

WATER PERMIT NO. 7435-3

Name of Applicant: Poinsett Hutterian Brn Inc.

Address: 46527 189th St, Estelline SD 57234 Phone: 605 873-2630

Amount of Water Claimed: 1.78 cfs Total Acres: 97.5 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Deuel

Type of Waste Disposal System:

Location: 4 miles north of Estelline

PRIORITY Date Received: 9-14-12 Application/License Fee: \$ 950

Corrected Application Received: Period of Annual Use: May 1- Sept 30

Remarks:

Diversion Point: NW 1/4 NW 1/4 Sec 31-T114N-
R50W

Land to be Irrigated: W 1/2 SW 1/4, SE 1/4 SW
1/4 Sec 31-T114N-R50W

Depth of Well: 90 feet deep

Well Driller:

Remarks:

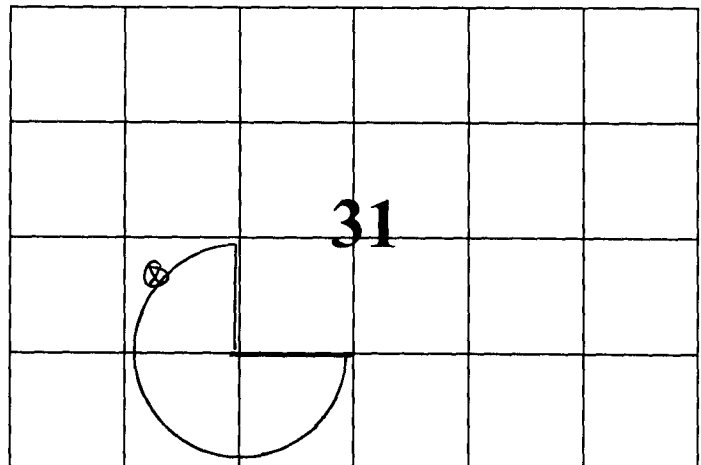
Type of Map: aerial

Prepared by: Hamlin Co FSA

Reviewed and the Number Assigned on: 9-17-12

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



RECEIVED

SEP 14 2012

FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7435-3</u> (office use only) Hydrologic Unit <u>10170202</u> Basin <u>Loup River</u> <u>605-874-2499</u> Newspaper <u>Clear Lake Courier</u> <u>P.O. Box 830 57226</u> <u>Public Opinion P.O. Box 10 Watertown 57201-605-886-6901</u>	WATER RIGHTS PROGRAM \$950.00
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Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

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

1. Name of Applicant Poinsett Hutterian Ben Inc Phone 605-873-2630
 (check one) ☐ Owner ☐ Tenant/lessee
- Mailing Address 46527, 189th St. E. S. 211th S.D. State 57234
 (Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 97.5
 (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 well in NW1/4 SW1/4 of 31-114-50 County Deuel
5. County or counties where water will be used Deuel
6. Annual period during which water is to be used May 1st thru Sept 30
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
31-114-50 NW1/4 SW1/4	32.5		
31-114-50 SW1/4 SW1/4	32.5		
31-114-50 SE1/4 SW1/4	32.5		

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

318
 325
 325
 requesting div. rate greater than Statutory Limit

STATE OF SOUTH DAKOTA)

SS

County of Deuel

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, Len Truchette, 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 Len TruchetteSubscribed and sworn to before me this 12 day of September 20 12
 My Commission Expires
 October 1, 2017

Karen Schenbury
 Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7435-3**

Date of first receipt of application September 14, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7435-3 to Poinsett Hutterian Brethren, Inc., c/o Levi Tschetter, 46527 189th St, Estelline SD 57234 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. 7435-3 appropriates 1.78 cubic feet of water per second (cfs) from one well to be completed into the Big Sioux:Brookings Aquifer (90 feet deep) located in NW 1/4 SW 1/4 Section 31 for irrigation of 97.5 acres located in the W 1/2 SW 1/4, SE 1/4 SW 1/4 Section 31; all in T114N-R50W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is September 14, 2012.
4. The date of approval of Permit No. 7435-3 is December 3, 2012.
5. One-fifth of the construction is to be completed on or before June 3, 2015.
6. All construction is to be completed on or before December 3, 2017.
7. Water is to be put to beneficial use on or before December 3, 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 well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7435-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7435-3 authorizes a maximum diversion rate of 1.78 cfs for the irrigation of 97.5 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

JAN 14 2013

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22 Depth 90
- b) Casing Type PVC Diameter 16" Thickness sch 40
- c) Screen Type PVC Diameter 16" Thickness sch 40
- d) Gravel Pack 1/4 x 1/8 Length of Gravel Pack 30'
- e) Depth to Top of Water Bearing Material 60'
- f) Depth to Water (ground surface to water level) 15'
- g) Distance to nearest existing domestic well: none
- On applicants property ☒ On property owned by others ☐

2. Wastewater Disposal System Information

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

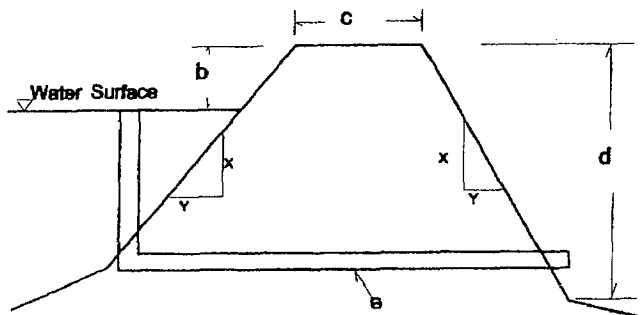
3. Dugout Information

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

4. Water Storage Dams

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

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



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

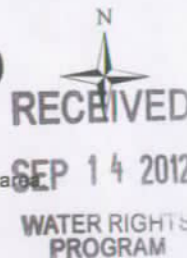


United States Department of Agriculture
Farm Service Agency

February 07, 2012

PLSS: 31_114N_50W
Farm: 4934

Hamlin County, SD
1:8,579



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 wetland boundaries and determinations, or contact NRCS.

Common Land Units
 /// Non Cropland

2010 Ortho-Photography - Not to Scale

Blanchard of the Acting CEO

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

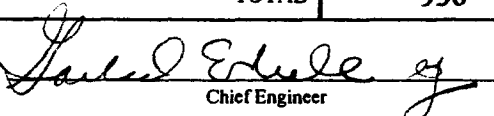
Date 9/17, 20 12

RECEIVED OF Poinsett Hutterian Brethren 46527 189th St Estelline SD 57234

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

Fee for Application for Permit No. <u>7435-33</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>7435-33</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. 05578

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7435-3, Poinsett Hutterian Brethren Inc.**

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. 7435-3, Poinsett Hutterian Brethren Inc., c/o Levi Tschetter, 46527 189th Street, Estelline SD 57234.

The Chief Engineer is recommending APPROVAL of Application No. 7435-3 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. 7435-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7435-3 authorizes a maximum diversion rate of 1.78 cfs for the irrigation of 97.5 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
November 13, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7435-3
POINSETT HUTTERIAN BRETHERN INC.
C/O LEVI TSCHETTER
NOVEMBER 13, 2012

Water Permit Application No. 7435-3 proposes to appropriate up to 195 acre-feet (ac-ft) annually at a maximum diversion rate of 1.78 cubic feet per second (cfs) from one well to be completed into the Brookings management unit of the Big Sioux aquifer. The well is expected to be approximately 90 feet deep and is to be located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T114N-R50W. Water is to be used for the irrigation of 97.5 acres located in the W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T114N-R50W in Deuel County. The applicant is requesting a diversion rate greater than the statutory limit of 1.0 cfs per 70 acres.

AQUIFER: Brookings management unit of the Big Sioux aquifer (BS: B)

GEOLOGY AND AQUIFER CHARACTERISTICS:

Test hole information was not submitted with this permit application. However, sufficient data is available through well completion reports, water right/permit files, and SD DENR-Geological Survey test hole logs to evaluate this application. The Big Sioux: Brookings is a predominantly surficial outwash aquifer that is primarily under water table condition in the area of this application (Koch, 1980). The Big Sioux: Brookings is covered by portions of Brookings, Moody, and Codington Counties. The aquifer is hydraulically connected to area lakes, streams, and the Big Sioux River (Kume, 1985). The aquifer underlies approximately 191,100 acres and contains an estimated 642,230 ac-ft of recoverable water in storage (Hedges et. al, 1982). The direction of water movement is generally south and towards the Big Sioux River. Kume (1985) estimated that the Big Sioux: Brookings has an average thickness of 30 feet and can be encountered generally less than 50 below ground surface. Kume (1985) also stated that wells completed into the Big Sioux: Brookings aquifer could yield in excess of 1000 gallons per minute (gpm) of water that is suitable for irrigation. This application proposes a well located in a branch of the Big Sioux: Brookings, which due to the shape of aquifer and the general direction of water movement, must be considered separate since the recharge to the main portion of the aquifer doesn't contribute to the recharge at the proposed well location. The proposed well location, the subsection of the Big Sioux: Brookings aquifer, and the observation wells completed into that subsection are shown in figure 1.

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 the availability of unappropriated water and existing rights from the aquifer.

WATER AVAILABILITY:

Water Permit Application No. 7435-3 proposes to appropriate up to 195 ac-ft/yr from the Big Sioux: Brookings aquifer. Although, the actual water use if this application is approved will most likely be less than the proposed appropriation. The probability of unappropriated water available from an 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. Figure 1 is a map of the Big Sioux: Brookings aquifer.

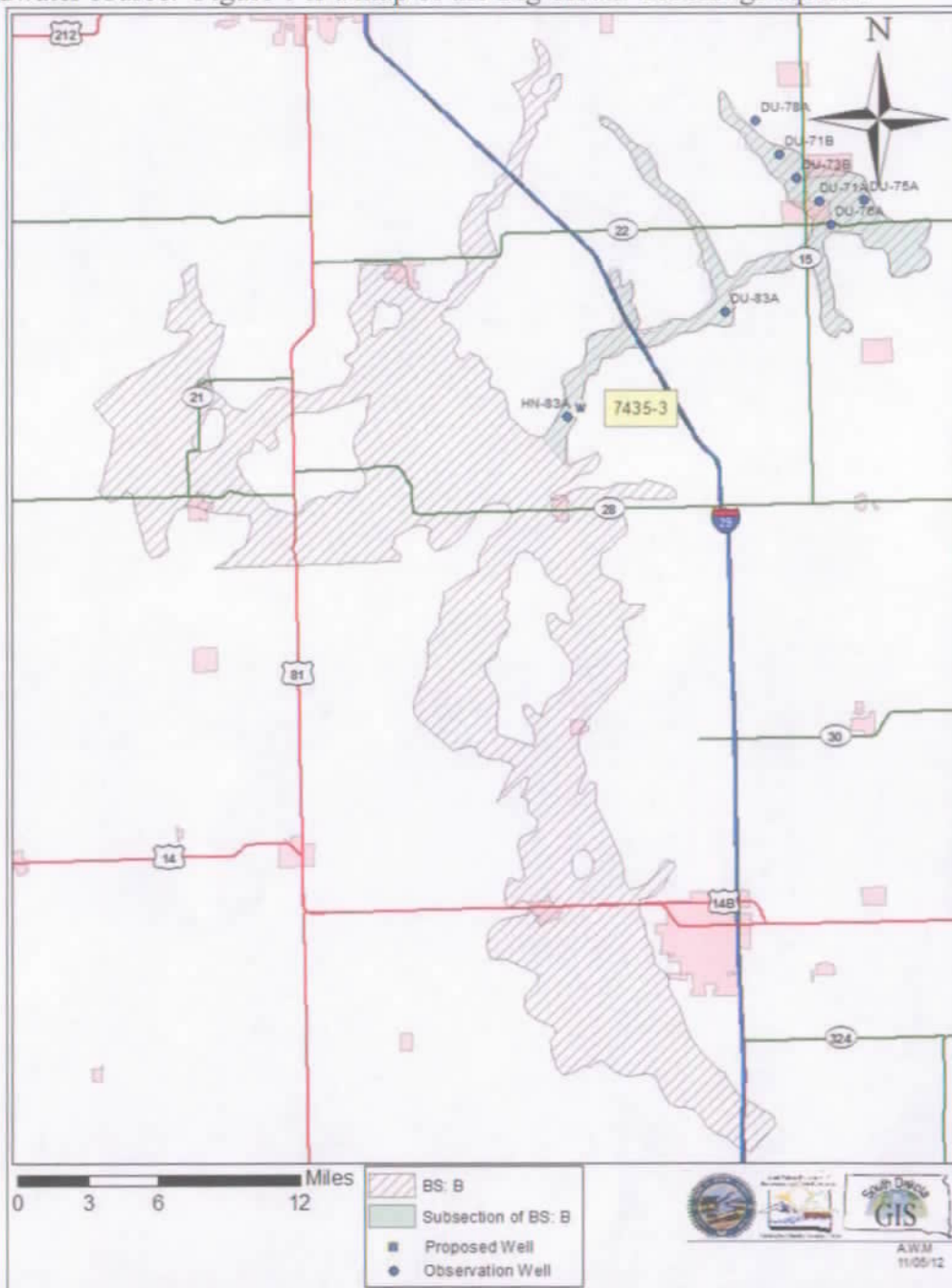


Figure 1- Map of the Big Sioux: Brookings aquifer; modified from Hedges and others, 1982.

Recharge versus Discharge:

Recharge:

Recharge to the Big Sioux: Brookings is by infiltration of precipitation, and seepage from the Big Sioux River and its tributaries (Kume, 1985). Koch (1980) estimated a recharge rate of 6.57 inches per year (104,627 ac-ft/yr for the entire Big Sioux: Brookings) and Kume (1985) estimated an average annual recharge of 48,531 ac-ft/yr in Hamlin and Deuel Counties (5.07 in/yr). This is not to imply that the entire volume of annual recharge is available for use everywhere in the aquifer or that all of the recoverable water in storage in the aquifer is available at every diversion point. The approximate area of the highlighted subsection (see figure 1) of the Big Sioux: Brookings is 24,553 acres. Estimated recharge to that area, using Koch's (1980) recharge rate, is 13,442.7 ac-ft/yr.

Discharge:

Discharge from this small section of the Big Sioux: Brookings aquifer is from water flow toward the Big Sioux River, evapotranspiration, and well withdrawals (Koch, 1980). There are 19 water rights/permits authorizing wells and a number of domestic wells withdrawing water from this small section of the Big Sioux: Brookings aquifer (Water Rights, 2012b and 2012c). Table 1 shows the distribution of water right/permit types from the subsection of the Big Sioux: Brookings aquifer.

Water Right/Permit Type	Number
Commercial	1
Industrial	1
Irrigation	12
Municipal	2
Rural Water System	2

Table 1- Distribution of Water Rights/Permits in a subsection of the Big Sioux: Brookings aquifer (Water Rights, 2012b)

The amount of water that can be expected to be withdrawn through water rights/permits authorizing water use for non-irrigation purposes at the current appropriation level can be estimated by assuming: 1) water rights/permits limited by an annual volume will pump the entire volume appropriated (0 ac-ft), 2) water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time (734.1 ac-ft), and 3) future use permits can be fully developed (0 ac-ft). The two major uses of water from this subsection of the Big Sioux: Brookings are the Brookings-Deuel Rural Water System and irrigation. The water use reported to the SD DENR-Water Rights Program by the Brookings-Deuel RWS is shown in table 2. Withdrawal from the subsection of the Big Sioux: Brookings aquifer for irrigation, as reported to the DENR-Water Rights Program through annual irrigation questionnaires, is shown in table 3.

Estimated average annual use in the subsection of the Big Sioux: Brookings aquifer is 2,430.4 ac-ft/yr. The estimated annual recharge significantly exceeds estimated annual withdrawal, and therefore, there is unappropriated water available for this proposed appropriation of 195 ac-ft/yr.

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 of the aquifer.”

The DENR-Water Rights Program monitors 80 observation wells completed into the Big Sioux: Brookings aquifer, with eight of the observation wells completed into the subsection of the Big Sioux: Brookings that this application proposes to withdraw water from. The nearest observation wells, HN-83A and DU-83A, are 0.6 miles southwest and 7.4 miles northwest of the proposed well location, respectively. Water levels in the observation wells show good response to climatic conditions. The water levels rise (recharge) during wet years and gradually decline during dry years. The observation wells show the effects of pumping, but it does not appear to be adverse over the period of record. The climatic effects on water level greatly mask the temporal impacts of well withdrawal. Therefore, recharge to and natural discharge from the Big Sioux: Brookings aquifer significantly exceeds pumping. Figure 2 and 3 show the hydrographs for observation wells HN-83A and DU-83A, respectively.

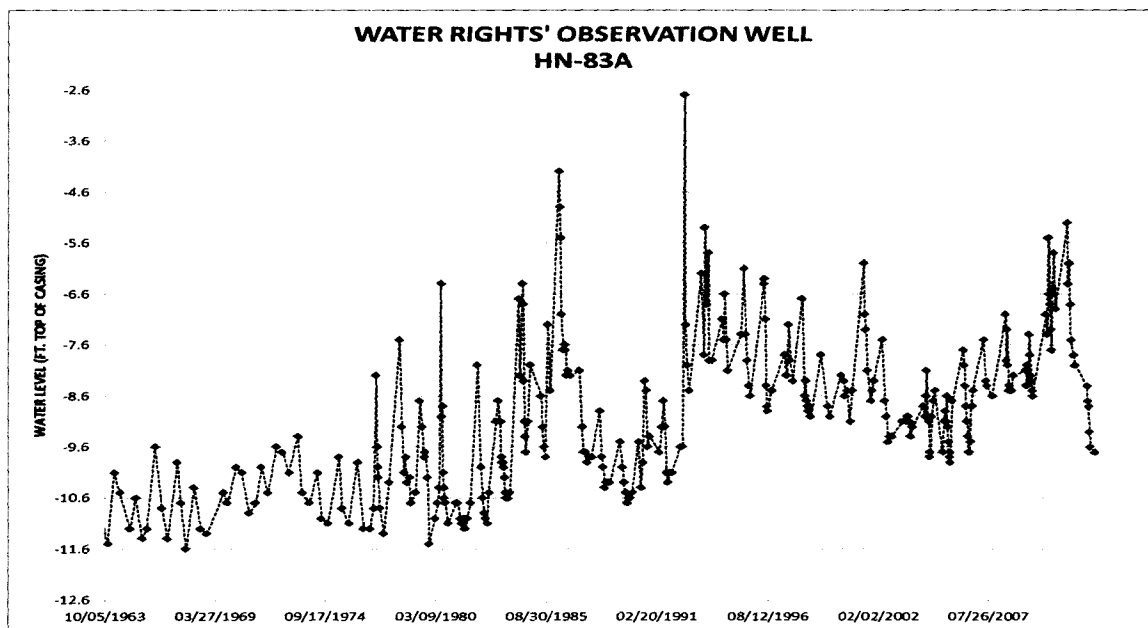


Figure 2- Hydrograph of DENR-Water Rights' observation well HN-83A (Water Rights, 2012a)

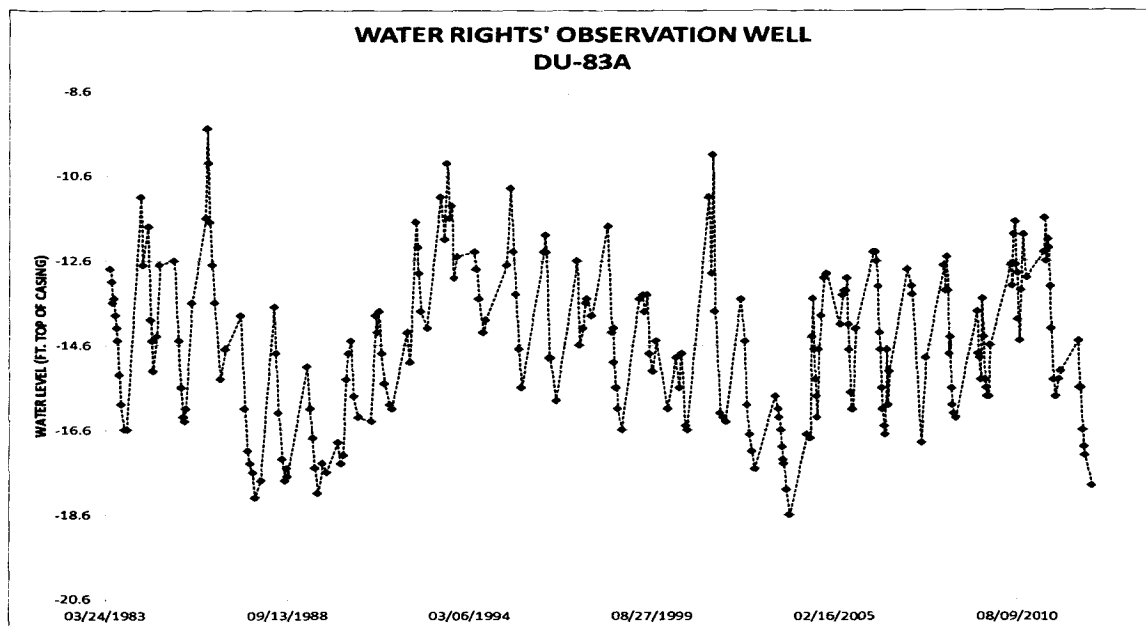


Figure 3- Hydrograph of DENR-Water Rights' observation well DU-83A (Water Rights, 2012a)

EXISTING WATER RIGHTS:

There are 18 water rights/permits authorizing wells and a number of domestic wells on file with the SD DENR- Water Rights program in this subsection of the Big Sioux: Brookings. Only three wells are within one mile of the proposed well location. All three existing wells belong to the applicant and are authorized under Water Right Nos. 3223-3 and 5026-3. Table 3 shows the water rights/permits in the subsection of the Big Sioux: Brookings aquifer.

Permit No.	Name	Status	Type	CFS	Acres
534A-3	City of Clear Lake	LC	MUN	1.1	N/A
2111-3	Gopher Sign Co.	LC	COM	0.04	N/A
2245-3A	Brookings-Deuel RWS	LC	IRR	1.93	135
2245B-3	Brookings-Deuel RWS	PE	RWS	1.93	N/A
3223-3	Poinsett Httrn Brth	LC	IRR	5	560
3224-3	Steven Ching	LC	IRR	1.2	84
3237-3	Kenneth Foster	LC	IRR	1.16	225
3238-3	Brett Miller	LC	IRR	1.34	200
4830-3	Brookings-Deuel RWS	LC	RWS	2	N/A
5026-3	Poinsett Httrn Brth	LC	IRR	1.55	122.5
5071-3	City of Clear Lake	LC	MUN	0.45	N/A
5129-3	Technical Ordnance Inc.	LC	IND	0.1	N/A
5252-3	Dale Williams	LC	IRR	1.78	200
5303-3	Dale Williams	LC	IRR	1.78	223
5374-3	Kenneth Foster	LC	IRR	1.89	132
5408-3	Donald Miller	LC	IRR	1.56	136
5460-3	Carl Boeke	LC	IRR	3.43	240
5514-3	Boeke Brothers	LC	IRR	1.07	75
LC= Water Right, PE= Water Permit, MUN= Municipal, COM= Commercial, IRR= Irrigation, RWS= Rural Water System, IND= Industrial					

Table 3 – Water Rights from the subsection of the Big Sioux: Brookings aquifer (Water Rights, 2012b)

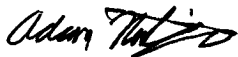
As shown by the observation well hydrographs and that most non-applicant-owned wells are farther than 1.5 miles away interference is not expected to be significant. Therefore, there is a reasonable probability that the diversion proposed by this application can be made without impairing existing water rights/permits and domestic users.

SDCL 46-5-6

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of one cfs per second for every 70 acres, or "the equivalent thereof." The statute does provide that the Water Management Board may allow a greater diversion if the method of irrigation so requires. Water Permit Application 7435-3 proposes to divert at a rate of 1.78 cfs to irrigate 97.5 acres, or the equivalent of 1.28 cfs per 70 acres. The applicant does not provide a justification for the request for a diversion rate in excess of the statutory limit.

CONCLUSIONS:

1. This application proposes to appropriate 195 acre-feet annually for the irrigation of 97.5 acres, but the amount of water that actually will be used is expected to be less.
2. There is a reasonable probability that unappropriated water is available from this section of the Big Sioux: Brookings aquifer to supply this proposed diversion.
3. There is a reasonable probability that the diversion requested by this application can be made without adversely affecting existing water rights.
4. The applicant requested a diversion rate greater than the statutory limit and provided no justification for the request.



Adam Mathiowetz
SD DENR-Water Rights Program

REFERENCES:

- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon. 1982. Evaluation of Ground-water Resources in Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Koch, N.C. 1980. Appraisal of the Water Resources of the Big Sioux Aquifer, Brookings, Deuel, and Hamlin Counties, South Dakota. Water-Resources Investigations Report 80-100. USGS, Huron, SD.
- Kume, J. 1985. Water Resources of Deuel and Hamlin Counties, South Dakota. Water-Resources Investigations Report 84-4069. USGS, Huron SD.
- Water Rights. 1982-2012. "1982-2012 Irrigation Summaries by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 1979-2012. "2002-2012 Non-Irrigation Summaries": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2012a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF DEUEL

RECEIVED

NOV 26 2012

WATER RIGHTS
PROGRAM

The undersigned Ken Reiste being first duly sworn, on oath deposes and says: That he is in charge of the advertising department of the Clear Lake Courier; which newspaper is published by Ken Reiste; that the Clear Lake Courier is a weekly newspaper printed and published in Clear Lake, Deuel County, South Dakota and the undersigned has full and personal knowledge of all facts hereinafter stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication, that the

DENR

Notice of Application

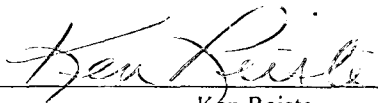
No. 7435-3

to Appropriate Water

printed copy of which, taken from the paper in which the same was printed, is attached to this sheet, and is made part of the Affidavit, was published in said newspaper at least once in each week for one successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

November 21, 2012

that the full amount of the fees for the publication of the annexed notice is **\$26.04**



Ken Reiste

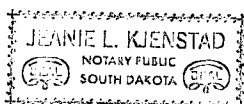
Subscribed and sworn to before me

this 21 day of November,
2012


Notary Public, South Dakota

My commission expires:

My Commission Expires
01/06/17



Public notice

**NOTICE OF APPLICATION
NO. 7435-3**

to Appropriate Water

Notice is given that Poinsett Hutterian Brethren, Inc., c/o Levi Tschetter, 46527 189th St., Estelline, SD 57234 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Big Sioux: Brookings Aquifer (90 feet deep) located in NW 1/4 SW 1/4 Section 31 for irrigation of 97.5 acres located in the W 1/2 SW 1/4, SE 1/4 SW 1/4 Section 31; all in T114N-R50W. The applicant requests a diversion rate greater than the statutory limit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7435-3 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 December 3, 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 once at the total approximate
cost of \$26.04. (39-1/68)

RECEIVED

NOV 28 2012

WATER RIGHTS
PROGRAM

Form 8

**DEPARTMENT
OF ENVIRON-
MENT AND
NATURAL
RESOURCES**

**NOTICE OF APPLICATION
NO. 7435-3 to
Appropriate Water**

Notice is given that Poinsett
Hutterian Brethren, Inc., c/o
Levi Tschetter, 46527 189th
St, Estelline SD 57234 has

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Codington) SS

I, Monica K. Saathoff

certify that the attached printed Notice was
taken

from the Watertown Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was
published

in the newspaper on the following date:

November 21st, 2012

Cost of Printing 54.68

Monica K. Saathoff
(Signature)

Bookkeeper

(Title)

November 21st, 2012

(Date Signed)

filed an application for a
water permit to appropriate
1.78 cubic feet of water per
second from one well to be
completed into the Big
Sioux-Brookings Aquifer (90
feet deep) located in NW 1/4
SW 1/4 Section 31 for irriga-
tion of 97.5 acres located in
the W 1/2 SW 1/4, SE 1/4
SW 1/4 Section 31; all in
T114N-R50W. The appli-
cant requests a diversion
rate greater than the statuto-
ry limit.

Pursuant to SDCL 46-2A-2,
the Chief Engineer recom-
mends APPROVAL of
Application No. 7435-3
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 accor-
dance with SDCL 46-2A-23,
the Chief Engineer will act on
this application, as recom-
mended, unless a petition is
filed opposing the application
or the applicant files a peti-
tion contesting the Chief
Engineer's recommendation.
If a petition opposing the
application or contesting the
recommendation is filed,
then a hearing will be sched-
uled and the Water
Management Board will con-
sider 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 recommenda-
tion must file a written peti-
tion 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 December 3,
2012.

The petition may be infor-
mal, but must include a state-
ment describing the petiti-
oner's interest in the applica-
tion, the petitioner's reasons
for opposing or supporting
the application, and the sig-
nature and mailing address
of the petitioner or the peti-
tioner'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 once at the
approximate cost of \$55.25.
(November 21, 2012)

54.68
All legal notices in the Public
Opinion and other South
Dakota newspapers can be
found at
www.sdpublicnotices.com



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

November 14, 2012

Clear Lake Courier
PO Box 830
Clear Lake SD 57226

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7435-3 to Appropriate Water. Please publish the notice once on November 21, 2012. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Poinsett Hutterian Brethren, c/o Levi Tschetter, 46527 189th St., Estelline SD 57234 (Ph # 605-873-2630).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

November 14, 2012

Public Opinion
PO Box 10
Watertown SD 57201

ATTENTION: Legal Public Notice

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The applicant must verify to you that the notice is to be published and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Poinsett Hutterian Brethren, c/o Levi Tschetter, 46527 189th St., Estelline SD 57234 (Ph # 605-873-2630).

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.**

November 14, 2012

Poinsett Hutterian Brethren
Levi Tschetter
46527 189th St
Estelline SD 57234

Dear Mr. Tschetter:

Water Permit Application No. 7435-3 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 Clear Lake Courier printed at Clear Lake SD (Ph # 605-874-2499) and the Public Opinion printed at Watertown SD (Ph # 605-886-6901). You will need to contact the newspaper(s) 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. 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

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 the Notice on November 21, 2012. 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. 7435-3 to Appropriate Water

Notice is given that Poinsett Hutterian Brethren, Inc., c/o Levi Tschetter, 46527 189th St, Estelline SD 57234 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Big Sioux:Brookings Aquifer (90 feet deep) located in NW 1/4 ~~NW~~ 1/4 Section 31 for irrigation of 97.5 acres located in the W 1/2 SW 1/4, SE 1/4 SW 1/4 Section 31; all in T114N-R50W. The applicant requests a diversion rate greater than the statutory limit.

5

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7435-3 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.

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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 once at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

JAN 14 2013

Poinsett Hutterian Brethren Inc
Levi Tschetter
46527 189th St
Estelline SD 57234

Dear Mr. Tschetter:

Enclosed is Water Permit No. 7435-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

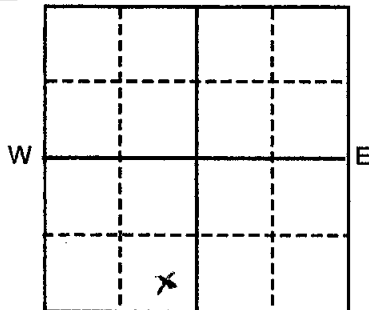
SOUTH DAKOTA WATER WELL COMPLETION REPORT

7435-3 SD EForm - 1621LD V1

11-02

Location SE 1/4 SW 1/4 Sec 30 Twp 113N Rg 50W

County Deuel



Please mark well location with an "X"

Well Completion Date

12-9-2014

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

PROPOSED USE:

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

METHOD OF DRILLING:

Direct Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
40.0 LB/FT	16.00 IN	0.0 FT	47.0 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
GrtWell DF	18	54.0 Lb/gal	0.0 Ft	47.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure _____

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 16.00 Inches Length 15.0 Feet

Material Stainless Steel

Slot Size .060 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: Poinsett Hutterian Colony

Business Name: _____

Address: 46527 189th St

City, State, Zip: Estelline SD 57243

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
Soft Sandy Yellow Clay	1	3
Dry Mixed Yellow Gravel	3	12
Mixed Yellow Gravel	12	30
Rocks-Tight	30	32
Medium Yellow Gravel	32	42
Blue Clay	42	44
Medium Clean Gravel	44	62
Blue Clay	62	70

STATIC WATER LEVEL 5.0 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: _____ GPM

REMARKS

RECEIVED

JAN 3 2015

WATER RIGHTS PROGRAM

This well was drilled under license # 689 and this report is true and accurate.

Drilling firm: Kaiser Well Drilling Inc

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

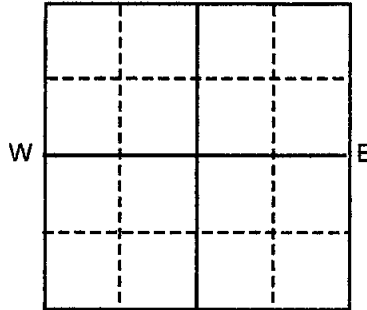
Date: 12-18-14

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE ¼ SW ¼ Sec 30 Twp 113N Rg 50WCounty DEUEL

North

Please mark well
location with an "X"

Well Completion Date

6-02-2015

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

DIRECT ROTARY

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
40.0 LB/FT	12.00 IN	0.0 FT	23.0 FT	18.00 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
GRTWELDF	17	54.0 Lb/gal	0.0 Ft	23.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

PRESSURE PULL

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 12.00 Inches Length 10.0 FeetMaterial STAINLESS STEELSlot Size .60 Set From 23.0 Feet to 33.0 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? _____
Lab to which water
quality sample sent for analysis _____Well Owner: POINSETT COLONY

Business Name: _____

Address: 46527 189th StCity, State, Zip: Estelline SD 57234

WELL LOG:

DEPTH

FORMATION	FROM	TO
TOP SOIL	0	1
YELLOW CLAY SANDY	1	6
YELLOW GRAVEL DIRTY	6	22
YELLOW GRAVEL- CLEAN-MIXED	22	33

STATIC WATER LEVEL 8.7 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: SUBMERSIBLE☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After 4.0 Hrs. pumped 400.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

FEB 01 2016

WATER RIGHTS
PROGRAM*BIG LOUX PROOKINGS IR*This well was drilled under license # 689 and this
report is true and accurate.Drilling firm: KAISER WELL DRILLING INC

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7435-3

I have this day, June 25, 2021, made a thorough examination of the water use system constructed by Poinsett Hutterian Brn Inc, 46527 189th St, Estelline, SD 57234 of Permit No. 7435-3, bearing the priority of September 14, 2012 authorizing the diversion of 1.78 cu. ft. per second of the waters of Big Sioux: Brookings Aquifer for irrigation purposes, in Deuel County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Kaiser Well Drilling Inc
- 2) No. of Wells 1
- 3) Depth(s) 62 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 16 inches
- 2) Length 47 feet
- 3) Type Plastic

Screen:

- 1) Type Stainless steel
- 2) Length 15 feet
- 3) Static water level 5 feet

Pump:

- 1) Make NA
- 2) Model Submersible
- 3) Size NA
- 4) Capacity 550 GPM

Motor:

- 1) Make NA
- 2) Model No. NA
- 3) Horsepower rating NA hp

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

Comments: 1140 feet buried pipeline

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make old Lindsey
- 2) Overall length 1050 feet
- 3) Number of towers 8
- 4) End gun Y
- 5) Capacity 550 GPM

Chemigation Equipment:

- 1) Does chemigate N

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: From the SW corner of Sec 31 T114N-R50W, 2100 ft N & 580 ft E, Lat 44.63628 Long -96.88279 (NW 1/4 SW 1/4 Sec 31)
2. The works are capable of diverting and conveying to the place of use 1.22 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All land in Sec 31-T114N-R50W

NW1/4 SW 1/4 - 22 ac

SE 1/4 SW 1/4 - 22 ac

SW 1/4 SW 1/4 - 32 ac

comprising a total of 76 acres of land and the license should be issued for 1.22 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 by using FSA maps and the ArcMAPS software.

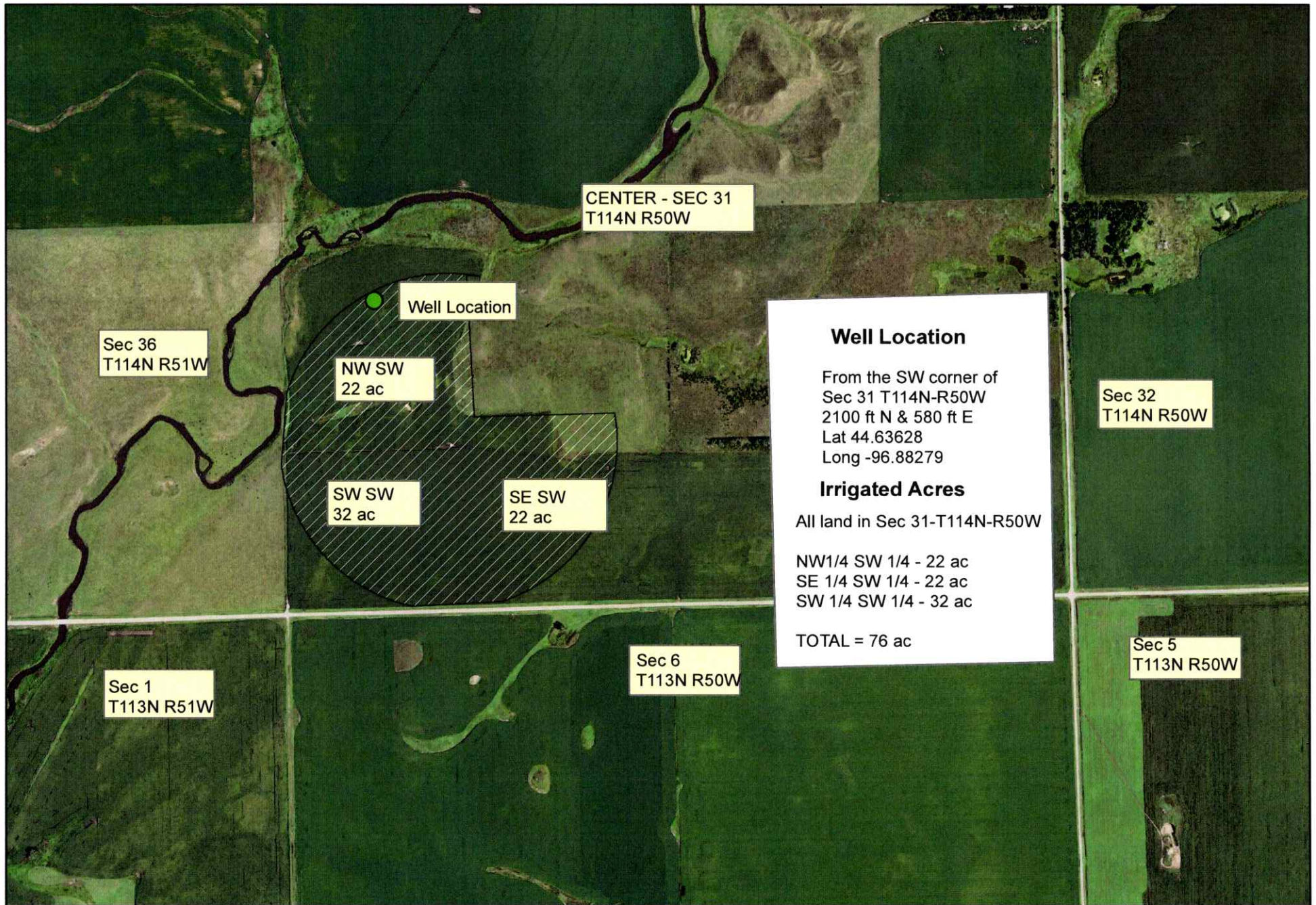
The irrigation system is using 1.22 cfs in contrast to the permit issued 1.78 cfs at this time.

The contact address and telephone number contained with the submitted review materials is current. The current contact person is Mr. Levi Tschetter.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: **July 1, 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

JUL 09 2021

7435-3

Levi Tschetter
Poinsett Hutterian Brethren Inc
46527 189th St
Estelline SD 57234

Dear Mr. Tschetter:

Enclosed is Water License No. 7435-3. 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
Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7435-3

(1) Poinsett Hutterian Brethren Inc., 46527 189th St, Estelline SD 57234 made Application No. 7435-3, September 14, 2012 for a water permit to divert 1.78 cubic feet of water per second from ground water, one well (Big Sioux Brookings Aquifer) located in Deuel County, South Dakota for irrigation purposes. Permit No. 7435-3, with a priority date of September 14, 2012 was approved December 3, 2012 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 3, 2017 and for the application to beneficial use of water on or before December 3, 2021.

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

- 2,100'N & 580'E of the SW corner of Section 31, T114N, R50W (NW ¼ SW ¼ Section 31)
Latitude 44.63628, Longitude -96.88279

(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 31, T114N, R50W	NW ¼ SW ¼	22 acres
	SE ¼ SW ¼	22 acres
	SW ¼ SW ¼	32 acres
	Total	76 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Poinsett Hutterian Brethren Inc., 46527 189th St, Estelline SD 57234 the holder and/or owner of Water Right No. 7435-3 is issued a license to appropriate water, the right to use 1.22 cubic feet of water per second from ground water, one well (Big Sioux Brookings Aquifer) with a priority date of September 14, 2012 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7435-3 and subject to the following qualifications:

- 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.
- The well authorized by Permit No. 7435-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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 well was drilled in 2014 by Kaiser Well Drilling. A copy of the well completion report is on file with the Water Rights Program.***

- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 7435-3 authorizes a maximum diversion rate of 1.22 cfs for the irrigation of 76 acres with an annual volume not to exceed 2 acre feet of water per acre per year. ***The diversion rate and acreage were reduced to reflect the system as developed.***
- 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

JUL 08 2021

date

