

WATER PERMIT NO. 7282-3

Name of Applicant: Leslie Spies and Bettie Spies as Trustees

Address: 3220 Cherry Ave, Hudson SD 57034 Phone: 712 982-2505

Amount of Water Claimed: 1.78 cfs Total Acres: 160 acres

Source of Water Supply: groundwater (two wells)

Water to be used for: irrigation County: Lincoln

Type of Waste Disposal System:

Location: 3 miles southwest of Hudson

PRIORITY Date Received: 12-8-11 Application/License Fee: \$ 1,050

Corrected Application Received: Period of Annual Use: May 1 – August 31

Remarks:

Diversion Point: NE ¼ SW ¼ Sec 35-T96N-R48W

Land to be Irrigated: SW ¼ Sec 35-T96N-R48W

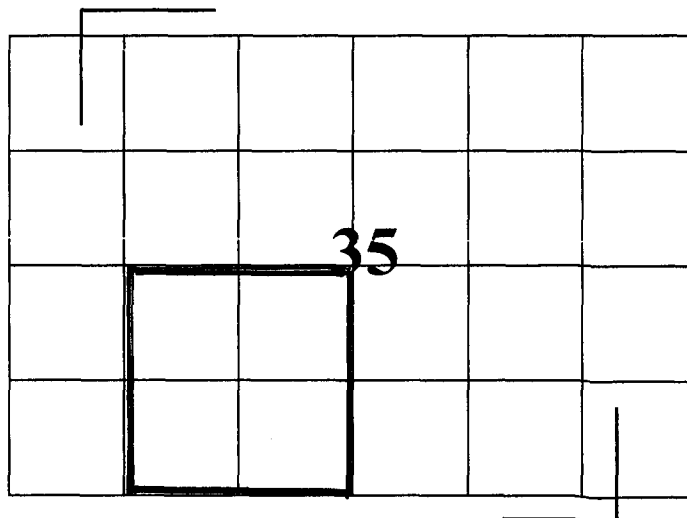
Depth of Well: 40 feet deep

Well Driller: Hammond Wetmore Drilling

Remarks:

Type of Map: aerial

Prepared by: Trevor ?, FSA



Reviewed and the Number Assigned on: 12-8-11

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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

(office use only)
No. 7282-3 Hydrologic Unit 10170203
Basin Sioux River
Newspaper Sioux Valley News, Canton SD

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(Use predates Mar 2, 1955)

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

(check one) ☒ Owner ☐ Tenant/lessee

Mailing Address 3220 Cherry Ave Hudson SD 57034
(Address) (City) (State) (Zip Code)

2. Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 160
 (*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Well (s) in Big Sioux Aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Lincoln
2 wells in NE 1/4 of SW 1/4 of Section 35-T96N-R48W

5. County or counties where water will be used Lincoln

6. Annual period during which water is to be used May-August 31

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NE 1/4 of SW 1/4 of Section 35-T96N-R48W	40		
SE 1/4 of SW 1/4 of Section 35-T96N-R48W	40		
NW 1/4 of SW 1/4 of Section 35-T96N-R48W	40		
SE 1/4 of SW 1/4 of Section 35-T96N-R48W	40		

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

Center Pivot irrigation of cropland on above parcels from 1 or 2 wells (probably 2) near center of project.

STATE OF ~~SOUTH DAKOTA~~)

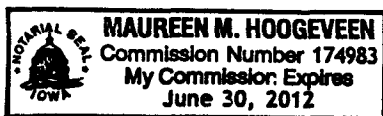
County of Sioux) ss

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, Leslie Spies, Bethie Spies, Trustees, the applicants, certify that ^{we} have read this application, have examined the attached map and that the matters stated are true and that ^{we} ^{are} intend, and ^{am} able to complete the necessary construction.

Applicant's signature

Subscribed and sworn to before me this 6 day of December 2011



2010-01

Notary Public/signature

**SOUTH DAKOTA
WATER PERMIT NO. 7282-3**

Date of first receipt of application December 8, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7282-3 to Leslie Spies and Bettie Spies, Trustees, 3220 Cherry Ave, Hudson SD 57034 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. 7282-3 appropriates 1.78 cubic feet of water per second from two wells to be completed into the Big Sioux:South Aquifer (40 feet deep) located in NE ¼ SW ¼ Section 35 for irrigation of 160 acres located in the SW ¼ Section 35; all in T96N-R48W.
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 – August 31.
3. The date from which applicant may claim right is December 8, 2011.
4. The date of approval of Permit No. 7282-3 is February 6, 2012.
5. One-fifth of the construction is to be completed on or before August 6, 2014.
6. All construction is to be completed on or before February 6, 2017.
7. Water is to be put to beneficial use on or before February 6, 2021.
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 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 wells authorized by Permit No. 7282-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

MAR 19 2012

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22" Depth 40 feet
- b) Casing Type PVC Diameter 16" Thickness sch 40
- c) Screen Type PVC Diameter 16" Thickness Sch 40
- d) Gravel Pack 1/8" to 3/8" rock Length of Gravel Pack 30 feet
- e) Depth to Top of Water Bearing Material 12 feet
- f) Depth to Water (ground surface to water level) 9 feet
- g) Distance to nearest existing domestic well:
- On applicant's property none On property owned by others more than 2000'

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

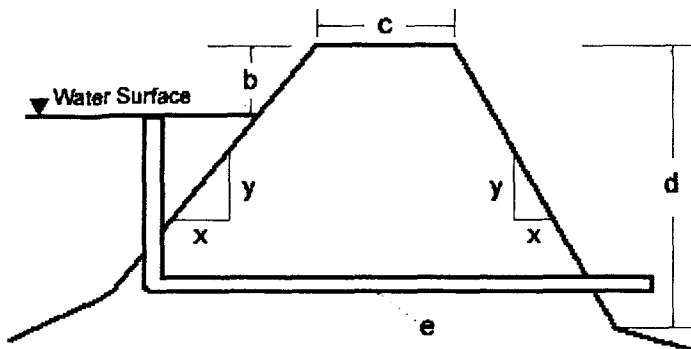
3. Dugout Information

- 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

Farm #9636
Tract#41772



SEC: 35
TWP: Eden, Lincoln SD

0 130 260 520 Feet

Sioux County FSA

Map Printed December 22, 2009 1 inch equals 364.8221 feet

Legend

clu.SDE.clu_a_ia167

Wetland Determinations

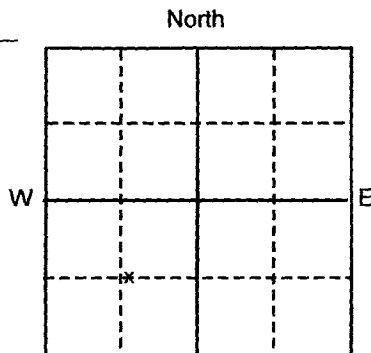
Wetland Determination Identifiers

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

"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 boundaries and determinations or contact NRCS."

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location se 1/4 SW 1/4 Sec 35 Twp 96n Rg 48wCounty LincolnPlease mark well
location with an "X"

Well Completion Date

November 15, 2011

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

PROPOSED USE:

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

METHOD OF DRILLING:

Direct rotary

CASING DATA:

☐ Steel ☐ Plastic ☐ Other
If other describe none

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	5.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
bent grt	2	9.5 Lb/gal	0.0 Ft	42.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☐ Manufactured

Diameter _____ Inches Length _____ Feet

Material _____

Slot Size _____ Set From _____ Feet to _____ 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? _____

☐ No, Why Not? _____
Lab to which water
quality sample sent for analysis _____Well Owner: Leslie Spies

Business Name: _____

Address: 3220 Cherry AveCity, State, Zip: Hudson SD 57034

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Silt, gray-brown, sandy	0	15
Gravel, v. coarse, cobbles/rocks	15	35
<i>Shale, Dk gray</i>	<i>35</i>	<i>42</i>

STATIC WATER LEVEL 9.0 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: _____☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____

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REMARKS

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Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 11/20/2011

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WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/8, 20 11

RECEIVED OF Leslie Spies 3220 Cherry Ave Hudson SD 57034

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

Fee for Application for Permit No. <u>7282-3</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>7282-3</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. **05105**

By *Laurel E. Eide*
Chief Engineer

COPY

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WATER RIGHTS
PROGRAM

TRUSTEES' AFFIDAVIT AND CERTIFICATE OF TRUST

STATE OF IOWA, COUNTY OF SIOUX, SS:

The undersigned, being first sworn, states as follows:

1. **Trustors; Trustees; Trust in Force.** The undersigned affiant is the Trustor and Trustee of the BETTIE L. SPIES REVOCABLE LIVING TRUST dated May 16, 2011 (the "Trust"), a non-court trust. The Trust is currently in full force and effect, has not been revoked, modified, or amended in any manner.

2. **Current Beneficiary.** The current beneficiary of the Trust is Bettie L. Spies.

3. **Trust Provisions - Trustees' Powers.** Attached to this Affidavit, and by this reference incorporated herein, are the specific provisions of the Trust evidencing the following:

(a) First Page -- Creation of the Trust, appointment of initial Trustee, and the provisions of revocability.

(b) Paragraph Six -- General Administrative Provisions.

(c) Last Page -- Signature page.

The Trust provisions not attached hereto are personal, set forth distributive provisions and do not modify or affect the powers of the Trustees.

4. **Certificate; Reliance and Hold Harmless.** The undersigned is the sole acting Trustor and Trustee and certifies that the foregoing statements are true and correct, and that the

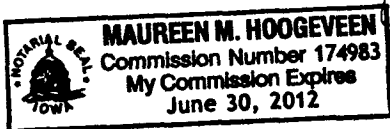
provisions attached hereto are true and correct under penalty of perjury. All persons dealing with Trustor and Trustees shall be entitled to rely upon this Affidavit and Certificate, and Trustor and Trustee, her heirs, successors and assigns, agree to hold such persons harmless therefor. This Affidavit is provided pursuant to the requirements of Iowa Code Section 633A.4604. Any person who acts in reliance upon a certification of trust without knowledge that a representation contained in the certification is incorrect, is not liable to any person for so acting and may assume without inquiry the existence of the facts contained in this certification.

5. **Purpose.** This document is intended for any lawful purposes.

Executed the 10th day of May, 2011.

Bettie L. Spies
Bettie L. Spies Affiant

10th day of May, 2011.
Subscribed and sworn to by Bettie L. Spies before me this



[Signature]
Notary Public in and for the
State of Iowa

Prepared by: Maureen McGill Hoogeveen, Atty., 1403 Main St., Rock Valley, IA
51247 (712) 476-5411

REVOCABLE LIVING TRUST AGREEMENT

THIS TRUST AGREEMENT is made by BETTIE L. SPIES as Trustor and as Trustee for the beneficiary of the Trustor.

1. Name of Trust. This Trust shall be known as the "BETTIE L. SPIES REVOCABLE LIVING TRUST".

2. Trust Estate. The Trustor has transferred and delivered to the Trustee the property described on the attached and incorporated Exhibit A. The Trustee acknowledges the receipt of the described property. This property subject to this Trust together with any other property which hereafter may be conveyed to the Trustee shall constitute the Trust's Estate and shall be held, administered, and distributed in accordance with this Trust Agreement.

3. Additions to Trust Estate. The Trustor shall have the right to add to the Trust Estate by inter vivos or testamentary transfers properties in addition to the property described in Exhibit A.

4. Revocability of the Trust. This Trust is revocable. The Trustor reserves the right to change, alter, amend, revoke, or terminate this Agreement or any other terms of this Agreement at any time prior to the death of the Trustor. The power to revoke or amend this Agreement is personal to Trustor and shall not apply to any Attorney-in-Fact appointed by Trustor. However, upon the death of BETTIE L. SPIES this Agreement shall become irrevocable.

5. Trustees. The Trustee shall be BETTIE L. SPIES. Upon her death, incapacity, or desire not to act as Trustee, the successor Trustee shall be LESLIE M. SPIES. Upon the incapacity

or death of LESLIE M. SPIES or his desire not to act as successor Trustee, WAYNE T. SPIES and DIANNA L. SORENSON, or the survivor, shall act as successor Co-Trustees. All references hereafter to "Trustee" shall be a reference to the acting Trustee or Co-Trustees whether one or more is acting in that capacity.

6. Powers and Duties of Trustees.

a. This Trust shall be governed by the laws of the State of Iowa. The Powers of the Trustee shall include, but are not limited to, the powers as stated in Sections 633A.4401 and 633A.4402, Code of Iowa, 2009, or as amended; the power to operate and continue any ongoing businesses of the Trust Estate; the power to employ, or rent to, my children, as well as other persons, for those businesses or for any other businesses which may become a part of the Trust Estate; and, the power to sell any real estate or personal property, as determined by the Trustee, without the approval of any Court. The Trustee or Successor Co-Trustees, whichever the case may be, shall have the power to invade the trust corpus in the event the income from the corpus is not sufficient to provide for the proper support, maintenance, health and education of the beneficiary. All Trustees shall be subject to the prudent investor standard as required by all fiduciaries under Iowa law.

In addition to the above powers granted, the Trustee shall have the power to make gifts on the Trustor's behalf from the Trust Estate principal to any of the children and grandchildren of the Trustor, including gifts in excess of the amounts which under the Internal Revenue Code would be eligible for the annual gift tax exclusion, in accordance with Trustor's established pattern or with Trustor's specific instructions. In addition, the Trustee shall have the power to make payments on behalf of Trustor's children and grandchildren for certain educational expenses and medical expenses which under the Internal Revenue Code are not included as taxable gifts.

None of the Trustees shall be required to make any intermediate or final reports or accountings to any Court, but shall provide an accounting or report to the beneficiaries of this Trust, if requested by a beneficiary. No Trustee shall be required to post a bond in connection with this Trust.

b. Trustor specifically authorizes Trustees to retain for the duration of the Trust or for such shorter period as it deems advisable any property conveyed to it,

notwithstanding that such items might be unproductive and might even depreciate in value.

c. If the Trustor shall be incapacitated by illness, accident or other misfortune, and if the Trustee shall determine that the continued administration of the Trust could be unduly burdensome or expensive, the Trustee may terminate the Trust and reconvey the Trust assets to Trustor. If after Trustor's death, the Trustee shall determine that the continued administration of any trust created hereby could be unduly burdensome or expensive, the Trustee in his/her sole discretion may terminate the trust and convey the trust assets to the then current income beneficiary thereof.

d. The Trustee(s) shall have the power to delegate to an agent the management and signature authority on behalf of the Trust for purposes of conducting the Trust's business with the Farm Service Agency (FSA) including all USDA documents required for the Farm Service Agency or Commodity Credit Corporation.

Trustor's death to the extent not paid by the personal representative of the Trustor's Estate. The Trustee may make these payments directly or indirectly through the personal representative. All payments shall be charged generally against the principal of the Trust Agreement, without apportionment and without contribution from any person. Property which otherwise which would be exempt from federal estate tax or state death taxes shall not be used to pay such taxes, unless other assets are insufficient. In the event debts and expenses are owed by or charged against the Trust, the same shall be paid first from the income generated from the Trust's assets, then if necessary from the Trust corpus.

12. Spendthrift Provision. Except as herein otherwise expressly provided, all income or principal to be paid to any of the beneficiaries shall be paid by Trustee directly and only to the beneficiaries or to the personal representative of any beneficiary, or, where authorized by any beneficiary, applied for his or her benefit. Trustee shall not recognize any transfer, mortgage, pledge, hypothecation, order, or assignment of any beneficiary by way of anticipation of income or principal. The income and principal of any trust hereunder shall be exempt from the claims of creditors or other claimants, and from orders, decrees, levies, attachments, garnishments, executions, and other legal or equitable process or proceedings to the fullest extent permissible by law. Beneficiaries shall not transfer, mortgage, pledge or otherwise assign any portion of undistributed income or trust corpus except as herein otherwise expressly provided.

13. Miscellaneous. It is the intention of the Trustor that this Trust remain in effect beyond any physical or mental incapacity of the Trustor, that the Trustor reserves the right to revoke this Agreement at anytime prior to the Trustor's death, and that all assets transferred into this Trust not be considered a part of the Trustor's probate estate.

Dated at Rock Valley, Iowa, on this 16th day of May, 2011.

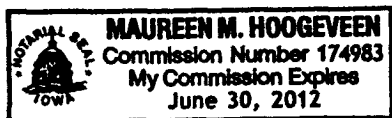
Bettie L. Spies
Bettie L. Spies, Trustor

ACCEPTED:

Bettie L. Spies
Bettie L. Spies, Trustee

STATE OF IOWA, COUNTY OF SIOUX, SS:

On this 10th day of May, 2011, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared BETTIE L. SPIES, individually and as Trustee, to me known to be the person named in and who executed the foregoing REVOCABLE LIVING TRUST AGREEMENT, and acknowledged that the person, individually and as the fiduciary, executed the instrument as a voluntary act and deed of the person and of the fiduciary.



Maureen M. Hoogeveen
Notary Public in and for the
State of Iowa

TRUSTEES' AFFIDAVIT AND CERTIFICATE OF TRUST

STATE OF IOWA, COUNTY OF SIOUX, SS:

The undersigned, being first sworn, states as follows:

1. **Trustors; Trustees; Trust in Force.** The undersigned affiant is the Trustor and Trustee of the LESLIE M. SPIES REVOCABLE LIVING TRUST dated May 10, 2011 (the "Trust"), a non-court trust. The Trust is currently in full force and effect, has not been revoked, modified, or amended in any manner.

2. **Current Beneficiary.** The current beneficiary of the Trust is Leslie M. Spies.

3. **Trust Provisions - Trustees' Powers.** Attached to this Affidavit, and by this reference incorporated herein, are the specific provisions of the Trust evidencing the following:

(a) First Page -- Creation of the Trust, appointment of initial Trustee, and the provisions of revocability.

(b) Paragraph Six -- General Administrative Provisions.

(c) Last Page -- Signature page.

The Trust provisions not attached hereto are personal, set forth distributive provisions and do not modify or affect the powers of the Trustees.

4. **Certificate; Reliance and Hold Harmless.** The undersigned is the sole acting Trustor and Trustee and certifies that the foregoing statements are true and correct, and that the

provisions attached hereto are true and correct under penalty of perjury. All persons dealing with Trustor and Trustees shall be entitled to rely upon this Affidavit and Certificate, and Trustor and Trustee, his heirs, successors and assigns, agree to hold such persons harmless therefor. This Affidavit is provided pursuant to the requirements of Iowa Code Section 633A.4604. Any person who acts in reliance upon a certification of trust without knowledge that a representation contained in the certification is incorrect, is not liable to any person for so acting and may assume without inquiry the existence of the facts contained in this certification.

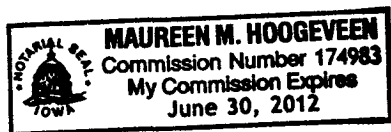
5. **Purpose.** This document is intended for any lawful purposes.

Executed the 10th day of May, 2011.

Leslie M. Spies
Leslie M. Spies

Affiant

10th day of May, 2011.



[Signature]
Notary Public in and for the
State of Iowa

Prepared by: Maureen McGill Hooegeveen, Atty., 1403 Main St., Rock Valley, IA
51247 (712) 476-5411

REVOCABLE LIVING TRUST AGREEMENT

THIS TRUST AGREEMENT is made by LESLIE M. SPIES as Trustor and as Trustee for the beneficiary of the Trustor.

1. Name of Trust. This Trust shall be known as the "LESLIE M. SPIES REVOCABLE LIVING TRUST".

2. Trust Estate. The Trustor has transferred and delivered to the Trustee the property described on the attached and incorporated Exhibit A. The Trustee acknowledges the receipt of the described property. This property subject to this Trust together with any other property which hereafter may be conveyed to the Trustee shall constitute the Trust's Estate and shall be held, administered, and distributed in accordance with this Trust Agreement.

3. Additions to Trust Estate. The Trustor shall have the right to add to the Trust Estate by inter vivos or testamentary transfers properties in addition to the property described in Exhibit A.

4. Revocability of the Trust. This Trust is revocable. The Trustor reserves the right to change, alter, amend, revoke, or terminate this Agreement or any other terms of this Agreement at any time prior to the death of the Trustor. The power to revoke or amend this Agreement is personal to Trustor and shall not apply to any Attorney-in-Fact appointed by Trustor. However, upon the death of LESLIE M. SPIES this Agreement shall become irrevocable.

5. Trustees. The Trustee shall be LESLIE M. SPIES. Upon his death, incapacity, or desire not to act as Trustee, the successor Trustee shall be BETTIE L. SPIES. Upon the incapacity

or death of BETTIE L. SPIES or her desire not to act as successor Trustee, WAYNE T. SPIES and DIANNA L. SORENSON, or the survivor, shall act as successor Co-Trustees. All references hereafter to "Trustee" shall be a reference to the acting Trustee or Co-Trustees whether one or more is acting in that capacity.

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a. This Trust shall be governed by the laws of the State of Iowa. The Powers of the Trustee shall include, but are not limited to, the powers as stated in Sections 633A.4401 and 633A.4402, Code of Iowa, 2009, or as amended; the power to operate and continue any ongoing businesses of the Trust Estate; the power to employ, or rent to, my children, as well as other persons, for those businesses or for any other businesses which may become a part of the Trust Estate; and, the power to sell any real estate or personal property, as determined by the Trustee, without the approval of any Court. The Trustee or Successor Co-Trustees, whichever the case may be, shall have the power to invade the trust corpus in the event the income from the corpus is not sufficient to provide for the proper support, maintenance, health and education of the beneficiary. All Trustees shall be subject to the prudent investor standard as required by all fiduciaries under Iowa law.

In addition to the above powers granted, the Trustee shall have the power to make gifts on the Trustor's behalf from the Trust Estate principal to any of the children and grandchildren of the Trustor, including gifts in excess of the amounts which under the Internal Revenue Code would be eligible for the annual gift tax exclusion, in accordance with Trustor's established pattern or with Trustor's specific instructions. In addition, the Trustee shall have the power to make payments on behalf of Trustor's children and grandchildren for certain educational expenses and medical expenses which under the Internal Revenue Code are not included as taxable gifts.

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b. Trustor specifically authorizes Trustees to retain for the duration of the Trust or for such shorter period as it deems advisable any property conveyed to it,

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c. If the Trustor shall be incapacitated by illness, accident or other misfortune, and if the Trustee shall determine that the continued administration of the Trust could be unduly burdensome or expensive, the Trustee may terminate the Trust and reconvey the Trust assets to Trustor. If after Trustor's death, the Trustee shall determine that the continued administration of any trust created hereby could be unduly burdensome or expensive, the Trustee in his/her sole discretion may terminate the trust and convey the trust assets to the then current income beneficiary thereof.

d. The Trustee(s) shall have the power to delegate to an agent the management and signature authority on behalf of the Trust for purposes of conducting the Trust's business with the Farm Service Agency (FSA) including all USDA documents required for the Farm Service Agency or Commodity Credit Corporation.

Trustor's death to the extent not paid by the personal representative of the Trustor's Estate. The Trustee may make these payments directly or indirectly through the personal representative. All payments shall be charged generally against the principal of the Trust Agreement, without apportionment and without contribution from any person. Property which otherwise which would be exempt from federal estate tax or state death taxes shall not be used to pay such taxes, unless other assets are insufficient. In the event debts and expenses are owed by or charged against the Trust, the same shall be paid first from the income generated from the Trust's assets, then if necessary from the Trust corpus.

12. Spendthrift Provision. Except as herein otherwise expressly provided, all income or principal to be paid to any of the beneficiaries shall be paid by Trustee directly and only to the beneficiaries or to the personal representative of any beneficiary, or, where authorized by any beneficiary, applied for his or her benefit. Trustee shall not recognize any transfer, mortgage, pledge, hypothecation, order, or assignment of any beneficiary by way of anticipation of income or principal. The income and principal of any trust hereunder shall be exempt from the claims of creditors or other claimants, and from orders, decrees, levies, attachments, garnishments, executions, and other legal or equitable process or proceedings to the fullest extent permissible by law. Beneficiaries shall not transfer, mortgage, pledge or otherwise assign any portion of undistributed income or trust corpus except as herein otherwise expressly provided.

13. Miscellaneous. It is the intention of the Trustor that this Trust remain in effect beyond any physical or mental incapacity of the Trustor, that the Trustor reserves the right to revoke this Agreement at anytime prior to the Trustor's death, and that all assets transferred into this Trust not be considered a part of the Trustor's probate estate.

Dated at Rock Valley, Iowa, on this 10th day of May, 2011.

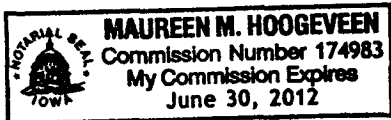
Leslie M. Spies
Leslie M. Spies, Trustor

ACCEPTED:

Leslie M. Spies, Trustee
Leslie M. Spies, Trustee

STATE OF IOWA, COUNTY OF SIOUX, SS:

On this 10th day of May, 2011, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared LESLIE M. SPIES, individually and as Trustee, to me known to be the person named in and who executed the foregoing REVOCABLE LIVING TRUST AGREEMENT, and acknowledged that the person, individually and as the fiduciary, executed the instrument as a voluntary act and deed of the person and of the fiduciary.



[Signature]
Notary Public in and for the
State of Iowa



**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. 7282-3, Leslie Spies and Bettie Spies as Trustees**

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. 7282-3, Leslie Spies and Bettie Spies as Trustees, 3220 Cherry Avenue, Hudson SD 57034.

The Chief Engineer is recommending APPROVAL of Application No. 7282-3 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 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 wells authorized by Permit No. 7282-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
January 9, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7282-3
LESLIE SPIES AND BETTIE SPIES AS TRUSTEES
DECEMBER 19, 2011

Water Permit Application No. 7282-3 proposes to appropriate 1.78 cubic feet of water per second from two wells, approximately 40 feet deep, to be completed into the South management unit of the Big Sioux aquifer. The wells are to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T96N-R48W and the water is to be used to irrigate 160 acres located in the SW $\frac{1}{4}$ Section 35, T96N-R48W.

AQUIFER: BIG SIOUX: SOUTH

AQUIFER CHARACTERISTICS:

The South management unit of the Big Sioux aquifer is a surficial, glacial meltwater deposit consisting of materials ranging from fine sand to very coarse gravel. The management unit is primarily restricted to the flood plain of the Big Sioux River and extends basically from Brandon, SD to about five miles north of Elk Point, SD (Hedges and others, 1982). Hedges, and others (1982), estimated the management unit underlies 49,000 acres of Lincoln, Minnehaha and Union Counties. However, further studies have refined the estimate to approximately 60 square miles in Lincoln and Union Counties alone (Niehus and Thompson, 1998). The outwash is fairly thin with an average thickness in Lincoln and Union Counties estimated to be approximately 28 feet with an average saturated thickness estimated to be 13 feet (Niehus, 1994). The aquifer is mainly under unconfined conditions with hydraulic conductivity values ranging from 300-800 ft/day and an average specific yield estimated to be 0.20 (Niehus and Thompson, 1998). The Big Sioux: South aquifer is connected hydraulically to the Shindler aquifer in northeast Lincoln County; the Newton Hills aquifer in southeast Lincoln County; the Missouri aquifer in Union County; and possibly to the Brule Creek aquifer in southern Lincoln County. The aquifer is hydraulically connected to the Big Sioux River and in general loses water to the river (Niehus and Thompson, 1998).

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 only.

WATER AVAILABILITY:

Recharge versus Withdrawals:

The probability of unappropriated water available from the Big Sioux: South aquifer can be evaluated by considering SDCL 46-6-3.1 which requires "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 to the Big Sioux: South is mainly through infiltration of precipitation, and groundwater inflow from the Shindler, and Newton Hills aquifers, and possibly with leakage from the Brule Creek aquifer and alluvial outwash valleys in Union County (Niehus and Thompson, 1998). In general, interaction with the Big Sioux River is bank storage which is transient and returns to the River when the stage returns to normal. The recharge rate estimated for the Big Sioux: South ranged from 2.14 to 12.96 in/yr (Niehus and Thompson, 1998). The average annual recharge rate to the South management unit of the Big Sioux aquifer is estimated to be 7.54 inches per year and a steady state recharge rate was estimated to be 6.33 inches per year for Lincoln and Union Counties (Niehus and Thompson, 1998). Recharge to Lincoln County alone, assuming a recharge rate of 6.33 in/yr would be a volume of approximately 8,200 acre-feet/year (using Hedges and others, (1982) area and Niehus and Thompson, (1998) recharge rate).

Withdrawals:

Water is withdrawn from the Big Sioux: South aquifer mainly through wells, discharge to rivers, and evapotranspiration. Table 1 summarizes the withdrawals as determined by a simulated aquifer water budget for steady state conditions in the aquifer (Niehus and Thompson, 1998).

COMPONENT	PERCENTAGE
Evapotranspiration	16.78
Pumpage	2.36
Discharge from aquifer to rivers	77.72
Discharge to constant-head boundaries	0.55
Discharge to adjacent lateral aquifers	2.59

Table 1. Summary of withdrawals from the South management unit of the Big Sioux aquifer, modified from (Niehus and Thompson, 1998)

Pumpage from the aquifer is mainly for uses of water that require appropriative rights. There are currently 52 Water Rights/Permits appropriating water from the South management unit of the Big Sioux aquifer and two future use permits (Water Rights, 2011b). The future use permits reserve a total of 1,912.7 acre-feet annually for the City of Brandon. Appropriative rights/permits uses are shown in table 2.

USE TYPE	NO.
Commercial	7
Groundwater remediation	2
Industrial	3
Irrigation	32
Municipal	4
Rural Water System	4

Table 2. Summary of water uses for rights/permits appropriating water from the South management unit of the Big Sioux aquifer

Most of the water pumped from the Big Sioux: South is for irrigation use. Table 3 presents a summary of the irrigation from the BS: S management unit. At least two things are apparent from the data: the irrigation appropriation has remained fairly constant; and the amount of water used annually is highly variable.

	NO. of PMTS	APPROPRIATION (acre-feet/yr)	PUMPAGE (acre-feet/yr)
2010	32	8949	139.15
2009	31	8716	419.48
2008	30	8688	1157.44
2007	29	8408	1918.11
2006	30	8603	1709.1
2005	30	8603	1541.11
2004	29	8853	1279.94
2003	29	8892	1727.72
2002	32	9694	1193.39
2001	31	9436	1001.67
2000	31	9436	1351.59
1999	30	9398	1024.77
1998	29	9218	817.9
1997	29	8804	1311
1996	30	9066	957.31
1995	30	9103.03	894.9
1994	29	8899.03	898.3
1993	30	9502.06	165.5
1992	28	9080.06	206.15
1991	27	8722.06	728.79
1990	26	9301.06	1188.3
1989	23	8037.06	1308.05
1988	27	9426.06	2112.15
1987	26	9346.06	1007.2
1986	26	9106.03	873.7
1985	25	8756.03	987.7
1984	25	8756.03	805.5
1983	26	8816.03	648.45
1982	22	7430.06	467.84
1981	30	12626	885
1980	29	12596	575
<i>Ave</i>	<i>28.42</i>	<i>9169.89</i>	<i>1009.75</i>
<i>Max</i>	<i>32</i>	<i>12626</i>	<i>2112.15</i>
<i>Min</i>	<i>22</i>	<i>7430.06</i>	<i>139.15</i>

Table 3. Irrigation from the Big Sioux: South aquifer (Water Rights, 1980-2011)

Three non-irrigation water right holders are required to report their annual usage from the Big Sioux: South aquifer, they include: Water Right No. 6093-3, Lyon & Sioux RWS, Inc; Water Right No. 6423-3, Sioux River Ethanol LLC; and Water Permit No. 6924-3, Lincoln County RWS. Water use reported from these three users is shown in table 4.

YEAR	REPORTED ANNUAL WATER USE (ACRE-FEET/YEAR)			
	No. 6093-3	No. 6423-3	No. 6924-3	TOTAL
2010	343	405	9	757
2009	238	500	29	767
2008	240	529	64	833
2007	161	396	73	630
2006	121	393	*	514
2005	130	361	*	491
2004	151	292	*	443
2003	183	*	*	183
* Water Right No. 6423-3 was issued in 2003 and Water Permit No. 6924-3 began use in 2007				

Table 4. Water Use reported by Water Right No. 6093-3, Lyon & Sioux RWS, Inc; Water Right No. 6423-3, Sioux River Ethanol LLC; and Water Permit No. 6924-3, Lincoln County RWS

A simple water budget comparing withdrawals to recharge shows that there is a reasonable probability that unappropriated water is available from the Big Sioux: South aquifer for this appropriation. However, because the aquifer is thin, there are times when water availability could be an issue. According to Niehus and Thompson, (1998): “A hypothetical simulation using dryer than normal conditions and maximum permitted irrigation pumpage revealed that the Big Sioux aquifer in Lincoln and Union counties in South Dakota was unable to support continuous pumpage when simulated at the current permitted irrigation levels.”

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 16 observation wells completed into the South management unit of the Big Sioux aquifer (Water Rights, 2011a). The nearest observation well LN-57D is located approximately 1.7 miles northeast of the well sites proposed by this application. A hydrograph for the observation well is shown in figure one. The observation well data documents that in general, the amount of water in storage in the aquifer has remained fairly stable. Therefore, at the current level of development withdrawals from the aquifer do not exceed recharge to the aquifer.

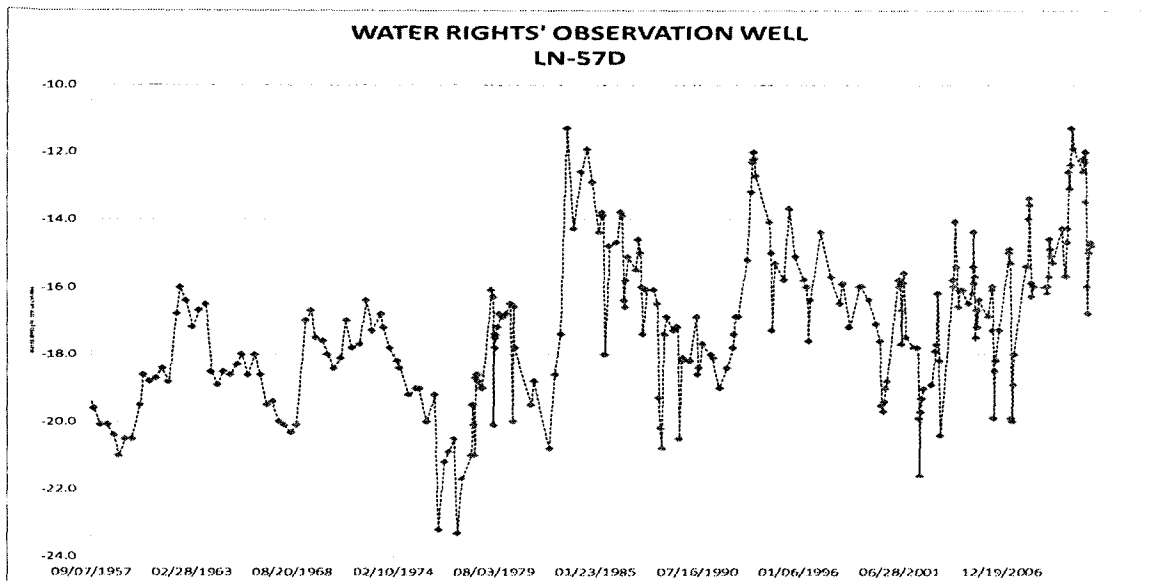


Figure 1. Hydrograph of DENR-Water Rights Program Observation Well located in the NW¼ of Section 25, T96N-R48W

EXISTING WATER RIGHTS:

There are 52 water permits/rights appropriating water from the South management of the Big Sioux aquifer (Water Rights, 2011b) and a number of domestic wells completed into the aquifer (Water Rights, 2011c). The nearest one, Water Right No. 6423-3, Sioux River Ethanol, is supplied by wells located between one-quarter and one-half mile of the well sites proposed by this application. Aquifer test data and analysis provided with Application No. 6423-3 concluded that a well spacing of 300 feet or more should minimize well interference. Drawdown created by pumping is not expected to be significant and should not result in an adverse impact to existing users.

CONCLUSIONS:

1. There is a reasonable probability that unappropriated water is available from the South management unit of the Big Sioux aquifer for this appropriation.
2. The Big Sioux: South aquifer is under unconfined conditions and drawdown created by pumping does not extend far from individual production wells. Existing rights should not be adversely impacted if this application is approved.

Ken Buhler
SD DENR-Water Rights Program
Approved by

James A. Goodman, P.E.
SD DENR-Water Rights Program

REFERENCES:

- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Tasks 1-4: prepared for U.S. Army Corps of Engineers, contract DACW 45-80-C-0185
- Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 93-4195, 57 p.
- Niehus, C.A., and Thompson, R.F., 1998, Appraisal of the Water Resources of the Big Sioux Aquifer, Lincoln and Union Counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 97-4161, 37 p.
- Water Rights, 2009-2011, Irrigation Questioner Summaries 2008-2010, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- 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, Well Completion Report Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.



**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.

January 10, 2012

Leslie Spies & Bettie Spies as Trustees
3220 Cherry Ave
Hudson SD 57034

Dear Sir:

Water Permit Application No. 7282-3 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 Sioux Valley News printed at Canton SD (Ph # 605-764-2000). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 10, 2012

Sioux Valley News
PO Box 255
Canton SD 57013

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7282-3 to Appropriate Water to be published twice. Please publish the first notice on January 19, 2012 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 Leslie Spies and Bettie Spies as trustees, 3220 Cherry Ave., Hudson SD 57034 (Ph # 712-982-2505).

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. 7282-3

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

Date _____

We are in receipt of your letter of January 10, 2012 enclosing Notice to Appropriate Water by Application No. 7282-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on January 19, 2012 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. 7282-3 to Appropriate Water

Notice is given that Leslie and Bettie Spies as Trustees, 3220 Cherry Ave, Hudson SD 57034 have filed an application for a water permit to appropriate 1.78 cubic feet of water per second from two wells to be completed into the Big Sioux:South Aquifer (40 feet deep) located in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35 for irrigation of 160 acres located in the SW $\frac{1}{4}$ Section 35; all in T96N-R48W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7282-3 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 February 6, 2012.

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_____.

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LINCOLN

ANDY WILCOX

being first duly sworn on his oath says; that the Sioux Valley News is a legal weekly newspaper of general circulation as required by South Dakota Code of Nineteen Hundred Thirty-Nine, and any acts amendatory thereto, printed and published by the Sioux Valley News, Inc., in Canton, in said county and State, and has been such legal newspaper during the time hereinafter mentioned; that he is and during all of said time was publisher of said newspaper and has personal knowledge of the facts stated in this affidavit; that the advertisement headed:

Notice on Application No. 7283-3 to Appropriate Water

a printed copy of which is hereto attached, was printed and published in said newspaper for TWO successive week(s) upon the following dates, to-wit:

January 19, 2012

January 26, 2012

that the full amount of the fees charged for publishing the same to-wit: the sum of \$42.89 insures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me this 26th day of
January, 2012.

Notary Public, South Dakota

(Seal)



My Commission Expires
12/9/2014

OK

NOTICE OF APPLICATION NO. 7282-3 to Appropriate Water

Notice is given that Leslie and Bettie Spies as Trustees, 3220 Cherry Ave, Hudson SD 57034 have filed an application for a water permit to appropriate 1.78 cubic feet of water per second from two wells to be completed into the Big Sioux South Aquifer (40 feet deep) located in NE 1/4 SW 1/4 Section 35 for irrigation of 160 acres located in the SW 1/4 Section 35' all in T96N-R48W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7282-3 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 February 6, 2012.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reason 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 in the Sioux Valley News on January 19 and 26, 2012 at the total approximate cost of \$42.89.

RECEIVED

JAN 26 2012

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 19 2012

Leslie Spies and Betty Spies - Trustees
3220 Cherry Ave
Hudson SD 57034

Dear Trustees:

Enclosed is Water Permit No. 7282-3 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

SEP - 6 2012

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

7282-3

Date 8-30-12

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

FROM: Leslie Spies & Bettie Spies, Trustees
(name)

3220 Cherry Ave.
(address)

Hudson, SD 57034
(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. 7282-3 states that the water use system is to be constructed by

2-6-2012
(date)

, and water is to be put to beneficial use by 2-6-2021
(date)

The water use system was completed on 6-20-12

(date)

Applying the water to beneficial use was completed on 7-1-12

(date)

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

Bettie Spies
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 6, 2012

7282-3

Leslie & Bettie Spies
3220 Cherry Ave
Hudson SD 57034

Dear Mr. & Mrs. Spies:

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

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

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

Sincerely,

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

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



7282-3

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, 2013

NOTICE

TO: LESLIE & BETTIE SPIES, 3220 CHERRY AVE, HUDSON, SD 57034

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7282-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 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) 7282-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** 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) 7282-3 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 on/or before **March 4, 2013**, 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

January 29, 2013

7282-3

Leslie & Bettie Spies
3220 Cherry Ave
Hudson SD 57034

Dear Mr. & Mrs. Spies:

I am writing to acknowledge receipt of your 2012 irrigation questionnaire.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Permit No. 7282-3. 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.

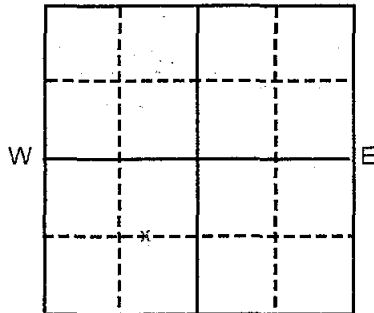
Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location se 1/4 SW 1/4 Sec 35 Twp 96n Rg 48wCounty Lincoln

North

Please mark well
location with an "X"

Well Completion Date

6/4/12

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
2,200.0 ft. from septic tank (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well
METHOD OF DRILLING:
bucket

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	15.0 FT	24.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
bentonite	10	Lb/gal	0.0 Ft	11.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie method

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 20.0 FeetMaterial PVCSlot Size .080 Set From 15.0 Feet to 35.0 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?

☒ No, Why Not? NA
Lab to which water
quality sample sent for analysisWell Owner: Les Spies

Business Name:

Address: 3220 Cherry AveCity, State, Zip: Hudson SD 57034

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Silt, clayey, gray-brown (alluvium)	0	15
gravel, v. coarse, cobbles/rocks	15	34
Shale, dark gray	34	40

STATIC WATER LEVEL 9.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe: air lift development, 2 hours
☐ Bailed

☒ Other

Pumping Level Below Land Surface

20.0 Ft. After 2.0 Hrs. pumped 450.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 400.0 GPM

REMARKS

RECEIVED

FEB - 1 2013

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

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 12-12-12



7282-3

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 16, 2015

NOTICE

TO: LESLIE & BETTIE SPIES, 3220 CHERRY AVE, HUDSON, SD 57034

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7282-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 7282-3 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 4, 2015** 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) 7282-3 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 4, 2015** 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: <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

January 20, 2015

7282-3

Leslie & Bettie Spies
3220 Cherry Ave
Hudson SD 57034

Dear Mr. & Mrs. Spies:

I am writing to acknowledge receipt of your 2014 irrigation questionnaire.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit No. 7282-3. The information was received in our office prior to the Water Management Board meeting and your names have 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 9, 2021

7282-3

Dianna Sorenson
3220 Cherry Ave
Hudson SD 57034

Dear Ms. Sorenson:

Thank you for sending in the 2021 irrigation questionnaire for Water Permit No. 7282-3. Based on your notation and follow-up email concerning ownership, the water permit should be transferred.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water permit for your records. If you have any questions concerning the permit or completion of the transfer form, please give me a call.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

PAID
NOV 23, 2021
Ck# 5044

To: Chief Engineer
Water Rights Program, DANR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED

NOV 23 2021

WATER RIGHTS
PROGRAM

No. 7282-3

Date: November 18, 2021

I/We request that Water Permit No. 7282-3

formerly owned by: Leslie Spies & Bettie Spies, Trustees

be transferred to: (name & address) Dianna Sorenson

3220 Cherry Avenue Hudson, SD 57034

Telephone No. 605-201-4159

Title to the following described land(s)/property has been transferred as described above:

SW 1/4 Section 35, T96N, R48W

I/We understand that the validity of Water Permit No. 7282-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Dianna Sorenson, the new owner, certify that the above information is true and correct.

Dianna Sorenson
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

7282-3

RECEIPT**WATER RIGHTS PROGRAM**
South Dakota Department of Agriculture and Natural ResourcesDate November 23, 2021RECEIVED OF Bettie L. Spies Rev. Living Trust c/o Dianna Sorenson 3220 Cherry Avenue Hudson, SD 57034

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	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>7282-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineerjm



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 4, 2022

7282-3

Dianna Sorenson
3220 Cherry Ave
Hudson SD 57034

Dear Ms. Sorenson:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Permit No. 7282-3.

The ownership change has been completed. The permit formerly held by Leslie & Bettie Spies as Trustees is now listed in your name.

Enclosed for your records is a receipt for the filing fee you paid. Thanks again for updating the permit and if you have any questions at all, please let me know.

Sincerely,

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

enclosures

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7282-3

I have this day, April 17, 2023, made a thorough examination of the water use system constructed by Leslie & Bettie Spies, Trustees; 3220 Cherry Ave, Hudson, SD 57034 of Permit No. 7282-3, bearing the priority of December 8, 2011 authorizing the diversion of 1.78 cu. ft. per second of the waters of the Big Sioux-South Aquifer for irrigation purposes, in Lincoln County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hammond-Wetmore Drilling
- 2) No. of Wells: 2
- 3) Depth(s): 35, 40 feet
- 4) Well logs are available Y

Casing:

- 1) Diameter 16 inches
- 2) Length 15, 20 feet
- 3) Type Plastic

Screen:

- 1) Type slotted - PVC
- 2) Length 20 feet
- 3) Static water level 9 feet

Pump:

- 1) Make Submersible
- 2) Capacity 400 each GPM

Motor: unknown

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

- 1) Type Buried PVC
- 2) Size 6 inches
- 3) Length 280 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Zimmatic
- 2) Overall length 1300 feet
- 3) Number of towers 7
- 4) End gun Y
- 5) Capacity 800 GPM

Chemigation Equipment: none

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 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: **Well Locations –**
East well: 1,325 ft N & 1,620 ft E of the SW corner of Section 35, T96N, R48W (NE ¼ SW ¼)
Lat 43.08715 Long -96.48387.
West well: 1,325 ft N & 1,325 E of the SW corner of Section 35, T96N, R48W (NE ¼ SW ¼)
Lat 43.08722, Long -96.48500
2. The works are capable of diverting and conveying to the place of use 1.78 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:
Section 35, T96N, R48W

NW ¼ SW ¼	35.00 acres
NE ¼ SW ¼	35.00 acres
SE ¼ SW ¼	35.00 acres
SW¼ SW ¼	35.00 acres

comprising a total of 140.0 acres of land and the license should be issued for 1.78 cfs.
3. All structures, wells and lands on map Y

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

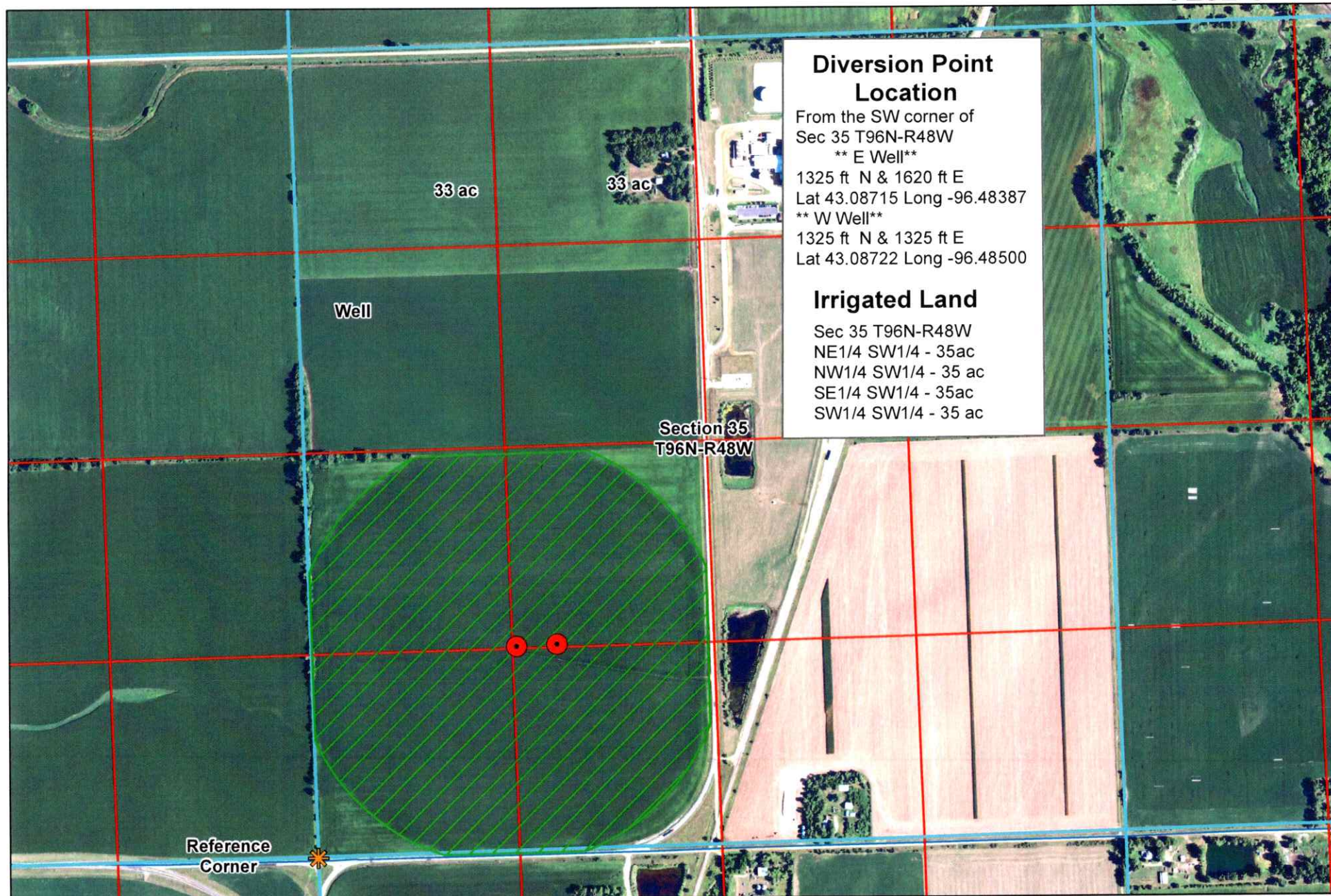
The irrigated acreage was determined with the aid of FSA imagery and ArcMAP software.

Transferred in 2021 to Dianna Sorenson (same address)



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: April 19, 2023



0 625 1,250 2,500 3,750 5,000 Feet



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

MAY 09 2023

7282-3

Dianna Sorenson
3220 Cherry Ave
Hudson SD 57034

Dear Ms. Sorenson:

Enclosed is Water License No. 7282-3. 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. 7282-3

(1) Leslie & Betty Spies, Trustees, Hudson SD made Application No. 7282-3, December 8, 2011, for a water permit to divert 1.78 cubic feet of water per second from ground water, two wells (Big Sioux South Aquifer), Lincoln County, South Dakota for irrigation purposes. Permit No. 7282-3, with a priority date of December 8, 2011, was approved February 6, 2012 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before February 6, 2017 and for the application to beneficial use of water on or before February 6, 2021.

On November 23, 2021, Water Permit No. 7282-3 was transferred to Dianna Sorenson, 3220 Cherry Ave., Hudson SD 57034.

(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 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is:

- East well: 1,325 ft N & 1,620 ft E of the SW corner of Section 35, T96N, R48W (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
Latitude 43.08715, Longitude -96.48387
- West well: 1,325 ft N & 1,325 ft E of the SW corner of Section 35, T96N, R48W (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
Latitude 43.08722, Longitude -96.48500

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

Section 35, T96N, R48W	NW $\frac{1}{4}$ SW $\frac{1}{4}$	35.0 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	35.0 acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	35.0 acres
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	35.0 acres
Total		140.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Dianna Sorenson, 3220 Cherry Ave., Hudson SD 57034 the holder and/or owner of Water Right No. 7282-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water, two wells (Big Sioux South Aquifer) with a priority date of December 8, 2011, from the locations specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7282-3 and subject to the following qualifications:

- The wells 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.

Continued

- The wells authorized by Permit No. 7282-3 shall be constructed by a licensed well driller and construction of the wells and installation of the pumps shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *The wells were drilled in June 2012 by Hammond-Wetmore Drilling. Copies of the well completion reports are on file with the Water Rights Program.*
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

Eric Gronlund

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

MAY 09 2023

date

