

FORM 2: Application for irrigation in South Dakota
(type or print)

RECEIVED

FEB - 7 2011

WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7231-3</u> (office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>
	Newspaper <u>Plain Talk 201 W Cherry St.</u>
	<u>605-624-2695</u> <u>Vermillion 57069</u>

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 D.A. Olson & Sons Phone 605-267-4121(check one) ☒ Owner ☐ Tenant/lesseeMailing Address 31725 455 Ave Meckling SD 57069-4423
(Address) (City) (State) (Zip Code)2. Amount of water claimed 1.0 *CFS or 450 **GPM ***AF Total Acreage 40
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)3. Source of water supply 1 well to Missouri River Aquifer4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Clay
1 well in NE1/4 of NE 1/4 of Section 7, T92N, R53W5. County or counties where water will be used Clay6. Annual period during which water is to be used April-Sept 307. 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
NE 1/4 of NE 1/4 of Section 7, T92N R53W	40		

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

Crop irrigation through center pivot. Greater than statutory volume requested based upon sandy soils requiring greater than normal water, and we will be using an existing center pivot (moved from another location) which would be difficult to retrofit to a lower discharge rate. We also may be adding adjoining land in the future to the irrigation system.

STATE OF SOUTH DAKOTA)
County of Clay) SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Also, attach map and any other technical information. (see instructions)

I, Dale G. Olson, 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 Dale G. OlsonSubscribed and sworn to before me this 4th day of February 20 11CANDY LUBREN
My Commission Expires June 5, 2011Notary Public signature Candy Lubren

**SOUTH DAKOTA
WATER PERMIT NO. 7231-3**

Date of first receipt of application February 7, 2011.

Date of return to applicant for corrections, amendments or changes February 7, 2011.

Date of receipt of corrected application February 17, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7231-3 to D A Olson & Sons, 31725 455 Ave, Meckling SD 57069-4423 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. 7231-3 appropriates 1.0 cubic feet of water per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (approximately 110 feet deep) located in NE 1/4 NE 1/4 Section 7 for irrigation of 40 acres located in the NE 1/4 NE 1/4 Section 7 of T92N-R53W.
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 – September 30.
3. The date from which applicant may claim right is February 7, 2011.
4. The date of approval of Permit No. 7231-3 is March 28, 2011.
5. One-fifth of the construction is to be completed on or before September 28, 2013.
6. All construction is to be completed on or before March 28, 2016.
7. Water is to be put to beneficial use on or before March 28, 2020.
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. 7231-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7231-3 authorizes a maximum diversion rate of 1.0 cfs for the irrigation of 40 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. 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

APR 26 2011
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22" Depth 110 feet
- b) Casing Type PVC Diameter 16" Thickness .50"
- c) Screen Type PVC Diameter 16" Thickness .50"
- d) Gravel Pack Pea gravel Length of Gravel Pack 45'
- e) Depth to Top of Water Bearing Material 60 feet
- f) Depth to Water (ground surface to water level) 20 feet
- g) Distance to nearest existing domestic well:
- On applicant's property NA On property owned by others 1800 feet

2. Wastewater Disposal System Information

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

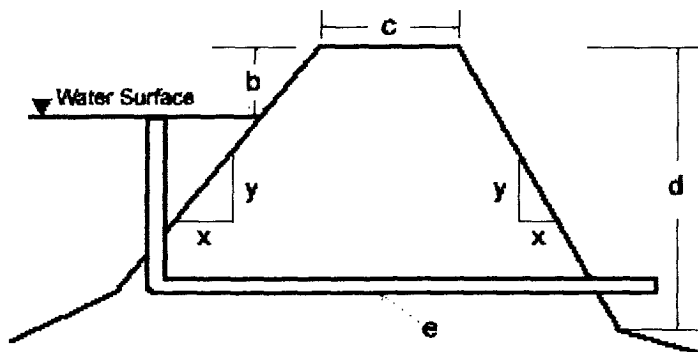
3. Dugout Information

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

4. Water Storage Dams

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

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



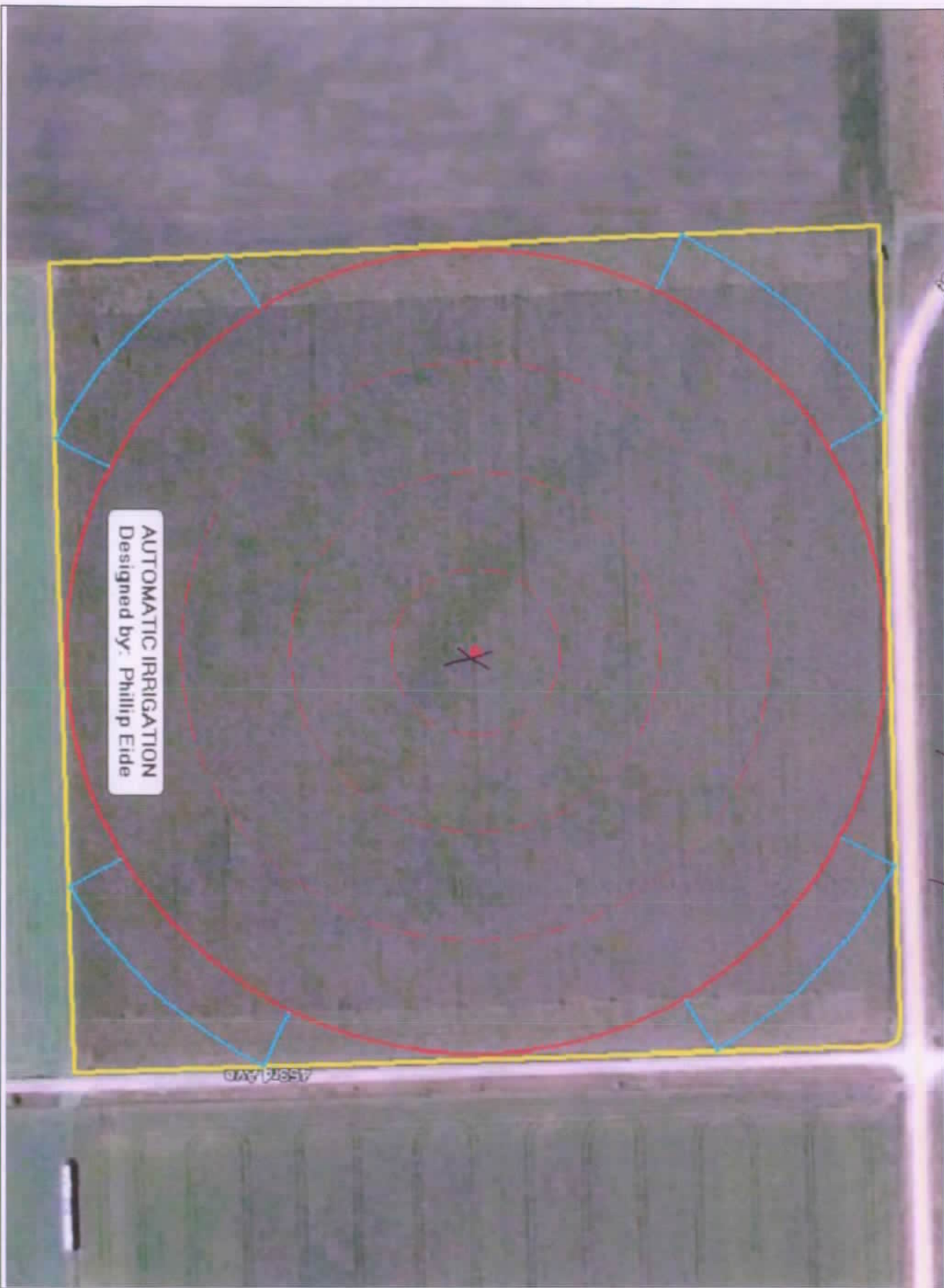
- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

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WATER RIGHTS
PROGRAM

DA Olson & Sons NE 1/4 NE 1/4 7-092-53



CLAY COUNTY FSA

121 W. Kidder St. #102
Vermillion, SD 57069-3033

Automatic Irrigation Inc. Centerville, SD 605-563-2649 office

Abba Elin, Clay County, PT

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/7, 20 11

RECEIVED OF D A Olson & Sons LLC 31725 455th Ave Meckling SD 57069

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	500	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. _____	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	700 00

No. **04929**

By Garland Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 2011

D A Olson & Sons
c/o Dale Gene Olson
31725 455 Ave
Meckling SD 57069

Dear Mr. Olson:

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. Please mark the proposed well location with an X. I am assuming it is the red dot in the middle of the map.
- 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 office).
- 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

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

enclosure

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 7231-3, D A Olson & Sons

ADDRESS: COUNTY: Clay County

DATE: March 2, 2011 TELEPHONE:

RE: well completion report submitted with application

A well completion report was submitted with this application for a well located in the approximate center of the SW ¼ Section 5, T92N, R53W. This is located approximately three fourths (3/4) of a mile north east of the site proposed by this application. The well completion report was filed by Hammond-Wetmore Drilling for this well drilled in December, 2009 for Dean Johnson and is authorized to supply irrigation under Permit No. 7109-3.

In reviewing the staff report, Jim Goodman of staff stated the completion report should not be in the Olson application file since "it has nothing to do with the application". It is in relatively close proximity but is for a production well on a neighboring property. Normally, the Water Rights Program does not remove any documents submitted with the application. However, in this instance the Johnson well completion report has been removed from this file but can be found on the well log database by conducting a legal description search for Section 5, T92N, R53W. The well completion date is December 22, 2009.

NAME: Eric Brenden



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7231-3, D A Olson & Sons**

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. 7231-3, DA Olson & Sons, c/o Dale G. Olson, 31725 455th Avenue, Meckling SD 57069-4423.

The Chief Engineer is recommending APPROVAL of Application No. 7231-3 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. 7231-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7231-3 authorizes a maximum diversion rate of 1.0 cfs for the irrigation of 40 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. 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
March 2, 2011

**Report on Water Permit Application No. 7231-3
for D.A. Olson & Sons
February 22, 2011**

Application No. 7175-3 proposes to appropriate 449 gallons per minute (1.0 cfs) from one well approximately 110 feet deep located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7 for irrigation of 40 acres located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7 in T92N R53W in Clay County. The annual period during which water will be used is April 1 through September 30. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

AQUIFER: Missouri Elk Point

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

WATER AVAILABILITY

Aquifer Characteristics:

The Missouri Elk Point is a buried outwash (sand and gravel) that is under water table conditions in the area of this application. The aquifer underlies 74,500 acres and contains an estimated 1.1 million acre feet of recoverable water in storage in Clay County (Hedges, 1982).

A well completion report for a well located approximately one half mile northeast of this location was provided with this application. The report indicates brown, sandy silt from the land surface to 26 feet below land surface, medium to fine, silty sand from 26 to 56 feet below land surface, and medium to coarse gravel from 56 to 110 feet below land surface.

Observation Well Data:

The Water Rights Program monitors two observation wells, CL-80B and YA-80KA, located within three miles of this application location. Observation well CL-80B is located just over two and a quarter miles east-southeast of this application location and YA-80KA is located over two and half miles northwest of this application location. 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, 2011).

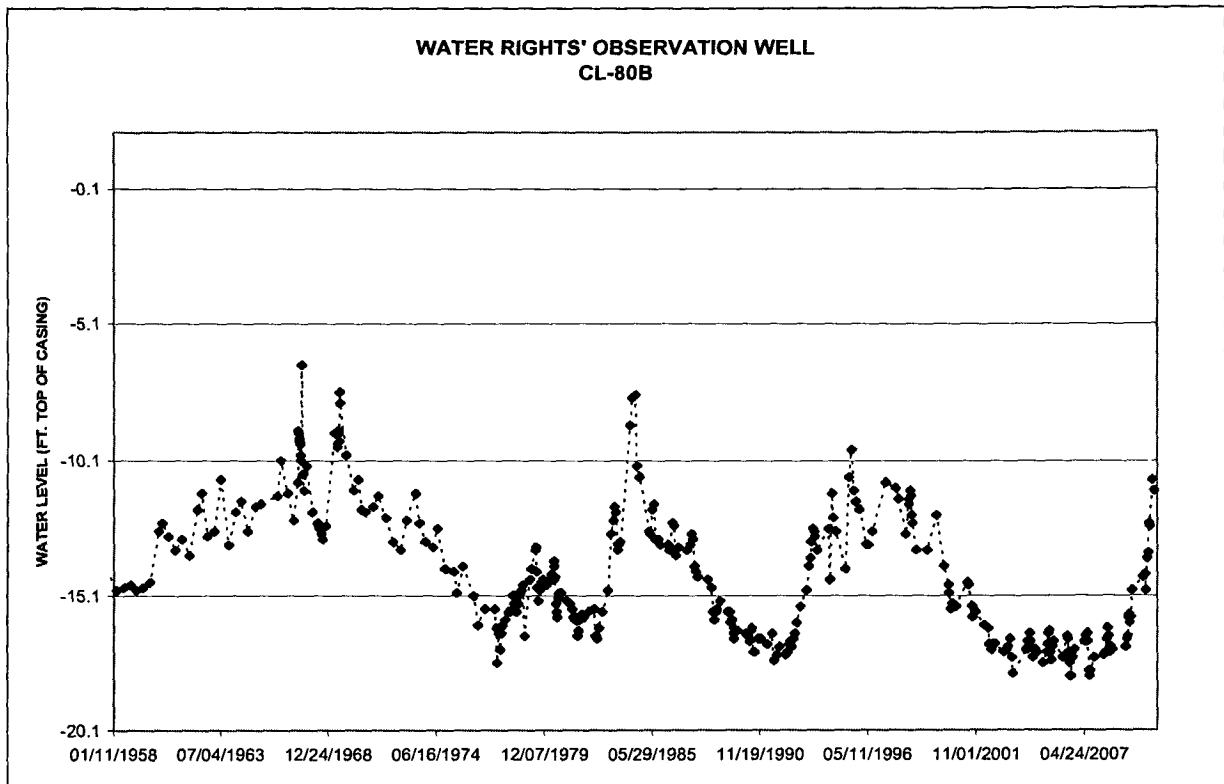


Figure 1. Hydrograph for Water Rights Observation Well CL-80B, completed into the Elk Point management unit of the Missouri Aquifer within three miles of 7231-3

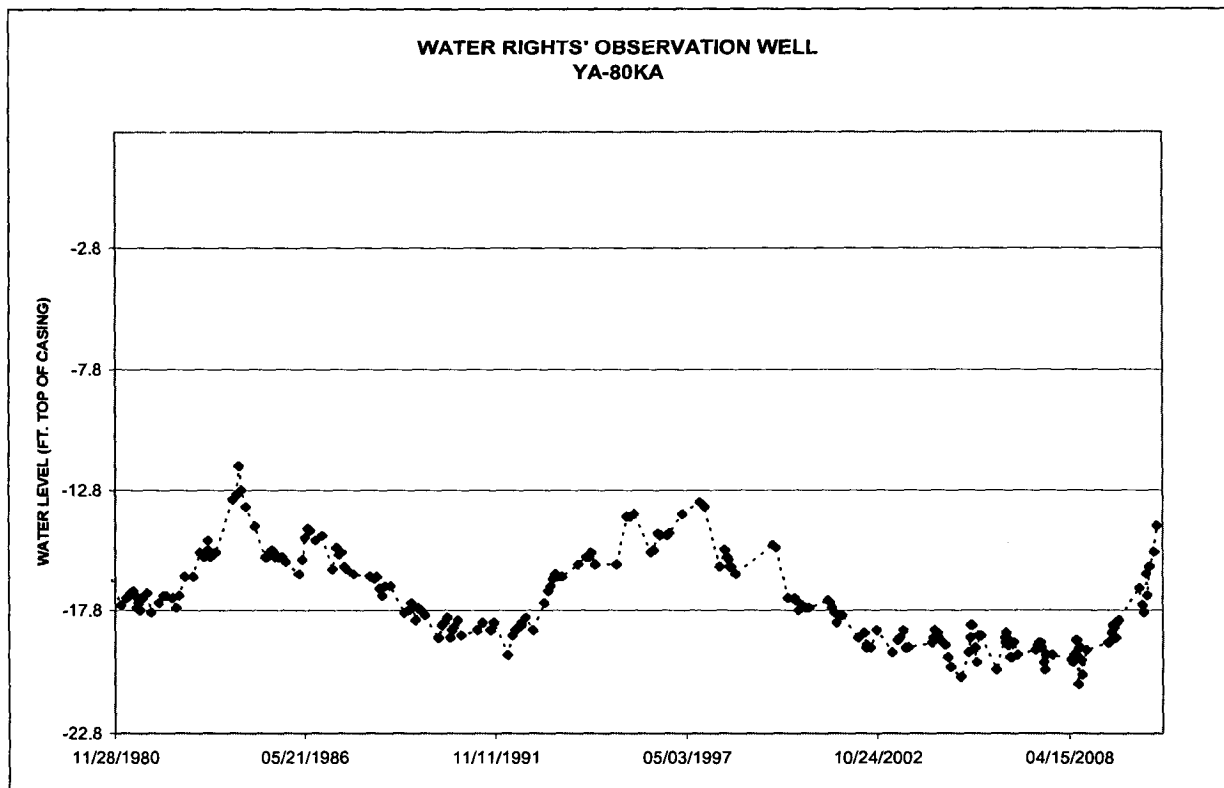


Figure 2. Hydrograph for Water Rights Observation Well YA-80KA, completed into the Elk Point management unit of the Missouri Aquifer within three miles of 7231-3

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

Table 1 shows the number of appropriations, the total amount of water appropriated, and the reported amount of water pumped for each year. The average number of appropriations is just over 307, with the average appropriation being nearly 127,000 acre-feet and the average pumpage reported at over 17,000 acre-feet.

IRRIGATION USE (ac-ft/yr) M:EP			
Year	Number of Appropriations	Appropriation (ac-ft/yr)	Pumpage Reported (ac-ft/yr)
2009	410	155245.40	6120.97
2008	396	151130.40	16261.88
2007	368	140746.60	31052.03
2006	355	137411.60	28874.29
2005	337	130966.60	24176.62
2004	323	127635.80	24515.85
2003	315	126059.80	27161.56
2002	316	126235.80	24105.36
2001	314	126217.40	19451.93
2000	310	125532.20	27070.99
1999	308	125225.60	14748.02
1998	313	127862.60	11127.24
1997	305	126518.20	17182.00
1996	296	124606.20	9412.78
1995	292	121644.25	18320.24
1994	297	123656.75	10323.94
1993	299	125656.30	1475.20
1992	296	125336.68	1881.95
1991	301	126551.68	18798.60
1990	299	128458.33	19694.50
1989	294	126847.33	25941.90
1988	283	124014.13	28756.35
1987	282	124104.33	13439.70
1986	288	125842.47	6451.60
1985	284	125068.47	13983.50
1984	283	126743.35	9194.30
1983	274	121895.73	10834.04
1982	272	123559.28	18822.35
1981	302	136318.00	14233.00
1980	267	126362.00	15205.00
1979	265	124828.00	10377.00
AVERAGE	307.87	128654.23	16741.76
MAXIMUM	410	155245.40	31052.03
MINIMUM	265	121644.25	1475.20

Table 1. Irrigation usage from the Missouri aquifer (Water Rights, 2011).

There are six existing water permits/rights for irrigation located within one mile of this application. Five of these existing permits withdraw water from the same aquifer and the sixth diverts water from the nearby Missouri River. Water levels do fluctuate as a result of area pumping but this does not affect the availability of water from the aquifer.

Recharge:

The Missouri aquifer is recharged from several sources. Recharge to the Missouri aquifer occurs through infiltration and subsequent percolation of precipitation in areas where the aquifer is near land surface (Niehus, 1994). Normal precipitation in Clay County is estimated to be 500,000 acre-feet (Christensen, 1967), a portion of which also contributes to aquifer recharge. The aquifer is also recharged from the underlying Dakota aquifer and some recharge also is from the Missouri River during periods of high flow and stage (Niehus, 1994).

Conclusions:

1. Water is available from the Elk Point management unit of the Missouri aquifer.
2. The aquifer is under water table conditions at this location. 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 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 Project 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. et al, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for the U.S. Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD 57069

Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, USGS WRI Report 93-44195, United States Geological Survey, Rapid City, SD 57702

Water Rights, 2011, Unpublished Observation Well Records for Clay County and Irrigation Records, SD DENR, Division of Water Rights, Pierre, SD, 57501

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Heather Heimes

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:

DENR

D A OLSON - NOTICE OF APP NO 7231-1

WATER RIGHTS PROGRAM

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 11 day of March 20 11, and that the succeeding publications were severally

on Friday, the 18 day of March, 20 11,

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

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

Fifty dollars and 94 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.

Heather Heimes

Subscribed and sworn to before me

this 21st day of March 20 11

[Signature]

Notary Public

My Commission Expires 8-19-2015

NOTICE OF APPLICATION NO.

7231-3 to

Appropriate Water

Notice is given that D A Olson & Sons, 31725 455th Avenue, Meckling SD 57069 has filed an application for a water permit to appropriate 1.0 cubic feet of water per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (approximately 110 feet deep) located in NE 1/4 NE 1/4 Section 7 for irrigation of 40 acres located in the NE 1/4 NE 1/4 Section 7 of T92N-R53W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7231-3 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 March 28, 2011.

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 \$50.94

Estimated publishing cost per published copy \$.0545

Published: March 11 & 18, 2011

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MAR 30 2011

WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 3, 2011

Plain Talk
201 W Cherry St
Vermillion SD 57069

ATTENTION: Legal Public Notice

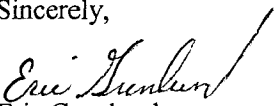
Enclosed is a Notice on Application No. 7231-1 to Appropriate Water to be published twice. Please publish the first notice on March 11, 2011 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 D A Olson, 31725 455th Ave., Meckling SD 57069 (Ph # 605-267-4121).

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. 7231-3

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

Date _____

We are in receipt of your letter of March 3, 2011 enclosing Notice to Appropriate Water by Application No. 7231-3 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.

March 3, 2011

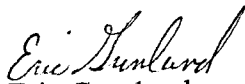
D A Olson
31725 455th Ave
Meckling SD 57069

Dear Mr. Olson:

Water Permit Application No. 7231-3 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 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 March 11, 2011 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. 7231-3 to Appropriate Water

Notice is given that D A Olson & Sons, 31725 455th Avenue, Meckling SD 57069 has filed an application for a water permit to appropriate 1.0 cubic feet of water per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (approximately 110 feet deep) located in NE ¼ NE ¼ Section 7 for irrigation of 40 acres located in the NE ¼ NE ¼ Section 7 of T92N-R53W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7231-3 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 March 28, 2011.

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
www.state.sd.us/denr

APR 26 2011

D A Olson & Sons
31725 455th Ave
Meckling SD 57069-4423

Dear Mr. Olson:

Enclosed is Water Permit No. 7231-3 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

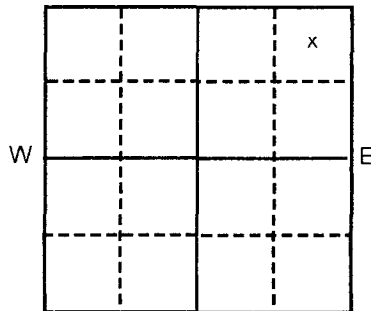
enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location ne 1/4 ne 1/4 Sec 7 Twp 92n Rg 53wWell Owner: Dale Olson7231-3County Clay

North

Please mark well
location with an "X"

Well Completion Date

May 12, 2011

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
3,000.0 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	<u>16.00</u> IN	<u>0.0</u> FT	<u>80.0</u> FT	<u>22.00</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>bentonite</u>	<u>21</u>	Lb/gal	<u>0.0</u> Ft	<u>69.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 20.0 FeetMaterial PVCSlot Size .080 Set From 80.0 Feet to 100.0 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 analysisBusiness Name: Olson FarmsAddress: 31729 455th AveCity, State, Zip: Meckling SD 57044

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Clay, brown, silty	0	18
sand, fine	18	47
Clay, gray, silty	47	53
Sand, coarse, pebbly	53	102

STATIC WATER LEVEL 22.0 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

41.0 Ft. After 4.0 Hrs. pumped 500.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 450.0 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: Sept 17, 2011

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 7231-3**

I have this day, November 6, 2015, made a thorough examination of the water use system constructed by D A Olson & Sons, 31725 455th Ave, Meckling, SD 57069 of Permit No. 7231-3, bearing the priority of February 7, 2011 authorizing the diversion of 1.0 cu. ft. per second of the waters of Missouri:Elk Point Aquifer for irrigation purposes, in Clay County.

Inspection contact & relationship to permit holder, if applicable: **Dale Olson-son, D A Olson & Sons-permit holder**

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) 100 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 16 inches
- 2) Length 80 feet
- 3) Type PVC

Screen:

- 1) Type PVC Manufactured
- 2) Length 20 feet
- 3) Static water level 22 feet

Pump:

- 1) Make Grundfos Submersible
- 2) Model 475S200
- 3) Capacity 450 GPM

Motor:

- 1) Make Grundfos
- 2) Model No. Submersible
- 3) Horsepower rating 20 hp

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Lindsay
- 2) Overall length 655 feet
- 3) Number of towers 4
- 4) End gun Yes
- 5) Capacity 450 GPM

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, began irrigating in 2012.

List any extended period of nonuse: **Did not use in 2014 due to adequate rainfall**

- 3) Exceptions to compliance are: None

E. Condition and Location:

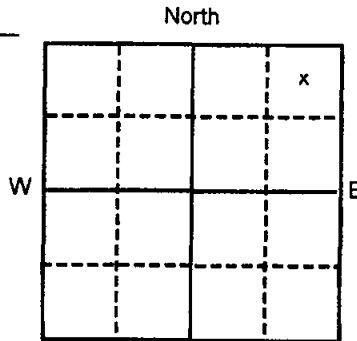
1. The system is in good condition with the point(s) of diversion located as follows: West 680', South 680' from NE Corner of Sec 7-T92N-R53W; Lat 42.80644/Long -97.14345; NE ¼ NE ¼ Sec 7-T92N-R53W.
2. The works are capable of diverting and conveying to the place of use 1.0 cfs or 450 gpm of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:
All land is located in Sec 7-T92N-R53W.
NE ¼ NE ¼ - 34 ac
comprising a total of 34 acres of land and the license should be issued for 1.0 cfs or 450 gpm.
3. All structures, wells and lands on map Yes

Harold Holoch

Harold Holoch, PE
Engineer Water Rights Inspector
DENR, Water Rights Program

Date report completed: March 14, 2016

SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location ne 1/4 ne 1/4 Sec 7 Twp 92n Rg 53wCounty ClayPlease mark well
location with an "X"

Well Completion Date

May 12, 2011

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
3,000.0 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 _____

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Other information _____

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☐ 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: Dale Olson723/-3Business Name: Olson FarmsAddress: 31729 455th AveCity, State, Zip: Meckling SD 57044

WELL LOG:

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Reduced flow rate _____ GPM

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REMARKS

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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: Sept 17, 2011

7231-3



Harold Holoch
Harold Holoch, PE
Water Rights Inspector
January 5, 2016

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

MAIL TO: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182
ph. (605) 773-3352

Date 11-6-15

FROM: DA Olson & Sons

(name)

31725 455th Ave.

(address)

Meckling

(city)

SD

(state)

57069

(zip)

605-660-8990

(phone)

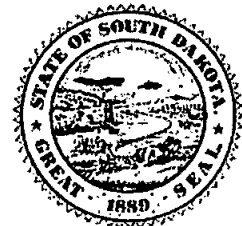
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 7231-3 states that the water use system is to be constructed by
3-28-2016, and water is to be put to beneficial use by 3-28-2020
(date) (date)

The water use system was completed on March 2012
(date)

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

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





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

JUL 01 2016

7231-3
7464-3
8177-3

D A Olson & Sons
31725 455th Ave
Meckling SD 57069

Dear Mr. Olson:

Enclosed are Water License Nos. 7231-3, 7464-3 and 8177-3. These are the final water right documents completing your process of obtaining a Water Right. Also, included with the licenses are maps 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 wells authorized by these 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 Licenses, 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

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7231-3

(1) D A Olson & Sons, 31725 455th Ave, Meckling SD 57069 made Application No. 7231-3, February 7, 2011 for a water permit to divert 1.0 cubic feet of water per second from one well – Missouri:Elk Point Aquifer, Clay County, South Dakota for irrigation purposes. Permit No. 7231-3, with a priority date of February 7, 2011 was approved March 28, 2011 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 28, 2016 and for the application to beneficial use of water on or before March 28, 2020.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on November 6, 2015. The *Notice* stated the diversion system was completed in March, 2012 and the water placed to beneficial use in June, 2012.

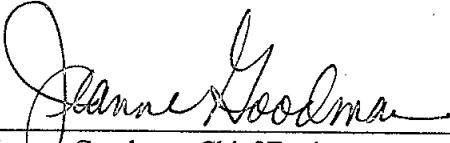
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 7231-3 is issued a license, bearing a priority date of February 7, 2011 to appropriate 1.0 cubic feet of water per second from one well – Missouri:Elk Point Aquifer to irrigate 34 acres.

The diversion point is located: 680 feet west and 680 feet south from the NE corner of Section 7-T92N-R53W (NE 1/4 NE 1/4). The acres authorized for irrigation are as follows:

Section 7-T92N-R53W	NE 1/4 NE 1/4	34 acres
----------------------------	----------------------	-----------------

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 7231-3 including 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. 7231-3 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 by Hammond Wetmore Drilling LLC in May, 2011. A copy of the log is on file with the Water Rights Program.*
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7231-3 authorizes a maximum diversion rate of 1.0 cfs for the irrigation of 40 acres with an annual volume not to exceed 2 acre feet of water per acre per year. *Based on actual irrigation, the number of acres is reduced to 34 acres.*
4. 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

JUL 01 2016

date

