

WATER PERMIT NO. 7896-3

Name of Applicant: Fugere Farm

Address: 700 N Main, Estelline SD 57234

Phone: 605 873-2496

Amount of Water Claimed: 1.78 cfs

Total Acres: 152 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Hamlin

Type of Waste Disposal System:

Location: 5 miles northwest of Estelline

PRIORITY

Date Received: 9-9-13

Application/License Fee: \$ 1050

Corrected Application Received:

Period of Annual Use: May 1 – September 30

Remarks:

Diversion Point: center SW 1/4 Sec 27-T114N-R51W

Land to be Irrigated: SW 1/4 Sec 27-T114N-R51W

Depth of Well: 50

Well Driller: Steffl Drilling & Pump

Remarks:

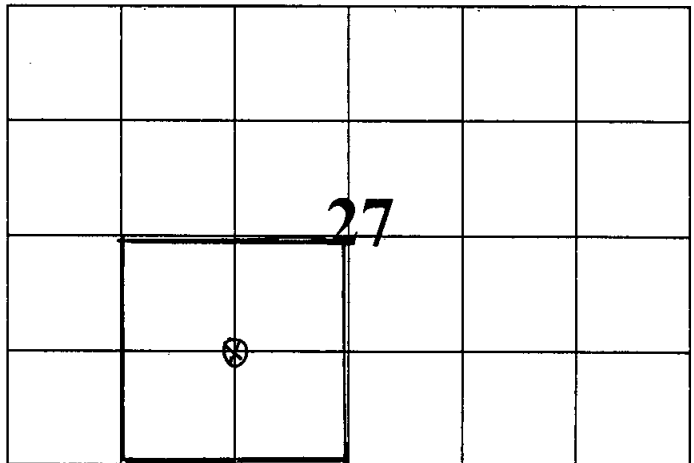
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 9-9-13

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

(office use only)
No. 7896-3 Hydrologic Unit 10170202
Basin Livak River 605-793-2293
Newspaper Hamlin Co. Republican Box 50 Costwood 57223
Public Opinion Box 10 Waterville 57201 605-886-6901

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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 Fugere Farm
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent allen, Cindy cory Fugere
(name and complete address if different than above name)
Mailing Address 700 N Main Estoline SD 57234
(Address) (City) (State) (Zip Code)
Home Phone 873-2496 Cell _____ Email _____

2. Amount of water claimed 1.78*CFS or 800 **GPM ***AF Total Acreage 152A
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply well

4. Location of point of diversion one well center of the SW 1/4 Sec 27
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)
114N - 51W 4438' 55.6"N 9656' 290W County Hamlin

5. County or counties where water will be used Hamlin

6. Annual period during which water is to be used May 1 - Sept 30

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>SW 1/4 of the SW 1/4 114N - 51W Sec 27</u>	<u>38</u>		
<u>NW 1/4 of the SW 1/4 114N - 51W Sec 27</u>	<u>38</u>		
<u>SE 1/4 of the SW 1/4 114N - 51W Sec 27</u>	<u>38</u>		
<u>SW 1/4 of the SW 1/4 114N - 51W Sec 27</u>	<u>38</u>		

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

I, Allen Fugere allen Fugere, 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. 7896-3

Date of first receipt of application September 9, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7896-3 to Fugere Farm, 700 N Main, Estelline SD 57234 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7896-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Big Sioux-Brookings Aquifer (50 feet deep) located in the approximate center of the SW 1/4 Section 27 for irrigation of 152 acres located in the SW 1/4 Section 27; all in T114N-R51W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is September 9, 2013.
4. The date of approval of Permit No. 7896-3 is November 18, 2013.
5. One-fifth of the construction is to be completed on or before May 18, 2016.
6. All construction is to be completed on or before November 18, 2018.
7. Water is to be put to beneficial use on or before November 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. 7896-3 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.

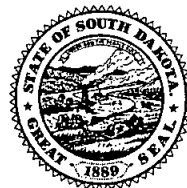
WATER MANAGEMENT BOARD

By: 

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

JAN 15 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 1 Have test holes been drilled ☒ Yes ☐ No Drilled by staff 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 50 Depth to Top of Water Bearing Material 33ft Depth to Water from Surface 33ft

d) Distance to nearest existing domestic well:

On applicant's property None

On property owned by others 2600 ft

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)

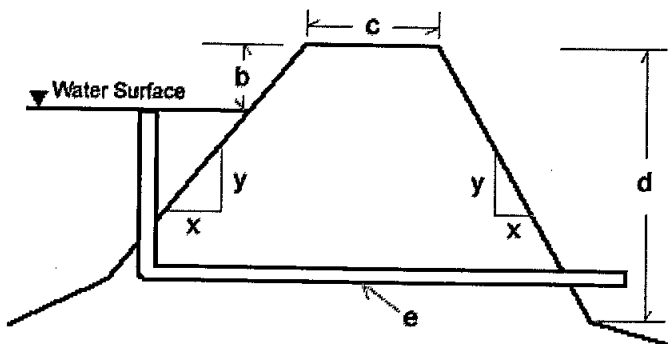
Upstream

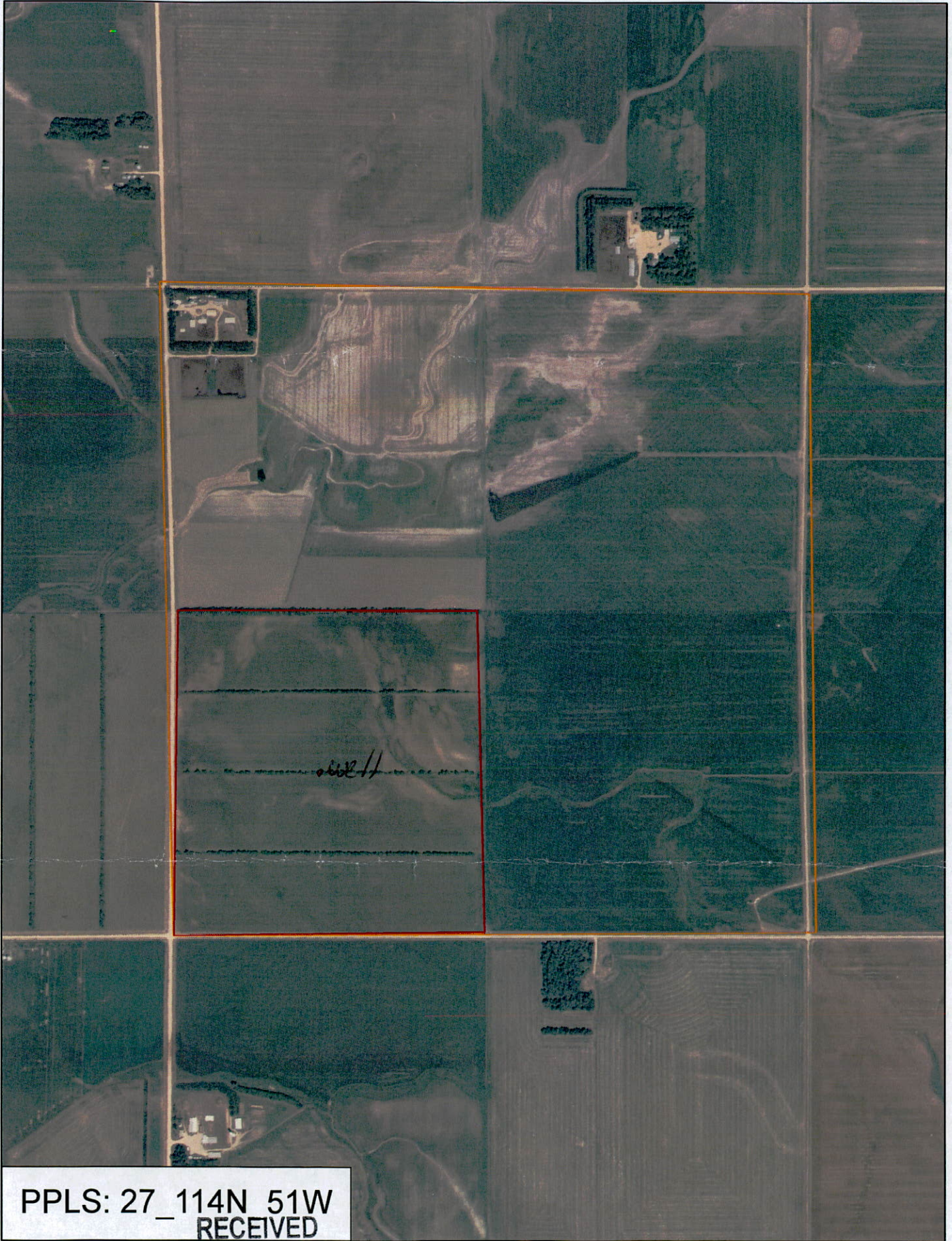
Downstream

h) Surface Area of Impoundment

i) Storage Acre Feet

j) Drainage Area Above Dam Acres





PPLS: 27_114N 51W
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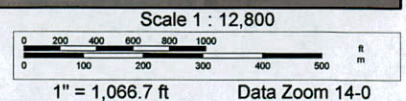
Data use subject to license.

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SOUTH DAKOTA WATER WELL COMPLETION REPORT

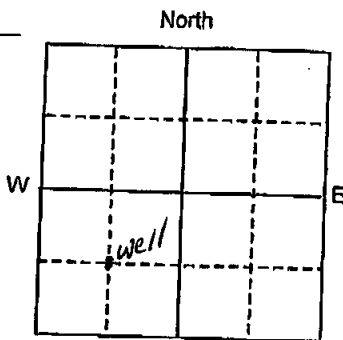
SD EForm - 1621LD V1

11-02

Location NW ¼ SW ¼ Sec 27 Twp 114 Rg 51

County Hamlin

Please mark well location with an "X"



Well Completion Date

November 13, 2012

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

mud rotary

CASING DATA:

If other describe _____

☐ Steel ☐ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
HS Bentonite	3	Lb/gal	0.0 Ft	55.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremmie

SCREEN:

☐ Perforated pipe ☐ Manufactured

Diameter _____ Inches Length _____ Feet

Material _____
Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED?

☐ Yes ☐ No

If so, what material? _____

Describe packer(s) and location _____

DISINFECTION:

Was well disinfected upon completion?

☐ Yes. How? _____

☐ No. Why Not? _____

Lab to which water quality sample sent for analysis _____

Well Owner: Allen Fugere

Business Name: _____

Address: 700 No Main St

City, State, Zip: Estelline SD 57234

WELL LOG:

FORMATION			DEPTH	
			FROM	TO
Top Soil	Blk		0	1
Clay	Tan	M	1	30
Clay	Gry	M	30	33
Gravel	Tan	Coarse	33	50
Clay	Tan/Gry	M-H	50	55

STATIC WATER LEVEL

FEET

If flowing: closed in pressure _____

PSI

GPM flow _____ through _____

Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: _____

☐ Bailed

☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

Test Hole #1

44 38' 55.6"N

96 56' 29.0"W

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This well was drilled under license #

463

and this

report is true and accurate.

Drilling firm: Steffi Drilling & Pump Inc

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/9, 20 13

RECEIVED OF Eugene Farm 700 N Main Estelline SD 57234

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

Fee for Application for Permit No. <u>7896-3</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>7896-3</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. **06425**

By Leanne Lockman
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7896-3, Fugere Farm**

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. 7896-3, Fugere Farm, c/o Allen Fugere, 700 N Main, Estelline SD 57234.

The Chief Engineer is recommending APPROVAL of Application No. 7896-3 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. 7896-3 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
October 17, 2013

REPORT TO THE CHIEF ENGINEER

WATER PERMIT APPLICATION NO. 7896-3

Fugere Farm, c/o Allen Fugere

September 23, 2013

Water Permit Application No. 7896-3 proposes to appropriate water at a maximum diversion rate of 1.78 cubic feet per second (cfs) from one well to be completed into the Brookings management unit of the Big Sioux aquifer. The well is expected to be approximately 50 feet deep, located in the SW¼ of Section 27, T114N-R51W in Hamlin County. Water will be used to irrigate 152 acres located in the SW¼ of Section 27, T114N-R51W.

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

HYDROGEOLOGY:

In total the Big Sioux: Brookings aquifer underlies approximately 323,000 acres of Brookings, Codington, Deuel, Hamlin, Kingsbury, and Moody Counties (Hamilton, 1989; Hansen, 1988; Hedges and others, 1982; Kume, 1985; Stonesifer, 2013). The Brookings management unit is hydraulically connected to the North management unit to the north, the Battle Creek aquifer to the west, the North Deer Creek, Unnamed Creek, Six Mile Creek, and Aurora management units of the Big Sioux aquifer to the east, and the Moody management unit to the south (Hedges and others, 1982). The aquifer is hydraulically connected to many surface waters, specifically the Big Sioux River, and water in the aquifer generally moves from north to south and locally towards the river (Hamilton, 1989).

The Brookings management unit of the Big Sioux aquifer is an alluvium mantled outwash consisting of well-sorted, permeable, medium to coarse sand and fine to medium gravel. The aquifer is often under unconfined conditions near the Big Sioux River and can be confined elsewhere (Hamilton, 1989). From the average thickness of 30 feet and a commonly assumed storativity of 0.15, the Big Sioux: Brookings aquifer is estimated to contain 1,453,00 acre-feet (ac-ft) of recoverable water in storage (Hedges and others, 1982; Hamilton, 1989; Kume, 1985; Stonesifer, 2013).

In Brookings and Kingsbury Counties, the top of the Big Sioux: Brookings aquifer ranges from ground surface to 212 feet below ground surface. Generally, the aquifer is underlain by till and, when buried, overlain by till. In these counties, water levels in the aquifer range from land surface to 120 feet below land surface. Wells in the Big Sioux: Brookings aquifer could yield up to 1,300 gallons per minute (gpm) (Hamilton, 1989).

From the test hole log submitted with the application, the Big Sioux: Brookings occurs from 33 to 50 feet below ground surface and has a static water level of 33 feet below ground surface in November, 2012. This information coincides with other wells, test holes, and observation wells in the area (SD Geological Survey, 2013; Water Rights, 2013a; Water Rights, 2013c).

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and existing rights from the aquifer that are pertinent to this application.

WATER AVAILABILITY:

The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1, which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source." If the source of the water is older or lower than the Greenhorn Formation and a public water system has applied for a permit, the Board need not consider the recharge/withdrawal issue. Here, a public water system is not involved. Therefore, withdrawal/recharge issue must be considered.

HYDROLOGIC BUDGET:

Recharge:

Recharge to the Big Sioux: Brookings aquifer occurs through infiltration of precipitation in areas where the aquifer is at or near land surface, seepage through till, lake deposits, and underlying aquifers, and inflow from the Big Sioux River and its tributaries during times of relatively high surface water levels (Hamilton, 1989; Kume, 1985).

Hedges and others (1985) determined the average recharge rate to the entire Big Sioux aquifer system by base flow analysis to be 6.5 in/yr. Koch (1980) estimated average recharge to the Big Sioux aquifer in Brookings, Deuel, and Hamlin Counties by modeling to be 6.57 inches/year (in/yr) to the unconfined portions. Kume (1985) estimated recharge to the Big Sioux aquifer in Hamlin and Deuel Counties to be 5.11 in/yr. Hansen (1988) estimated recharge to the Big Sioux aquifer in Moody County by modeling to be on average 4.85 in/yr. Hedges and others (1985) estimated recharge specifically of the Brookings management unit by observation well analysis to be 4.0 in/yr; this is considered the best data available due to its emphasis on the management unit. Applying the recharge rate of this management unit to the area, recharge to the Big Sioux: Brookings aquifer is estimated to be 107,000 ac-ft/yr.

Koch (1980) indicates that even more water could be pumped than the estimated average recharge based on the concept of induced recharge from surface waters due to pumpage and capture of water to pumpage prior to evapotranspiration or natural outflow.

Discharge:

Discharge from the aquifer occurs through evapotranspiration in areas where the aquifer is at or near land surface, outflow to the Big Sioux River and its tributaries during times of relatively low surface water levels, and well withdrawals (Hamilton, 1989; Kume, 1985). There are a total of 248 water rights/permits appropriating water and 10 future use permits reserving water from the Big Sioux: Brookings aquifer. Currently, the maximum diversion rate authorized totals

30.479 cfs, the volume appropriation totals 5,034 ac-ft/yr, and the volume of future use reservation totals 7,327 ac-ft/yr (Water Rights, 2013b).

Brookings-Deuel-Kingbrook and Sioux rural water systems and the municipalities of Lake Norden and Volga are required to report withdrawals from the Big Sioux: Brookings aquifer for some or all water rights/permits. Reported use of a public water supply system may not be an accurate reflection of expected use. In the case of some of these entities, reported withdrawals are sometimes well below appropriations. However, eventual use of an appropriation for public water supply systems is often expected to account for future growth. Each of these entities have future use permits and subsequently any appropriation permitted but not put to beneficial use can be reverted back to the future use reservation (Water Rights, 2013b).

Several municipalities are connected to a rural water system that is either used as a primary or standby, “back-up,” source. The municipalities of Clear Lake, Hayti, and Bruce currently use a rural water system as a primary source and their water rights/permits are retained as a standby source for security, such as fire protection (Water Rights, 2013b).

The amount of water that can be expected to be withdrawn by non-irrigation use water rights/permits and future use permits at the current appropriation/reservation amount can be estimated by assuming:

- 1) reported use of municipalities and rural water systems still expecting future growth is not considered,
- 2) water rights/permits limited by an annual volume will pump the entire volume appropriated annually,
- 3) water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time,
- 4) future use permits can be fully developed,
- 5) water rights/permits authorized to municipalities using rural water systems as a primary source will not pump, and

Considering these water use expectations, 19,368 ac-ft/yr is estimated to be withdrawn from the Big Sioux: Brookings aquifer due to non-irrigation water rights/permits and future use permits (Water Rights, 2013b).

While there are numerous domestic wells on file, many are no longer used as primary sources since rural water systems have been introduced in the area. Considering this, and the relatively small withdrawal ability and authorization of a domestic well, the annual quantity of water withdrawn due to domestic wells is not significant to the hydrologic budget of the Big Sioux: Brookings aquifer (Water Rights, 2013c).

The historic irrigation use from the Big Sioux: Brookings aquifer is shown in Figure 1. Over the period of record, the average annual pumpage is 8,609 ac-ft/yr, but varies from a minimum of 1,043 ac-ft/yr to a maximum of 19,483 ac-ft/yr, while the annual appropriation has remained relatively constant over the last 20 years. This wide range of annual irrigation pumpage can be attributed to several unpredictable factors, namely economic and climatic conditions. For example, in 2012, historic drought conditions and high commodity prices resulted in water use being much greater than the average (Water Rights, 1980-2013). The expected use of irrigation

water rights/permits is estimated to be the average pumpage reported over the entire period of record.

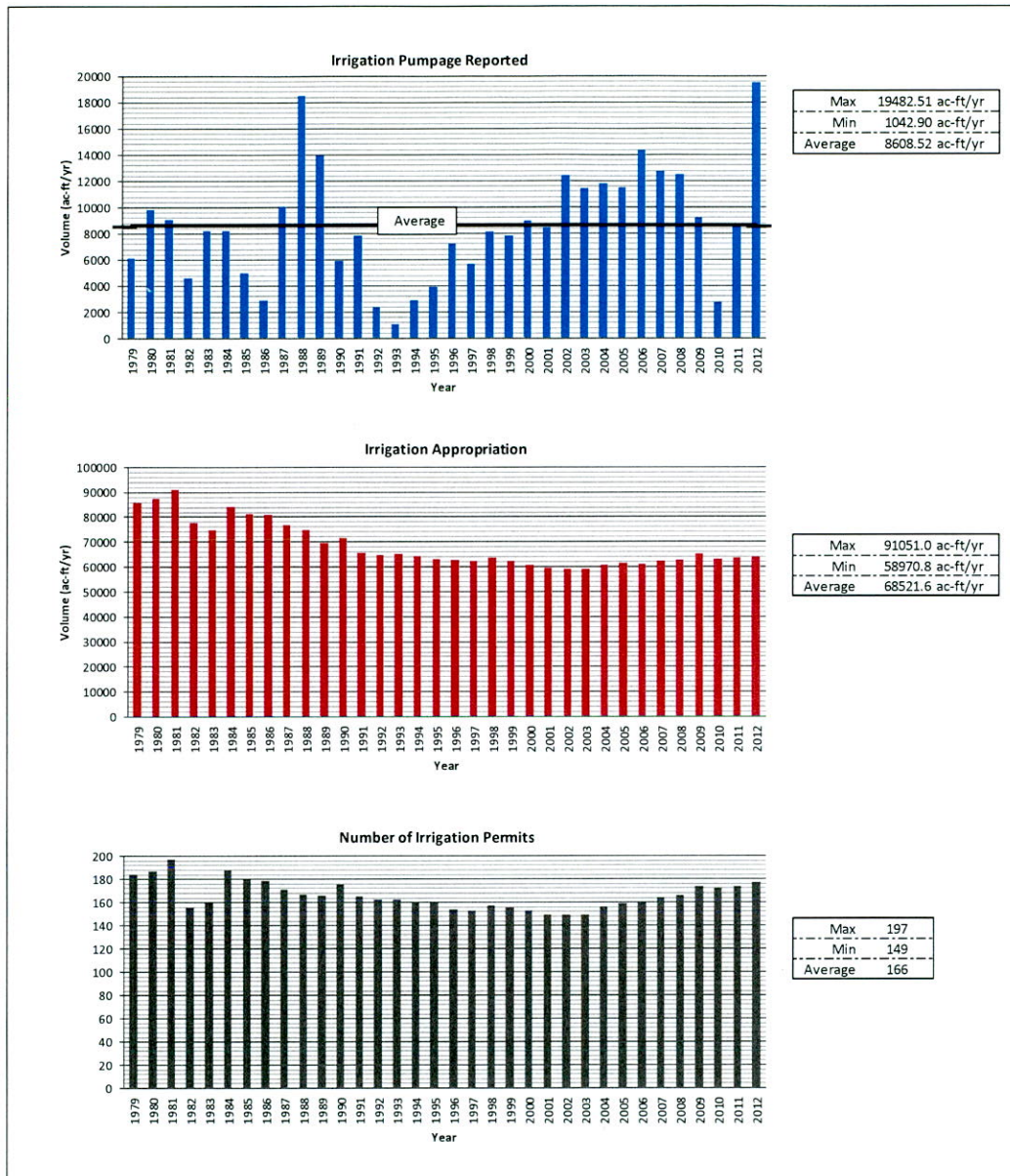


Figure 1: Historic irrigation water use from the Big Sioux: Brookings aquifer (Water Rights, 1980-2013)

Hydrologic Budget:

The average annual recharge to the Big Sioux: Brookings aquifer is estimated to be 107,000 ac-ft/yr. The average annual withdrawal is expected to be approximately 27,977 ac-ft/yr. If the applicant applies water at the maximum application rate, withdrawal would equal 304 ac-ft/yr. Therefore, unappropriated water is available from the Big Sioux: Brookings aquifer to support the proposed appropriation.

OBSERVATION WELL DATA:

Administrative Rule of South Dakota Section 74:02:05:07 requires that “the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.”

The SD DENR-Water Rights Program currently monitors 54 observation wells completed into the Big Sioux: Brookings aquifer that produce representative data of the aquifer. Most of these wells record steady or increasing water levels in the aquifer over the period of record (Water Rights, 2013a). While a few observation wells appear to record a decreasing water level trend, further analysis reveals that these decreases are a record of the drawdown due to pumpage of new wells in the area and do not reflect an overall decrease in water availability in the aquifer. Considering this, there are no observation wells in the Big Sioux: Brookings aquifer that indicate that withdrawals have exceeded recharge.

The nearest observation well, HN-77F, is located approximately one third mile southeast of the proposed well site. The hydrograph of this observation well is shown in Figure 2 (Water Rights, 2013a). This hydrograph is typical of many observation wells recording water levels in the Big Sioux: Brookings aquifer. Water levels in these observation wells often display cyclic conditions, recharging during wet years and declining during dry years.

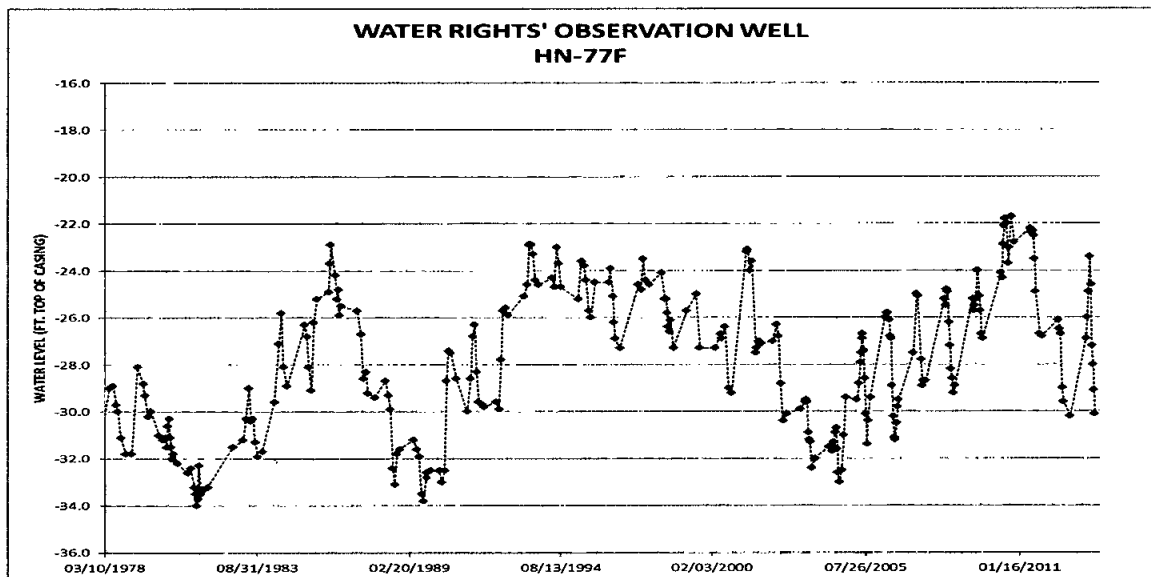


Figure 2: Hydrograph for observation well HN-77F (Water Rights, 2013a)

The data documents that at the current level of development temporal well withdrawal is masked by climatic conditions and recharge to and natural discharge from the aquifer exceeds well withdrawal. Therefore, that unappropriated water is available from the Big Sioux: Brookings aquifer to support the proposed appropriation.

EXISTING WATER RIGHTS:

There are several wells completed into the Big Sioux aquifer in the area of the proposed well site. There are 11 water rights/permits within one mile of the proposed well site, all for irrigation

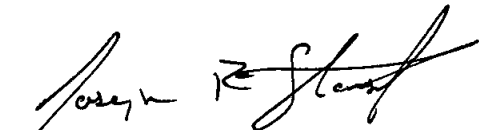
purposes. Additionally, there are several domestic wells on file that are completed into the Big Sioux aquifer within one mile of the proposed well site. The nearest well, authorized by Water Right No. 2841-3, Wayne Janssen, is located approximately 2,000 feet from the proposed well site (Water Rights, 2013b; Water Rights, 2013c).

The water table conditions of the aquifer in this area dictate that drawdown due to pumping would probably not extend far from the proposed well site. Therefore, nearby adequate wells are not expected to be adversely or unlawfully impaired by the proposed diversion. The Water Management Board has consistently recognized that to place water to maximum beneficial use a certain amount of drawdown may occur.

While the withdrawals may not exceed recharge of the aquifer as a whole, the cumulative impact of withdrawals could lead to a reduction of water levels to the extent that water rights/permits can no longer pump at their developed or "historically established," diversion rates, which could be considered an adverse impact. If approved, the water permit should be required to control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

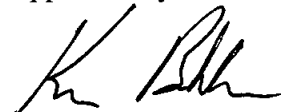
CONCLUSIONS:

1. This water permit application proposes to appropriate water at a maximum diversion rate of 1.78 cfs from one well to be completed into the Big Sioux: Brookings aquifer for irrigation of 152 acres. The well is expected to be approximately 50 feet deep, located in Brookings County.
2. Unappropriated water is available from the Big Sioux: Brookings aquifer to supply the proposed appropriation.
3. The proposed diversion at the proposed well location is not expected to adversely or unlawfully impair existing nearby adequate wells.



Joseph R Stonesifer
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Hamilton, L.J. 1989. Water Resources of Brookings and Kingsbury Counties, South Dakota. Water-Resources Investigations Report 88-4185, 82 p. USGS, Huron, South Dakota.
- Hansen, H.S. 1988. Appraisal of the Water Resources of the Big Sioux Aquifer, Moody County, South Dakota. Water-Resources Investigations Report 87-4057. USGS, Huron, South Dakota.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Hedges, L.S., Allen, J., and Holly, D.E. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 7: Ground Water Recharge. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Koch, N.C. 1980. Appraisal of the Water Resources of the Big Sioux Aquifer, Brookings, Deuel, and Hamlin Counties, South Dakota. Water-Resources Investigations Report 80-100. USGS, Huron, South Dakota.
- Kume, J. 1985. Water Resources of Deuel and Hamlin Counties, South Dakota. Water-Resources Investigations Report 84-4069. USGS, Huron, South Dakota.
- SD Geological Survey. 2013. Lithologic Logs Database, South Dakota Department of Environment & Natural Resources Geological Survey, Vermillion, South Dakota.
- Stonesifer, J. 2013. Report on Water Permit Application No. 7887-3 for Novita Aurora, LLC, c/o Rick Eggebrecht: SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 1980-2013. "Annual Irrigation Summary by Aquifer": SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013c. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

RECEIVED

OCT 25 2013

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SS

I, LeeAnne Dufek

certify that the attached printed Notice was
taken

from the Hamlin County
Republican

printed and published in Castlewood

County of Hamlin and

state of South Dakota. The notice was
published

in the newspaper on the following date:

Oct. 23, 2013

Cost of Printing \$22.77

LeeAnne Dufek
(Signature)

Publisher
(Title)

10-23-2013
(Date Signed)

**NOTICE OF APPLICATION NO.
7896-3 TO APPROPRIATE WATER**

Notice is given that Fugere Farm, c/o Allen Fugere, 700 N Main, Estelline SD 57234 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Big Sioux:Brookings Aquifer (50 feet deep) located in the approximate center of the SW 1/4 Section 27 for irrigation of 152 acres located in the SW 1/4 Section 27; all in T114N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7896-3 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 November 4, 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 Oct. 23, 2013, at total cost of \$22.77.

RECEIVED

NOV - 1 2013

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Codington) SS

I, Monica K. Saathoff

certify that the attached printed Notice was
taken

from the Watertown Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was
published

in the newspaper on the following date:

October 30th, 2013

Cost of Printing \$57.29

Monica K. Saathoff
(Signature)

Bookkeeper

(Title)

October 30th, 2013

(Date Signed)

DEPARTMENT OF ENVIRON- MENT AND NATURAL RESOURCES

NOTICE OF APPLICATION NO. 7896-3 to Appropriate Water

Notice is given that Fugere Farm, c/o Allen Fugere, 700 N Main, Estelline SD 57234 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Big Sioux-Brookings Aquifer (50 feet deep) located in the approximate center of the SW 1/4 Section 27 for irrigation of 152 acres located in the SW 1/4 Section 27; all in T14N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7896-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the sig-

nature 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 approximate cost of \$52.25. (October 30, 2013)

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

Instruction to Newspaper - Publish the Notice on October 23, 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. 7896-3 to Appropriate Water

Notice is given that Fugere Farm, c/o Allen Fugere, 700 N Main, Estelline SD 57234 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Big Sioux-Brookings Aquifer (50 feet deep) located in the approximate center of the SW 1/4 Section 27 for irrigation of 152 acres located in the SW 1/4 Section 27; all in T114N-R51W.

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

Published once at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

October 17, 2013

Hamlin County Republican
PO Box 50
Castlewood SD 57223

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7896-3 to Appropriate Water. Please publish the notice once on October 23, 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 Fugere Farm, c/o Allen Fugere, 700 N Main, Estelline SD 57234 (Ph # 605-873-2496).

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

October 17, 2013

Public Opinion
PO Box 10
Watertown SD 57201

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7896-3 to Appropriate Water. Please publish the notice once on October 23, 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 Fugere Farm, c/o Allen Fugere, 700 N Main, Estelline SD 57234 (Ph # 605-873-2496).

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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 DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

October 17, 2013

Fugere Farm
Allen Fugere
700 N Main
Estelline SD 57234

Dear Mr. Fugere:

Water Permit Application No. 7896-3 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 Hamlin County Republican printed at Castlewood SD (Ph # 605-793-2293) and the Public Opinion printed at Watertown SD (Ph # 605-886-6901). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352
enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Schlaak, Karen

From: Gronlund, Eric
Sent: Thursday, October 24, 2013 7:56 AM
To: Schlaak, Karen
Subject: RE: Application No. 7896-3, Fugere Farm

No – you can try calling them again today. I didn't find that we had a cell phone or email address for them.

From: Schlaak, Karen
Sent: Thursday, October 24, 2013 7:55 AM
To: Gronlund, Eric
Subject: RE: Application No. 7896-3, Fugere Farm

So did you hear anything?

From: Gronlund, Eric
Sent: Tuesday, October 22, 2013 4:20 PM
To: Schlaak, Karen
Subject: Application No. 7896-3, Fugere Farm

Received a call from the Public Opinion that they had not heard from the applicant to authorize publication. I tried called the applicant to get them to call but all I got to do was leave a message. I told the Public Opinion not to publish and we'd get a hold of them and instruct them that the next time we send this out they need to call to authorize publication. I put the file in your in-basket. I'll let you know if I hear back from the applicant.

The notice was also to be in the Hamlin Cty Republican. I do not know if they authorized publication in that newspaper or if the paper just published it anyway.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

October 25, 2013

Fugere Farm
Allen Fugere
700 N Main
Estelline SD 57234

Dear Mr. Fugere:

The Notice for Water Permit Application No. 7896-3 was to be published in the Watertown Public Opinion on October 23, 2013. The paper called and said they had not received notification from to you authorizing publication and arrange for payment. Therefore, the Notice was not published in the Watertown Public Opinion.

We have made several attempts to contact you by phone. Please contact us regarding this matter. Once we hear from you, we will again send the notice to the Watertown Public Opinion for publication.

We have received an Affidavit from the Hamlin County Republican which indicates they did publish the notice on October 23rd.

Sincerely,

Karen Schlaak

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

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, November 05, 2013 11:18 AM
To: 'Legals'
Subject: RE: Notice for Fugere Farm

The payment question is between you and Mr. Fugere. Because Mr. Fugere had not made contact with the paper, our understanding was the notice would not be published on October 23 and we would instruct the paper when it was time to publish again.

-----Original Message-----

From: Legals [<mailto:legals@thepublicopinion.com>]
Sent: Tuesday, November 05, 2013 11:00 AM
To: Schlaak, Karen
Subject: Re: Notice for Fugere Farm

Do I need to contact them for payment? Please let me know what I should do there.

On 11/5/13 10:34 AM, "Schlaak, Karen" <Karen.Schlaak@state.sd.us> wrote:

> Rachel,
>
> Attached is the Notice for Fugere Farm, c/o Allen Fugere, 700 N Main,
> Estelline SD 57234 that I just talked to you about. Please publish
> the notice on November 8, 2013.
>
>
> Karen Schlaak
> Water Rights Program
> Phone: 605 773-3352
> Fax: 605 773-4068
>
>



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

November 5, 2013

Fugere Farm
Allen Fugere
700 N Main
Estelline SD 57234

Dear Mr. Fugere:

We received an affidavit from the Watertown Publication Opinion pertaining to your Water Permit Application No. 7896-3 which was published on October 30th. The notice was originally scheduled for publication on October 23rd. Since the notice was not published on the correct day, the date to file petitions was incorrect. The date to file petitions (end of paragraph 3) was listed as November 4. State statutes require the day to file petitions to be 10 days after the publication date. The incorrect date invalidates the public notice.

The notice has been resent to Watertown Public Opinion to be published on November 8th with the date for any petitions to be filed being November 18th (copy enclosed).

We have received an Affidavit from the Hamlin County Republican which indicates they did publish the notice on October 23rd.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

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

enclosures

NOTICE OF APPLICATION NO. 7896-3 to Appropriate Water

Notice is given that Fugere Farm, c/o Allen Fugere, 700 N Main, Estelline SD 57234 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Big Sioux:Brookings Aquifer (50 feet deep) located in the approximate center of the SW 1/4 Section 27 for irrigation of 152 acres located in the SW 1/4 Section 27; all in T114N-R51W.

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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 _____.

RECEIVED

NOV 15 2013

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Codington) SS

I, Monica K. Saathoff

certify that the attached printed Notice was taken
from the Watertown Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was published

in the newspaper on the following date:

November 8th, 2013

Cost of Printing 57.29

Monica K Saathoff
(Signature)

Bookkeeper

(Title)

November 8th, 2013

(Date Signed)

DEPARTMENT OF ENVIRON- MENT AND NATURAL RESOURCES

NOTICE OF APPLICATION NO. 7896-3 to Appropriate Water

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DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



JAN 15 2014

Fugere Farm
Allen Fugere
700 N Main
Estelline SD 57234

Dear Mr. Fugere:

Enclosed is Water Permit No. 7896-3 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

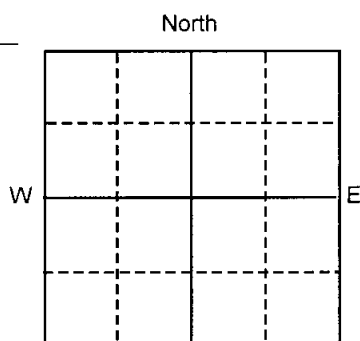
enclosures

7896-3

SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE 1/4 SW 1/4 Sec 27 Twp 114 Rg 51County HamlinPlease mark well
location with an "X"

Well Completion Date

December 19, 2013

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:

mud rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>12.00</u> IN	<u>0.0</u> FT	<u>63.0</u> FT	<u>17.50</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Quick Grout	<u>43</u>	<u>Lb/gal</u>	<u>0.0</u> Ft	<u>53.0</u> Ft
Red Flint	<u>30</u>	<u>Lb/gal</u>	<u>53.0</u> Ft	<u>83.0</u> Ft

Describe grouting procedure
tremmie

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 12.00 Inches Length 20.0 Feet
 Material Stainless Steel
 Slot Size 100 Set From 63.0 Feet to 83.0 Feet
 Other information _____

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No
 If so, what material? _____
 Describe packer(s) and location _____

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How? _____
☐ No, Why Not? _____
 Lab to which water
 quality sample sent for analysis _____
Well Owner: Allen Fugere

Business Name: _____

Address: 700 No Main StCity, State, Zip: Estelline SD 57234

WELL LOG:

			DEPTH	
FORMATION			FROM	TO
Top Soil	Blk	M	0	1
Gravel	Rocks	Coarse	1	8
Clay	Tan	Gummy	8	22
Sand/Gravel	Tan		22	50
Gravel	Tan	Coarse	50	60
Sand/Gravel	Tan		60	83

STATIC WATER LEVEL 18.3 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: SUBMERSIBLE
☐ Bailed
☐ Other

Pumping Level Below Land Surface

39.8 Ft. After 4.0 Hrs. pumped 1,029.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

 Production Well # 2, TH #1A
 44 38 56.0N
 96 56 10.9W

RECEIVED

MAY - 5 2014

WATER RIGHTS
PROGRAMThis well was drilled under license # 463 and this
report is true and accurate.Drilling firm: Steffl Drilling & Pump Inc / Kris VanHeuveln

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: Jan 04 - 2014

5-6-14

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7896-3

I have this day, April 1, 2015, made a thorough examination of the water use system constructed by Fugere Farm, 700 N Main, Estelline SD 57234 of Permit No. 7896-3, bearing the priority of September 9, 2013 authorizing the diversion of 1.78 cu. ft. per second of the waters of Big Sioux Brookings aquifer for irrigation purposes, in Hamlin County.

Inspection contact & relationship **Allen Fugere**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Driller: Steffl Drilling & Pump Inc
- 2) No. of Wells 1
- 3) Depth(s) 83 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 12 inches
- 2) Length 63 feet
- 3) Type Plastic

Screen:

- 1) Type Stainless steel
- 2) Length 20 feet
- 3) Static water level 18.3 feet

Motor/Pump:

- 1) Make Submersible
- 2) Size 40 hp
- 3) Capacity 800 GPM

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length approximately 1,140 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Number of towers 7
- 3) End gun Yes
- 4) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Not applicable, construction period has not expired
List any extended period of nonuse: None
- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows: Well: 2,470 feet east and 1,370 feet N from SW corner of section 27-T114N-R51W (NE1/4 SW1/4; latitude 44.64888, longitude -96.93638).
2. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in section 27-T114N-R51W

NE1/4 SW1/4 34 acres
NW1/4 SW1/4 34 acres

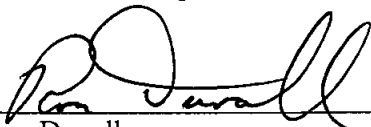
SW1/4 SW1/4 34 acres
SE1/4 SW1/4 34 acres

comprising a total of 136 acres of land and the license should be issued for 1.78 cfs.

3. All structures, wells and lands on map Yes

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

The construction period has not ended but a Notice of Completion of Works has been filed.



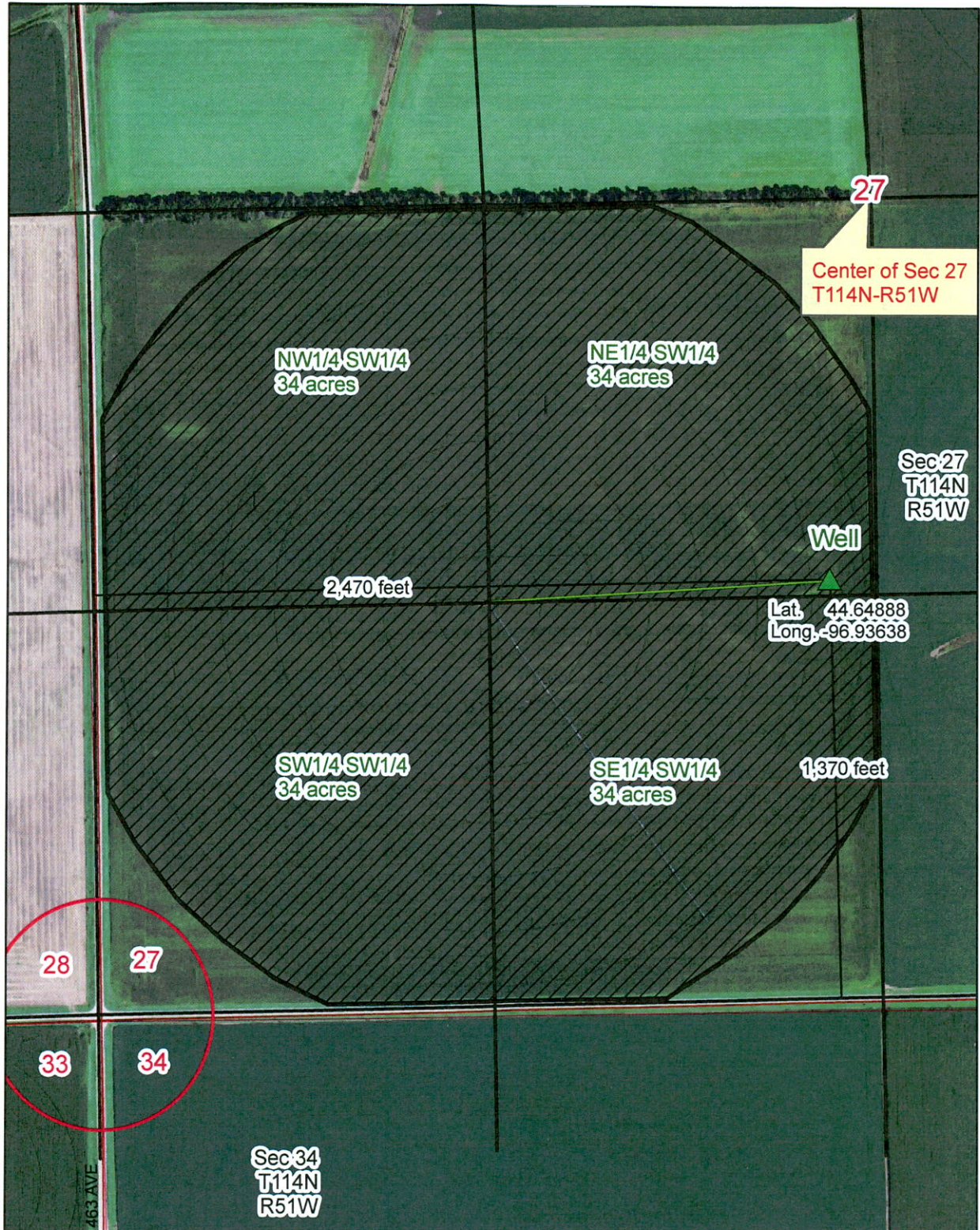
Ron Duvall
Water Rights Permitting Administrator
DENR, Water Rights Program

Date report completed: December 18, 2017

Scale: 1 inch = 500 feet

700

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:

Ron Duvall
Ron Duvall, W.R. Permitting Administrator
SD DENR, Water Rights Program

Date: December 1, 2017

Diversion point(s) located using Garmin eTrex 10 GPS

Water Right No. 7896-3

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

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

Date December 1, 2017

FROM: Fugere Farm c/o Allen Fugere

(name)

700 N Main

(address)

Estelline

(city)

SD

(state)

57234

(zip)

605-881-4221

(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. 7896-3 states that the water use system is to be constructed by

Nov 18, 2018

(date)

, and water is to be put to beneficial use by

Nov 18, 2022

(date)

The water use system was completed on

15 ~~18~~

(date)

Applying the water to beneficial use was completed on

15 ~~18~~

(date)

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



Allen Fugere

Signature

Dec 10 - 17

Date



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 19 2018

7896-3

Allen Fugere
Fugere Farm
700 N Main
Estelline SD 57234

Dear Mr. Fugere:

Enclosed is Water License No. 7896-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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

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

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7896-3

(1) Fugere Farm, 700 N Main, Estelline SD 57234 made Application No. 7896-3, September 9, 2013 for a water permit to divert 1.78 cubic feet of water per second from ground water, one well (Big Sioux Brookings Aquifer), Hamlin County, South Dakota for irrigation purposes. Permit No. 7896-3, with a priority date of September 9, 2013 was approved November 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 November 18, 2018 and for the application to beneficial use of said water on or before September 18, 2022.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on December 15, 2017. The "*Notice*" stated the water use system was completed and water placed to beneficial use in 2015.

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

- 2,470 feet east and 1,370 feet north of the SW corner of Section 27, T114N, R51W (NE ¼ SW ¼), latitude 44.64888, longitude -96.93638

(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:

T114N, R51W Section 27	NE ¼ SW ¼	34 acres
	NW ¼ SW ¼	34 acres
	SW ¼ SW ¼	34 acres
	SE ¼ SW ¼	34 acres
	Total	136 acres

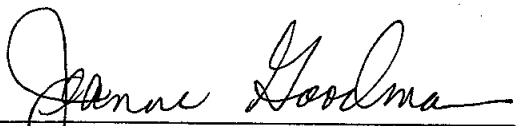
(4) Pursuant to South Dakota Water Law 46-5-30.1 Fugere Farm, 700 N Main, Estelline SD 57234 the holder and/or owner of Water Right No. 7896-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water, one well (Big Sioux Brookings Aquifer) with a priority date of September 9, 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. 7896-3 and subject to the following qualifications:

- 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.

continued

- The well authorized by Permit No. 7896-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. ***The well was drilled in December, 2013 by Steffl Drilling & Pump Inc. A copy of the well completion report is on file with the Water Rights Program.***
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

MAR 19 2018

date

