

WATER PERMIT NO. 7626-3

Name of Applicant: Steven Beeson

Address: 39825 299th St, Wagner SD 57380 Phone: 605 491-3116

Amount of Water Claimed: 2.0 cfs Total Acres: 280

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Charles Mix

Type of Waste Disposal System:

Location: 5 miles southeast of Wagner

PRIORITY Date Received: 12-31-12

Application/License Fee: \$ 1250

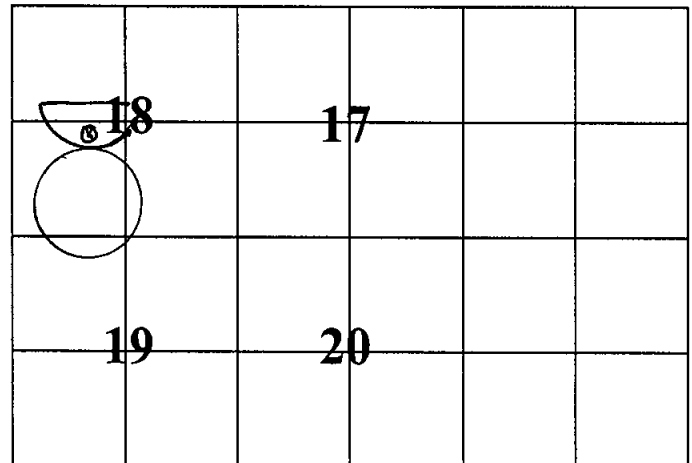
Corrected Application Received: 1-9-13

Period of Annual Use: June 1 – Sept 30

Remarks:

Diversion Point: NE 1/4 SW 1/4 Sec 18-T95N-
R62W

Land to be Irrigated: SW 1/4, N 1/2 NW 1/4, W
1/2 SE 1/4 Sec 18 and N 1/2 NW 1/4 Sec 19;
T95N-R62W



Depth of Well: 230 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 1-10-13

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. <u>7626-3</u> (office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u> <u>605-384-5616</u>
	Newspaper <u>Wagner Post Box 187 57380</u> <u>605-665-7811</u>
	<u>Press & Dakotan 319 Walnut Yankton 57078</u>

RECEIVED

DEC 31 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.)

1. Name to Appear on Irrigation Permit Steven Beeson
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent _____
(name and complete address if different than above name)
- Mailing Address 39825 299th St Wagner SD 57380
(Address) (City) (State) (Zip Code)
- Home Phone _____ Cell 605-491-3116 Email _____
2. Amount of water claimed 2.0 *CFS or 900 **GPM ***AF Total Acreage 280
(*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 Lot 1445 NE 1/4 SW 1/4 18-95N-62W
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
- County Charles Mix
5. County or counties where water will be used Charles Mix
6. Annual period during which water is to be used June 1 - September 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
<u>SW 1/4 18-95N-62W</u>	<u>140</u>	<u>NW 1/4 NE 1/4 Sec 19-T95N</u>	
<u>W 1/2 SE 1/4 18-95N-62W</u>	<u>40</u>	<u>R 62W</u>	
<u>5 1/2 NW 1/4 18-95N-62W</u>	<u>80</u>		
<u>N 1/2 NW 1/4 19-95N-62W</u>	<u>20</u>		

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

I, Steven Beeson, 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. 7626-3

Date of first receipt of application December 31, 2012.

Date of return to applicant for corrections, amendments or changes January 4, 2012.

Date of receipt of corrected application January 9, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7626-3 to Steven Beeson, 39825 299th St, Wagner SD 57380 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. 7626-3 appropriates 2.0 cubic feet of water per second from one well to be completed into the Choteau:West Aquifer (230 feet deep) located in the NE 1/4 SW 1/4 Section 18 for irrigation of 280 acres located in the S 1/2 NW 1/4, SW 1/4, W 1/2 SE 1/4 Section 18 and N 1/2 NW 1/4, NW 1/4 NE 1/4 Section 19; all in T95N-R62W.
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: June 1 – September 30.
3. The date from which applicant may claim right is December 31, 2012.
4. The date of approval of Permit No. 7626-3 is March 25, 2013.
5. One-fifth of the construction is to be completed on or before September 25, 2015.
6. All construction is to be completed on or before March 25, 2018.
7. Water is to be put to beneficial use on or before March 25, 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

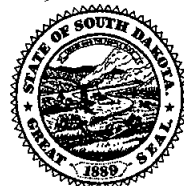
1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7626-3 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: 
Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 22 2013

date



188.65

**WATER RIGHTS
PROGRAM**

1540 feet

171.12

17.53

188.65

Center Pivot 171.12 acres

3920ft

3920ft

3000ft

3000ft

Grower: Beeson



Sec 12
T095N
R63W

Sec 7
T095N
R62W

Sec 8
T095N
R62W

Sec 13
T095N
R63W

Sec 18
T095N
R62W

Sec 17
T095N
R62W

Sec 24
T095N
R63W

Sec 19
T095N
R62W

Sec 20
T095N
R62W

x well

o Center

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/4, 20 13

RECEIVED OF Steven Beeson 39825 299th St Wagner SD 57380

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

Fee for Application for Permit No. <u>7626-3</u> to Appropriate Water, to construct and to put water to beneficial use	1050	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>7626-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	1250 00

No. 05860

By

David E. Eide
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 4, 2012

Steven Beeson
39825 299th St
Wagner SD 57380

Dear Mr. Beeson:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Charles Mix County. In order to complete the application, the following is required.

- Enclosed are the aerial photo maps submitted with the application. The map needs to reference a government section corner or quarter corner including section, township and range. For your use, I have enclosed a map with those designations. Please outline the acres to be irrigated and mark the proposed well location with an "X".
- After reviewing the map you submitted, it appears a portion of the acres to be irrigated will be located in the N 1/2 Section 19-T109N-R62W. The description and number of the acres to be irrigated identified on Item No. 7 of the application, needs to match what is outlined on the map. Please make the necessary changes.
- Enclosed is the Form 2A, Supplemental Information. On Item No. 1 regarding the Well Information, please complete c) Well Depth with proposed well depth.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosures



**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. 7626-3, Steven Beeson**

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. 7626-3, Steven Beeson, 39825 299th Street, Wagner SD 57380.

The Chief Engineer is recommending APPROVAL of Application No. 7626-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7626-3 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.

A handwritten signature in cursive script, reading "Garland Erbele".

Garland Erbele, Chief Engineer
March 4, 2013

REPORT TO THE CHIEF ENGINEER

WATER PERMIT APPLICATION NO. 7626-3

Steven Beeson

February 20, 2013

Water Permit Application No. 7626-3 proposes to appropriate 560 acre-feet per year (ac-ft/yr) at a maximum diversion rate of 2.00 cubic feet of water per second (cfs) from one well to be completed into the West management unit of the Choteau aquifer. The well is expected to be approximately 230 feet deep and is to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18 to irrigate 280 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 18 and N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 19, all in T95N-R62W in Charles Mix County.

AQUIFER: West management unit of the Choteau aquifer (CH:W)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Choteau: West is a buried outwash with western origin stream deposits consisting of sand and gravel occurring in several layers within the till. The aquifer is under artesian conditions (Kume, 1977). The majority of the aquifer lies within Charles Mix County, and also extends north into Douglas County and east into Bon Homme County. In total, the Choteau: West aquifer is estimated to underlie 218,400 acres and contain 1,474,200 ac-ft of recoverable water in storage (Hedges and others, 1982).

A test hole log was not submitted with this application as required by ARSD 74:02:01:08.01; however, information is available to evaluate the area of the proposed well site. In many places, the Choteau: West aquifer lies directly on bedrock. The application estimated depth to water bearing material at 170 feet and indicated that the total well depth will be 230 feet. Kume (1977) states that the top of bedrock (Niobrara Formation) occurs at approximately 1,250 feet above msl at the proposed well site; this equates to a depth of 190 feet below ground surface. Tomhave and Shulz (2004) mapped the top of the Niobrara Formation at approximately 1,235 feet above msl at the proposed well site; this equates to a depth of 205 feet below ground surface. Kume (1972) states that the top of the bedrock (Niobrara Formation) occurs at approximately 210 feet below ground surface at the proposed well site. The proposed well site is at an elevation of approximately 1,440 feet above mean sea level (msl). The applicant appears to be pursuing the Choteau: West aquifer and the depths proposed on the application are probably an over estimation. The saturated thickness of the Choteau: West aquifer ranges from five to 89 feet, with an average of 35 feet. In the area of the proposed well site, the aquifer is expected to be between 50 and 75 feet thick (Kume, 1977).

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a 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 that are pertinent to this application.

WATER AVAILABILITY:

This application proposes to appropriate 560 ac-ft/yr from the Choteau: West aquifer. If this application is approved, the actual water use will likely be less than the 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 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.”

Hydrologic Budget:*Recharge:*

Recharge to the Choteau: West aquifer is mostly from adjacent till, and also from leakage where the aquifer lies directly on the Niobrara, such as the case in the vicinity of the proposed well site (Kume, 1977). Because the potentiometric surface of bedrock aquifers are generally higher than that of surficial aquifers, there is a substantial potential for up flow, creating a significant recharge source. According to Hedges and others (1985), this is exactly the case for the Choteau: West and bedrock Niobrara aquifers.

Based on observation well data, recharge to unconfined portions of the Choteau: West aquifer was determined to be 4.1 inches per year (in/yr) (Hedges and others, 1985). The aquifer is also under confined conditions frequently. For management and development programs, Hedges and others (1985) suggests an estimated recharge rate range, based on observation well data, of 0.15 to 0.60 in/yr for confined aquifers.

Discharge:

Discharge from the Choteau: West aquifer occurs through seepage to springs, surrounding drift, or bedrock, and also due to well withdrawals. Currently there are 47 water rights/permits appropriating from the Choteau: West aquifer (Water Rights, 2013b). There are also two water permit applications being processed at this time: Water Permit Application No. 7607-3 proposes appropriating up to 222 ac-ft/yr and Water Permit Application No. 7628-3 proposes appropriating up to 152 ac-ft/yr.

The amount of water that can be expected to be withdrawn by non-irrigation use water rights/permits can be estimated by assuming water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time. The City of Wagner has connected to a rural water system, and therefore, the associated water rights are no longer expected to withdraw from the aquifer (Water Rights, 2013b). Therefore, the total annual withdrawal from the Choteau: West aquifer by non-irrigation use is expected to be less than 366 ac-ft/yr (Water Rights, 2013b).

In addition, there are many well completion reports on file with the SD DENR-Water Rights Program for domestic wells that appear to be completed into the Choteau: West aquifer (Water Rights, 2013c). The annual withdrawal due to domestic use is not significant to the hydrologic budget of the aquifer.

The irrigation development of the Choteau: West aquifer over the period of record, 1979 to 2011, has remained at the same general level. The annual withdrawal from the aquifer fluctuates, as shown in Figure 1. This is probably mostly dependent on annual growing season climatic conditions. Over the period of record, the average pumpage reported equals 2,325 ac-ft/yr. The maximum and minimum pumpage reported was 4,538 and 335 ac-ft/yr, respectively (Water Rights, 1980-2012).

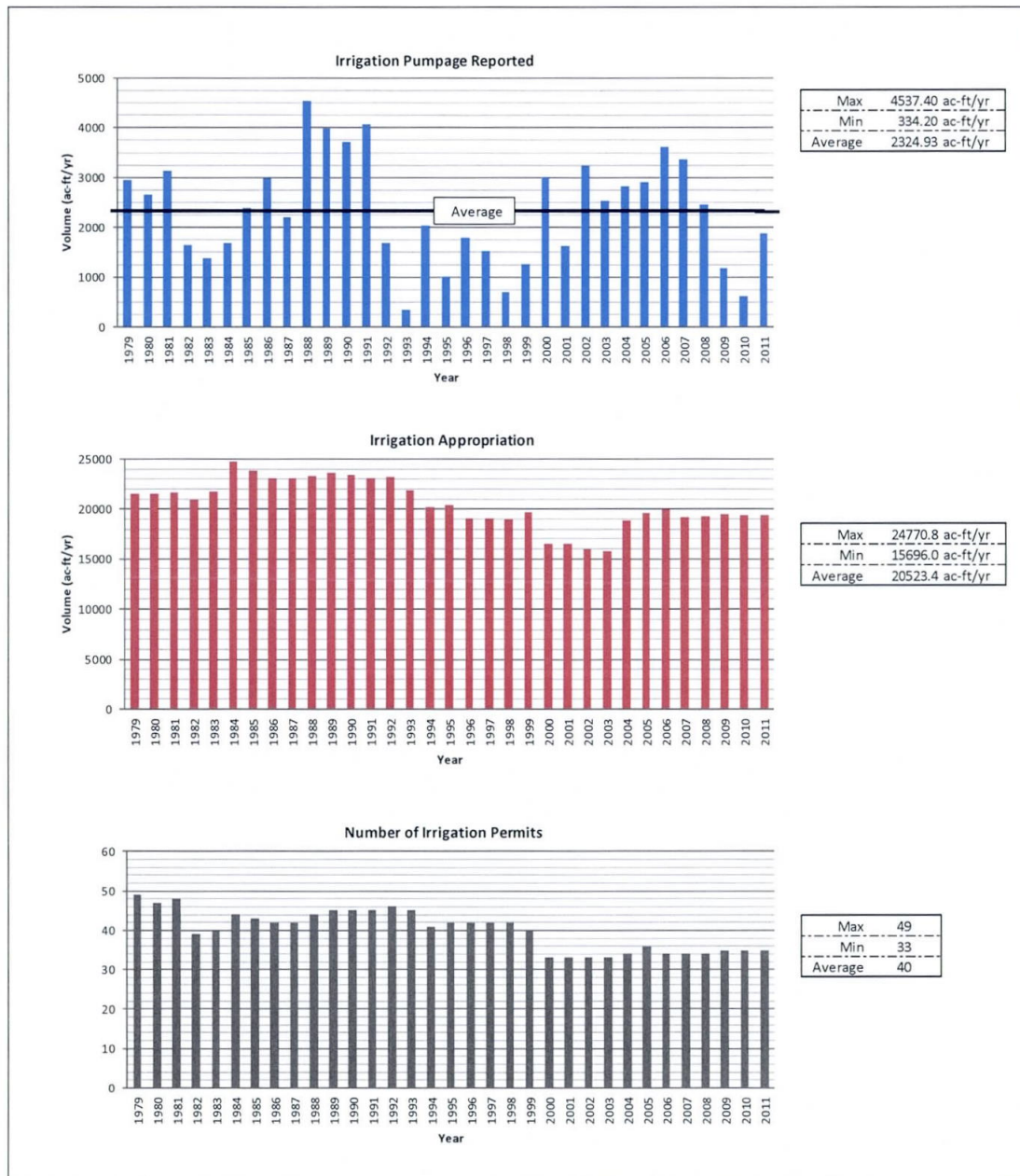


Figure 1: Historic irrigation water use from the Choteau: West aquifer (Water Rights, 1980-2012)

Water Balance:

The average annual withdrawal from the Choteau: West aquifer is estimated to be less than 2,691 ac-ft/yr. To balance the hydrologic budget, recharge must equal withdrawal. And so, assuming average annual use plus the maximum use proposed by this application, recharge to this aquifer must equal 0.18 in/yr. If the two other pending water permit applications are approved, and assuming maximum use proposed by these three applications plus average annual use, recharge to this aquifer must equal 0.20 in/yr. This required recharge rate is on the low end of the suggested recharge rate range provided by Hedges and others (1985). Therefore, there is a reasonable probability that unappropriated water is available from the Choteau: West aquifer for this proposed appropriation of 560 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 SD DENR-Water Rights Program monitors 25 observation wells in the Choteau: West aquifer. The nearest observation wells, CM-68F and CM-60B, are located approximately 3.7 miles northwest and 3.2 miles southeast of the proposed well site. The associated hydrographs are shown in Figures 2 and 3 (Water Rights, 2013a).

The observation well data documents cyclic conditions of water levels, recharging during wet years and declining during dry years. The effects of pumping are also evident. This data documents that, at the current level of development, temporal well withdrawal is masked by climatic conditions. The recent low water levels are due to the current dry conditions. Recharge to and natural discharge from the Choteau: West aquifer exceeds pumping, indicating that unappropriated water is available from the aquifer to support the proposed appropriation of 560 ac-ft/yr.

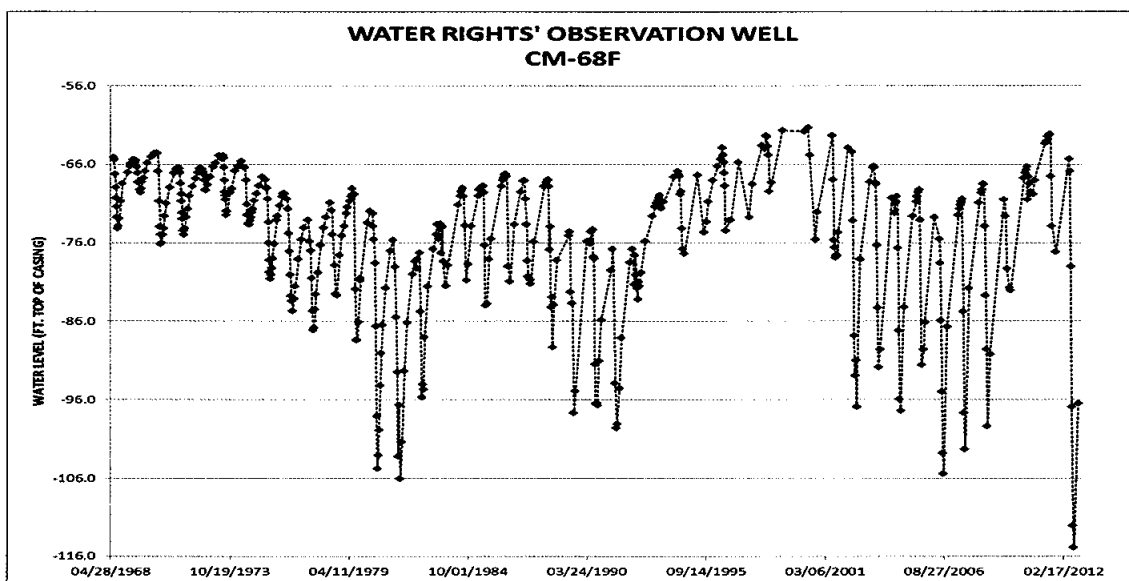


Figure 2: Hydrograph for observation well CM-68F (Water Rights, 2013a)

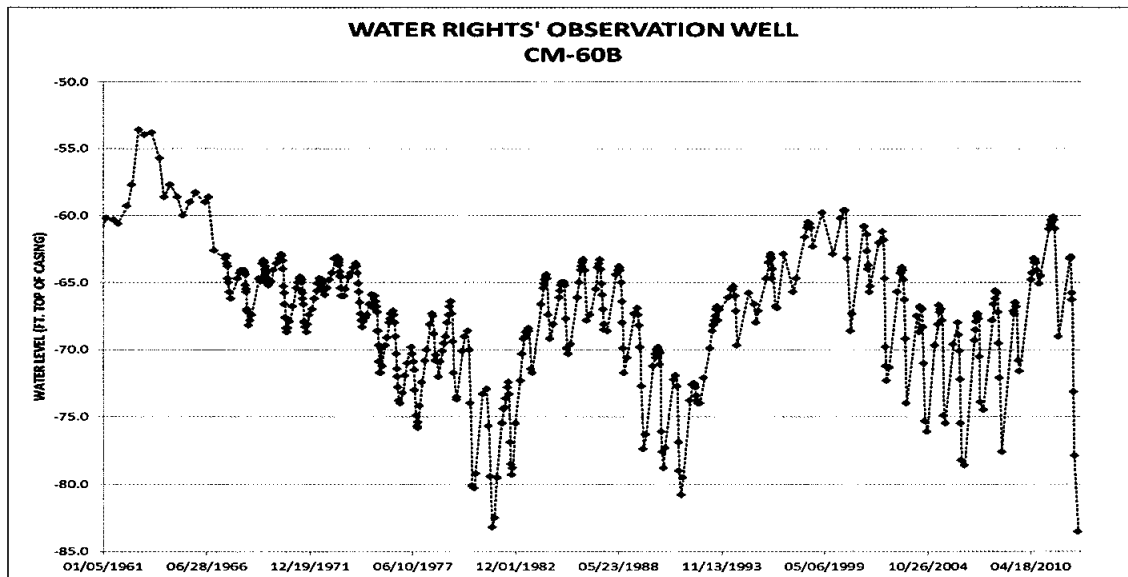


Figure 3: Hydrograph for observation well CM-60B (Water Rights, 2013a)

EXISTING WATER RIGHTS:

If approved, the proposed well will be located near other wells that obtain water from the same aquifer. With that in mind, a standard permit qualification to most groundwater permits/rights stating that: "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" should be placed on this permit if approved.

Water Right No. 7385-3, Sam Fousek, has the nearest diversion point at approximately 2.75 miles west of the proposed well site. There are also several well completion reports on record with the SD DENR-Water Rights Program for domestic wells within three miles of the proposed well site that could be completed into the Choteau: West aquifer (Water Rights, 2013c).

The Choteau: West aquifer is under artesian conditions at the proposed well site; therefore, some drawdown due to pumping is likely. However, precise drawdown cannot be quantified without aquifer testing. The Water Management Board has consistently recognized that to place water to maximum beneficial use a certain amount of drawdown may occur. SDCL 46-6-6.1 does not require protection of artesian head pressure as a means of groundwater delivery. However, reasonable domestic use must be assured before irrigation use is allowed. Therefore, when considering irrigation projects, the Water Management Board must give consideration to maintaining artesian head pressure as a method of delivery for domestic wells. To balance interests between irrigation use and delivery of groundwater by artesian pressure, ARSD 74:02:04:20(7) defines an adversely impacted domestic well 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 needs"

Depending on the specific characteristics of the Choteau: West aquifer at the proposed well site, some existing well owners may need to lower their pumps to accommodate possible reduction of head pressure.

There are three water rights within two miles of observation well CM-68F, whose hydrograph is shown in Figure 2. The hydrograph documents the obvious effects of pumping; however, these effects have been relatively minimal over the period of record (Water Rights, 2013a). At the distances involved there is a reasonable probability that any well interference from the proposed appropriation will not adversely or unlawfully impair existing nearby wells.

Irrigation development in the 1950's in this area was very controversial. Irrigation pumping caused changes in the water levels in domestic wells that resulted in wells that no longer were free flowing at the surface and caused other wells to have pumps lowered. The early controversies were resolved and there have been no issues in this area for several years. The change in South Dakota Water Law no longer protecting artesian head pressure as a means of water delivery would have made these early controversies non-issues.

CONCLUSIONS:

1. The application proposes to appropriate 560 ac-ft/yr for irrigation.
2. There is a reasonable probability that unappropriated water is available from the Choteau: West aquifer to supply the proposed appropriation.
3. There is a reasonable probability that this proposed well will not adversely or unlawfully impair existing nearby wells.



Joseph R Stonesifer
SD DENR-Water Rights Program

Approved by



Ken Buhler
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 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.
- Hedges, L.S., Allen, J., and Holly, D.E. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 7: Ground Water Recharge. South Dakota DENR-Geological Survey, Vermillion, South Dakota.
- Kume, J. 1972. Major Aquifers in Charles Mix and Douglas Counties, South Dakota. South Dakota Geological Survey Information Pamphlet No. 2 SD DENR-Geological Survey, Vermillion, South Dakota.
- Kume, J. 1977. Geology and Water Resources of Charles Mix and Douglas Counties, South Dakota; Part II: Water Resources. S.D. Geological Survey Bulletin 22. SD DENR-Geological Survey, Vermillion, South Dakota.
- Tomhave, D.W. and Shulz, L.D. 2004. 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. 1980-2012. "Annual Irrigation Summary by Aquifer": SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013c. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Affidavit of Publication

RECEIVED
APR - 3 2013

STATE OF SOUTH DAKOTA)

)SS

WATER RIGHTS
PROGRAM

COUNTY OF CHARLES MIX)

Stacy Irwin, of said County and State being first duly sworn on her oath says: That **The Wagner Post** is a legal newspaper of general circulation, printed and published in Wagner, in said County and State, by Stacy Irwin, and has been such newspaper during the time herein mentioned; and that I, Stacy Irwin, the undersigned, am Assistant Editor of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in supplement, once each week for one successive weeks.

1st publication made on 13th day of March, 2013
2nd publication made on _____ day of _____, 2013
3rd publication made on _____ day of _____, 2013
4th publication made on _____ day of _____, 2013
5th publication made on _____ day of _____, 2013

That said newspaper is a legal newspaper, and has a bonafide circulation of more than two hundred copies weekly, and has been published within the County of Charles Mix for more than fifty-two successive weeks prior to the first publication of said notice, and is printed in an office maintained in Wagner, South Dakota, the place of publication of said newspaper. That the full amount of the fee for the publication of the annexed notice is

\$ 22.97

Stacy Irwin

Subscribed and sworn before me this 14 day of March, 2013.

[Signature]

Notary Public

My commission expires 10/22/16

PUBLIC NOTICE

NOTICE OF APPLICATION NO. 7626-3 TO APPROPRIATE WATER

Notice is given that Steven Besson, 39825 299th St, Wagner SD 57380 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Choteau: West Aquifer (230 feet deep) located in the NE 1/4 SW 1/4 Section 18 for irrigation of 280 acres located in the S 1/2 NW 1/4, SW 1/4, W 1/2 SE 1/4 Section 18 and N 1/2 NW 1/4, NW 1/4 NE 1/4 Section 19; all in T95N-R62W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7626-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting

the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 25, 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 \$22.97

Pub: March 13, 2013

RECEIVED
MAR 18 2013
WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

3+13

NOTICE OF APPLICATION
NO. 7626-3 to Appropriate Water

Department of Environment and Natural Resources
PMB 2020
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE **MANAGING EDITOR** OF, YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY
AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID
COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED
Notice of Application No. 7626-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 13th DAY OF March 2013
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID **NOTICE** TO WIT **\$26.15** ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND 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.

PUBLISHED ON: 3/13/2013

FILED ON: 3/14/2013

SUBSCRIBED AND SWORN TO BEFORE ME THIS 14th DAY OF March 2013

NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 8/19/2015

Notice is given that Steven Beeson, 39825 299th St, Wagner SD 57380 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Choteau West Aquifer (230 feet deep) located in the NE 1/4 SW 1/4 Section 18 for irrigation of 280 acres located in the S 1/2 NW 1/4, SW 1/4, W 1/2 SE 1/4 Section 18 and N 1/2 NW 1/4, NW 1/4 NE 1/4 Section 19; all in T95N-R62W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7626-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 25, 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 \$26.15.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 4, 2013

Wagner Post
PO Box 187
Wagner SD 57380

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7626-3 to Appropriate Water. Please publish the notice once on March 13, 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 Steven Beeson, 39825 299th St, Wagner SD 57380 (Ph # 605-491-3116).

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

March 4, 2013

Press & Dakotan
319 Walnut
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7626-3 to Appropriate Water. Please publish the notice once on March 13, 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 Steven Beeson, 39825 299th St, Wagner SD 57380 (Ph # 605-491-3116).

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.

March 4, 2013

Steven Beeson
39825 299th St
Wagner SD 57380

Dear Mr. Beeson:

Water Permit Application No. 7626-3 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 Wagner Post printed at Wagner SD (Ph # 605-384-5616) and the Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). 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 March 13, 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. 7626-3 to Appropriate Water

Notice is given that Steven Beeson, 39825 299th St, Wagner SD 57380 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Choteau:West Aquifer (230 feet deep) located in the NE 1/4 SW 1/4 Section 18 for irrigation of 280 acres located in the S 1/2 NW 1/4, SW 1/4, W 1/2 SE 1/4 Section 18 and N 1/2 NW 1/4, NW 1/4 NE 1/4 Section 19; all in T95N-R62W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7626-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 25, 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

APR 22 2013

Steven Beeson
39825 299th St
Wagner SD 57380

Dear Mr. Beeson:

Enclosed is Water Permit No. 7626-3 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,

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

enclosures

7626-3
RECEIVED

NOV - 7 2013

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 11-1-13TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Steven Beeson

(name)

39425 299th St

(address)

Wagner SD 57380

(city, state, zip)

605-491-3116

(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. 7626-3 states that the water use system is to be constructed by8-1-13

(date)

, and water is to be put to beneficial use by

8-1-13

(date)

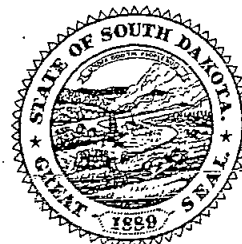
The water use system was completed on 8-1-13

(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.

Steven Beeson
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 8, 2013

7626-3

Steven Beeson
39825 299th St
Wagner SD 57380

Dear Mr. Beeson:

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

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

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

Sincerely,

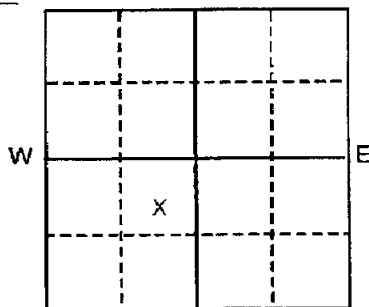
Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE 1/4 SW 1/4 Sec 18 Twp 95N Rg 62WCounty CHARLES MIX

North

Please mark well
location with an "X"

Well Completion Date

June 24, 2013

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
1,300.0 ft. from SEPTIC (identify source)

PROPOSED USE:

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

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
160.0 LB/FT	16.00 IN	0.0 FT	80.0 FT	28.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
CEMENT	50	Lb/gal	0.0 Ft	80.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
TREMIE METHOD

SCREEN:

☒ Perforated pipe ☐ Manufactured
Diameter 16.00 Inches Length 20.0 FeetMaterial PVCSlot Size .085 Set From 80.0 Feet to 200.0 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? CHLORINE TABLETS
☐ No, Why Not?
 Lab to which water
 quality sample sent for analysis
Well Owner: STEVE BEESON

Business Name:

Address: 39825 299TH STCity, State, Zip: WAGNER SD 57380

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	2
BROWN CLAY	2	30
BLUE CLAY	30	80
MED SAND/GRAVEL	80	112
BLUE CLAY	112	160
MED SAND	160	200

STATIC WATER LEVEL 71.0 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: TURBINE PUMP AND ENGINE
☐ Bailed☐ Other

Pumping Level Below Land Surface

81.0 Ft. After 2.0 Hrs. pumped 1,250.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 1,100.0 GPM

REMARKS

This well was drilled under license # 773 and this report is true and accurate.Drilling firm: QUALITY WELL SERVICE, LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: _____

2-27-14



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

8198-3
7626-3

MAY 12 2016

Steven Beeson
39825 299th St
Wagner SD 57380

Dear Mr. Beeson:

Enclosed are Water Permit and Water License No. 8198-3. These are the final water right documents completing your process of obtaining a Water Right.

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. 8198-3, 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

Note: The applicable portions of No. 7626-3 are incorporated into Water License No. 8198-3.

enclosures