

WATER PERMIT NO. 7679-3

Name of Applicant: **Scott Farm Partnership**

Address: **PO Box 697, Alcester SD 57001** Phone: **509 994-1778**

Amount of Water Claimed: **1.67 cfs** Total Acres: **124.6**

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

Water to be used for: **irrigation** County: **Clay**

Type of Waste Disposal System:

Location: **8 miles north of Vermillion**

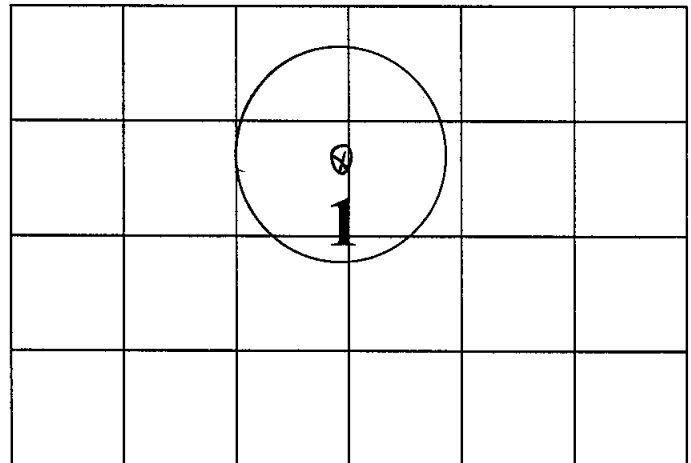
PRIORITY Date Received: **2-4-13** Application/License Fee: **\$ 1050**

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

Remarks:

Diversion Point: **SE 1/4 NW 1/4 Sec 1-T93N-**
R52W

Land to be Irrigated: **E 1/2 NE 1/4, NE 1/4 SW**
1/4, W 1/2 NE 1/4, NW 1/4 SE 1/4 Sec 1-T93N-
R52W



Depth of Well: **130 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **2-5-13**

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>7679-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u> <u>605-624-2695</u>
	Newspaper <u>Plain Talk</u> <u>201 W Cherry St. Vermillion</u> <u>605-665-7811</u> <u>57069</u>
	<u>Press & Dakotan</u> <u>319 Walnut Yorkton 57028</u>

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Application For Permit To Appropriate Water For Irrigation

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

(Use predates Mar 2, 1955)

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

1. Name to Appear on Irrigation Permit Scott Farm Partnership, PO Box 497, Alcester, SD 57001(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent Gary Scott, Managing Partner
(name and complete address if different than above name)Mailing Address P.O. Box 697 Alcester SD 57001
(Address) (City) (State) (Zip Code)Home Phone 605/934-2864 Cell 509/994-1773 Email gscott@alcester.com2. Amount of water claimed 1.67 *CFS or 750 **GPM ***AF Total Acreage 124.6
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)3. Source of water supply South Vermillion River Basin4. Location of point of diversion 1 well in SE 1/4 NW 1/4 Section 1 T93N-R52W
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)County Clay5. County or counties where water will be used Clay (Spirit Mound Township - section 1)6. Annual period during which water is to be used May 1 to September 307. 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>NE 1/4 of NW 1/4 - Section 1, T93N, R52W</u>	<u>31.0</u>	<u>NW 1/4 of NE 1/4, Section 1, T93N, R52W</u>	<u>27.1</u>
<u>SE 1/4 of NW 1/4 - Section 1, T93N, R52W</u>	<u>29.3</u>	<u>SW 1/4 of NE 1/4, Section 1, T93N, R52W</u>	<u>28.2</u>
<u>NE 1/4 of SW 1/4 - Section 1, T93N, R52W</u>	<u>6.0</u>	<u>NW 1/4 of SE 1/4, Section 1, T93N, R52W</u>	<u>3.0</u>

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

Irrigate 124.6 acres of land for row crop productionI, Gary L. Scott, 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. 7679-3

Date of first receipt of application February 4, 2013.

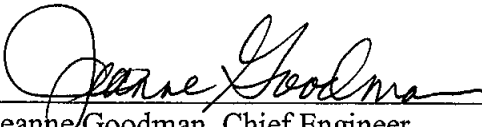
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7679-3 to Scott Farm Partnership, c/o Gary L Scott, PO Box 697, Alcester SD 57001 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7679-3 appropriates 1.67 cubic feet of water per second from one well to be completed into the Lower Vermillion:Missouri Aquifer (130 feet deep) located in the SE 1/4 NW 1/4 Section 1 for irrigation of 124.6 acres located in the E 1/2 NW 1/4, NE 1/4 SW 1/4, W 1/2 NE 1/4, NW 1/4 SE 1/4 Section 1; all in T93N-R52W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is February 4, 2013.
4. The date of approval of Permit No. 7679-3 is March 18, 2013.
5. One-fifth of the construction is to be completed on or before September 18, 2015.
6. All construction is to be completed on or before March 18, 2018.
7. Water is to be put to beneficial use on or before March 18, 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. 7679-3 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 26 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 will be drilled when weather allows drilling
(if yes, please provide copies of logs)b) If existing wells, how many Provide copy of log(s), if available. Drilled by c) Well Depth 130 ft Depth to Top of Water Bearing Material Depth to Water from Surface

d) Distance to nearest existing domestic well:

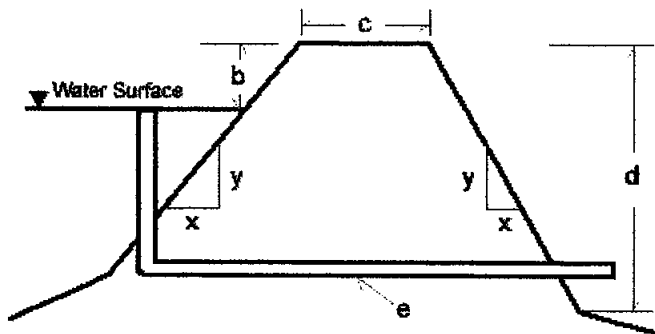
On applicant's property 1730 ft (not used) On property owned by others 1450' (not used)**2. Wastewater Disposal System Information**a) Type of System (i.e. septic tank, drain field) b) System Capacity (gallons) Year Constructed c) Connected to the City of Sanitary System **3. Dugout Information**a) Surface 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.

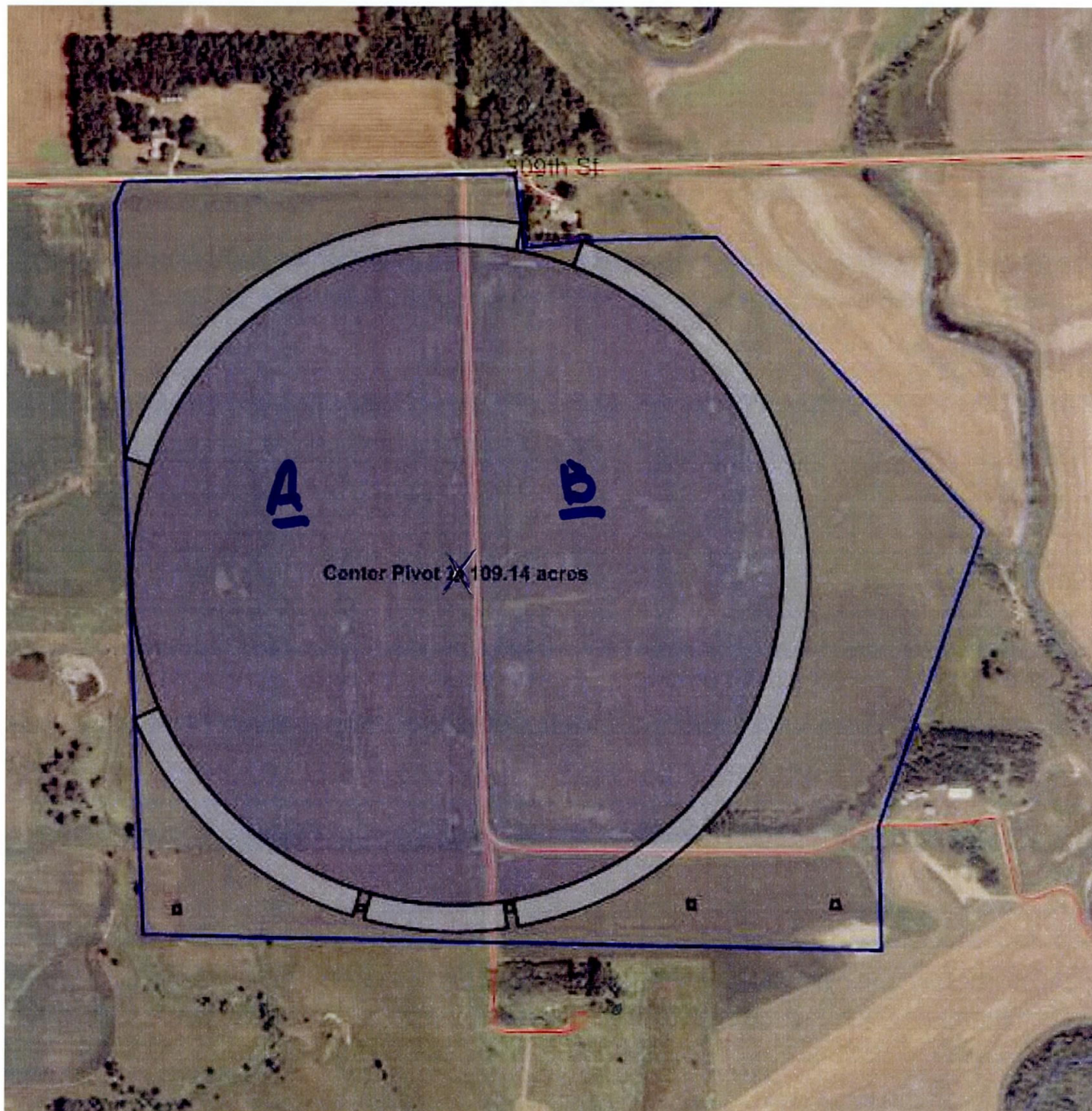
a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

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 Feetj) Drainage Area Above Dam Acres

Grower: test



Section 1, T93N-R52W
Spirit Mound Township
Clay County

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X - Well at X

- 124.6 Acres to be irrigated

- A - owned by Scott Farm Partnership (well located here)
Gary Scott - Mgr Partner

B - owned by Nissen Farms
Richard Nissen - owner

Sec 26
T094N
R52W

Sec 25
T094N
R52W

Sec 30
T094N
R51W

Sec 35
T094N
R52W

Sec 36
T094N
R52W

Sec 31
T094N
R51W

Sec 2
T093N
R52W

Sec 1
T093N
R52W

Sec 6
T093N
R51W

Sec 11
T093N
R52W

Sec 12
T093N
R52W

Sec 7
T093N
R51W

Sec 14
T093N
R52W

Sec 13
T093N
R52W

Sec 18
T093N
R51W

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/5, 20 13

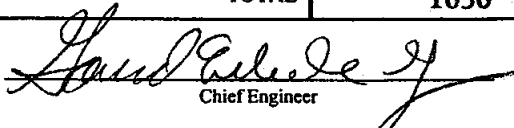
RECEIVED OF Scott Farm Partnership PO Box 697 Alcester SD 57001

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

Fee for Application for Permit No. <u>7679-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7679-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	1050 00

No. 06091

By


Chief Engineer

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FEB - 4 2013

WATER RIGHTS
PROGRAM

February 1, 2013

Eric Gronlund
DENR – Water Rights
Foss Building
523 E. Capitol Avenue
Pierre, SD 57501-3182

Dear Mr. Gronlund;

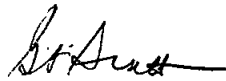
Please find with this letter an Application for Permit to Appropriate Water for Irrigation. The application is in the name of Scott Farm Partnership and I, Gary Scott, am the Managing Partner. My home telephone number is 605-934-2864 my cell phone is 509-994-1773. The filing fee is also enclosed along with the required map.

On Form 2A, also enclosed, which asks for well information a test well has not been done for this new well as of yet. It will be done as soon as weather and ground conditions allow. I expect that to be in February. I will forward that information as soon as it is available.

The planned center pivot irrigation system will irrigate 124.6 acres of land. The well will be located on Scott Farm Partnership land and irrigate 63.3 acres of land on that farm. It will irrigate 61.3 acres of land owned by Nissen Farms, owned and operated by Richard Nissen. Richard is the share renter of the Scott Farm Partnership land.

Thank you for your help.

Sincerely,



Gary L. Scott
Managing Partner
Scott Farm Partnership



**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. 7679-3, Scott Farm Partnership**

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. 7679-3, Scott Farm Partnership, c/o Gary Scott, PO Box 697, Alcester SD 57001.

The Chief Engineer is recommending APPROVAL of Application No. 7679-3 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. 7679-3 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 black ink, reading 'Garland Erbele'.

Garland Erbele, Chief Engineer
February 26, 2013

REPORT ON WATER PERMIT APPLICATION NO. 7679-3

Scott Family Partnership

February 22, 2013

Water Permit Application No. 7679-3 proposes to appropriate 249.2 acre-feet annually at a maximum diversion rate of 1.67 cubic feet of water per second from one well to be completed into the Lower Vermillion Missouri aquifer (130 feet deep) located in the SE 1/4 NW 1/4 Section 1 for irrigation of 124.6 acres located in the E 1/2 NW 1/4, NE 1/4 SW 1/4, W 1/2 NE 1/4, NW 1/4 SE 1/4 Section 1; all in T93N-R52W. This project is located approximately eight miles north of the town of Vermillion in Clay County.

AQUIFER: Lower Vermillion Missouri (LVM)

GEOLOGY AND AQUIFER CHARACTERISTICS:

Test hole information was not submitted with this permit application. However, sufficient data is available through well completion reports (Water Rights, 2013c), water right/permit files (Water Rights, 2013b), and SD DENR-Geological Survey test hole logs (SDGS, 2013) to evaluate this application. The Lower Vermillion Missouri aquifer is a buried outwash (sand and gravel) aquifer that is under confined conditions in the area of this application, but also has portions under unconfined conditions (Stephens and Christensen, 1967). The aquifer underlies approximately 125,600 acres and contains an estimated 1.9 million acre-feet of recoverable water in storage in Clay and Union counties (Hedges et al., 1982). The aquifer blends into the Missouri: Elk Point aquifer to the south and into the Upper Vermillion Missouri aquifer to the north. The aquifer connects to the Upper Vermillion-Missouri aquifer to the north and to the Missouri: Elk Point aquifer to the south, overlies the Dakota aquifer in portions of Clay County, and is hydraulically connected to the Vermillion River. Water in the aquifer generally moves to the southeast (Stephens, 1967).

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:

This application proposes to appropriate 249.2 acre-feet annually from the Lower Vermillion Missouri aquifer. Although the actual water use if this application is approved will most likely be less than 249.2 acre-feet/year. The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1 which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that "the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity

of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.”

The DENR-Water Rights Program monitors 17 observation wells completed into the Lower Vermillion Missouri aquifer (Water Rights, 2013a). The nearest observation well is CL-80IR located 2.2 miles to the northwest from the proposed well site. The water levels rise (recharge) during wet years and gradually decline during dry years. The effect of well withdrawals does not appear to be significant over the period of record. The climatic effects on the water level greatly mask the temporal impacts of well withdrawal. The hydrograph shows that over the period of record water levels have held fairly constant. Therefore, recharge to and natural discharge from the Lower Vermillion Missouri aquifer significantly exceeds pumping. Considering the observation well data, there is a reasonable probability that there is unappropriated water available from the Lower Vermillion Missouri aquifer. Figure 1 is the hydrograph for observation well CL-80IR.

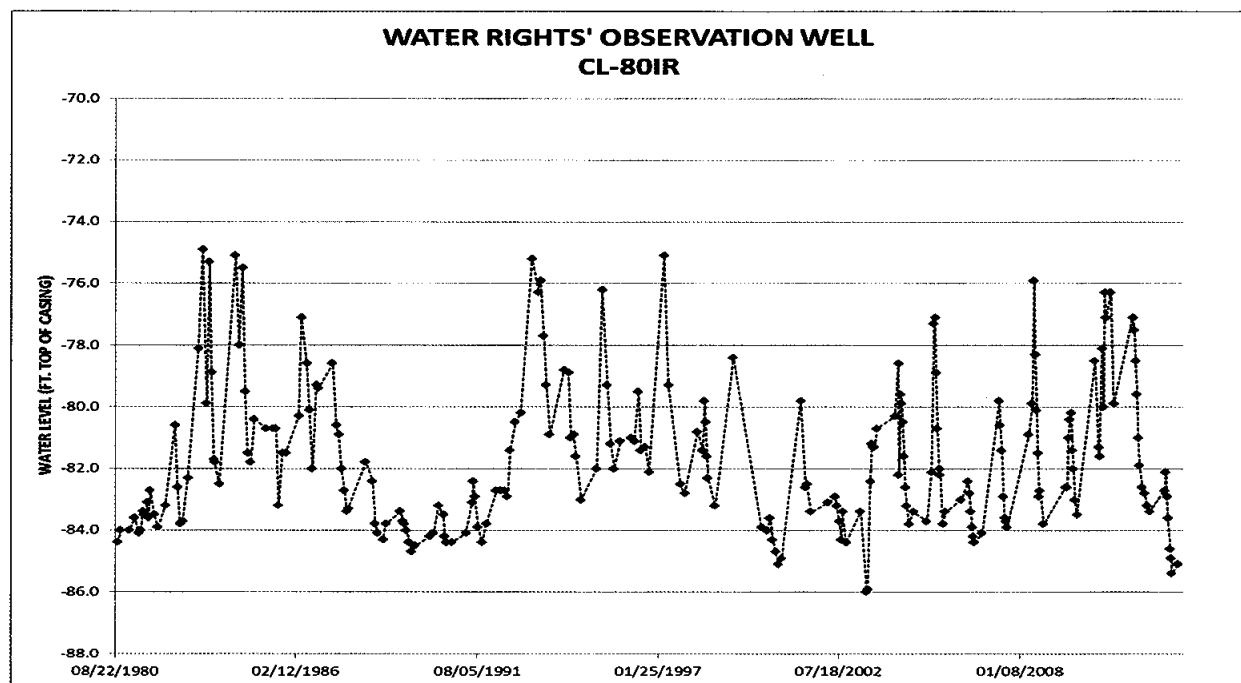


Figure 1- Hydrograph of DENR-Water Rights' observation well CL-80IR, located approximately 2.2 miles northwest of the proposed well location (Water Rights, 2013a).

Recharge versus Withdrawals:

Recharge:

Recharge to the Lower Vermillion Missouri aquifer is due to infiltration of precipitation in areas where the aquifer is near land surface, inflow from the Upper Vermillion Missouri aquifer, and leakage from the underlying Dakota aquifer.

Hedges and others (1985) estimated recharge, based on observation well data, of the Lower Vermillion Missouri aquifer to be 3.8 inches per year for unconfined portions. Total recharge has not been estimated for the aquifer. However, Hedges and others (1985) stated, “for management and development programs the minimum recharge rate to confined aquifers is estimated to be 0.15 inches per year and the maximum rate is 0.60 inches per year.”

Discharge:

Discharge from the Lower Vermillion Missouri aquifer occurs due to evapotranspiration in areas where the aquifer is near land surface, outflow to the Missouri: Elk Point aquifer, outflow to the Vermillion River during periods of low flow, outflow to Union County, and well withdrawals from rural water systems, institutional use, and irrigation. Currently there are a total of 70 water rights/permits appropriating water from the Lower Vermillion Missouri aquifer, with 56 of these in Clay County (Water Rights, 2013b).

In addition, there are many completion reports on file with the SD DENR-Water Rights Program in Clay and Union Counties for domestic wells that appear to be completed into the Lower Vermillion Missouri aquifer (Water Rights, 2013c). The annual withdrawal due to domestic use is not significant to the hydrologic budget of the aquifer.

From the Lower Vermillion Missouri aquifer, water rights/permits for non-irrigation use that are limited only by diversion rate currently appropriate a total of 2.06 cfs. Water rights/permits for non-irrigation use that are limited by an annual volume currently appropriate a total of 307 ac-ft/yr (Water Rights, 2013b). The amount of water that can be expected to be withdrawn by the non-irrigation use water rights/permits at the current appropriation amount can be estimated by assuming water rights/permits limited by an annual volume will pump the entire volume appropriated annually and water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time. Therefore, the total annual withdrawal from the Lower Vermillion Missouri aquifer by non-irrigation use is currently expected to total at maximum 1,203 ac-ft/yr (Water Rights, 2013b). The water withdrawal from the Lower Vermillion Missouri aquifer for irrigation, as reported to the DENR- Water Rights Program through annual irrigation questionnaires, is shown in figure 2.

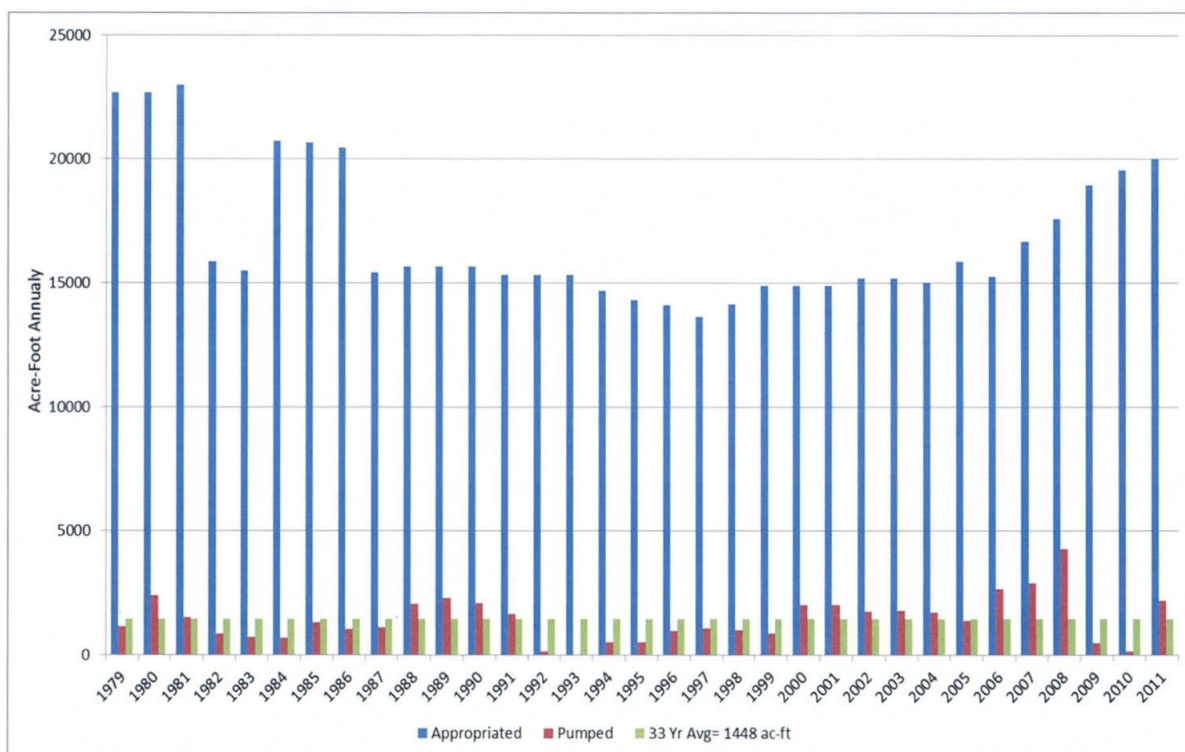


Figure 2- Irrigation water use from the Lower Vermillion Missouri aquifer (Water Rights 1979-2011).

Total estimated average annual withdrawal, including non-irrigation use, is 2,045 acre-feet per year from the Lower Vermillion Missouri aquifer. The observation well hydrograph shows that the water level in the aquifer has remained relatively constant despite changes in annual water use and appropriations. The recharge required to have annual recharge equal annual withdrawal is 0.25 inches per year. If this application is approved, the additional withdrawal will not significantly increase the recharge required to push it out of the range suggested by Hedges and others (1985). Therefore, there is a reasonable probability that unappropriated water is available from in the Lower Vermillion Missouri aquifer.

EXISTING WATER RIGHTS:

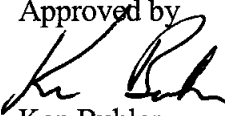
There is one water permit, No. 3039-3, for a well to irrigate 140 acres at a diversion rate of 2.0 cfs, and three domestic wells located within two miles of the proposed well site on file with the SD DENR-Water Rights Program (Water Rights, 2013b).

Well interference may occur but it is not expected to be significant due to the distance between the wells. Water Management Board rules 74:02:04 and 74:02:05, which were promulgated pursuant to SDCL 46-6-6.1, provide protection for existing wells only to the degree necessary to maintain an adequate depth of water in wells that have the ability to produce water independent of artesian pressure. Hence, the pump placement in a prior appropriator's well is not necessarily protected. The Water Management Board, in the past, has concluded that if increased cost or decreased production is considered an adverse impact, it could be in conflict with SDCL 46-1-4. South Dakota Codified Law 46-1-4 requires South Dakota's water resources to be put to beneficial use to the fullest extent of which they are capable. Therefore, well interference is not likely to adversely impact existing appropriative or domestic users.

CONCLUSIONS:

1. This application proposes to appropriate 249.2 acre-feet annually for the irrigation of 124.6 acres, but the amount of water that actually will be used is expected to be less than 249.2 acre-feet annually.
2. There is a reasonable probability that unappropriated water is available from the Lower Vermillion Missouri aquifer to supply this proposed diversion.
3. There is a reasonable probability that the diversion rate requested by this application can be made without adversely affecting existing water rights and domestic use.


for Mark D. Rath
Natural Resources Engineer
SD DENR-Water Rights Program

Approved by

Ken Buhler
Natural Resources Engineer
SD DENR-Water Rights Program

REFERENCES:

- Hedges, L.S., J. Allen, and D.E. Holly. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge, Final Report. U.S. Army Corps of Engineers. Omaha, Nebraska. Contract DACW 45-80-C-0185.
- 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.
- Stephens, J.C. and C.M. Christensen. 1967. Geology and Water Resources of Clay County, South Dakota Part II. Bulletin 19. SD-DENR Geological Survey. Vermillion, South Dakota
- SDGS. 2013. Lithologic Logs Database. < <http://sddenr.net/lithdb/>>. SD DENR-Geological Survey. Vermillion, SD.
- Water Rights. 1979-2011. "1979-2011 Irrigation Summaries by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2013a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2013b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2013c. Water Well Completion Report. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

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MAR 18 2013

WATER RIGHTS
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AFFIDAVIT OF PUBLICATION

PLAIN TALK

DENR

Division of Environmental Services

Air Quality Program

Joe Foss Building, 523 East Capitol

Pierre, SD 57501

STATE OF SOUTH DAKOTA

COUNTY OF CLAY

TERA SCHMIDT BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT SHE IS THE CLASSIFIED MANAGER OF YANKTON
MEDIA INC., A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
PLAIN TALK, A LEGAL WEEKLY NEWSPAPER PUBLISHED AND CIRCULATED
IN THE CITY OF VERMILLION, 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 FOR AIR QUALITY CONSTRUCTION PERMIT

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 8 DAY OF MARCH 2013
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$27.64 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: 3/8/13

FILED ON: 3/8/13

**NOTICE OF APPLICATION
NO. 7679-3 to Appropriate
Water**

Notice is given that Scott Farm Partnership, c/o Gary Scott, PO Box 697, Alcester SD 57001 has filed an application for a water permit to appropriate 1.67 cubic feet of water per second from one well to be completed into the Lower Vermillion Missouri Aquifer (130 feet deep) located in the SE 1/4 NW 1/4 Section 1 for irrigation of 124.6 acres located in the E 1/2 NW 1/4 NE 1/4 SW 1/4, W 1/2 NE 1/4, NW 1/4 SE 1/4 Section 1; all in T93N R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7679-3 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 18, 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. Pimer, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$27.64

Published: March 8, 2013

Tera A. Schmidt

SUBSCRIBED AND SWORN TO BEFORE ME THIS

12th DAY OF

March

[Signature]
NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

RECEIVED

MAR 13 2013

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

3+8

NOTICE OF APPLICATION
NO. 7679-3 to Appropriate Water

Notice is given that Scott Farm Partnership, c/o Gary Scott, PO Box 697, Alcester SD 57001 has filed an application for a water permit to appropriate 1.67 cubic feet of water per second from one well to be completed into the Lower Vermillion Missouri Aquifer (130 feet deep) located in the SE 1/4 NW 1/4 Section 1 for irrigation of 124.6 acres located in the E 1/2 NW 1/4, NE 1/4 SW 1/4, W 1/2 NE 1/4, NW 1/4 SE 1/4 Section 1; all in T93N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7679-3 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 18, 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, 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. 7679-3**

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE NEWSPAPER ON THE 8th 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: 3/8/2013

FILED ON: 3/8/2013

SUBSCRIBED AND SWORN TO BEFORE ME THIS 8th DAY OF March

2013

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 27, 2013

Plain Talk
201 W Cherry St
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7679-3 to Appropriate Water. Please publish the notice once on March 8, 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 Scott Farm Partnership, c/o Gary Scott, PO Box 697, Alcester SD 57001 (Ph # 605-934-2864).

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

February 27, 2013

Press & Dakotan
319 Walnut
Yankton SD 57078

ATTENTION: Legal Public Notice

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

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

February 27, 2013

Scott Farm Partnership
Gary Scott
PO Box 697
Alcester SD 57001

Dear Mr. Scott:

Water Permit Application No. 7679-3 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 Plain Talk printed at Vermillion SD (Ph # 605-624-2695) 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 8, 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. 7679-3 to Appropriate Water

Notice is given that Scott Farm Partnership, c/o Gary Scott, PO Box 697, Alcester SD 57001 has filed an application for a water permit to appropriate 1.67 cubic feet of water per second from one well to be completed into the Lower Vermillion:Missouri Aquifer (130 feet deep) located in the SE 1/4 NW 1/4 Section 1 for irrigation of 124.6 acres located in the E 1/2 NW 1/4, NE 1/4 SW 1/4, W 1/2 NE 1/4, NW 1/4 SE 1/4 Section 1; all in T93N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7679-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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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 26 2013

Scott Farm Partnership
Gary L Scott
PO Box 697
Alcester SD 57001

Dear Mr. Scott:

Enclosed is Water Permit No. 7679-3 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

7679-3

RECEIVED

OCT 15 2013

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate October 11, 2013TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Scott Farm Partnership % Gary Scott
(name)P.O. Box 697
(address)Alcester SD 57001
(city, state, zip)605-934-2864
(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.

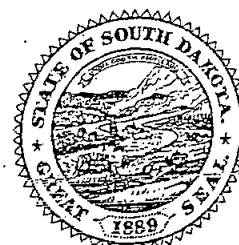
Water Permit No. 7679-3 states that the water use system is to be constructed by 3-18-2018, and water is to be put to beneficial use by March 18, 2022.
(date) (date)

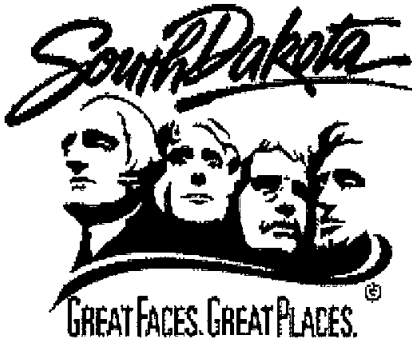
The water use system was completed on 8-2-2013.
(date)

Applying the water to beneficial use was completed on 8-2-2013 and beyond (irrigation system).
(date)

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

G. Scott 10-11-2013
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 15, 2013

7679-3

Gary Scott
Scott Farm Partnership
PO Box 697
Alcester SD 57001

Dear Mr. Scott:

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

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

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

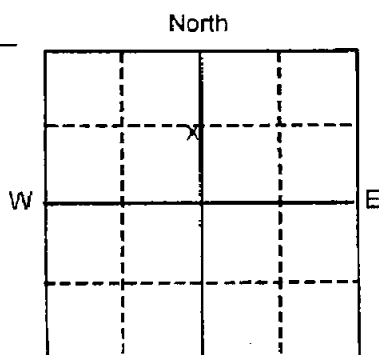
Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE 1/4 NW 1/4 Sec 1 Twp 93N Rg 52WCounty CLAYPlease mark well
location with an "X"

Well Completion Date

July 2, 2013

1 Mile

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

2,000.0 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	60.0 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	40	Lb/gal	0.0 Ft	60.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☒ Perforated pipe ☐ Manufactured
Diameter 16.00 Inches Length 20.0 FeetMaterial PVCSlot Size .085 Set From 60.0 Feet to 145.0 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 analysisWell Owner: SCOTT FARM PARTNERSHIP

Business Name:

Address: P.O. BOX 697City, State, Zip: ALCESTER SD 57001

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	3
BROWN CLAY	3	26
BLUE CLAY	26	48
SAND	48	50
BLUE CLAY	50	64
FINE TO MED SAND	64	76
MED SAND COARSE GRAVEL	76	145

STATIC WATER LEVEL 58.0 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

72.0 Ft. After 2.0 Hrs. pumped 1,500.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 1,000.0 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:



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



December 10, 2014

7679-3

Gary L Scott
Scott Heritage Farms LLP
PO Box 697
Alcester SD 57001 0697

Dear Mr. Scott:

I am writing to acknowledge receipt of the 2014 irrigation questionnaire you submitted on November 26th. On the form you indicated a name change had occurred for your partnership and requested the water right be changed to reflect the new name.

Enclosed is a partially completed Notice of Transfer form for filing the name change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please let me know.

Sincerely,

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

RECEIVED

DEC 15 2014

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER

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

No. 7679-3

Date: _____

I/We request that Water Permit No. 7679-3

formerly listed in the name of: Scott Farm Partnership

be transferred to: Scott Heritage Farms, LLP, % Gary L Scott, PO Box 697, Alcester SD 57001

Telephone No. 605 934-2864

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

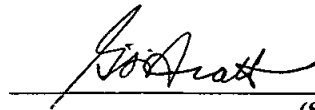
124.6 acres – E ½ NW ¼, NE ¼ SW ¼, W ½ NE ¼, NW ¼ SE ¼, all in Section 1, T93N, R52W

I/We understand that the validity of Water Permit No. 7679-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Gary L. Scott, Mg. Partner, certify that the above information is true and correct.



(Signature)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/15, 2014

RECEIVED OF Scott Heritage Farms LLP PO Box 697 Alcester SD 57001

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	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. _____		
Fee for Filing Transfer Form <u>7679-3</u>		
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	50 00

No. **07004**

By

Jane Goodman
Chief Engineer



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



December 15, 2014

7679-3

Gary L Scott
Scott Heritage Farms LLP
PO Box 697
Alcester SD 57001 0697

Dear Mr. Scott:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for Water Permit No. 7679-3.

The name change has been completed. Permit No. 7679-3 formerly listed in the name of Scott Farm Partnership is now listed in the name of Scott Heritage Farms LLP.

Enclosed for your records is Receipt No. 07004 in the amount of \$50. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 7679-3**

I have this day, **December 18, 2024**, made a thorough examination of the water use systems owned by **Scott Heritage Farms LLP, Gary L Scott, PO Box 697, Alcester, SD 57001**, holder of Permit No. **7679-3**, bearing the priority date of **February 4, 2013**. This permit authorizes the diversion of **1.67** cu. ft. per second of the waters of **groundwater (Lower Vermillion: Missouri Aquifer)** authorizing the irrigation of **124.6 acres** located in **Clay** County.

Inspection contacts: **Gary Scott**

A. Works used to divert the water:

Well Information

- 1) Well Drilling Firm: **Quality Well Service, LLC**
- 2) No. of Wells: **1**
- 3) Depth(s): **145** feet
- 4) Well log is available: **Yes**

Casing:

- 1) Diameter: **16** inches
- 2) Length: **60** feet
- 3) Type: **Plastic**

Screen:

- 1) Diameter: **16** inches
- 2) Length: **20** feet
- 3) Type: **PVC**
- 4) Static water level: **58** feet

Pump:

- 1) Make: **Hydroflo**
- 2) Model: **12KS-3**
- 3) Capacity: **1,000** gpm

Motor:

- 1) Make: **Hydroflo**
- 2) Model No.: **365TP WP1**
- 3) Horsepower rating: **75** hp

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

- 1) Type: **Aluminum** Size: **8** inches Length: **10** feet

C. Works used to apply water to beneficial use:

Center Pivot:

- 1) Make: **Reinke**
- 2) Overall length: **1,251** feet
- 3) Number of towers: **7**
- 4) End gun: **Yes** Range: **92** feet
- 5) Capacity: **750** gpm

Chemigation Equipment:

- 1) Does chemigate: No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by: No
2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period: Yes
3) Exceptions to compliance are: The pump flow rate is more than what was permitted.

E. Condition and Location:

- 1) The system is in good condition with the point(s) of diversion located as follows:
The well is 2,730 feet west and 1,500 feet south of the northeast corner of Section 1-T93N-R52W (Latitude 42.90571, Longitude -96.93473– SE1/4 of the NW1/4).
2) The works are capable of diverting and conveying to the places of use 2.23 cu. ft. per second of water from the well which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

Section 1-T93N-R52W

<u>NE1/4NW1/4</u>	<u>26 acres</u>
<u>SE1/4NW1/4</u>	<u>34 acres</u>
<u>NE1/4SW1/4</u>	<u>5 acres</u>
<u>NW1/4NE1/4</u>	<u>23 acres</u>
<u>SW1/4NE1/4</u>	<u>33 acres</u>
<u>NW1/4SE1/4</u>	<u>3 acres</u>

comprising a total of 124 acres of land and the license should be issued for 1.67 cfs.

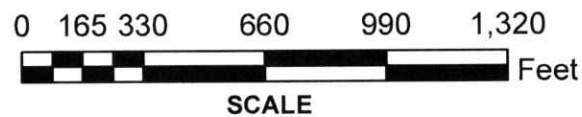
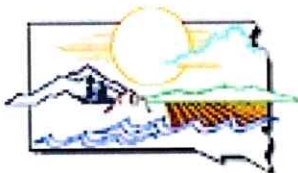
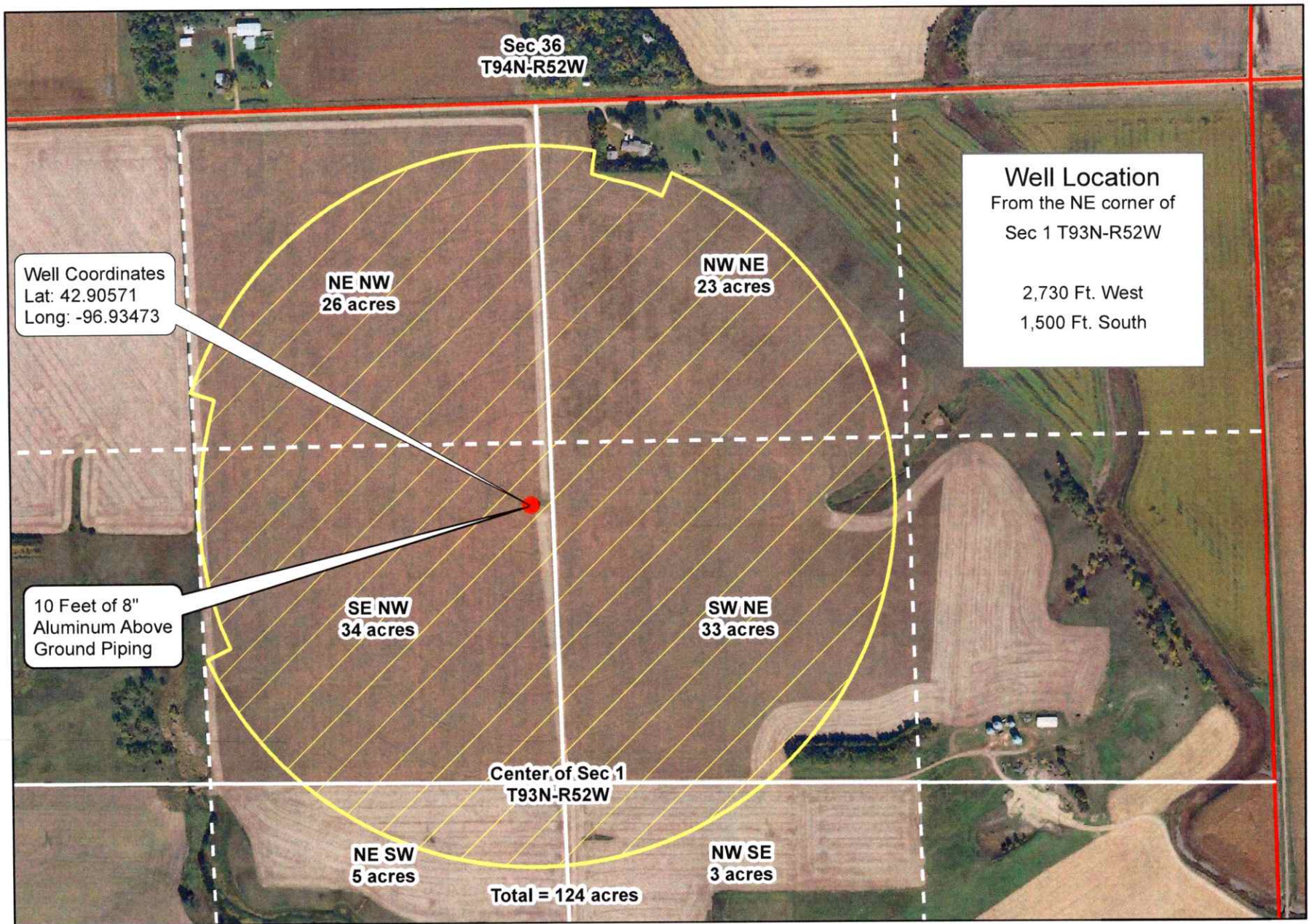
- 3) All structures, wells and lands on map: Yes

F. Comments or other permit(s) associated with the project: The pump is capable of producing 1,000 gpm (2.23 cfs), but the pivot is nozzled for 750 gpm (1.67 cfs).

Keith DeJong, PE Ret.
Water Rights Inspector
DANR, Water Rights Program

Date report completed: December 19, 2024

Water Permit No. 7679-3



Keith DeJong
Keith DeJong, PE Ret.
Staff Engineer
December 18, 2024



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

APR 07 2025

Scott Heritage Farms LLP
c/o Gary L Scott
PO Box 697
Alcester, SD 57001

No. 7679-3

Dear Mr. Scott:

Enclosed is Water License No. 7679-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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

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

Sincerely,

Mark Mayer, PE
Director of Office of Water
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7679-3**

(1) Scott Farm Partnership, c/o Gary L Scott, made Application No. 7679-3, February 4, 2013, for a water permit to divert 1.67 cubic feet of water per second from groundwater, one well (Lower Vermillion: Missouri Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 7679-3, with a priority date of February 4, 2013, was approved March 18, 2013, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 18, 2018, and for the application to beneficial use of water on or before March 18, 2022.

The permit holder submitted a Notice of Completion of Works and Application of Water to Beneficial Use form on October 15, 2013. The Notice stated the diversion system was completed in August 2, 2013 and the water was placed to beneficial use in August 2, 2013.

Ownership of Permit No. 7679-3 was transferred to Scott Heritage Farms LLP, c/o Gary L Scott, PO Box 697, Alcester, SD 57001 on December 15, 2014.

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

- 2,730 feet W and 1,500 feet S from the NE corner of Section 1, T93N, R52W (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
(Latitude 42.90571 and Longitude -96.93473)

(3) The amount of appropriation may not exceed 2 acre-feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.

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

Section 1, T93N, R52W
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 26 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 34 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 5 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 23 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 3 acres
Total – 124 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Scott Heritage Farms LLP, the holder and/or owner of Water Right No. 7679-3 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from groundwater, one well (Lower Vermillion: Missouri Aquifer), with a priority date of February 4, 2013, from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7679-3 and subject to the following qualifications:

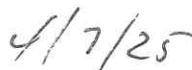
continued

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. 7679-3 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. *(The well was drilled in 2013 by Quality Well Service LLC. A copy of the well completion report is on file with the Water Rights Program.)*
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Mark Mayer, PE
Director of Office of Water



date

