

WATER PERMIT NO. 7476-3

Name of Applicant: **Thompson Hereford Rnach**

Address: **35298 239th St, Pukwana SD 57370**

Phone: **605 894-4478**

Amount of Water Claimed: **3.18 cfs**

Total Acres: **no add'l**

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

Water to be used for: **irrigation**

County: **Brule**

Type of Waste Disposal System:

Location: **12 miles northeast of Pukwana**

PRIORITY

Date Received: **10-23-2012**

Application/License Fee: **\$ 500**

Corrected Application Received:

Period of Annual Use: **May 1 – October 31**

Remarks: **additional diversion rate authority to Water Permit Nos. 6800-3 and 7258-3**

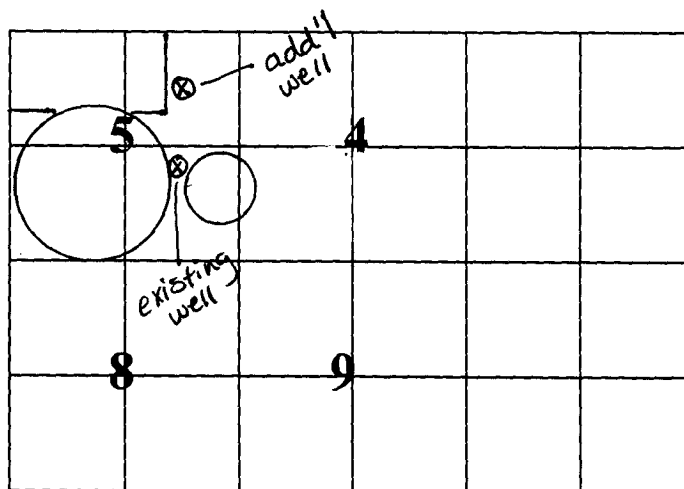
Diversion Point: **NW 1/4 NE 1/4 Sec 5-T105N-**

R69W

Land to be Irrigated: **W 1/2 , W 1/2 NE 1/4, SE 1/4**

Sec 5 and W 1/2 SW 1/4 Sec 4; all in T105N-

R69W



Depth of Well: **100 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Eric Gronlund**

Reviewed and the Number Assigned on: **10-24-2012**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota

(type or print)

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

No. 7476-3 (office use only)
Hydrologic Unit 10140105

Basin Missouri River 605-234-0266

Newspaper Central Dak. Times P.O. Box 125 Chamberlain 57325

Plainsman P.O. Box 1278 Huron 57350 605-352-6401

RECEIVED

OCT 23 2012

WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

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

additional diversion rate authority to Water Permit Nos. 6800-3 and 7258-3

1. Name to Appear on Irrigation Permit Thompson Hereford Ranch

(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

Mailing Address 35298 239th Street Pukwana SD 57370
(Address) (City) (State) (Zip Code)

Home Phone 605 894-4478 Cell _____ Email _____

2. Amount of water claimed 3.18 ^{add'l} *CFS or 1,430 **GPM _____ ***AF Total Acreage no add'l
(*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 completed into the Crow Creek Aquifer

4. Location of point of diversion NW 1/4 NE 1/4 Section 5, T105N, R69W

(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Brule

5. County or counties where water will be used Brule

6. Annual period during which water is to be used May 1 - October 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
same as Water Permit Nos. 6800-3 and 7258-3			
410 acres total			

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

Construct a new well and additional diversion rate authority to bring the diversion up to the statutory limit for irrigation of 410 acres.

I, Thompson Hereford Ranch Wayne Thompson, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

**SOUTH DAKOTA
WATER PERMIT NO. 7476-3**

Date of first receipt of application October 23, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7476-3 to Thompson Hereford Ranch, c/o Wayne Thompson, 35298 239th St, Pukwana SD 57370 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. 7476-3 authorizes 3.18 cubic feet of water per second (cfs) diversion rate authority from an additional well to irrigate acres authorized by Water Permit Nos. 6800-3 and 7258-3. Water Permit Nos. 6800-3 and 7258-3, combined authorize 2.67 cfs from one well located in the NE 1/4 SE 1/4 Section 5 to irrigate 410 acres located in the W 1/2, W 1/2 NE 1/4, SE 1/4 Section 5 and W 1/2 SW 1/4 Section 4; all in T105N-R69W. This permit authorizes the diversion of up to 3.18 cfs from one additional well to be completed into the Crow Creek Aquifer (100 feet deep) located in NW 1/4 NE 1/4 Section 5-T105N-R69W for irrigation of acreage described above. Water Permit Nos. 7476-3, 6800-3 and 7258-3 will authorize a total diversion rate of 5.85 cfs from 2 wells for irrigation of 410 acres.
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 – October 31.
3. The date from which applicant may claim right is October 23, 2012.
4. The date of approval of Permit No. 7476-3 is January 22, 2013.
5. One-fifth of the construction is to be completed on or before July 22, 2015.
6. All construction is to be completed on or before January 22, 2018.
7. Water is to be put to beneficial use on or before January 22, 2022.
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 new well authorized by Permit No. 7476-3 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

FEB 08 2013
date



Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☒ Drilling new well(s) ☐ Using existing well(s)

a) If new wells, how many 1 Have test holes been drilled ☐ Yes ☒ No Drilled by _____
(if yes, please provide copies of logs)

b) If existing wells, how many 1 Provide copy of log(s), if available. Drilled by drilled in 1977

c) Well Depth 100 Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____

d) Distance to nearest existing domestic well:

On applicant's property 600 ft On property owned by others approx. 2 miles

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)

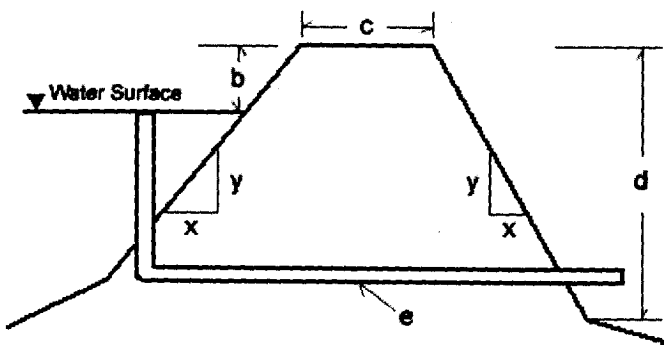
Upstream _____

Downstream _____

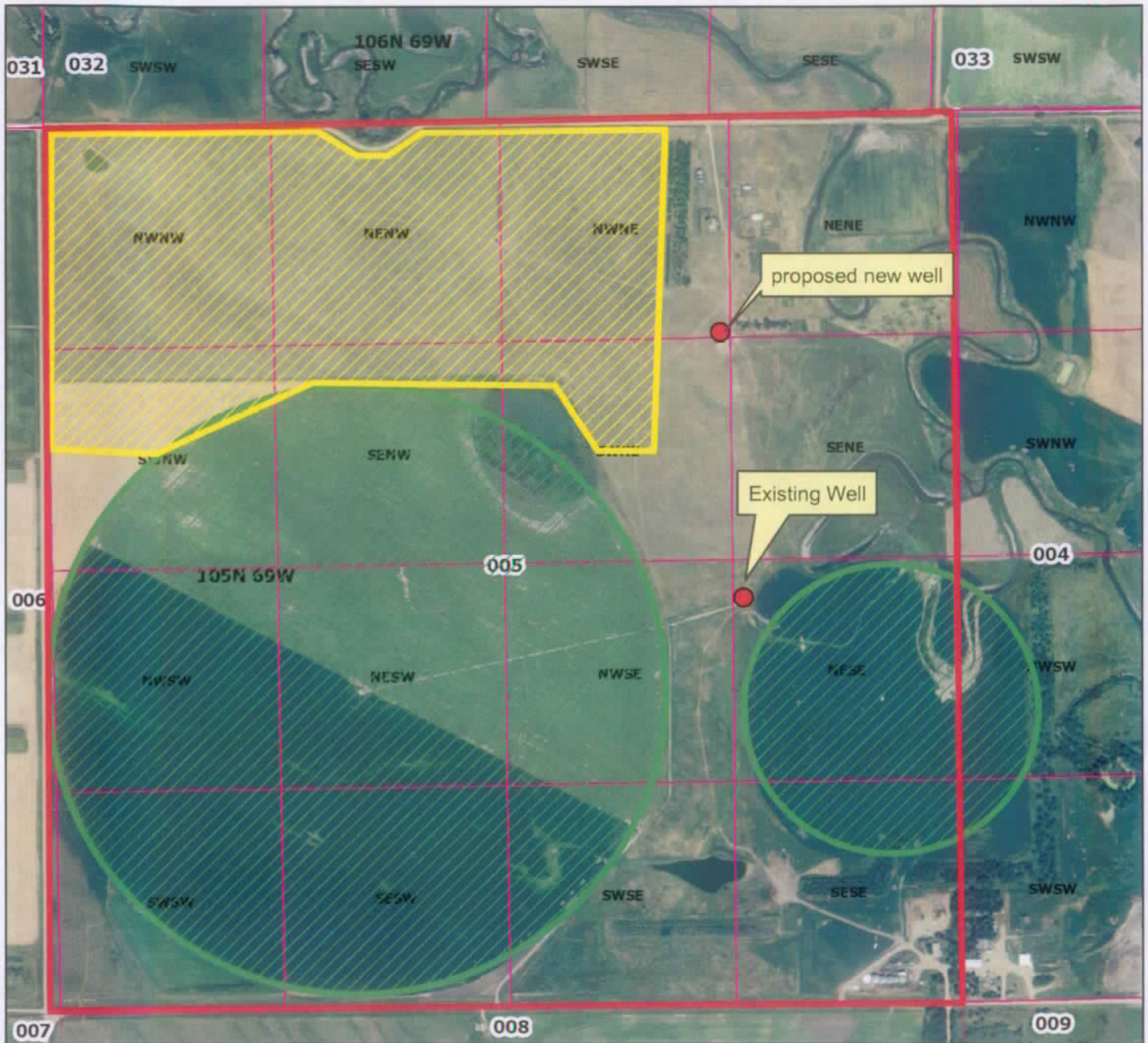
h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



THOMPSON HEREFORD RANCH



Water Permit No. 7258-3

Water Permit No. 6800-3



Curve to Fence 1304'
 total Fence to fence 1450'
 Pipe to well 1490'
 Aerial Map



Maps provided by:



surety

©AgriData, Inc. 2011
 www.AgrDataInc.com

5-105N-69W
 Brule County
 South Dakota

Chamberlain PO

map center: 43° 55' 36.1, 99° 8' 16.52
 scale: 9738



5/31/2011

Field borders provided by Farm Service Agency as of 5/21/2008. Aerial photography provided by Aerial Photography Field Office.

RECEIVED

JUN 15 2011

WATER RIGHTS
 PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/24, 20 12

RECEIVED OF Thompson Hereford Ranch 35298 239th St Pukwana SD 57370

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

Fee for Application for Permit No. <u>7476-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7476-3</u>		
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	500 00

No. **05637**

By *Leland Enchee* 29
Chief Engineer

RECEIVED

SEP - 3 2012

WATER RIGHTS
PROGRAM

Wayne Thompson
35298 239th St.

Pukwana, S.D. 57370

Dear Eric,

I want to drill another irrigation well in Sec. 5 105 69 to supplement the existing well on Permit No. 7258-3.

This will give us capability of using 2 of the 3 existing pivots at the same time.

Let me know if this is possible and what I need to do.

Thank you

Wayne

605-894-4478

680-0162



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 27, 2012

Wayne Thompson
35298 239th Street
Pukwana SD 57370

Dear Mr. Thompson:

I am writing to respond to your letter inquiring about drilling an additional irrigation well in Section 5, T105N, R69W. The letter asks if this is possible and what needs to be done.

Currently, Thompson Hereford Ranch holds Water Permit Nos. 6800-3 and 7258-3 for irrigation from one well. The permits, combined, appropriate 2.67 cubic feet of water per second (cfs) to irrigate 410 acres. One cfs equates to 448.8 gallons per minute (gpm) so the appropriation is 1200 gpm. The enclosed map shows the existing well location and the authorized irrigated acres associated with the permits.

State law allow for a change of diversion point or additional diversion points if the diversion is from the same source of water, no additional water is appropriated and no new acres are to be irrigated. The change may be allowed without formal application or publication if the Water Rights Program is contacted and makes a finding that the change does not increase the potential for interference with existing diversion. Presumably you want to develop the well into the Crow Creek Aquifer and would not develop additional acres. The intent appears to be able to run 2 of the 3 pivots at the same time. So the real question boils down to whether the total diversion from two wells will be greater than 2.67 cfs (1,200 gpm).

If the total diversion from the existing and proposed new well will not exceed 2.67 cfs, please file a request for an additional well without an increase in diversion rate authority, provide the proposed depth and marking the location of the new well on the enclosed map.

If the combined diversion will exceed 1,200 gpm, a new application will need to be filed for the amount of increased diversion rate authority above 1,200 gpm including a map showing the new well's location, proposed construction and application filing fee. Attached is a blank application form and an example of what the application may look like.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7476-3, Thompson Hereford Ranch**

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. 7476-3, Thompson Hereford Ranch, c/o Wayne Thompson, 35298, 239th Street, Pukwana SD 57370.

The Chief Engineer is recommending APPROVAL of Application No. 7476-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The new well authorized by Permit No. 7476-3 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
December 27, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO.7476-3
THOMPSON HEREFORD RANCH
C/O WAYNE THOMPSON
JANUARY 2, 2013

Water Permit Application No. 7476-3 proposes to increase the diversion rate authorized by Water Permit Nos. 6800-3 and 7258-3. Water Permit Nos. 6800-3 and 7258-3 appropriate a total of 820 acre-feet (ac-ft) of water annually at a maximum diversion rate of 2.67 cubic feet of water per second (cfs) from one well 98 feet deep completed into the Crow Creek aquifer. The well is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5 for the irrigation of 410 acres located in the W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 5 and W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 4; all in T105N-R69W in Brule County. This application proposes to increase the permitted diversion rate by 3.18 cfs from one additional well to be completed into the Crow Creek aquifer. The proposed well is to be approximately 100 feet deep and be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5-T105N-R69W. This application, if approved, and Water Permit Nos. 6800-3 and 7258-3 will authorize a total diversion rate of 5.85 cfs for irrigation of 410 acres from two wells completed into the Crow Creek aquifer. No additional volume of water is requested by this application.

AQUIFER: Crow Creek (CC)

GEOLOGY AND AQUIFER CHARACTERISTICS:

There has not been extensive aquifer mapping in Brule County, but based on the bedrock topography and well completion reports submitted to the DENR-Water Rights program it is reasonable to assume that the outwash at the proposed well site is in the Crow Creek aquifer (Tomhave and Schulz, 2004 and Water Rights, 2012c). The Crow Creek aquifer in nearby Jerauld County is composed of permeable, well-sorted, medium to very coarse sand and gravel (Hamilton, 1985). The aquifer can be found under water table or confined conditions. The aquifer is under confined conditions at this proposed well location. The Crow Creek aquifer underlies 70 square miles and contains an estimated 270,000 ac-ft of water in storage in Jerauld County (Hamilton, 1985). The aquifer extends into Buffalo and Brule Counties. Groundwater movement is generally from east to west toward the Missouri River. The well completion report filed for Water Permit No. 6800-3 indicated that there is sand and gravel from 56 feet below grade to 99 feet below grade with a static water level of 44 feet below grade. The well authorized by Water Permit No. 6800-3 is 0.3 miles south of the well site proposed by this application.

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. 7476-3 proposes to increase the diversion rate authorized by Water Permit Nos. 6800-3 and 7258-3. This application does not request an increase in the total volume of water appropriated. Therefore, water availability is not an issue.

EXISTING WATER RIGHTS:

There are six water permits authorizing wells and several domestic wells within two miles of the well site proposed by this application (Water Rights, 2012b and 2012c). All of the water permits held by Rodney L. Larsen are at least one mile east of the proposed well site. The water permits within two miles of the proposed well site are listed in table 1. Observation well BF 78-C is 0.3 miles northeast of the proposed well location. The hydrograph for observation well BF-78C is shown in figure 1.

Permit No.	Name	Status	Type	CFS	Acres
6800-3	Thompson Hereford Ranch	PE	IRR	2.67	270
7020-3	Rodney L. Larsen	PE	IRR	3.89	270
7021-3	Rodney L. Larsen	PE	IRR	1.94	135
7022-3	Rodney L. Larsen	PE	IRR	1.94	135
7023-3	Rodney L. Larsen	PE	IRR	1.94	135
7258-3	Thompson Hereford Ranch	PE	IRR	0	140

PE= Water Permit, IRR= Irrigation

Table 1- Water rights/permits within approximately two miles of well site proposed by Water Permit No. 7476-3 (Water Rights, 2012b)

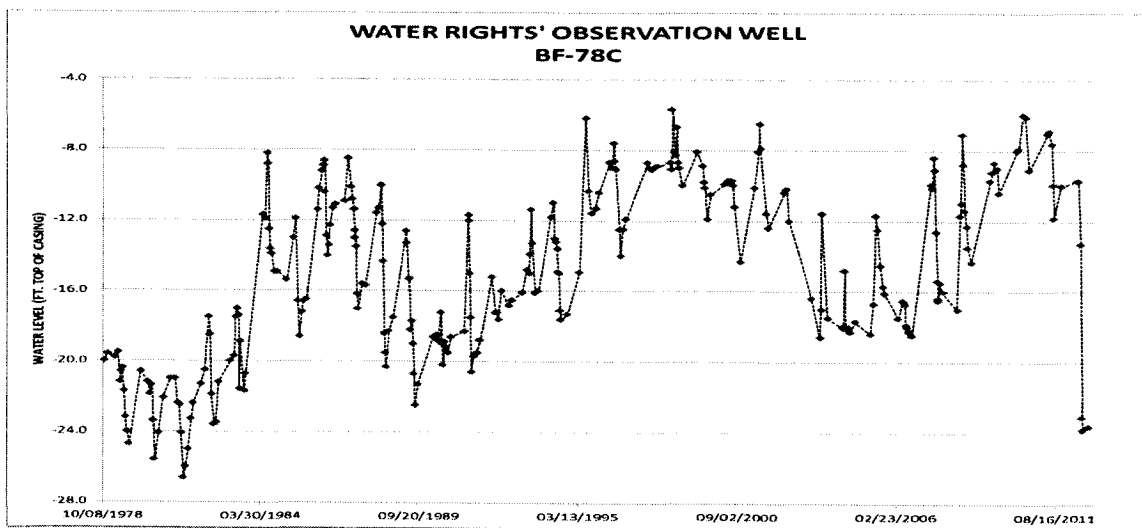


Figure 1- Hydrograph for observation well BF-78C (Water Rights, 2012a)

The hydrograph shows that the temporal effects of pumping are masked by the climatic effects on the water level in the aquifer. The hydrograph also shows that in the immediate area the drawdown created from pumping irrigation wells has not been significant over the period of record. Although some drawdown may occur in the Crow Creek aquifer, SDCL 46-6-6.1 does not protect artesian head pressure as a means of delivery and the Water Management Board has recognized that to place water to maximum beneficial use a certain amount of drawdown may

occur. In order to balance interests between irrigation use and delivery of water by artesian pressure the Water Management Board has defined an "adversely impacted domestic well" in ARSD 74:02:04:20(7) as:

"a well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner's need"

The assurance of reasonable domestic use provided by SDCL 46-6-6.1 and ARSD 74:02:04:20(7) ensures not only that interference will not be adverse to domestic well users but also in existing appropriative rights. Depending on the characteristics of the Crow Creek aquifer at the well site, some existing well owners may need to lower their pumps to accommodate for lower water levels. When considering SDCL 46-6-6.1 and ARSD 74:02:04:20(7), well interference from this proposed increase in diversion rate is not likely to be significant and there is a reasonable probability that any interference will not be adverse.

CONCLUSIONS:

1. Water Permit Application No. 7476-3 proposes to increase the diversion rate authorized by Water Permit Nos. 6800-3 and 7258-3 and to add a new diversion point.
2. Water Permit Nos. 6800-3 and 7258-3 appropriate 820 acre-feet (ac-ft) of water at a maximum diversion rate of 2.67 cubic feet of water per second (cfs) from one well completed into the Crow Creek aquifer for the irrigation of 410 acres.
3. Total diversion rate for Water Permit Nos. 6800-3 and 7258-3, and Water Permit Application No. 7476-3, if approved, would be 5.85 cfs from two wells.
4. This application, if approved, does not authorize any increase in the total volume of water appropriated.
5. There is a reasonable probability that the diversion requested by this application can be made without adversely affecting existing water rights/permits and domestic users.



Adam Mathiowetz
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Hamilton, L.J. 1985. Water Resources of Aurora and Jerauld Counties, South Dakota. Water-Resources Investigations Report 84-4030. U.S. Geological Survey. Huron, South Dakota.
- Tomhave, D.W. and L.D. Schulz. 2004. Bedrock Geologic Map Showing Configuration of the Bedrock Surface in South Dakota East of the Missouri River. SD DENR-Geological Survey. Vermillion, South Dakota.
- 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 RECEIVED

State of South Dakota

ss

IAN 11 2013

County of Brule

WATER RIGHTS PROGRAM

Debi Ruiz of said county, being, first duly sworn, on oath, says: That she is the publisher of *Central Dakota Times*, a weekly newspaper, published in the City of Chamberlain, in said County of Brule, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Brule and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the Notice of Application

No. 7476-3 To Appropriate
Water

a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for

One successive week(s) to wit:

Jan. 9, 2013; _____, 20____;
_____, 20____; _____, 20____;
_____, 20____; _____, 20____;

That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

\$25.30

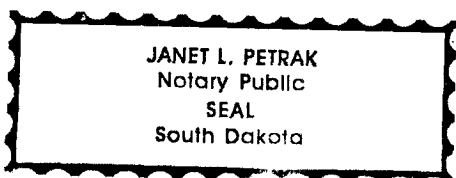
Signed:

Debi Ruiz

Subscribed and sworn to before me this 10th day
of January, 2013.

Janet L. Petrak

Notary Public in and for the County of Brule,
South Dakota



NOTICE OF APPLICATION NO. 7476-3 TO APPROPRIATE WATER

Notice is given that Thompson Hereford Ranch, c/o Wayne Thompson, 35298 239th Street, Pukwana, SD 57370 has filed an application for a water permit for 3.18 cubic feet of water per second (cfs) diversion rate authority from an additional well to irrigate acres authorized by Water Permit Nos. 6800-3 and 7258-3. Water Permit Nos. 6800-3 and 7258-3, combined authorize 2.67 cfs from one well located in the NE 1/4 SE 1/4 Section 5 to irrigate 410 acres located in the W 1/2, W 1/2 NE 1/4, SE 1/4 Section 5 and W 1/2 SW 1/4 Section 4; all in T105N-R69W. This application proposes to divert up to 3.18 cfs from one additional well to be completed into the Crow Creek Aquifer (100 feet deep) and located in NW 1/4 NE 1/4 Section 5-T105N-R69W for irrigation of acreage described above. This application, if approved and Water Permit Nos. 6800-3 and 7258-3, will authorize a total diversion rate of 5.85 cfs from two wells for irrigation of 410 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7476-3 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 East 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 Jan. 22, 2013.

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 one week, January 9, 2013, at a total approximate cost of \$25.30.)
(January 9)

PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

RECEIVED

JAN 17 2013

WATER RIGHTS
PROGRAM

I, TRISHA NELSON, being duly sworn on oath, say that THE PLAINSMAN is a daily paper published at Huron, Beadle County, South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am Legal Advertising Coordinator of said newspaper and know the facts herein state. The annexed notice headed:

SD ENVIRONMENTAL & NATURAL – WATER RIGHTS THOMPSON

was published for one day, in said newspaper, and not in any supplement of the said newspaper, the publication was of the 9TH day JAN 2013 That the full **THIRTY-NINE & 00/000** dollars insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Trisha Nelson

Subscribed and sworn to before me this 15th day of JAN. 2013.

Shirley Kuehnle
Notary Public, South Dakota

My term expires 10/25/17

Legal # 554

F.P. 01-09-13

**NOTICE OF
APPLICATION
NO. 7476-3**

to Appropriate Water

Notice is given that Thompson Hereford Ranch, c/o Wayne Thompson, 35298 239th St, Pukwana SD 57370 has filed an application for a water permit for 3.18 cubic feet of water per second (cfs) diversion rate authority from an additional well to irrigate acres authorized by Water Permit Nos. 6800-3 and 7258-3. Water Permit Nos. 6800-3 and 7258-3, combined authorize 2.67 cfs from one well located in the NE 1/4 SE 1/4 Section 5 to irrigate 410 acres located in the W 1/2, W 1/2 NE 1/4, SE 1/4 Section 5 and W 1/2 SW 1/4 Section 4; all in T105N-R69W. This application proposes to divert up to 3.18 cfs from one additional well to be completed into the Crow Creek Aquifer (100 feet deep) located in NW 1/4 NE 1/4 Section 5-T105N-R69W for irrigation of acreage described above. This application, if approved, and Water Permit Nos. 6800-3 and 7258-3 will authorize a total diversion rate of 5.85 cfs from 2 wells for irrigation of 410 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7476-3 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 January 22, 2013.

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. Pirmer, Secretary, Department of Environment and Natural Resources.

No. 554 (adv.)
Published once at the total approximate cost of \$38.99.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

January 2, 2013

Plainsman
PO Box 1278
Huron SD 57350

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7476-3 to Appropriate Water. Please publish the notice once on January 9, 2013. 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 Thompson Hereford Ranch, c/o Wayne Thompson, 35298 239th St., Pukwana SD 57370 (Ph # 605-894-4478).

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

Schlaak, Karen

From: Ruby Crandall <rnewman.plainsman@midconetwork.com>
Sent: Thursday, January 03, 2013 8:11 AM
To: Schlaak, Karen
Subject: Re: Application No. 7476-4, Thompson Hereford Ranch

I have received your email.
Did you get my email Friday on Kleinsasser?
Thank you.

Ruby Crandall
Creative Services Supervisor

Plainsman/Payday/Print Shop
49 3rd Street SE
Huron, SD 57350

605-353-7412

1-800-859-3045, ext. 412

fax: 605-353-7422

rnewman.plainsman@midconetwork.com

On Jan 3, 2013, at 7:19 AM, Schlaak, Karen wrote:

Please publish the attached notice on January 9th. Thompson Hereford Ranch, c/o Wayne Thompson, 35298 239th St. Pukwana SD 57370 (605 894-4478) is responsible for authorization and payment of the notice.

Thanks,

Karen Schlaak

Water Rights Program

Phone: 605 773-3352

Fax: 605 773-4068

<7476-3public.short.docx>



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 2, 2013

Central Dakota Times
PO Box 125
Chamberlain SD 57325

ATTENTION: Legal Public Notice

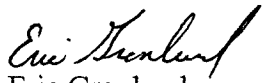
Enclosed is a Notice on Application No. 7476-3 to Appropriate Water. Please publish the notice once on January 9, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Thompson Hereford Ranch, c/o Wayne Thompson, 35298 239th St., Pukwana SD 57370 (Ph # 605-894-4478).

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

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

January 2, 2013

Thompson Hereford Ranch
Wayne Thompson
35298 239th St
Pukwana SD 57370

Dear Mr. Thompson:

Water Permit Application No. 7476-3 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 Central Dakota Times printed at Chamberlain SD (Ph # 605-234-0266) and the Plainsman printed at Huron SD (Ph # 605-352-6401). 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 January 9, 2013. 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. 7476-3 to Appropriate Water

Notice is given that Thompson Hereford Ranch, c/o Wayne Thompson, 35298 239th St, Pukwana SD 57370 has filed an application for a water permit for 3.18 cubic feet of water per second (cfs) diversion rate authority from an additional well to irrigate acres authorized by Water Permit Nos. 6800-3 and 7258-3. Water Permit Nos. 6800-3 and 7258-3, combined authorize 2.67 cfs from one well located in the NE 1/4 SE 1/4 Section 5 to irrigate 410 acres located in the W 1/2, W 1/2 NE 1/4, SE 1/4 Section 5 and W 1/2 SW 1/4 Section 4; all in T105N-R69W. This application proposes to divert up to 3.18 cfs from one additional well to be completed into the Crow Creek Aquifer (100 feet deep) located in NW 1/4 NE 1/4 Section 5-T105N-R69W for irrigation of acreage described above. This application, if approved, and Water Permit Nos. 6800-3 and 7258-3 will authorize a total diversion rate of 5.85 cfs from 2 wells for irrigation of 410 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7476-3 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 January 22, 2013.

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

FEB 08 2013

Thompson Hereford Ranch
Wayne Thompson
35298 239th St
Pukwana SD 57370

Dear Mr. Thompson:

Enclosed is Water Permit No. 7476-3 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

WATER RIGHTS
PROGRAM

**Permit No. 7476-3, 7258, & 6800-3
Missouri River - Water District**

Contact Person & Address: **Wayne Thompson 35298 239th St, Pukwana SD 57370**

Report Of Examination Of Works

On, **March 11, 2015**, I made a thorough examination of the water use system constructed by **Thompson Hereford Ranch** holder of Permit No. **6800-3**, bearing the priority of **February 1, 2007** authorizing the diversion of **2.67** cu. ft. per second, Permit No. **7258-3** bearing the priority of **June 15, 2011**, authorizing the diversion of **no additional** cu. ft. per second, and Permit No. **7476-3**, bearing the priority of **October 23, 2012** authorizing the diversion of **3.18** cu. ft. per second of the waters of **groundwater (Crow Creek Aquifer)** for **irrigation** purposes, in **Brule** County.

The system is in the following condition **good**. The point of diversions are located: the **South Well in the NE ¼ SE ¼ of Sec 5 T105N-R69W - from the SE corner of Sec 5 - 1120 ft W and 2385 ft N** with latitude of **43.92615** and a longitude of **-99.13232** and the **North Well in the N ½ NE ¼ of Sec 5 T105N-R69W - from the NE corner of Sec 5 - 1325 ft W and 1315 ft S** with latitude of **43.930235** and a longitude of **-99.13297** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **4.33** 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:

Land is located in **Sec 5 T105N-R69W**

<u>NW ¼ NW ¼ - 11 ac</u>	<u>NE ¼ NW ¼ - 33 ac</u>	<u>SE ¼ NW ¼ - 40 ac</u>	<u>SW ¼ NW ¼ - 23 ac</u>
<u>NW ¼ NE ¼ - 18 ac</u>	<u>SW ¼ NE ¼ - 33 ac</u>		
<u>NW ¼ SE ¼ - 32 ac</u>	<u>NE ¼ SE ¼ - 33 ac</u>	<u>SE ¼ SE ¼ - 10 ac</u>	<u>SW ¼ SE ¼ - 16 ac</u>
<u>NW ¼ SW ¼ - 36 ac</u>	<u>NE ¼ SW ¼ - 40 ac</u>	<u>SE ¼ SW ¼ - 36 ac</u>	<u>SW ¼ SW ¼ - 22 ac</u>

Land is located in **Sec 4 T105N-R69W**

NW ¼ SW ¼ - 14 ac **SW ¼ SW ¼ - 3 ac**

comprising a total of **400** acres of land and the license should be issued for **4.33** cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **yes.**
- 4) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

Well Information: South Well

South Well – NE ¼ SE ¼ of Sec 5 T105N-R69W

- 1) Well Drilling Firm: Huron 2) No. of Wells 1 3) Depth(s) 98 feet 4) Well log is available yes

Casing:

- 1) Diameter 15 inches 2) Length 68 feet 3) Type pvc

Screen:

- 1) Type stainless steel 2) Length 30 feet 3) Static water level 40 feet

Pump:

- 1) Make Nema Premium 2) Model DT96 3) Capacity 1200 GPM

Motor:

- 1) Make US Electrical 2) Model No. NA 3) Horsepower rating 75 hp

North Well - N ½ NE ¼ of Sec 5 T105N-R69W

- 1) Well Drilling Firm: Stretch's Drilling Service 2) No. of Wells 1 3) Depth(s) 90 feet 4) Well log is available yes

Casing:

- 1) Diameter 16 inches 2) Length 60 feet 3) Type pvc

Screen:

- 1) Type stainless steel 2) Length 30 feet 3) Static water level 37 feet

Pump:

- 1) Make submersible 2) Model NA 3) Size NA 4) Capacity 750GPM

Motor:

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

DISTRIBUTION LINES OR CANALS:

- 1) Type pvc 2) Size 10 inches 3) Length 8000 feet

SYSTEM TYPE:

Center pivot: Pivot Point in the SW ¼ Sec 5 T105N-R69W

- 1) Make Reinke 2) Overall length 1790 feet
3) Number of towers 12 4) End gun yes
5) High or low pressure low 6) Capacity 1200 GPM

Center pivot: Pivot Point in the NW ¼ Sec 5 T105N-R69W

- 1) Make Reinke 2) Overall length 1630 feet
3) Number of towers 9 4) End gun yes
5) High or low pressure low 6) Capacity 900 GPM

Center pivot: Pivot Point in the SE ¼ Sec 5 T105N-R69W

- | | |
|------------------------------------|-----------------------------------|
| 1) Make <u>Reinke</u> | 2) Overall length <u>830</u> feet |
| 3) Number of towers <u>12</u> | 4) End gun <u>yes</u> |
| 5) High or low pressure <u>low</u> | 6) Capacity <u>750</u> GPM |

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

Comments : Mr. Thompson submitted completion of works forms for Nos. 7258-3 and 7476-3 prior to me doing the inspection



Mark D. Rath
Natural Resources Engineer III
DENR, Water Rights Program

4-17-15

Date

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

Date 3-11-15

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

FROM: THOMPSON HELEFOLD RANCH WAYNE THOMPSON
(name)
3528 239th ST
(address)
PURDUE SD 57370 _____
(city, state, zip) (phone)

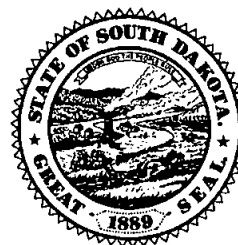
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 7476-3 states that the water use system is to be constructed by
1-22-18, and water is to be put to beneficial use by 1-22-22.
(date) (date)

The water use system was completed on 8-1-13.
(date)

Applying the water to beneficial use was completed on 8-1-13.
(date)

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





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

April 3, 2015

Tom Rathjen
Stretch's Well Service Inc
PO Box 36
Hitchcock SD 57348-0036

Dear Mr. Rathjen:

This letter is in regards to a well log for an irrigation well you drilled in the past few years for Wayne Thompson of Thompson Hereford Ranch in northern Brule County.

I completed an inspection of Mr. Thompson's irrigation system and found the DENR Water Rights Program does not have a well log on file for that well. The location of the well is in the NE ¼ of Section 5 T105N-69W. Please submit a copy of this well log so I can have it included in our files.

When mailing the well log in to us, please address the envelope attention to me.
If you have any questions, please contact me at phone (605) 773-3352. Thank you.

Sincerely,

Mark D. Rath
DENR Water Rights Program
523 E Capitol Ave
Pierre, SD 57501



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

April 17, 2015

Tom Rathjen
Stretch's Well Service Inc
PO Box 36
Hitchcock SD 57348-0036

Dear Mr. Rathjen:

This is a reminder to have you send in a well log for an irrigation well you drilled in the past few years for Wayne Thompson of Thompson Hereford Ranch in northern Brule County.

I completed an inspection of Mr. Thompson's irrigation system and found the DENR Water Rights Program does not have a well log on file for that well. The location of the well is in the NE ¼ of Section 5 T105N-69W. Please submit a copy of this well log so I can have it included in our files.

When mailing the well log in to us, please address the envelope attention to me.
If you have any questions, please contact me at phone (605) 773-3352. Thank you.

Sincerely,

Mark D. Rath
DENR Water Rights Program
523 E Capitol Ave
Pierre, SD 57501

**WATER RIGHTS
PROGRAM**

On Reflection

Stan LeGrand
FOREMAN

JOB NAME

LOCATION

DATE _____

RIG NO

FOREMAN

RECEIVED
STATE WATER
RIGHTS COMMISSION
Pierre, S.D.
JUN 10 1977

WELL REPORT

HURON
DRILLING CO.
Huron, E. D.

SE 2-5-105-69

Sept. 16, 1977

DESCRIPTION

DATE

[illegible]

Flows	gpm	68	ft. 15" PVC Plastic	pipe to	68	ft.
Pumps	gpm	30	ft. 17" Stainless	pipe to	98	ft.
			Steel Screen			
Head	ft.		ft.	pipe to		ft.
<u>30 Ft. Stainless Steel Screen</u>						
<u>Perforations</u>			ft.	pipe to		ft.

Pressure

REMARKS

5 Days

Drilling Time

3-10 Ft. lengths of 16" Stainless Steel

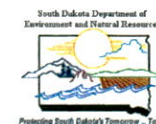
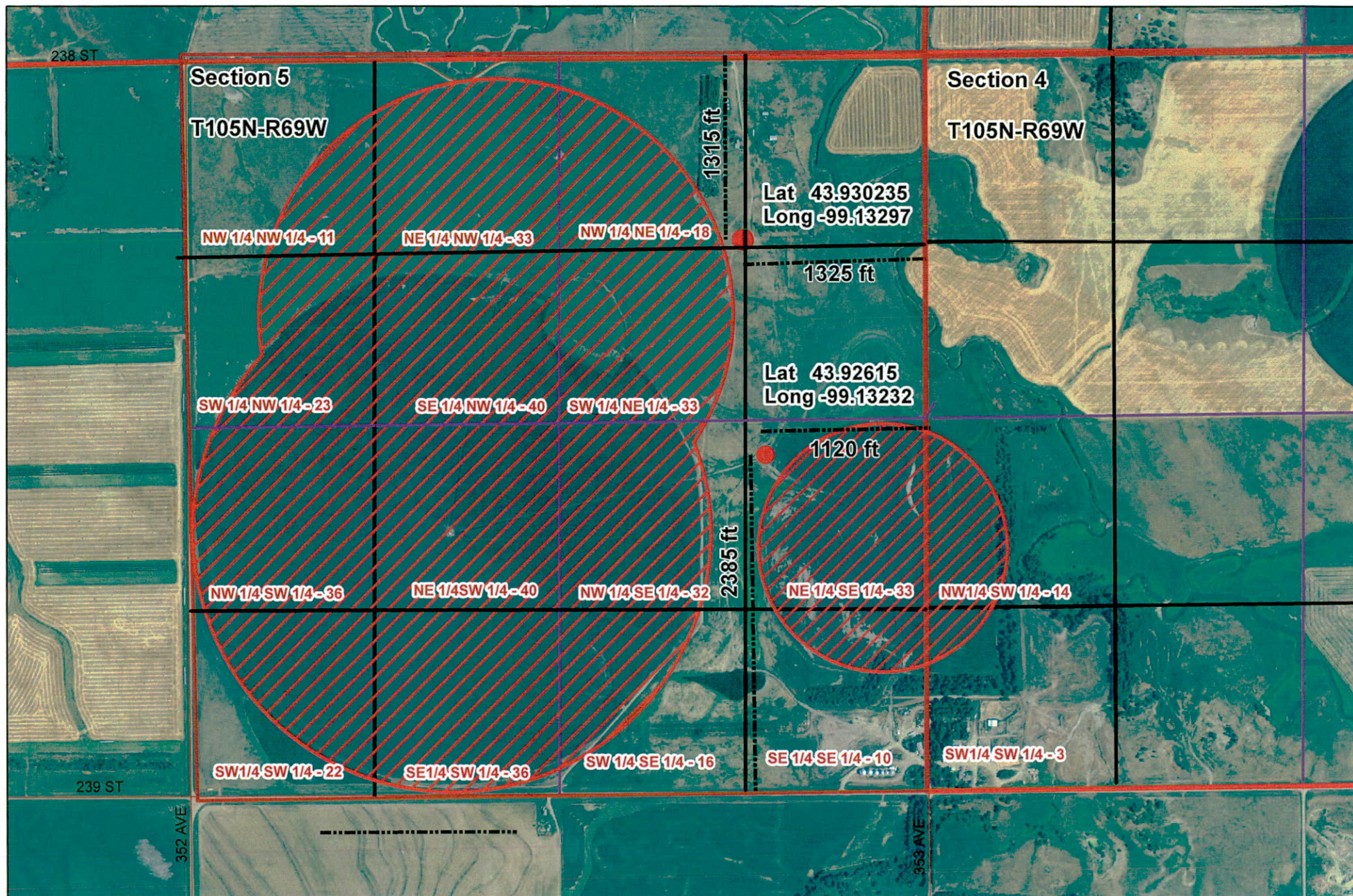
Rig No. 23

Screen - 70 Slot

Stan LeGrand

Foreman

7476-3



Mark D Rath 4-3-15
Mark D Rath
Natural Resources Engineer

7476-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

MAY 19 2015

6800-3
7258-3
7476-3

Wayne Thompson
Thompson Hereford Ranch
35298 239th St
Pukwana SD 57370

Dear Mr. Thompson:

Enclosed is Water License No. 7476-3. 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 the owner of an existing well, such as the well authorized by Water Right No. 7476-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures

Note: The applicable portions of Water Permit Nos. 6800-3 and 7258-3 were incorporated into Water License No. 7476-3.

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7476-3**

(1) Thompson Hereford Ranch, 35298 239th St, Pukwana SD 57370 made Application No. 7476-3, October 23, 2012 for a water permit to divert 3.18 cubic feet of water per second from ground water (one additional well, Crow Creek Aquifer), Brule County, South Dakota for irrigation purposes. Permit No. 7476-3, with a priority date of October 23, 2012 was approved January 22, 2013 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 22, 2018 and for the application to beneficial use of said water on or before January 22, 2022. The Permit holder submitted a *"Notice of Completion of Works and Application of Water to Beneficial Use"* on March 11, 2015. The *"Notice"* indicated the project was completed and water placed to beneficial use.

Water Permits associated with the same project:

- No. 6800-3, with a priority date of February 1, 2007, appropriates 2.67 cfs from one existing well located in the SE ¼ Section 5, T105N, R69W for irrigation of 270 acres;
- No. 7258-3, with a priority date of June 15, 2011, authorizes irrigation of an additional 140 acres from the existing well with no increase in the developed diversion rate;
- No. 7476-3, with a priority date of October 23, 2012, appropriated 3.18 cfs from one additional well located in the NE ¼ Section 5, T105N, R69W to irrigate the acreage described in Water Permit Nos. 6800-3 & 7258-3.

The applicable portions of Permit Nos. 6800-3 & 7258-3 are incorporated into this Water License No. 7476-3.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 4.33 cubic feet of water per second for beneficial use. The location of the diversion points are:

North Well: 1,325 feet W and 1,315 feet S of the NE corner of Section 5, T105N, R69W (NW ¼ NE ¼);

South Well: 1,120 feet W and 2,385 feet N of the SE corner of Section 5, T105N, R69W (NE ¼ SE ¼)

(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:

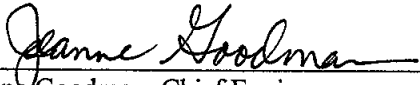
Legal Description			Priority date
T105N, R69W Section 5	NW ¼ NW ¼	11 acres	June 15, 2011
	NE ¼ NW ¼	33 acres	June 15, 2011
	SE ¼ NW ¼	40 acres	February 1, 2007 (24 acres)
			June 15, 2011 (16 acres)
	SW ¼ NW ¼	23 acres	February 1, 2007 (13 acres)
			June 15, 2011 (10 acres)
	NW ¼ NE ¼	18 acres	June 15, 2011
	SW ¼ NE ¼	33 acres	June 15, 2011
	NW ¼ SE ¼	32 acres	February 1, 2007
	NE ¼ SE ¼	33 acres	February 1, 2007
	SE ¼ SE ¼	10 acres	February 1, 2007
	SW ¼ SE ¼	16 acres	February 1, 2007
	NW ¼ SW ¼	36 acres	February 1, 2007
	NE ¼ SW ¼	40 acres	February 1, 2007
	SE ¼ SW ¼	36 acres	February 1, 2007
	SW ¼ SW ¼	22 acres	February 1, 2007
T105N, R69W Section 4	NW ¼ SW ¼	14 acres	February 1, 2007
	SW ¼ SW ¼	3 acres	February 1, 2007
Total		400 acres	

Priority dates: February 1, 2007 established under No. 6800-3 for 279 acres
June 15, 2011 established under No. 7258-3 for 121 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Thompson Hereford Ranch, 35298 239th St, Pukwana SD 57370 the holder and/or owner of Incorporated Water Right No. 7476-3 is issued a license to appropriate water, the right to use 4.33 cubic feet of water per second from ground water (two wells – Crow Creek Aquifer) with priority dates of February 1, 2007 (2.67 cfs & 279 acres) and October 23, 2012 (1.66 cfs) June 15, 2011 (121 acres) 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. 7476-3 and subject to the following qualifications:

- The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The new well authorized by Permit No. 7476-3 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 authorized under No. 7476-3 was completed in December, 2013 by Stretch's Well Service Inc. A copy of the log is on file with the Water Rights Program.***
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 19 2015

date





7476-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 23, 2023

Thompson Hereford Ranch
c/o Wayne Thompson
35298 239th St
Pukwana SD 57370

7476-3

Dear Mr. Thompson:

I am writing in regard to your Water Right No. 7476-3. The water permit authorizes diversion of water from groundwater, two wells, completed into the Crow Creek Aquifer, for the irrigation of 400.0 acres within Sections 4 & 5, T105N, R69W.

In reviewing your 2022 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Right No. 7476-6 allows you to use up to two acre-feet (ac-ft) (24 inches) of water, per acre, per year. On the questionnaire you reported substantially more water use. The following information is what was reported and what is authorized:

- 400 acres irrigated
- Reported water use – 978.4 ac-ft of water (approximately 29 inches)
- Authorized water use – 800.0 acre-feet (400 acres x 2 ac-ft per year)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 24 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. Often, irrigators do not keep track of their days or hours actually pumped and estimate numbers for the questionnaires in an effort to get them completed and back in on time. While we appreciate returning the forms in a timely manner each year, we need the forms to reflect accurate information to ensure everyone is limiting their use to the amount of water appropriated to them.

The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water license and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352