

WATER PERMIT NO. 7263-3

Name of Applicant: **Rolland Colony**

Address: **48088 210th St, White SD 57276** Phone: **605 693-4425**

Amount of Water Claimed: **0.33 cfs** Total Acres: **NA**

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

Water to be used for: **domestic** County: **Brookings**

Type of Waste Disposal System:

Location: **7 miles southeast of White**

PRIORITY Date Received: **8-24-11** Application/License Fee: **\$950**

Corrected Application Received: Period of Annual Use: **January 1- December 31**

Remarks:

Diversion Point: **NW ¼ SE ¼ Sec 9-T110N-R48W**

Land to be Irrigated: **NA**

Depth of Well: **200 feet deep**

Well Driller: **Kaiser Well Drilling**

Remarks:

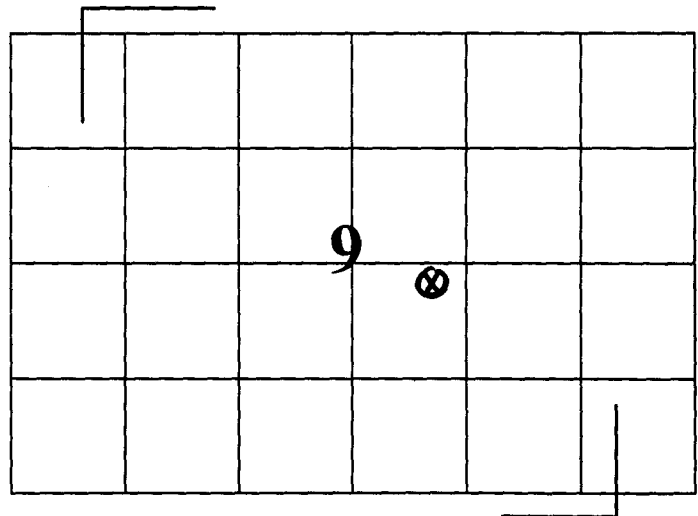
Type of Map: **aerial**

Prepared by: **Barbara Poss, Brookings Co FSA**

Reviewed and the Number Assigned on: **8-24-11**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>7263-3</u>	Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Brookings Register PO Box 177</u> <u>605-692-6271</u>	<u>57006</u>

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AUG 24 2011

WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

☐ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☐ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☒ Domestic (over 18 gpm) ☐ Industrial ☐ Other

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation

(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____

☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

Rolland Hutterian Brethren Inc.

1. Name of Applicant Rolland Colony 48088 - 210th Street Phone 605 693 4425
(check one) Owner White, SD 57276-6613 Tenant/lessee
Mailing Address 48088 210th St. White State SD 57276
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed 0.33 *CFS or 150 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply New well

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) NW1/4 SE1/4 Sec 9 T110N
R48W

County Brookings

5. County or counties where water will be used Brookings

6. Annual period during which water is to be used yearly Jan 1 - Dec 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA)

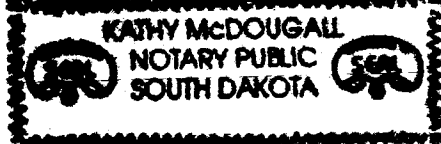
County of Brookings SS

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

I, Jonathan Wayne Rolland 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 Wayne

Subscribed and sworn to before me this 25 day of August 20 11



Kathy McDougall
Notary Public signature
Comm expires 8/15/2016

**SOUTH DAKOTA
WATER PERMIT NO. 7263-3**

Date of first receipt of application August 24, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7263-3 to Rolland Colony, c/o Jonathan Wipf, 48088 210th St, White SD 57276 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. 7263-3 appropriates 0.33 cubic feet of water per second from one well completed into the Rutland Aquifer (200 feet deep) located in NW 1/4 SE 1/4 Section 9-T110N-R48W.
2. The water appropriated shall be used for the purpose of domestic use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 7263-3 is October 17, 2011.
5. The date from which applicant may claim right is August 24, 2011.
6. One-fifth of the construction is to be completed on or before April 17, 2013.
7. All construction is to be completed on or before October 17, 2016.
8. Water is to be put to beneficial use on or before October 17, 2020.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

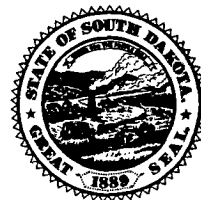
QUALIFICATION

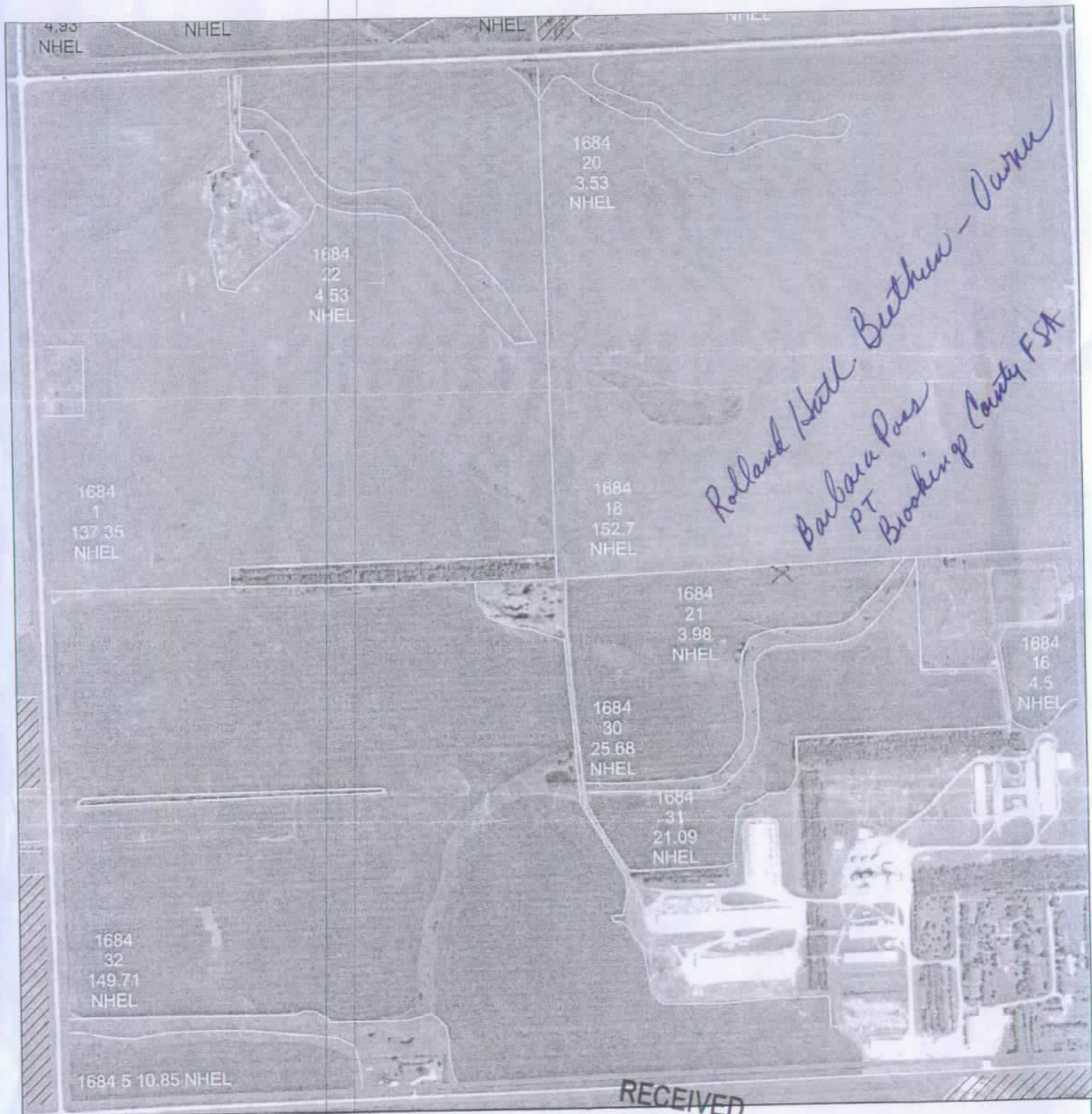
The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

WATER MANAGEMENT BOARD

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

JAN 10 2012
date





USDA U.S. Dept. of Agriculture
Farm Service Agency

-  Tract Boundary
-  CRP Field Boundary
-  CLU Field Boundary
-  Rangeland

 Easements

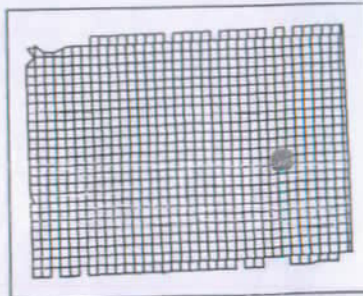
South Dakota Brookings County

2001 9-110N-48W 1098

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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 2003 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. This map is not to scale. Existing wetlands are not identified on this map.

September 15, 2005

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location $\frac{1}{4}$ $\frac{1}{4}$ Sec 9 Twp 110 N Rg 48 W

County

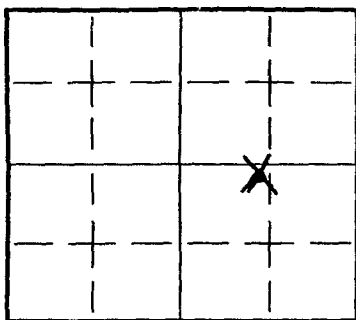
Brookings

North

Please mark well location with an "X"

W

E



Well-Completion Date

8-16-2011

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 800 ft. from Well (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

CASING DATA:

☒ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>6</u> IN	<u>366</u> FT	<u>156</u> FT	<u>9 1/8</u> IN
<u>Steel</u> LB/FT	<u>5</u> IN	<u>156</u> FT	<u>184</u> FT	<u>9 1/8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Grout</u>	<u>90</u>	<u>50</u> lb./gal	<u>0</u> ft	<u>156</u> ft
<u>DF</u>		_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure pressure grouting methodSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5 IN Length 20 FEETMaterial plasticSlot Size 0.025 Set From 164 Feet to 184 Feet 184

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? _____

PierreWell Owner: Rolland Colony

Business Name: _____

Address: 480 88 210th St. White SDRolland Hutterian Brethren Inc. 5727648088 210th StreetWELL LOG: White, SD 57276-6613

DEPTH

FORMATION	FROM	TO
Top Soil	<u>0</u>	<u>1 1/2</u>
yellow clay	<u>1 1/2</u>	<u>42</u>
Blue clay	<u>42</u>	<u>62</u>
Gray mixed sand	<u>62</u>	<u>66</u>
Blue clay	<u>66</u>	<u>130</u>
yellow clay	<u>130</u>	<u>166</u>
yellow light gravel ^{4 links} well	<u>166</u>	<u>184</u>
Rocky		
Blue clay	<u>184</u>	<u>200</u>

STATIC WATER LEVEL 75 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☐ Bailed☐ Other

Pumping Level Below Land Surface

90 ft. After 1 Hrs. pumped 108 GPM90 ft. After 6 Hrs. pumped 108 GPM

If pump installed, pump rate _____ GPM

REMARKS

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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:

By Jonathan WhiplDate: 8-23-2011

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/24, 20 11

RECEIVED OF Rolland Hutterian Brethren 48088 210th St White SD 57276

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

Fee for Application for Permit No. <u>7263-3</u> to Appropriate Water, to construct and to put water to beneficial use	750	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>7263-3</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	950 00

No. 05021

By

[Signature]
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7263-3, Rolland 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. 7263-3, Rolland Colony, c/o Jonathan Wipf, 48088 210th Street, White SD 57276.

The Chief Engineer is recommending APPROVAL of Application No. 7263-3 because 1) existing rights will not be unlawfully impaired, 2) the proposed use is a beneficial use, and 3) it is in the public interest with the following qualification:

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.

See report on application for additional information.

Garland Erbele, Chief Engineer
September 20, 2011

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO.7263-3
ROLLAND COLONY
SEPTEMBER 8, 2011

Water Permit Application No. 7263-3 proposes to appropriate 0.33 cubic feet of water per second from one well, 184 feet deep, completed into the Rutland Aquifer. The well is located in the NW¼ of the SE¼ of Section 9, T110N-R48W. The water will be used for domestic use.

AQUIFER: Rutland (RUT)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Rutland aquifer is an "intermediate" (i.e. neither basal nor surficial) glacial outwash aquifer, composed mostly of fine to coarse sand and very fine to medium gravel. The hydraulic conductivity of the Rutland aquifer is estimated to range from 300 to 1,000 ft/d (Hamilton, 1989). The Rutland aquifer occupies subsurface channels that occur roughly from 1400-1690 feet above mean sea level elevation, and water is under confined (artesian) conditions. The Rutland aquifer underlies approximately 240 square miles of Brookings County (Hamilton, 1989), and extends to parts of Deuel County to the north, Moody County to the south, and Lincoln County (MN) to the east. The thickness of the Rutland aquifer varies up to in excess of 40 feet, and the average thickness of the aquifer in Brookings County is estimated to be 15 feet (Hamilton, 1989). The variability of the thickness of the Rutland aquifer is clear from examination of the data from four test holes drilled by the SD Geological Survey and one DENR-Water Rights' observation well all located within about 3.5 miles of this well site. The test holes and observation wells identify the sand and gravel thickness ranges from 23 feet to "stringers" to non-present ("Lithologic Logs Database"). The extent, depth and thickness of the Rutland aquifer as well as the location of the well this application proposes to use are shown in figure 1.

The South Dakota Water Well Completion Report submitted for the well that this application proposes to use indicates it was constructed in accordance with the SD Well Construction Standards. The report identifies aquifer material from 166-184 feet below grade, and a static water level of 75 feet below grade. The well reportedly yields 108 gallons per minute with 15 feet of drawdown. Therefore, the aquifer transmissivity, estimated from the well's specific capacity (7.3 gallons per minute per foot drawdown) is approximately 14,400 gal/day/ft ("Transmissivity from Specific Capacity"). Based on the estimated transmissivity, the hydraulic conductivity of the aquifer at this site is approximately 800 feet per day (ft/d).

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address water availability and existing rights issues.

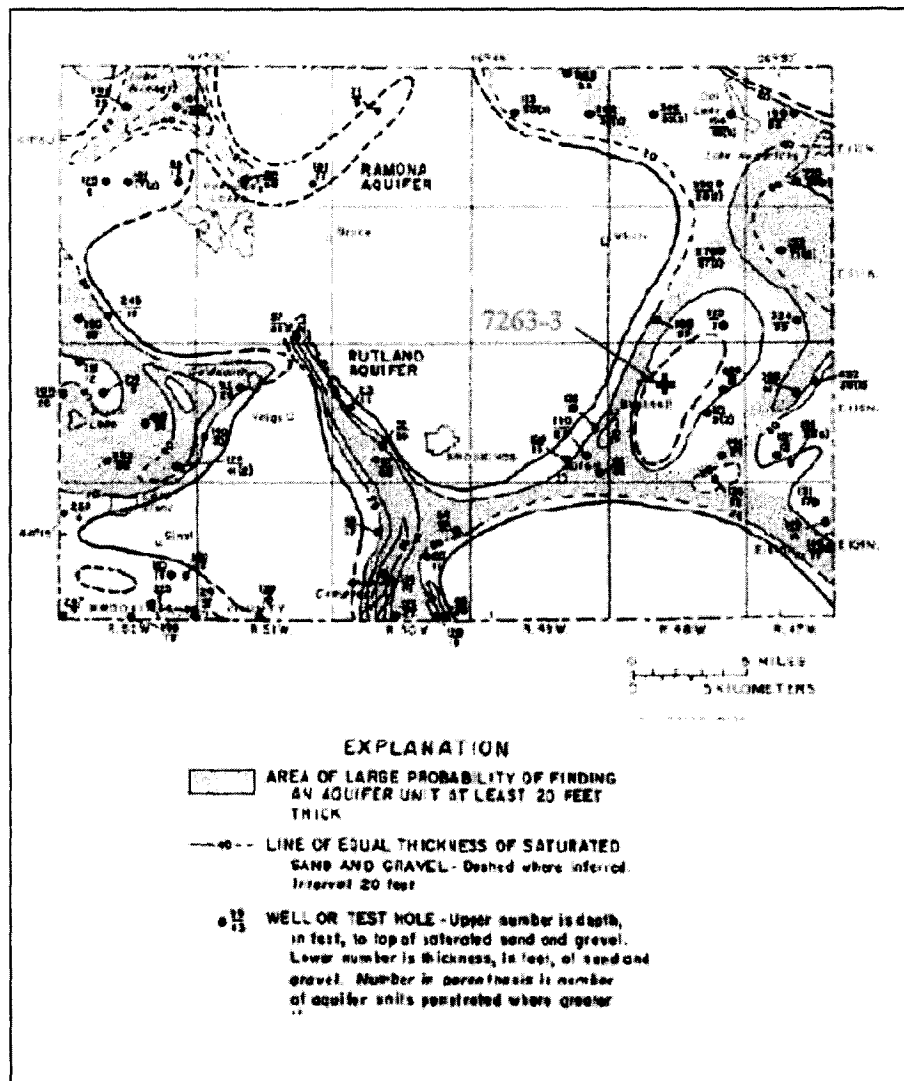


Figure 1. Extent, depth, and thickness of the Rutland aquifer; and the location of 7263-3, Modified from Hamilton, (1989)

WATER AVAILABILITY:

The probability of unappropriated water available for appropriation can be evaluated by considering SDCL 46-6-3.1 which requires that:

“No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.”

Recharge:

Recharge to the Rutland aquifer probably occurs by leakage of precipitation through glacial till and groundwater movement is generally from the northeast to the southwest. Hamilton (1989)

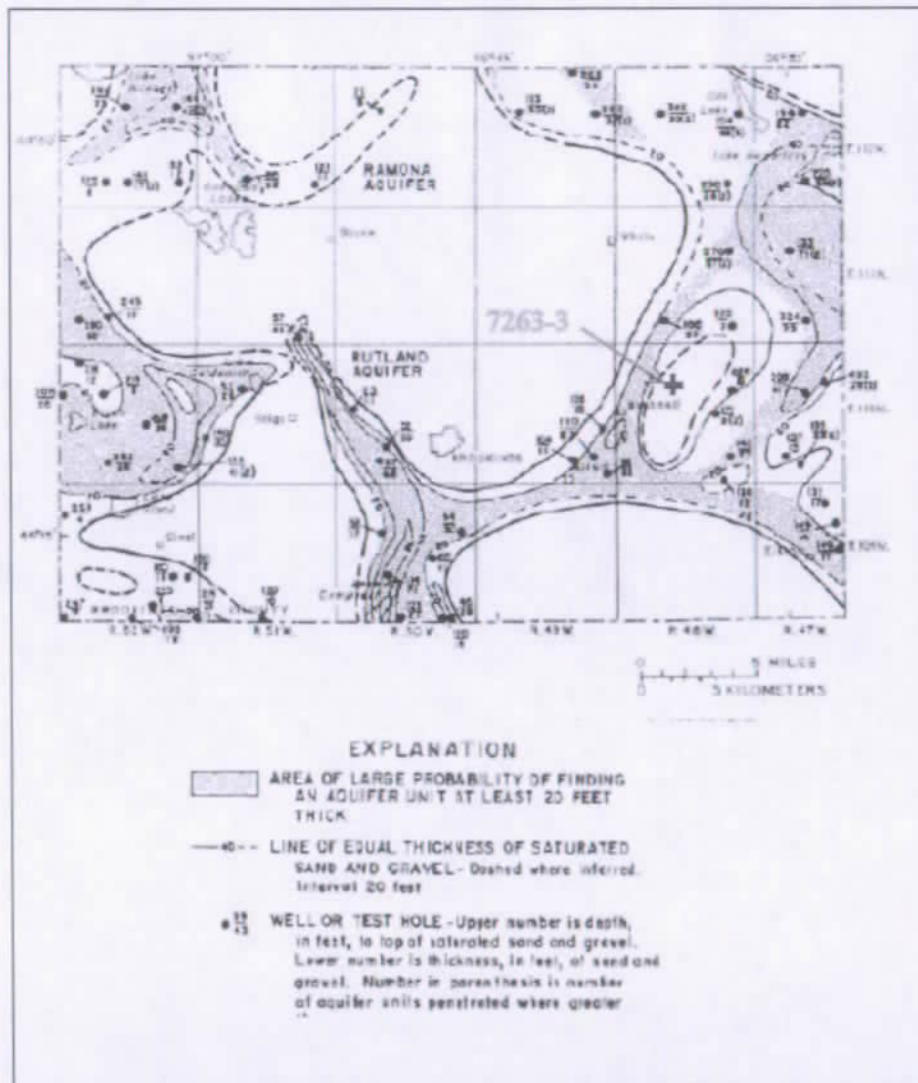


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Recharge:

Recharge to the Rutland aquifer probably occurs by leakage of precipitation through glacial till and groundwater movement is generally from the northeast to the southwest. Hamilton (1989)

states that “additional studies would be necessary to delineate areas and quantities of recharge.” However, Hamilton estimates the amount of subsurface outflow through the Rutland aquifer, south, into Moody County to be about 6,000 acre-ft/yr. Since recharge to Brookings County must at least equal to outflow from the county 6,000 ac-ft/yr can be considered a minimum average recharge value.

Discharge:

Discharge from the Rutland aquifer in Brookings County is through subsurface outflow and well withdrawals. There have been a number of domestic wells completed into the Rutland aquifer (Water Rights, 2011c). There have been 18 applications submitted for appropriations from the Rutland aquifer (Water Rights, 2011b). The status of the applications is shown in table 1.

STATUS	NUMBER
Cancelled	1
Incorporated	1
Licensed	10
Permitted	5
Withdrawn	1

Table 1. Status of Water Permit applications from the Rutland aquifer.

Currently the appropriations from the Rutland aquifer include: two commercial Water Rights (dairies); two domestic Water Rights (Hutterite Colonies); and eleven irrigation Water Rights/Permits (Water Rights, 2011b). The history of irrigation development is shown in table 2.

YEAR	NO. OF PERMITS	ACRES	REPORTED PUMPAGE (ac-ft/yr)
1989	1	160	0
1990	1	160	26
1991	1	160	6
1992	1	160	12
1993	4	2342	19
1994	5	2738	266.87
1995	5	2738	1.77
1996	5	2738	160.86
1997	5	2738	311
1998	5	2738	596.69
1999	5	2738	296.36
2000	5	2738	600.47
2001	4	2434	367.68
2002	4	2434	317.68
2003	4	2434	464.46
2004	6	3034	281.43
2005	9	4428	190.9
2006	9	4428	498.36
2007	9	4860	901.93
2008	9	4860	1141.48
2009	11	5880	875
2010	11	5880	153.2
<i>min</i>	<i>0</i>	<i>160</i>	<i>0</i>
<i>max</i>	<i>11</i>	<i>5880</i>	<i>1141.48</i>
<i>avg</i>	<i>3.7</i>	<i>2855.5</i>	<i>340.4</i>

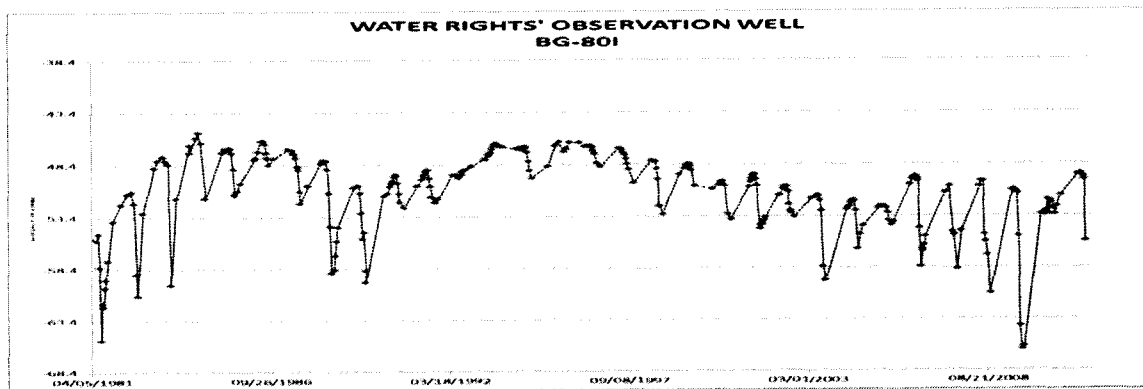
Table 2. Irrigation from the Rutland Aquifer

The annual combined pumping from the Rutland aquifer is estimated to average less than 1,000 ac-ft/yr. It is probable that this average annual withdrawal rate is less than the average annual recharge for the Rutland aquifer and unappropriated water is available for this appropriation.

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that “the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge to the aquifer”.

The DENR-Water Rights Program monitors four observation wells completed into the Rutland aquifer, all located within approximately six miles of the well that Application No.7263-3 proposes to use. Hydrographs for the observation wells are shown in figures 2-5.



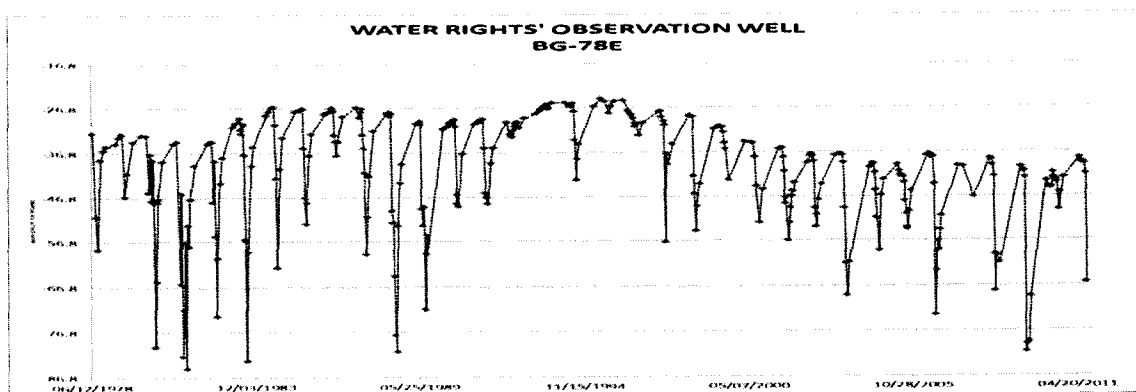


Figure 4. DENR-Water Rights' Observation Well located approximately five and one-half miles south east of the well that Application No.7263-3 proposes to use.

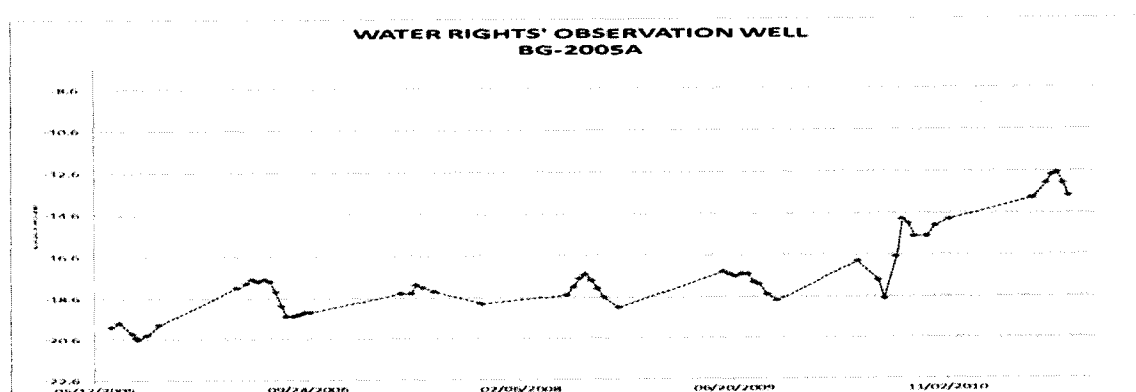


Figure 5. DENR-Water Rights' Observation Well located approximately five and three-fourths miles south west of the well that Application No.7263-3 proposes to use.

The water levels measured in the observation wells document seasonal and climatic fluctuations as well some effects of pumping. The effect of pumping is most obvious in the hydrograph for Observation Well BG-78E (see figure 4) which is located within approximately 2,000 feet of an irrigation well capable of 900 gpm. The hydrographs document that although there have been short term periods with decreasing water levels, the amount of water in storage in the Rutland aquifer has remained essential unchanged as the aquifer has been developed. The observation well data verifies that unappropriated water is available in the Rutland aquifer.

EXISTING WATER RIGHTS:

As stated earlier, there are a total of 15 Water Rights/Permits appropriating water from the Rutland aquifer. Water Rights/Permits appropriating groundwater that are located within approximately two and one-half miles of the well that is to be used to supply this appropriation are shown in table 3.

PERMIT NO	NAME	STATUS	AQUIFER	USE	CFS	ACRES
3218-3	ROLLAND HTTRN BRTH	LC	BS:A	IRR	2.00	250
3347-3	SANDRA HANSON	LC	BS:A	IRR	3.07	215
4859-3	ROLLAND HTTRN BRTH	LC	BS:A	IRR	1.78	272
6113-3	ROLLAND COLONY	LC	RUT	DOM	0.18	
6622-3	SANDRA HANSON	PE	RUT	IRR	1.78	166
6802-3	DALE L BOWNE	PE	RUT	IRR	4.22	296
7092-3	MELVIN KNUTSON	PE	BS:A	IRR	2.28	160
LC=Water Right, PE= Water Permit, BS:A= Big Sioux: Aurora, RUT= Rutland IRR= Irrigation, DOM= Domestic						

Table 3. Water Rights/Permits within approximately two and one-half miles of 7263-3

Water Rights/Permits appropriating water from the Big Sioux: Aurora aquifer are not expected to be affected by pumping from the Rutland aquifer since there does not appear to be a hydraulic connection between the two aquifers in this area. Water Permit Nos. 6622-3 and 6802-3 which are the only appropriations from the Rutland aquifer not belonging Rolland Colony in this immediate area, are both located approximately two and one-half miles from the well that Application No. 7263-3 proposes to use. Well interference in the Rutland aquifer at a distance of two and one-half miles is not expected to be significant and certainly not adverse.

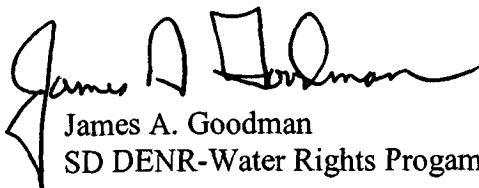
The nearest domestic well completed into the Rutland aquifer on file with the DENR-Water Rights Program that does not belong to Rolland Colony is located approximately two and one half miles east of 7263-3. Well interference should not be a concern for adequate domestic wells.

CONCLUSIONS:

1. Application No. 7263-3 proposes to appropriate up to 239 ac-ft/yr from the Rutland aquifer at a maximum diversion rate of 0.33 cubic feet per second.
2. There is reasonable probability that unappropriated water is available for the applicant's proposed domestic use.
3. The Rutland aquifer is under confined conditions and the drawdown resulting from approval of this application could be fairly significant near the production well.
4. Although well interference may occur if this application is approved, existing rights (appropriative and domestic) should not be adversely impacted.



Ken Buhler
SD DENR-Water Rights Program
Approved by



James A. Goodman
SD DENR-Water Rights Program

REFERENCES:

Hamilton, L.J., 1989, Water Resources of Brookings and Kingsbury Counties, South Dakota:
U.S. Geological Survey Water-Resources Investigations Report 88-4185, 87 p.

“Lithologic Logs Database.” South Dakota Geological Survey. 9 Sept 2011
<http://www.sddenr.net/lithdb/>.

“Transmissivity from Specific Capacity.” Aquifer Test Forum sponsored by HydroSOLVE, Inc.
9 Sept 2011 < <http://www.aqtesolv.com/forum/transcap.asp>

Water Rights, 2011a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg,
Pierre, SD.

Water Rights, 2011b, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss
Bldg, Pierre, SD.

Water Rights, 2011c, Water Well Completion Report Files, SD DENR-Water Rights Program,
Joe Foss Bldg, Pierre, SD.

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OCT - 5 2011

Affidavit of Publication

State of South Dakota
WATER RIGHTS
PROGRAM

Exhibit "A"

SS

County of Brookings

Danielle Gilbertson of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

Leg#717 Notice of Application

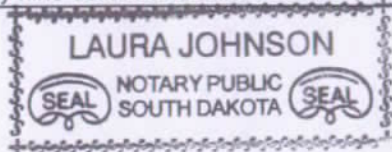
same was published, is hereto attached marked Exhibit said newspaper for _____ 2 times, to-wit:

September 28, 2011

October 5, 2011

said Exhibit "A" inures to the sole benefit for the publishers of 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 person whomsoever; that the fees charged for the publication thereof are:

Thirty nine dollars and thirteen cents \$39.13



[Handwritten signature of Danielle Gilbertson]

Subscribed and sworn to before me this

6th

day of

October

2011

[Handwritten signature of Laura Johnson]

Notary Public in and for the County of Brookings, South Dakota.

My Commission expires July 14, 2015

Legal 717, 2x, 9/28, 10/5
NOTICE OF APPLICATION NO. 7263-3 to Appropriate Water
Notice is given that Rolland Colony, c/o Jonathan Wipf, 48088 210th St, White SD 57276, has filed an application for a water permit to appropriate 0.33 cubic feet of water per second from one well completed into the Rutland Aquifer (200 feet deep) located in NW 1/4 SE 1/4 Section 9-T110N-R48W for domestic use.
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7263-3 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 October 17, 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 \$39.13.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 20, 2011

Brookings Register
PO Box 177
Brookings SD 57006

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7263-3 to Appropriate Water to be published twice. Please publish the first notice on September 28, 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 Rolland Colony c/o Jonathon Wipf, 48088 210th St., White SD 57276 (Ph # 605-693-4425).

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. 7263-3

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

Date _____

We are in receipt of your letter of September 20, 2011 enclosing Notice to Appropriate Water by Application No. 7263-3 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.

September 20, 2011

Rolland Colony
Jonathan Wipf
48088 210th St
White SD 57276

Dear Mr. Wipf:

Water Permit Application No. 7263-3 for domestic 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 Brookings Register printed at Brookings SD (Ph # 605-692-6271). 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 September 28, 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. 7263-3 to Appropriate Water

Notice is given that Rolland Colony, c/o Jonathan Wipf, 48088 210th St, White SD 57276 has filed an application for a water permit to appropriate 0.33 cubic feet of water per second from one well completed into the Rutland Aquifer (200 feet deep) located in NW ¼ SE ¼ Section 9-T110N-R48W for domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7263-3 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 October 17, 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

JAN 10 2012

Rolland Colony
Jonathan Wipf
48088 210th St
White SD 57276

Dear Mr. Wipf:

Enclosed is Water Permit No. 7263-3 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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7263-3

I have this day, May 20, 2021, made a thorough examination of the water use system constructed by Rolland Colony, 48088 210th St, White, SD 57276 of Permit No. 7263-3, bearing the priority of August 24, 2011 authorizing the diversion of 0.33 cu. ft. per second of the waters of the Rutland Aquifer for domestic purposes, in Brookings County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Kaiser Drilling
- 2) No. of Wells 1
- 3) Depth(s) 184 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 6 inches
- 2) Length 164 feet
- 3) Type Plastic

Screen:

- 1) Type Plastic
- 2) Length 20 feet
- 3) Static water level 75 feet

Pump:

- 1) Make NA
- 2) Model submersible
- 3) Size NA
- 4) Capacity NA GPM

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y 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: From SE corner of Sec 9 T110N R48W 2630 ft N & 1550 ft W Lat 44.33731 Long -96.59311 (NW ¼ SE ¼ Sec 9).
2. All structures, wells and lands on map Y

F. Comments or other permit(s) associated with the project: Due to pump being a submersible, license should be issued for the permitted amount of 0.33 cfs

The well is being used to supply water to a hog barn. John Wipf, Jr (farm boss) cell phone number is 605/690-8290.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: May 25, 2021



0 0.1 0.2 0.4 0.6 0.8 Miles



Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

7263-3

MAY 27 2021

John Wipf Jr
Rolland Hutterian Brethren
48088 210th St
White SD 57276

Dear Mr. Wipf:

Enclosed is Water License No. 7263-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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

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

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7263-3

(1) Rolland Hutterian Brethren Inc, 48088 210th St, White SD 57276 made Application No. 7263-3, August 24, 2011 for a water permit to divert 0.33 cubic feet of water per second from ground water, one well (Rutland Aquifer), Brookings County, South Dakota for domestic use purposes. Permit No. 7263-3, with a priority date of August 24, 2011 was approved October 17, 2011 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 17, 2016 and for the application to beneficial use of water on or before October 17, 2020.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 0.33 cubic feet of water per second for beneficial use. The location of the diversion point is as follows:

- 2,630'N and 1,550'W of the SE corner of Section 9, T110N, R48W (NW ¼ SE ¼ Sec 9)
Latitude 44.33731 Longitude -96.59311

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Rolland Hutterian Brethren Inc, 48088 210th St, White SD 57276 the holder and/or owner of Water Right No. 7263-3 is issued a license to appropriate water, the right to use 0.33 cubic feet of water per second from ground water, one well (Rutland Aquifer) with a priority date of August 24, 2011 from the location specified in (2) of this license for domestic purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7263-3 and subject to the following qualification:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.



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

MAY 27 2021

date

