

WATER PERMIT NO. 7718A-3

Name of Applicant: **Terry Wieting**

Address: **870 Beach Ave, Huron SD 57350**

Phone: **605 350-5142**

Amount of Water Claimed: **no add'l**

Total Acres: **no add'l**

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

Water to be used for: **irrigation**

County: **Beadle**

Type of Waste Disposal System:

Location: **5 miles southeast of Hitchcock**

PRIORITY

Date Received: **3-3-14**

Application/License Fee: **\$100**

Corrected Application Received:

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

Remarks: **transfer acreage and diversion point to different location**

Diversion Point: **Center SW 1/4 Sec 9-T113N-R62W**

Land to be Irrigated: **SW 1/4 Sec 9-T113N-R62W**

Depth of Well: **70 feet deep**

Well Driller:

Remarks:

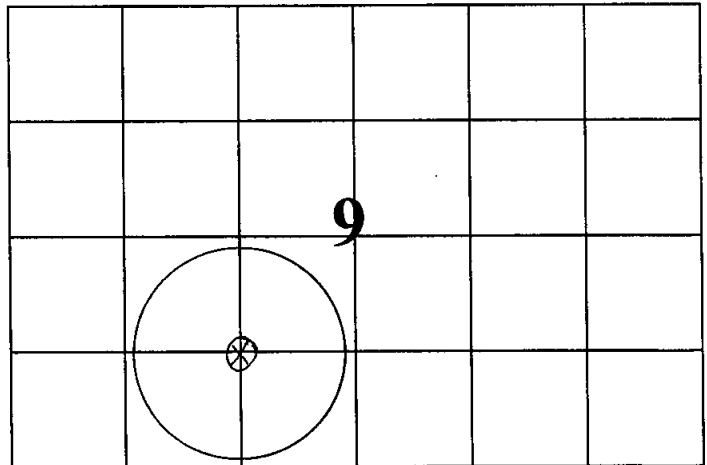
Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **3-4-14**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7718A-3</u> (office use only) Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>Plainsman</u> <u>Redfield Press</u>

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Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 7718-3
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)
transfer to Sec 9 113-62 SW 1/4 to irrigate 135 acres
@ 1.78 CFS

1. Name to Appear on Irrigation Permit Terry Wiering
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent
(name and complete address if different than above name)

Mailing Address 870 Beach Ave NE Huron SD 57350
(Address) (City) (State) (Zip Code)

Home Phone 605-554-0207 Cell 350-5142 Email twiering@venturecomm.net

2. Amount of water claimed 1.78 CFS or GPM AF Total Acreage 135
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Western Spink Hitchcock

4. Location of point of diversion 1 well center of SW 1/4 Sec 9 113-62
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

County Beadle

5. County or counties where water will be used Beadle

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

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
NW 1/4 SW 1/4 Sec 9 113-62	33.75		
NE 1/4 SW 1/4 Sec 9 113-62	33.75		
SW 1/4 SW 1/4 Sec 9 113-62	33.75		
SE 1/4 SW 1/4 Sec 9 113-62	33.75		

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

drill well about 300' ft to the east of center of the
SW 1/4 Sec 9 113-62 to irrigate 135 acres, have electricity
and pipe from an existing permit already there

I, [Signature], 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. 7718A-3**

Date of first receipt of application March 3, 2014.

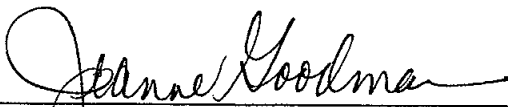
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7718A-3 to Terry Wieting, 870 Beach Ave, Huron SD 57350 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7718A-3 amends Water Permit No. 7718-3 by transferring the irrigated acreage and point of diversion to other land. Water Permit No. 7718-3 appropriates 1.78 cubic feet of water per second from one well located in the approximate center of the SE 1/4 Section 9 to irrigate 135 acres located in the SE 1/4 Section 9; all in T113N-R64W. This permit authorizes moving the system approximately 12 miles east with the well to be located in the center of the SW 1/4 Section 9 to irrigate 135 acres located in the SW 1/4 Section 9; all in T113N-R62W. The water source for this irrigation system is the Tulare:Western Spink Hitchcock Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – October 31.
3. The date from which applicant may claim right is March 3, 2014. 
4. The date of approval of Permit No. 7718A-3 is May 27, 2014.
5. One-fifth of the construction is to be completed on or before November 27, 2016.
6. All construction is to be completed on or before May 27, 2019.
7. Water is to be put to beneficial use on or before May 27, 2023.
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. 7718A-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

JUL 07 2014

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 ____ Have test holes been drilled ☐ Yes ☐ No Drilled by ____
(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 70 Depth to Top of Water Bearing Material 26 Depth to Water from Surface 25

d) Distance to nearest existing domestic well:

On applicant's property 1 1/2 mile On property owned by others 2500

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) _____

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System

3. Dugout Information

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

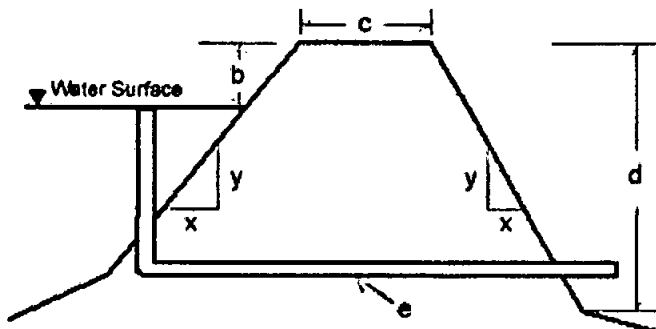
Upstream _____

Downstream _____

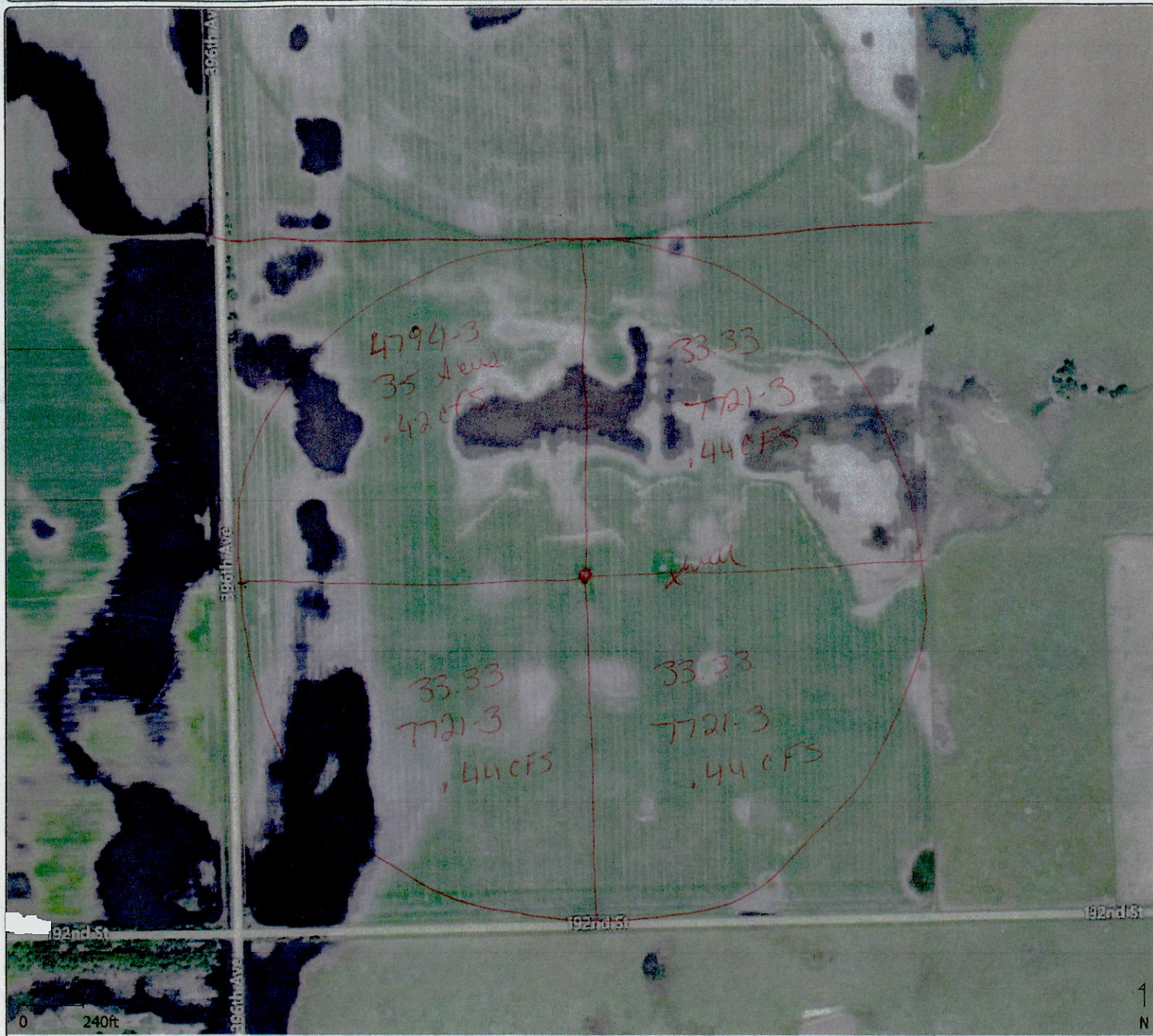
h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



Tile Plan 2013 - Tsec16



Count : 352

Area : 0.00 ac

Length : 1,311.1 ft

Tile - Name

■ NOTILE (1,311.12 ft)

Sec 9 SW 1/4 113-62

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SE 1/4 9 113-64

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SOUTH DAKOTA WATER WELL COMPLETION REPORT

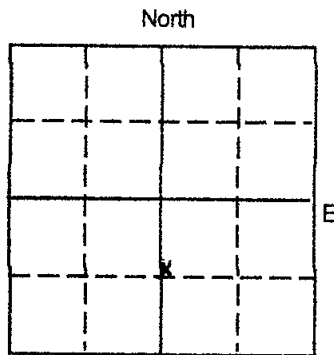
11-02

Location NE 1/4 Sec 9 Twp 113N Rg 62W

Well Owner: Tom Morog
 Business Name: _____
 Address: 19041 363rd Ave
 City, State, Zip: Saint Lawrence SD 57323

County Beadle

Please mark well location with an "X"



Well completion Date

8-11-14

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

? _____ ft. from _____ (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Straight-Mud Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	8 IN	0 FT	20 FT	18 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>BH-20</u>		Lb/gal	0 Ft	20 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure Pack Grout

SCREEN:

☒ Perforated pipe ☒ Manufactured
 Diameter 8 Inches Length 60 Feet
 Material PVC
 Slot Size .050 Set From 20 Feet to 80 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

Lab sample sent to for water quality analysis ☐ No, Why Not? _____

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	3
Clay	3	15
Artisanal F-M Gravel & Coal	15	60
Artisanal F-M Gravel & Coal w/pe		
Clay	60	80

STATIC WATER LEVEL

15 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: Artisanal For 8 hrs
☐ Bailed
☒ Other _____

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

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WATER RIGHTS PROGRAM

This well was drilled under license # 806

And this report is true and accurate.

Drilling firm: Melneson Drilling & Services

Signature of License Representative:

Melneson

Signature of Well Owner or Equitable Property Holder:

Date: 8-15-14

523 E Capitol Ave. Pierre SD 57501

Please return WHITE COPY to: DENR Water Rights

01.81.0

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

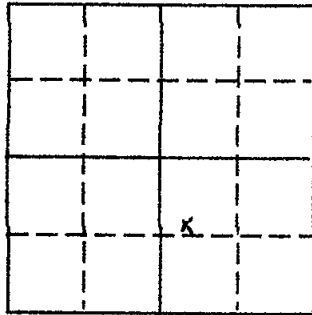
Location NE 1/4 Sec 9 Twp 113N Rg 64W

Well Owner: Tom Abrog
 Business Name: _____
 Address: 19041 363rd Ave
 City, State, Zip: Saint Lawrence SD 57223

County Beadle

North

Please mark well location with an "X"



Well completion Date

6-2-14

1 Mile

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

? ft. from _____ (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Circulation

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
	<u>16</u>	<u>0</u>	<u>89</u>	<u>28</u>
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type BH-20 No. of Sacks _____ Grout Weight _____ Lb/gal
 From 0 Ft To 40 Ft
 Lb/gal _____ Ft _____ Ft

Describe grouting procedure Press Grout

SCREEN:

☒ Perforated pipe ☒ Manufactured

Diameter 16 Inches Length 30 Feet

Material SS

Slot Size 285 Set From 89 Feet to 119 Feet

Other information Johnson Wire Wsep

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

☐ No, Why Not? _____

Lab sample sent to for water quality analysis _____

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>3</u>
<u>Clay</u>	<u>3</u>	<u>15</u>
<u>F-M Sand w/Tr Pss Rock</u>	<u>15</u>	<u>40</u>
<u>Coal</u>	<u>40</u>	<u>45</u>
<u>M-C Sand F-Gravel</u>	<u>45</u>	<u>56</u>
<u>Clay w/Tr Gravel + Sand</u>	<u>56</u>	<u>80</u>
<u>89C Sand F-m-C Gravel + Sand</u>	<u>80</u>	<u>100</u>
<u>Clay</u>	<u>100</u>	<u>125</u>

STATIC WATER LEVEL

15 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: _____

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

62 Ft. After 5 Hrs. pumped 1200 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

JUN 12 2015

WATER RIGHTS PROGRAM

This well was drilled under license # 806

And this report is true and accurate.

Drilling firm: Midwestern Drilling & Services

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 7-1-14

523 E Capitol Ave. Pierre SD 57501

Please return WHITE COPY to: DENR Water Rights

4-18-15

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/26, 20 14

RECEIVED OF Wieting Farm 870 Beach Ave NE Huron SD 57350

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

Fee for Application for Permit No. <u>7721A-3</u> <u>7718A-3</u> to Appropriate Water, to construct and to put water to beneficial use	100	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 _____		
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	100 00

No. **06760**

By

Jamie Headman
Chief Engineer

Gronlund, Eric

From: Terry Wieting <twieting@venturecomm.net>
Sent: Monday, March 03, 2014 2:41 PM
To: Gronlund, Eric
Subject: Transfer Terry W.
Attachments: EPSON023.JPG; EPSON024.JPG

Eric,
Please dismiss the other transfer and please use this one instead. Any questions please call. I sent two checks so you may have to send one back or rip it up. Let me know..

Terry Weiting

File No. 7721A-3
4794A-3
7718A-3

Water Rights Program - File Documentation

NAME: Wieting Bros

ADDRESS: Huron SD

DATE: 3-5-14 **COUNTY:** BD **TELEPHONE:**

RE: Pending applications to transfer acreage

COMMENTS:

Application No. 7721A-3 was submitted February 24, 2014, by Wieting Bros. and subsequently withdrawn and replaced by Application No. 7718A-3. The \$100 application fee will be transferred to Application No. 7718A-3.

Application No. 4794A-3 was submitted February 24, 2014 by Marshall Bros. and subsequently withdrawn. The \$100 application fee will be refunded.



Karen Schlaak
Water Rights Program



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7718A-3, Terry Wieting**

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. 7718A-3, Terry Wieting, 870 Beach Avenue NE, Huron SD 57350.

The Chief Engineer is recommending APPROVAL of Application No. 7718A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) 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. 7718A-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.

Jeanne Goodman, Chief Engineer
May 5, 2014

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7718A-3
TERRY WIETING
MAY 2, 2014

Water Permit Application No. 7718A-3 proposes to amend Water Permit No. 7718-3 by changing the acreage authorized for irrigation by the permit from 135 acres located in the SE¼ of Section 9, T113N-R64W, to 135 acres located approximately 12 miles to the east, in the SW¼ of Section 9, T113N-R62W. This permit application also proposes to amend Water Permit No. 7718-3 by changing the location of the diversion point authorized by Permit No. 7718-3 from the approximate center of the SE¼ of Section 9, T113N-R64W to the approximate center of the SW¼ of Section 9, T113N-R62W. Water Permit No. 7718-3 appropriates water from the Tulare: Western Spink/Hitchcock aquifer at a maximum diversion rate of 1.78 cubic feet of water per second (cfs) from one well. This application will not increase the number of acres irrigated or the diversion rate authorized.

SOUTH DAKOTA CODIFIED LAW (SDCL) 46-5-34

SDCL 46-5-34 allows an irrigation water right to be severed from one parcel of land and simultaneously transferred to another parcel if it is impractical to use all or any part of the water beneficially or economically for irrigation on the current land. The applicant indicates this transfer is based on economics since electricity and pipe from cancelled Water Right No. 282-3 are currently in place at the Section 9, T113N-R62W site.

SDCL 46-2A-12

Pursuant to SDCL 46-2A-12 an amendment of an existing permit or license may be granted for a change in use, a change in point of diversion or other change only if the change does not unlawfully impair existing rights and is for a beneficial use and in the public interest.

EXISTING WATER RIGHTS

There have been a number of water permit applications proposing appropriation from the Western Spink management unit of the Tulare aquifer in this area. Table 1 and Figure 1 shows those applications in reference to this application. The aquifer is typically under unconfined conditions in this area. The DENR-Water Rights Program monitors two observation wells completed into the Western Spink/Hitchcock aquifer in this area (see Figure 1). Hydrographs for the observation wells, (see Figures 2 & 3), show that in general, the water table in this area fluctuates approximately 7-10 feet due to climatic conditions. When considering: 1) the aquifer's saturated thickness in the area (38-58 feet), 2) that drawdown is not expected to be significant very far from the production well because the aquifer is unconfined, 3) drawdown from existing irrigation wells does not significantly affect water levels in observation wells, and 4) that well interference has historically not been an issue from the Tulare: Western Spink/Hitchcock aquifer; drawdown from this proposed diversion is not expected to adversely impact existing users.

PERMIT NO	LAST NAME	FIRST NAME	PRIORITY DATE	STATUS	CFS	ACRES
130A-3	HOFFER	ELDON E	12/12/1953	LC	1.07	75
130-3	MORTIMER	JOHN A	12/12/1953	IL		
1423-3	VESKRNA MOROG	RENAE	06/16/1967	LC	1.88	132
1509-3	OSCAR INC		02/16/1968	LC	1.9	135
1511-3	GROSCH	ELSIE M	02/16/1968	IL		
1512-3	PETERSON FARMS		02/16/1968	LC	1.9	135
1608-3	TOBIN	THOMAS M	06/01/1953	IL		
246-3	WIETING	TERRY M	08/23/1956	LC	1.33	160
2476-3	PUFFER	RANDY R	12/09/1975	LC	1	96
282-3	VESKRNA MOROG	RENAE	08/30/1956	CA		
2869-3	BIXLER FARMS		08/06/1976	IL		
2975-3	PUFFER	MELVIN	09/03/1976	IL		
2976-3	LOVETT	LARRY	08/23/1976	IL		
3191-3	MUELLER	SCOTT A	10/15/1976	LC	1.69	118
3192-3	RIVERSIDE HTTRN BRTH		10/15/1976	LC	1.88	132
3307-3	BUCHHOLZ	RICHARD E	11/08/1976	CA		
3317A-3	WIETING	TERRY M	04/01/1987	LC	1.34	104
3317-3	LOVETT	LARRY	12/15/1976	IL		
3415-3	WIETING	MELVIN G	12/13/1976	IL		
4308-3	WIETING	TERRY M	12/13/1976	LC	1.44	184
4336-3	GRUHN	MAXINE C	10/23/1978	IL		
4350-3	PUFFER	RANDY R	09/03/1976	LC	1.89	132
4400A-3	HURON HTTRN BRTH		03/09/1979	LC	1.45	102
4400-3	HURON HTTRN BRTH		03/09/1979	IL		
4547-3	GRUHN	MAXINE C	09/11/1980	CA		
4722-3	TOBIN	THOMAS M	04/09/1981	IL		
4722-3A	TOBIN	THOMAS M	04/09/1981	IL		
4723-3	TOBIN	THOMAS M	04/09/1981	IL		
4723-3A	MARSHALL BROTHERS		04/09/1981	LC	1.94	136
4794-3	MARSHALL BROTHERS		04/09/1981	LC	2.22	264
5178-3	HUIZENGA BROTHERS		01/22/1988	CA		
5182-3	BIXLER FARMS		03/15/1988	LC	1.88	279
5421-3	PETERSON	FLOYD H	03/14/1990	LC	2.11	264
5671-3	PETERSON FARMS		07/13/1992	LC	2.89	263
2976A-3	LOVETT	JOHN	08/23/1976	LC	1.44	126
3193-3	MUELLER	HAROLD	10/15/1976	CA		
3630-3	ANDERSON	ELDON W	02/08/1977	CA		
3631-3	ANDERSON	ELDON	02/08/1977	CA		
3877-3	LOVETT	JOHN A	03/25/1977	CA		
4871-3	HUIZENGA BROTHERS		01/22/1982	CA		
526-3	WATSON	L R	03/21/1958	CA		
3108-3	PETERSON	FLOYD H	09/15/1976	CA		
4690-3	BIXLER FARMS		04/10/1981	CA		
6159-3	WIETING	TERRY M	12/09/1999	LC	1.67	128
6196-3	OSCAR INC		04/17/2000	LC	1.89	136
6238-3	BIXLER FARMS		11/06/2000	LC	1.78	130
6240-3	WIETING	TERRY	11/09/2000	LC	1.56	132
104-3	LANE	ELSIE	05/26/1953	CA		
6312A-3	PETERSON	FLOYD H	03/28/2007	PE	1.56	264
6331A-3	OSCAR INC		03/28/2007	LC	1.34	132
6333B-3	PETERSON FARMS		06/21/2002	LC	1.67	134
6201B-3	PETERSON FARMS		05/08/2000	PE	0	0
7391-3	PETERSON FARMS		08/03/2012	PE	1.94	136
7373-3	WIETING	TERRY M	06/14/2012	PE	1.78	160
7640-3	MARSHALL BROS		12/14/2012	PE	1.78	160
7790-3	ANDERSON	MARTIN	NA	WI		
7741-3	BIXLER FARMS		02/19/2013	WI		
7719-3	MARSHALL BROTHERS		02/08/2013	PE	1.78	135
7390-3	MARSHALL BROTHERS		NA	WI		

Table 1. Water permit applications and their status corresponding with diversion points shown on Figure 1. (Water Rights, 2014b)

LC-License, PE-Permit, CA-Cancelled, IL-Incorporated License, WI-Withdrawn

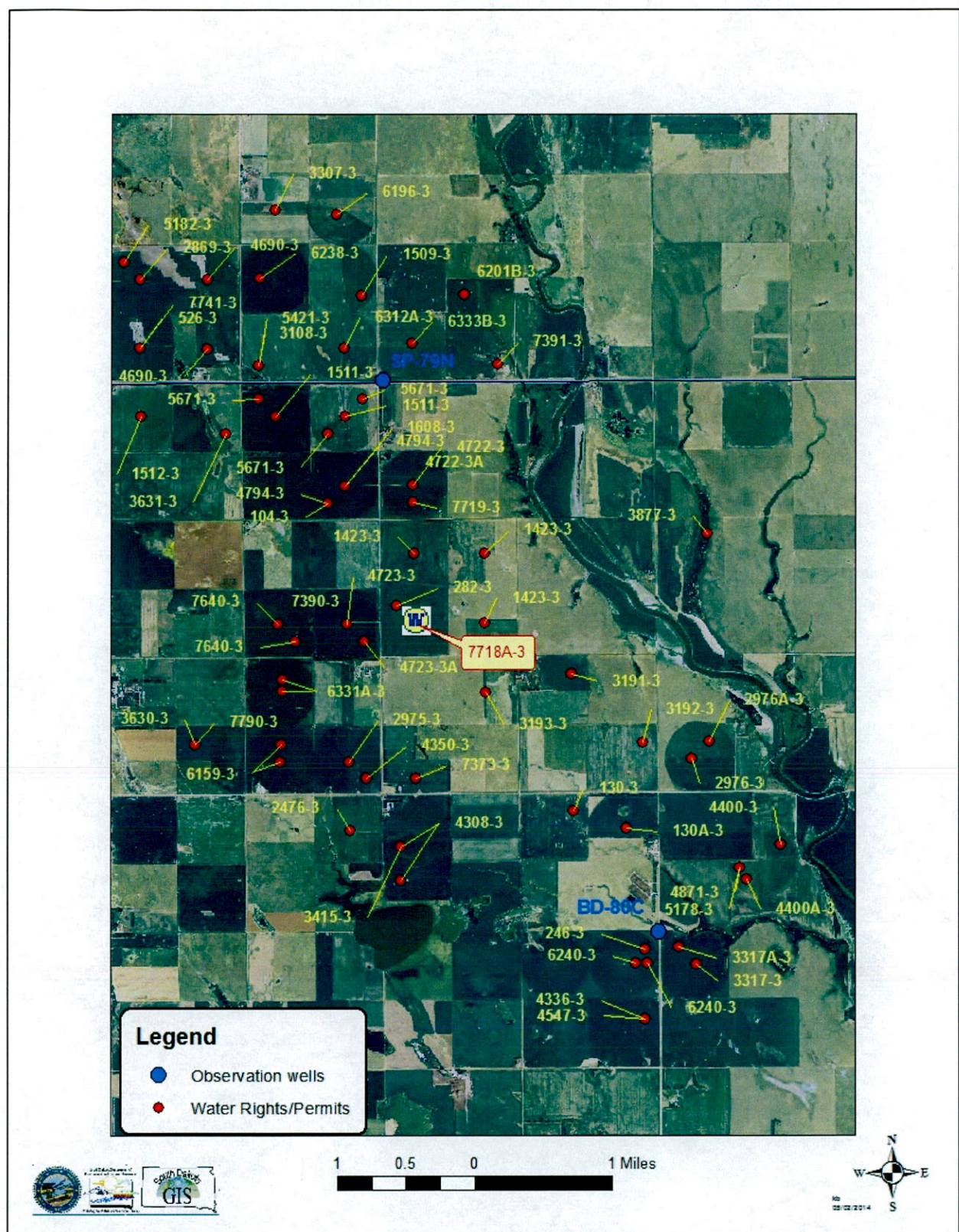


Figure 1. Location of diversion points proposed by water permit applications and DENR-Water Rights' observation wells in this area (Water Rights, 2014b).

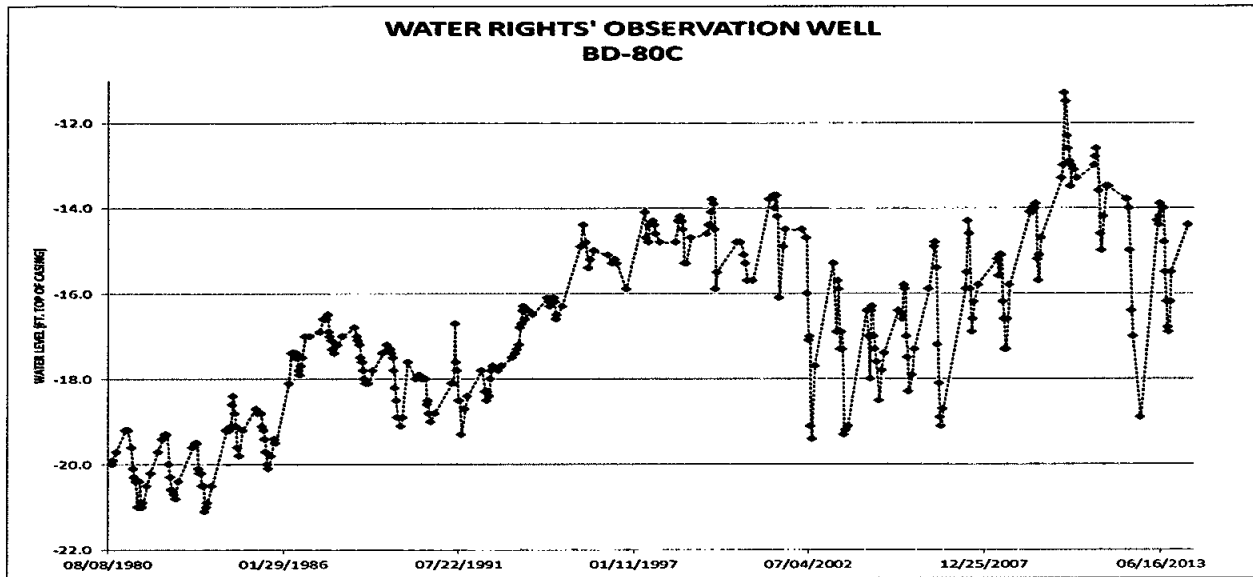


Figure 2. Hydrograph for DENR-Water Rights' Observation Well BD-80C located 2.8 miles south east of the well site proposed by this application (Water Rights, 2014a).

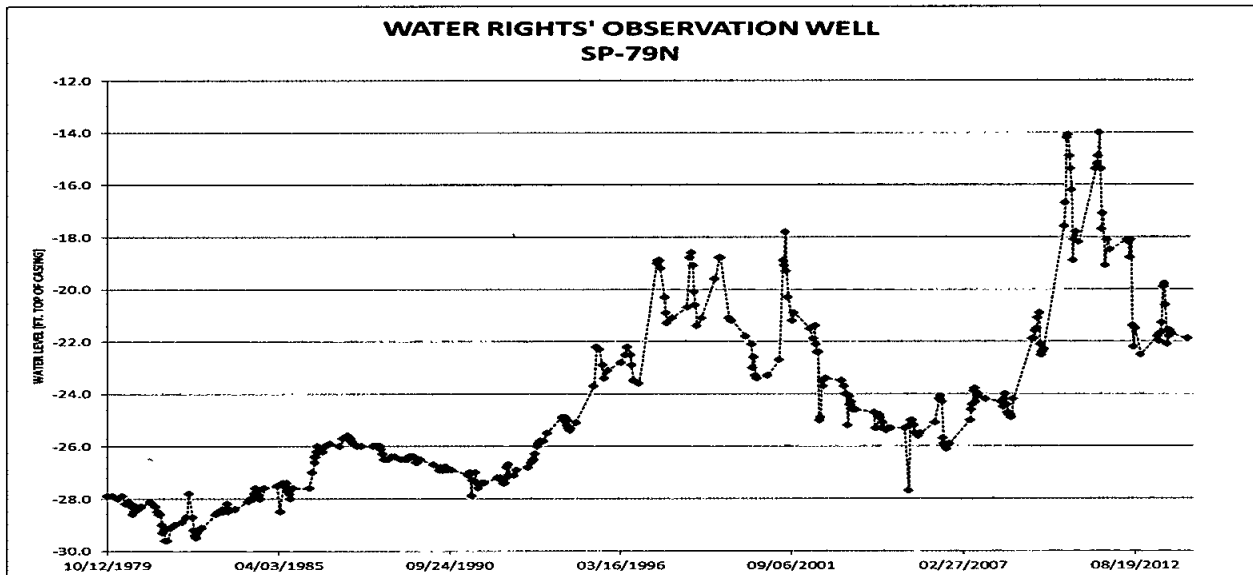


Figure 3. Hydrograph for DENR-Water Rights' Observation Well SP-79N located 1.75 miles north-northwest of the well site proposed by this application (Water Rights, 2014a).

CONCLUSIONS:

1. This water permit application simply proposes to change the location of the acreage authorized for irrigation.
2. This application does not propose any increase of the amount of water that is appropriated from the Tulare: Western Spink/Hitchcock aquifer.
3. This proposed appropriation will not adversely impact existing users.


for Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

Water Rights Program, 2014a, Observation Well Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights Program, 2014b, Water Permit/Right Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

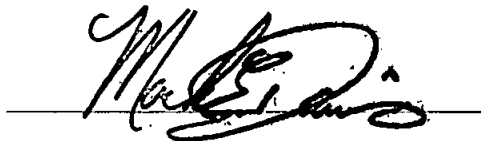
Affidavit of Publication

STATE OF SOUTH DAKOTA,
County of Spink: ss.

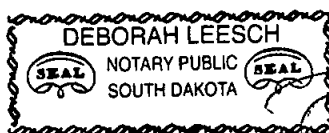
I, Mark E. Davis, of said County & State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield, in said County and State, by THE REDFIELD PRESS, and has been such newspaper during the time hereinafter mentioned, and that I Mark E. Davis, the undersigned, am Publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the legal or official notice entitled:

#868 NOTICE OF APPLICATION

A printed copy of which is hereto attached, was printed and published in said newspaper in 1 issue, to wit: The first publication being made on May 14th 2014, that Twenty-nine and .75/100 Dollars, insures to the benefit of the publisher of THE REDFIELD PRESS, that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.



Subscribed and sworn to before me this 14th day of May, 2014.



Deborah Leesch
Notary Public, South Dakota

My commission expires 10/09/2019

Notice

#868

NOTICE OF APPLICATION NO. 7718A-3

Notice is given that Terry Wieting, 870 Beach Ave NE, Huron SD 57350 has filed an application to amend Water Permit No. 7718-3 by transferring the irrigated acreage and point of diversion to other land. Water Permit No. 7718-3 appropriates 1.78 cubic feet of water per second (cfs) from one well located in the approximate center of the SE 1/4 Section 9 to irrigate 135 acres located in the SE 1/4 Section 9; all in T113N-R64W. This application proposes to move the system approximately 12 miles east with the well to be located in the center of the SW 1/4 Section 9 to irrigate 135 acres located in the SW 1/4 Section 9; all in T113N-R62W. The water source for this irrigation system is the Tulare:Western Spink Hitchcock Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application.

State Law (SDCL 46-5-34) allows an irrigation water right to be severed from one parcel of land and simultaneously transferred to another parcel if it becomes impracticable to use all or any part of the water beneficially or economically for irrigation on the current land. Mr. Wieting indicates his justification for this change is based on economics. Electricity and pipe are already at this location from cancelled Water Right No. 282-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7718A-3 because existing rights will not be unlawfully impaired. 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 May 27, 2014.

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 \$29.75. (May 14)

RECEIVED

MAY 30 2014

WATER RIGHTS
PROGRAM

PRINTER'S AFFIDAVIT

RECEIVED

MAY 15 2014

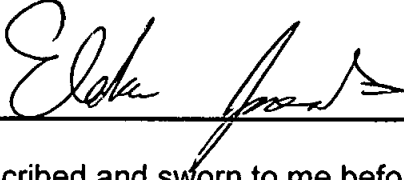
STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss

WATER RIGHTS
PROGRAM

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

**SD ENVIRONMENTAL & NATURAL –
WATER RIGHTS – FARRON PRATT**

was published for one day, in said newspaper, and not in any supplement of the said newspaper, the publication was of the 14TH day MAY 2014. That the full amount of the fee charged for publishing is: **FORTY-THREE & 87/100** dollars insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whom so ever.



Subscribed and sworn to me before this 14TH day of MAY 2014.



Notary Public, South Dakota

My term expires 10/25/2017
Legal #1282

F.P. 05-14-14

**NOTICE OF
APPLICATION NO.
7718A-3**

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7718A-3 because existing rights will not be unlawfully impaired. 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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Steven M. Pirner,
Secretary, Department
of Environment and
Natural Resources.
No. 1282 (adv.)
Published once at the
total approximate cost of
\$42.65.



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov



May 6, 2014

Redfield Press
PO Box 440
Redfield SD 57469

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7718A-3 to Appropriate Water. Please publish the notice once on May 14, 2014. 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 Terry Wieting, 870 Beach Ave NE, Huron SD 57350 (Ph # 605-554-0207).

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

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

denr.sd.gov



May 6, 2014

Plainsman
PO Box 1278
Huron SD 57350

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7718A-3 to Appropriate Water. Please publish the notice once on May 14, 2014. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



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

May 6, 2014

Terry Wieting
870 Beach Ave NE
Huron SD 57350

Dear Mr. Wieting:

Water Permit Application No. 7718A-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 Redfield Press printed at Redfield SD (Ph # 605-353-7401) and the Plainsman printed at Huron SD (Ph # 605-472-0822). 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 May 14, 2014. 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. 7718A-3

Notice is given that Terry Wieting, 870 Beach Ave NE, Huron SD 57350 has filed an application to amend Water Permit No. 7718-3 by transferring the irrigated acreage and point of diversion to other land. Water Permit No. 7718-3 appropriates 1.78 cubic feet of water per second (cfs) from one well located in the approximate center of the SE 1/4 Section 9 to irrigate 135 acres located in the SE 1/4 Section 9; all in T113N-R64W. This application proposes to move the system approximately 12 miles east with the well to be located in the center of the SW 1/4 Section 9 to irrigate 135 acres located in the SW 1/4 Section 9; all in T113N-R62W. The water source for this irrigation system is the Tulare:Western Spink Hitchcock Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application.

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7718A-3 because existing rights will not be unlawfully impaired. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of _____.



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



July 1, 2014

1423-3
7718A-3

Renae Morog
19041 363rd Ave
St Lawrence SD 57373

Dear Ms. Morog:

The ownership change you filed for Water Right No. 1423-3 has been completed. The water right is now listed in the name of "Morog Family Limited Partnership".

With reference to land in the SW ¼ Section 9, T113N, R62W, enclosed is the documentation you submitted for transferring ownership. The permit number referenced in the documents cites Water Permit No. 7718-3. No. 7718-3 authorizes irrigation of the SE ¼ Section 9, T113N, R62W. I believe the permit you wish to have transferred is actually the "amendment" which is Water Permit No. 7718A-3. Water Permit No. 7718A-3 authorized transferring the diversion authority and acreage from No. 7718-3, to the SW ¼ Section 9.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change for Water Permit No. 7718A-3. Please review the form and make any necessary corrections. Upon completion, please return the form to our office and we will take care of processing the ownership change. You have already submitted the \$50 filing fee for the transfer. No additional fees are required.

No. 7718A-3 was approved under Mr. Wieting's name and is currently awaiting signature. I anticipate it will be signed and mailed to him within the next week or so. The transfer of ownership can still be submitted and after it is processed, I will mail you a copy of the permit as it was issued.

Enclosed is your receipt for the ownership change filed for Water Right No. 1423-3. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



JUL 07 2014

Terry Wieting
870 Beach Ave
Huron SD 57350

Dear Mr. Wieting:

Enclosed is Water Permit No. 7718A-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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

August 12, 2015

7718A-3

Renae & Thomas Morog
19041 363rd Ave
St Lawrence SD 57373

Dear Mr. & Mrs. Morog:

Back in July, 2014, you had filed an ownership change for Water Right No. 1423-3 to "Morog Family Limited Partnership". At that time, you also paid for an ownership change for Water Permit No. 7718A-3 (SW ¼ Section 9, T113N, R62W) listed in the name of Terry Wieting.

The transfer has not yet been processed due to lack of a "Notice of Transfer of Ownership" form being filed. I apologize for not contacting you sooner about this, the file was laid aside and I did not realize it had not been taken care of yet.

In the event you no longer have the original form, I am enclosing another one for your use. You have already submitted the \$50 filing fee for the transfer. No additional fees are required.

It is our understanding that Mr. Wieting still leases the land from you. Once transferred, the annual irrigation questionnaire can continue to be sent to Mr. Wieting even though the water permit is listed in your names. If the ownership change is no longer needed and the permit should remain under Mr. Wieting's name, please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR No.
523 E. Capitol
Pierre, SD 57501-3181

7718A-3

RECEIVED

FEB 11 2016

WATER RIGHTS
PROGRAM

Date: 2-11-2016

I/We request that Water Permit No. 7718A-3

formerly owned by: Terry Wieting

be transferred to: (name & address)

Morog Family Limited Partnership
19041 363rd Avenue

Tom Cell: 605-870-0719 Telephone No.

Rena Cell: 605-870-0718

St. Lawrence, SD 57373

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

135 acres - SW ¼ Section 9, T113N, R62W

I/We understand that the validity of Water Permit No. 7718A-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

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

or Rena Morog
Tom Morog

(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/1, 20 14

RECEIVED OF Thomas Morog 19041 363rd Ave St Lawrence SD 57373

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>7718A-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. **06896**

By

J. Carme Handman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 12, 2016

7718A-3

Renae & Thomas Morog
Morog Family Limited Partnership
19041 363rd Ave
St Lawrence SD 57373

Dear Mr. & Mrs. Morog:

I am writing to acknowledge receipt of the transfer form for filing an ownership change on Water Permit No. 7718A-3.

The ownership change has been completed. Water Permit No. 7718A-3 formerly held by Terry Wieting is now listed in "Morog Family Limited Partnership". Enclosed for your records is Receipt No. 06896 in the amount of \$50 which you paid for filing the ownership change.

The annual irrigation questionnaire will continue to be sent to Mr. Wieting as the operator until you tell us differently. Thank you for following up on the ownership change. If you have any questions, please give us a call.

Sincerely,

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

enclosure

Approval of an Additional Diversion Point

NAME: Morog Family Limited Partnership**ADDRESS:** 19041 363rd Avenue, St. Lawrence SD 57373**DATE:** March 8, 2015, 2015 **COUNTY:** Beadle **TELEPHONE:**

Water Permit No. 7718A-3 amended Water Permit No. 7718-3 by transferring the irrigated acreage and point of diversion to other land. Water Permit No. 7718A-3 appropriates 1.78 cfs from one well located in the center of the SW ¼ Section 9 to irrigate 135 acres located in the SW ¼ Section 9, T113N, R62W. The water source is the Tulare: Western Spink Hitchcock aquifer. A licensing investigation was conducted on November 4, 2015. One well was found in the authorized location near the pivot center in the approximate center of the SW ¼ Section 9, T113N, R62W. A second well was found to be located approximately 440 feet northeast of the pivot center in the NE ¼ SW ¼ of Section 9. This additional well necessitates a review pursuant to SDCL 46-5-13.1 whether this change increases the potential for adverse effects on existing diversions.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The source remains the Tulare: Western Spink Hitchcock aquifer and the developed diversion rate does not exceed the permitted amount of 1.78 cfs.

- **If irrigation, no new land is irrigated**

The permit authorizes irrigation of 135 acres. A center pivot is in place capable of irrigating 135 acres.

- **Review of Existing Diversions**

The nearest neighboring well to the additional well under Permit No. 7718A-3 is approximately 0.47 miles to the north. This well is authorized by Water Right No. 1423-3 and owned by Morog's who also own the land authorized by Permit No. 7718A-3. This additional well location is about 260 feet closer to this well in the NW ¼ of Section 9. The nearest well on land owned by someone else is 0.50 miles to the west. The additional well is farther away from this neighboring well than its originally authorized location. A review of the well log database was also conducted for domestic wells. The nearest domestic well on file completed into the Tulare: Western Spink Hitchcock aquifer is approximately 1.3 miles to the north. At this distance there is not a significant potential for an adverse effect to the domestic well.

RECOMMENDED ACTION

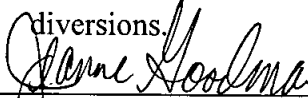
Based on the above criteria, it is recommended that the diversion points be licensed as developed.



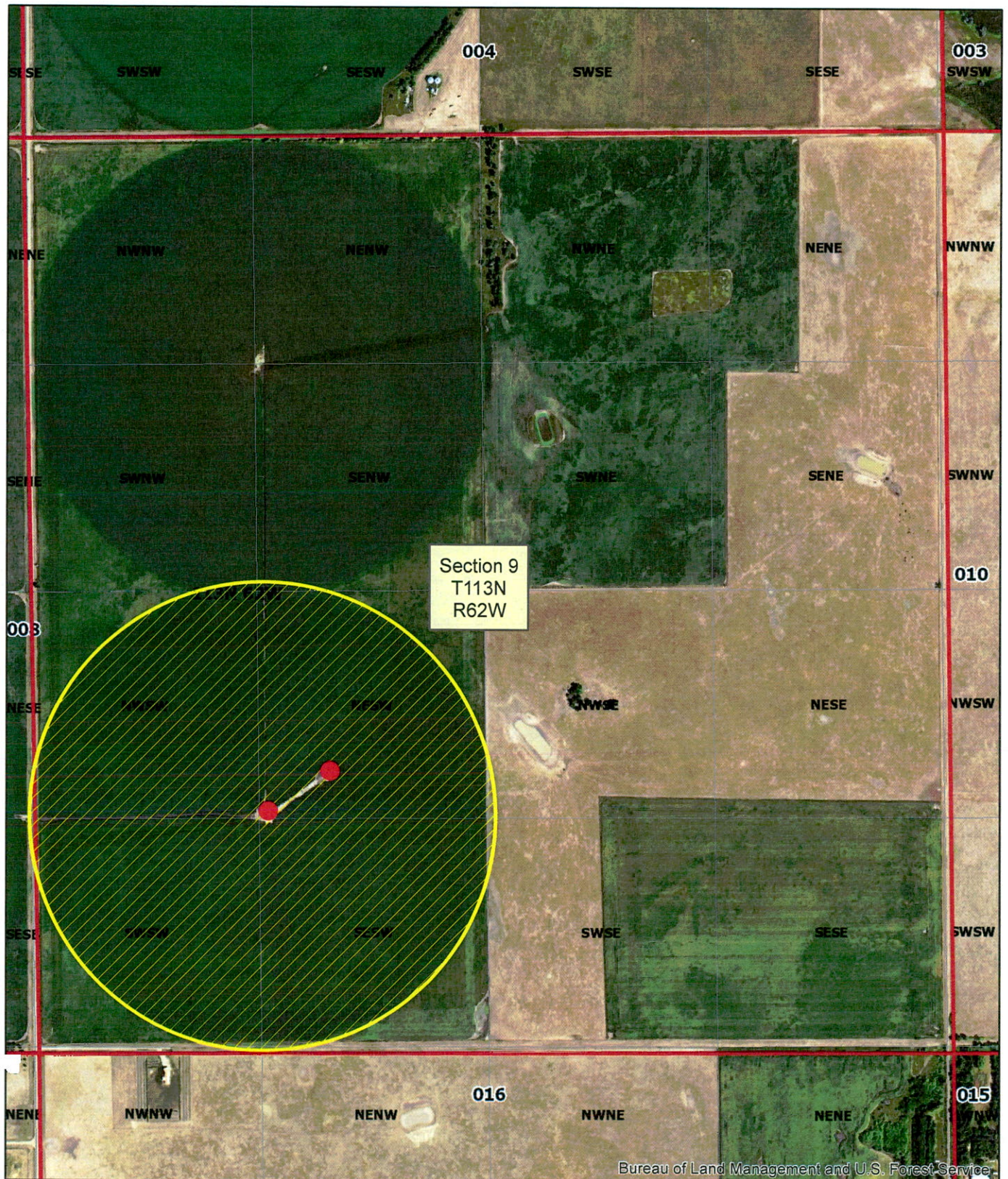
Eric Gronlund, Water Rights Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion point does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program



Well No. 1 - 1,350 feet north and 1,330 feet east
 Well No. 2 - 1,625 feet north and 1,720 feet east
 all from the southwest corner of Section 9, T113N, R62W
 No 1 Latitude. 44.60805 No. 2 Latitude 44.60742
 Longitude -98.29492 Longitude -98.29630

960 480 0 960 Feet



Eric Gronlund
 Eric Gronlund
 Water Rights Program, DENR
 Date of Inspection - November 4, 2015

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit Nos. 7718-3 & 7718A-3

I have this day, November 4, 2015, made a thorough examination of the water use system constructed by Morog Family Limited Partnership, 19041 363rd Avenue, St. Lawrence SD 57373 of Permit No. 7718A-3, bearing the priority of February 8, 2013 authorizing the diversion of 1.78 cu. ft. per second of the waters of Tulare:Western Spink Hitchcock aquifer for irrigation purposes, in Beadle County.

Inspection contact & relationship to permit holder, if applicable: Terry Wieting, 870 Beach Avenue NE, Huron SD 57350 - farms this land that is owned by Morog's

Water Permit No. 7718A-3 amended Permit No. 7718-3 by moving to different land. As part of licensing No. 7718-3 should be incorporated into No. 7718A-3.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Mid-Nebraska Drilling & Services LLC – License No. 806
- 2) No. of Wells 2
- 3) Depth(s) 80 & 119 feet
- 4) Well log is available Yes If no, explain in comments
- 5) Comments – The well completion reports list Tom Morog as the well owner. He and his wife own the quarter section authorized for irrigation. Also the original permit was for one well while two were constructed to supply the center pivot in place. See attached report on additional diversion point.

Casing:

- 1) Diameter 8 and 16 inches
- 2) Length 20 & 89 feet
- 3) Type plastic

Screen:

- 1) Type stainless steel
- 2) Length 60 & 30 feet
- 3) Static water level 15 (both) feet

Pump:

- 1) Make Submersible Grundfos 385S-25 (west well) & 200S-15 (east well)
- 2) Capacity 500 gpm and 275 gpm for a total of 775 GPM

* Based on information provided by Mr. Wieting

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

- 1) Type underground aluminum 2) Size 8 inches 3) Length approx. 440 feet

Comments: **Well #1 is approximately 25 feet from pivot center. Water from Well #2 is conveyed approximately 440 feet in a southwest direction to the pivot center.**

C. Works used to apply water to beneficial use:**Center pivot:**

- 1) Make Zimmatic
 2) Overall length approx. 1,350 feet
 3) Number of towers 7
 4) End gun Yes
 5) Capacity 775 GPM

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes

If no, describe:

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

List any extended period of nonuse: **none**

- 3) Exceptions to compliance are: see additional diversion point report

E. Condition and Location:

1. The system is in good, condition with the point(s) of diversion located as follows:

all from the southwest corner of Section 9, T113N, R62W

Well No. 1 - 1,350 feet north and 1,330 feet east (Latitude. 44.60805 Longitude -98.29492)

Well No. 2 1,625 feet north and 1,720 feet east (Latitude 44.60742 Longitude -98.29630)

2. The works are capable of diverting and conveying to the place of use 1.73 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

legal description/acreage

All in Section 9, T113N, R62W

NW ¼ SW ¼ 33.75 acres

NE ¼ SW ¼ 33.75 acres

legal description/acreage

SW ¼ SW ¼ 33.75 acres

SE ¼ SW ¼ 33.75 acres

comprising a total of 135 acres of land and the license should be issued for 1.73 cfs.

** The reports for the 2014 and 2015 irrigation questionnaire states 135 acres being irrigated. Using the 2014 FSA aerial image showing the land irrigated and digitized using the ArcMap function results in just over 132 acres being irrigated. Due to possible misinterpretation of the irrigated acres using the 2014 FSA aerial imagery and giving the benefit to the permit holder, the license should be issued of 135 acres.

3. All structures, wells and lands on map **Yes**

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

See additional diversion point report.

Water Permit No. 7718A-3 was issued with a priority date of March 3, 2014 based on the filing date of the application to amend Permit No. 7718-3 to transfer the location of the acres and well to another location. Permit No. 7718-3 has a priority date of February 8, 2013. Since Permit No. 7718A-3 amended No. 7718-3 it should retain the original February 8, 2013 priority date. License should be issued for a February 8, 2013, priority date. Permit No. 7718-3 which established the priority date should be incorporated into Water License No. 7718A-3.

The land authorized by Permit No. 7718A-3 is owned by Tom and Renae Morog. The permit was originally in the name of Terry Wieting. A transfer of ownership was filed on February 11, 2016 and is now in the name of Morog Family Limited Partnership.

On March 10, 2016, Terry Wieting provided me an email with the pump installed in each well.

West well – 385S-25 Grundfos pump capable of 500 gpm

East well – 200S-15 capable of 275 gpm



Eric Gronlund

Water Rights Engineer

DENR, Water Rights Program

Date report completed: **March 10, 2016**

7718A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

OCT 11 2016

7718-3
7718A-3

Tom & Renae Morog
Morog Family Limited Partnership
19041 363rd Avenue
St Lawrence SD 57373

Dear Mr. & Mrs. Morog:

Enclosed is Water License No. 7718A-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 7718A-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,

A handwritten signature in cursive script that reads "Jeanne Goodman".

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

enclosures

Note: Upon licensing, the applicable portions of Water Permit No. 7718-3 were incorporated into Water License No. 7718A-3.

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7718A-3

(1) Terry Wieting, Huron SD made Application No. 7718A-3, March 3, 2014 for a water permit to amend Water Permit No. 7718-3 by transferring irrigated acreage and the point of diversion to other land. No. 7718A-3 authorized moving the system approximately 12 miles east of the original location. The source of water for the irrigation system is the Tulare: Western Spink Hitchcock Aquifer. Water Permit No. 7718A-3 did not authorize an increase in the diversion rate or number of acres irrigated. Permit No. 7718A-3, with a priority date of February 8, 2013 (established under No. 7718-3) was approved May 27, 2014 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 27, 2019 and for the application to beneficial use of said water on or before May 27, 2023.

On February 11, 2016, the water permit was transferred to Morog Family Limited Partnership.

The licensing investigation of Water Permit No. 7718A-3 found an additional well had been drilled approximately 440 feet northeast of the pivot center. The source of water remains the Tulare: Western Spink Hitchcock aquifer. Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01, the Chief Engineer made a finding the additional diversion point did not increase the potential for adverse effects to existing diversions and could be licensed as developed.

The applicable portions of Water Permit No. 7718-3 have been incorporated into Water License No. 7718A-3. A February 8, 2013 priority date, as established under No. 7718-3, is retained.

(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 1.73 cubic feet of water per second for beneficial use. The location of the diversion points are:

- Well #1: 1,350 feet N and 1,330 feet E of the SW corner of Section 9, T113N, R62W (approximate center of the SW $\frac{1}{4}$);
- Well #2: 1,625 feet N and 1,720 feet E of the SW corner of Section 9, T113N, R62W (NE $\frac{1}{4}$ SW $\frac{1}{4}$).

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

Section 9, T113N, R62W	NW $\frac{1}{4}$ SW $\frac{1}{4}$	33.75 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33.75 acres
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	33.75 acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	33.75 acres
Total		135.00 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Morog Family Limited Partnership, 19041 363rd Ave., St Lawrence SD 57373 the holder and/or owner of Incorporated Water Right No. 7718A-3 is issued a license to appropriate water, the right to use 1.73 cubic feet of water per second from ground water, two wells (Tulare: Western Spink Hitchcock Aquifer) with a priority date of February 8, 2013 from the locations specified in (2) of this license for irrigation purposes.

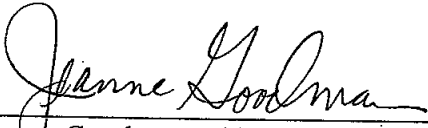
continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7718A-3 and subject to the following qualifications:

The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

The wells authorized by Permit No. 7718A-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. ***Wells were drilled by Mid-Nebraska Drilling & Services LLC in 2014. Copies of the well logs are on file with the Water Rights Program.***

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

OCT 11 2016

date

