-T115N-R52W

NE1/4 SW1/4 32.5 acres

NW1/4 SW1/4 32.5 acres

SW1/4 SW1/4 32.5 acres

SE1/4 SW1/4 32.5 acres

comprising a total of 130 acres of land and the license should be issued for 1.33 cfs.

3. All structures, wells and lands on map Yes

F. Comments or other permit(s) associated with the project:

There are three well completion reports in the file but only two wells are in use according to Jonathon Wollman and the on-site inspection. All three completion reports show nearly identical construction.



Ron Duvall

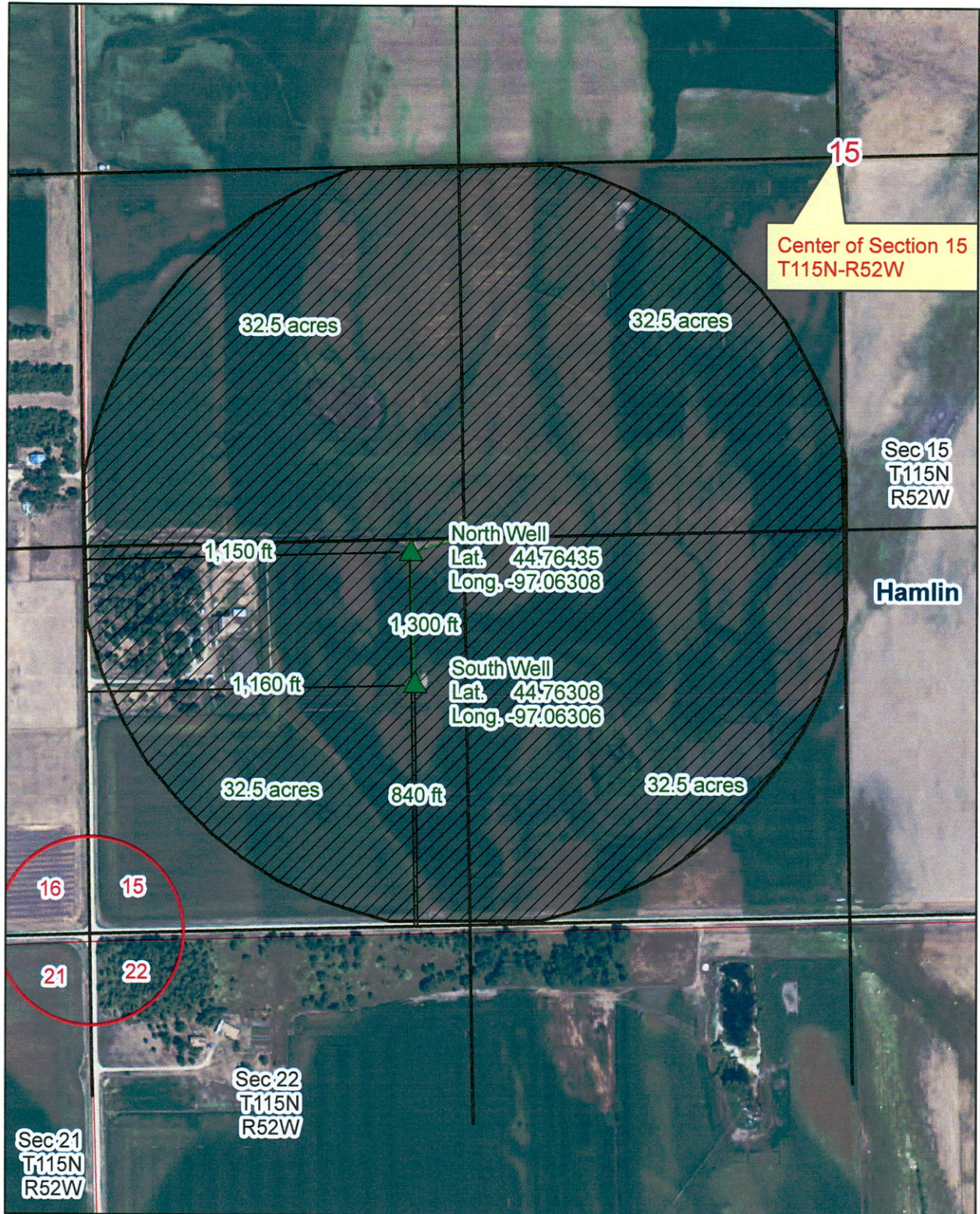
Water Rights Permitting Administrator
DENR, Water Rights Program

Date report completed: December 28, 2015

Scale: 1 inch = 524 feet

730

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:


Ron Duvall, WR Permitting Administrator
Water Rights Program

Diversion point(s) located using a Garmin eTrex 10 GPS

Date: Dec 23, 2015

Water Right No. 7193-3

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

Date

3/31/2015

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

FROM:

Claremont Hutterian Brethren
(name)46271 184th St
(address)Castlewood SD 57223
(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. 7193-3 states that the water use system is to be constructed by

6/1/2015
(date)

, and water is to be put to beneficial use by

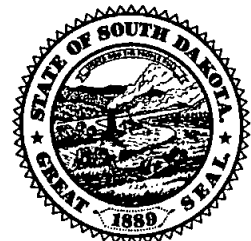
6/1/2019
(date)

The water use system was completed on 2012
(date)

Applying the water to beneficial use was completed on 2012
(date)

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

Jonathan Hallman
(signature)



Approval of Additional Diversion Point

NAME: Claremont Hutterian Brethren

ADDRESS: 46271 184th St., Castlewood SD 57223

DATE: December 23, 2015 **COUNTY:** Hamlin **TELEPHONE:** (605) 793-2352

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

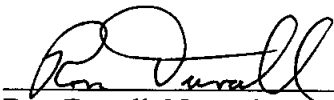
Water Permit No. 7193-3 was issued for 3 wells but 2 wells are in use for irrigation purposes. The wells are in the permitted aquifer (Big Sioux North) and total water usage does not exceed the amount permitted under No. 7193-3. The wells are located in the SW1/4 SW1/4 approximately 200 feet from the permitted area in the SE1/4 SW1/4 all in section 15-T115N-R52W.

- **Review of Existing Diversions**

No domestic well completion reports were found for any domestic wells within a mile of the irrigation wells for No. 7193-3. The nearest other permitted well is for Permit No. 7118-3 which, as applied for, is 1,320 feet from the permitted area described on No. 7193-3. The actual constructed well location for the nearest well developed under No. 7193-3 is approximately 2,200 feet for the location applied for under No. 7118-3. No interference is expected under the water table conditions between all of these wells.

RECOMMENDED ACTION

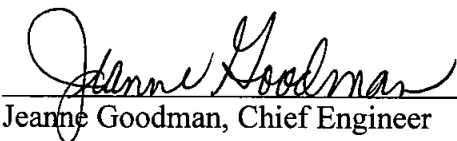
Based on the above criteria, it is recommended that the two diversion points be licensed as developed in the SW1/4 SW1/4 section 15-T115N-R52W.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

The change in diversion point location does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program



7193-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

MAY 03 2016

6606-3, 6870-3, 7193-3
7490-3 and 7491-3

Claremont Hutterian Brethren
c/o Jonathan Wollman
46271 184th St
Castlewood SD 57223

Dear Mr. Wollman:

Enclosed are Water License Nos. 6606-3, 6870-3, 7193-3, 7490-3 and 7491-3. These are the final water right documents completing your process of obtaining a Water Right. Also, included with each license is a map prepared by the staff engineer who conducted the investigations.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Rights, 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, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

NOTE: Regarding Water Right No. 7193-3 The investigation found this irrigation system is capable of diverting 1.67 cubic feet of water per second (cfs) which is equivalent to approximately 750 gallons per minute (gpm). The permit was originally issued for only 1.33 cfs (equivalent to 600 gpm). Diversion of water under this water license is limited to 1.33 cfs.

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7193-3

(1) Claremont Hutterian Brethren, c/o Jonathan Wollman, 46271 184th St, Castlewood SD 57223 made Application No. 7193-3, March 30, 2010 for a water permit to divert 1.33 cubic feet of water per second from three wells - Big Sioux:North Aquifer, Hamlin County, South Dakota for irrigation purposes. Permit No. 7193-3, with a priority date of March 30, 2010 was approved June 1, 2010 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 1, 2015 and for the application to beneficial use of water on or before June 1, 2019.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on March 31, 2015. The *Notice* stated the diversion system was completed and water placed to beneficial use in 2012.

An investigation conducted for licensing purposes found the wells under Water Permit No. 7193-3 were not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion points does not increase the potential for interference with existing water rights.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 7193-3 is issued a license, bearing a priority date of March 30, 2010 to appropriate 1.33 cubic feet of water per second from two wells - Big Sioux:North Aquifer to irrigate 130 acres.

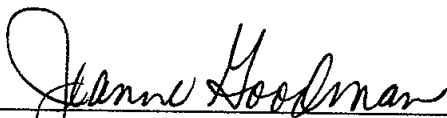
The diversion points are located: North well: 1,150 feet east and 1,300 feet north from the SW corner Section 15-T115N-R52W (SW 1/4 SW 1/4); South well: 1,160 feet east and 840 feet north from the SW corner of Section 15-T115N-R52W (SW 1/4 SW 1/4). The acres authorized for irrigation are as follows:

Section 15-T115N-R52W	NE 1/4 SW 1/4	32.5 acres	SW 1/4 SW 1/4	32.5 acres
	NW 1/4 SW 1/4	32.5 acres	SE 1/4 SW 1/4	32.5 acres

Total 130 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 7193-3 including the following qualifications:

- The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

MAY 03 2016

date





7193-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: CLAREMONT COLONY, JONATHAN WOLLMAN, 46271 184th ST, CASTLEWOOD, SD 57223

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2579-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2579-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaires are received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: MVHIMM**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 27, 2020

NOTICE OF ENTRY OF ORDER
FOR AMENDMENT AND ONE YEAR SUSPENSION OF WATER RIGHTS

TO: Jonathan Wollman, Claremont Colony, 46271 184th St, Castlewood SD 57223

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program *Jeanne Goodman*

SUBJECT: Amendment of Water Right No. 2579-3 and One Year Suspension of Water Right Nos. 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3

On February 26, 2020, the Water Management Board took the following actions on Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3

The Board amended Water Right No. 2579-3 to add the following qualification effective immediately:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

The Board also ordered:

Effective March 26, 2020, Water Right Nos. 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 be suspended for the 2020 irrigation season for failure to submit the 2019 irrigation questionnaires.

If the 2019 irrigation questionnaires are received prior to March 26, 2020, the suspensions will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2020 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2020 unless the 2019 irrigation questionnaires are submitted by March 26th.

After March 26th, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2019 irrigation questionnaires and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 6-7, 2020, in Pierre, SD. The letter should include your reasons for not completing the 2019 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place. Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on February 27, 2020, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated February 27, 2020 regarding Water Management Board action taken February 26, 2020 for Irrigation Questionnaire violations addressed as stated below:

One Year Suspensions:

Water Right No. 6947-3

Joel Adler, 48353 149th St, Milbank SD 57252

Water Permit No. 7655-3

Thomas Brady, 265 Antler Dr., Yankton SD 57078

Water Right Nos. 2698-2 & 2721-2

Neil & Lupita Fanning, 220 Rangely Ct., Simi Valley CA 93065

Water Right No. 5947-3

Sean Davis, Fish Lake Country Club, 24385 393rd Ave., Letcher SD 57359

Water Permit Nos. 7008A-3 and 7009A-3

Roger D Hanson, 615 E 72nd St., Kansas City MO 64131

Water Right No. 7043-3

Corey Johannsen, 502 Main St., Tolstoy SD 57475

Donald & Dianna Stotz, 14850 328th Ave, Tolstoy SD 57475

Water Right No. 876-1

Gene E Johnson, 19610 US Hwy 85, Belle Fourche SD 57717

Water Right No. 1213B-1

Charles & Cathy Kimbril, 19027 137th Ave, Vale SD 57788

Water Right No. 410B-2

Kathi Koester, PO Box 206, Custer SD 57730-0206

Water Permit No. 8253-3

James Makens, Makens Oak Tree LLP, 42563 168th St, Clark SD 57225

Water Permit Nos. 5849-3 and 6194-3

Josh Oakley, Meadow Creek Golf Course, PO Box 511, Volga SD 57071-0511

Water Right Nos. 2521-3 and 2934-3

Henry Decker, Pembroke Hutterian Inc., 35955 139th St, Ipswich, SD 57451 7103

Water Right Nos. 5566-3 & 7615-3 and Water Permit No. 7616-3

Wayne Reiersen, 30048 Reiersen Pl., Pollock SD 57648

Water Permit No. 2350-3

Bill Boyer, President, River Valley Farms, PO Box 486, Alcester SD 57001 0486

Water Right No. 4737-3

RUS Farms Real Estate LLC, 3283 Dogwood Ave., Rock Valley IA 51247

Water Right No. 2954-3

Lane Tekrony, 47840 180th St, Clear Lake SD 57226-5405

Water Right Nos. 6131-3 and 6132-3

Daniel Ulmer, PO Box 433, Menno SD 57045 0433

Water Right Nos. 2631A-3 and 5451-3
Merritt Ulmer, PO Box 433, Menno SD 57045-0433
Merritt & Marie Ulmer, 1402 S Cage #217, Pharr TX 78577

Water Right No. 553-1
Richard W Kieffer, 14555 Hamlet Pl, Sturgis SD 57785

Three Year Suspensions:

Water Right No. 6168-3
Robert Hattum, 21744 W Bend Rd, Harrold SD 57536

Water Right No. 2106-2
Stuart Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701

Amendments:

Water Right Nos. 804-2 & 995-2
Robert Berry, 23331 Hwy 14, Midland SD 57552

Water Right No. 766-2
Gene Fortune, PO Box 60, Interior SD 57750 0060

Water Right Nos. 516-1 and 715-1
Lawrence Woodward, PO Box 220, Dupree SD 57623 0220

Both Suspend and Amendments

Water Right No. 960-3 and Water Permit No. 472A-3
Chad Binger, 18309 383rd Ave, Tulare SD 57476

Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3
Jonathan Wollman, Claremont Colony, 46271 184th St, Castlewood SD 57223

Water Right Nos. 3012-3 and 7323B-3
Mark Morlock, 33820 112th St., Eureka SD 57437-6005
Marvin Morlock, 11072 339th Ave, Eureka SD 57437-6003

Water Right No. 399-2 and Water Permit No. 2668-2
Steve L Simunek, 27851 S Buffalo Gap Rd, Oral SD 57766



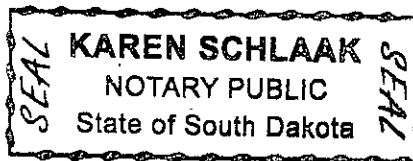
Eric Gronlund
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 27th day of February, 2020.



Karen Schlaak
Notary Public
My Commission expires April 1, 2025



7193-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 2020

Jonathan Wollman
Claremont Colony
46271 184th St
Castlewood SD 57223

RE: Water Right Nos. 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3

Dear Mr. Wollman:

On February 26th the Water Management Board ordered the above listed Water Rights suspended if the 2019 irrigation questionnaires were not received prior to March 26, 2020. The questionnaire information for your water rights has been received.

Since the irrigation questionnaires are on file, no violations have occurred, and no suspensions will take place. You may irrigate during the 2020 irrigation season.

If you have any questions, please contact us.

Sincerely,

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

Genny McMath
Water Rights Program
605 773-3352



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: CLAREMONT COLONY, JONATHAN WOLLMAN, 46271 184th ST, CASTLEWOOD, SD 57223

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: NNMIGU**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

7193-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 1, 2022

Jacob Wollman
Claremont Colony
46271 184th St
Castlewood SD 57223

RE: Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3, 7491-3

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us