

FORM 2: Application for irrigation in South Dakota
(type or print)

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

No. 2902-3 (office use only)
Hydrologic Unit 10170202
Basin Sioux River
Newspaper Brookings Register Box 177
Brookings 57006 - 605-692-6271

RECEIVED
SEP 19 2013
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ A
(Use predates Mar 2, 1955)

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

winter address

19017 Clarisse
Bakersfield CA
93314

1. Name to Appear on Irrigation Permit Bret Adee
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

Mailing Address 47351 SD Hwy 28
(Address)

Toronto
(City)

SD
(State)

57268
(Zip Code)

Home Phone 605-794-2008 Cell 661-303-5031 Email

2. Amount of water claimed 2.67 *CFS or 1200 **GPM ***AF Total Acreage 260 A
(*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 (approximate center SW 1/4 & S 1/2 SW 1/4)

4. Location of point of diversion 2 wells Sec 17 112N 50W one in center, the other 600' south of center 1 well on Sec 18 112N 50W west side of center 1300' County Brookings
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)
South of NW corner

5. County or counties where water will be used Brookings

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
SW 1/4 of the SW 1/4 Sec 17 112N 50W	38	SE 1/4 of the SE 1/4 Sec 18 112N 50W	10
NW 1/4 of the SW 1/4 Sec 17 112N 50W	38	SW 1/4 of the SE 1/4 Sec 18 112N 50W	38
SE 1/4 of the SW 1/4 Sec 17 112N 50W	38	NW 1/4 of the SE 1/4 Sec 18 112N 50W	38
NE 1/4 of the SW 1/4 Sec 17 112N 50W	38	NE 1/4 of the SE 1/4 Sec 18 112N 50W	6

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

NE 1/4 of the SW 1/4 Sec 18 112N 50W 8
SE 1/4 of the SW 1/4 Sec 18 112N 50W 8

I, Bret L Adee, 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. 7902-3

Date of first receipt of application September 19, 2013.

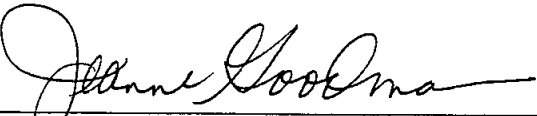
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7902-3 to Bret Adee, 47351 SD Hwy 28, Toronto SD 57268 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7902-3 appropriates 2.67 cubic feet of water per second from three wells to be completed into the Big Sioux:Brookings Aquifer (28 feet deep) located in the center of the SW 1/4, S 1/2 SW 1/4 Section 17 and W 1/2 SE 1/4 Section 18 for irrigation of 260 acres located in the SW 1/4 Section 17 and SE 1/4, E 1/2 SW 1/4 Section 18; all in T112N-R50W.
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 19, 2013.
4. The date of approval of Permit No. 7902-3 is November 12, 2013.
5. One-fifth of the construction is to be completed on or before May 12, 2016.
6. All construction is to be completed on or before November 12, 2018.
7. Water is to be put to beneficial use on or before November 12, 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 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.
2. The wells authorized by Permit No. 7902-3 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

NOV 21 2013

date



Supplemental Information

(type or print)

1. Well Information

(check one or both as applicable)

☒ Drilling new well(s) ☐ Using existing well(s)

a) If new wells, how many ____ Have test holes been drilled ☒ Yes ☐ No Drilled by Lacey 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 28ft Depth to Top of Water Bearing Material 4ft Depth to Water from Surface ~~28ft~~ 4ft

d) Distance to nearest existing domestic well:

On applicant's property None

On property owned by others 1300ft

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)

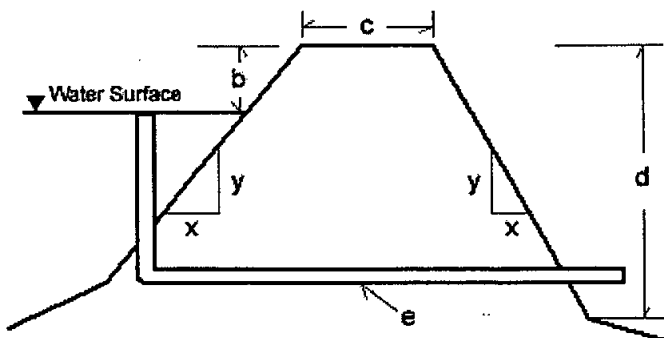
Upstream _____

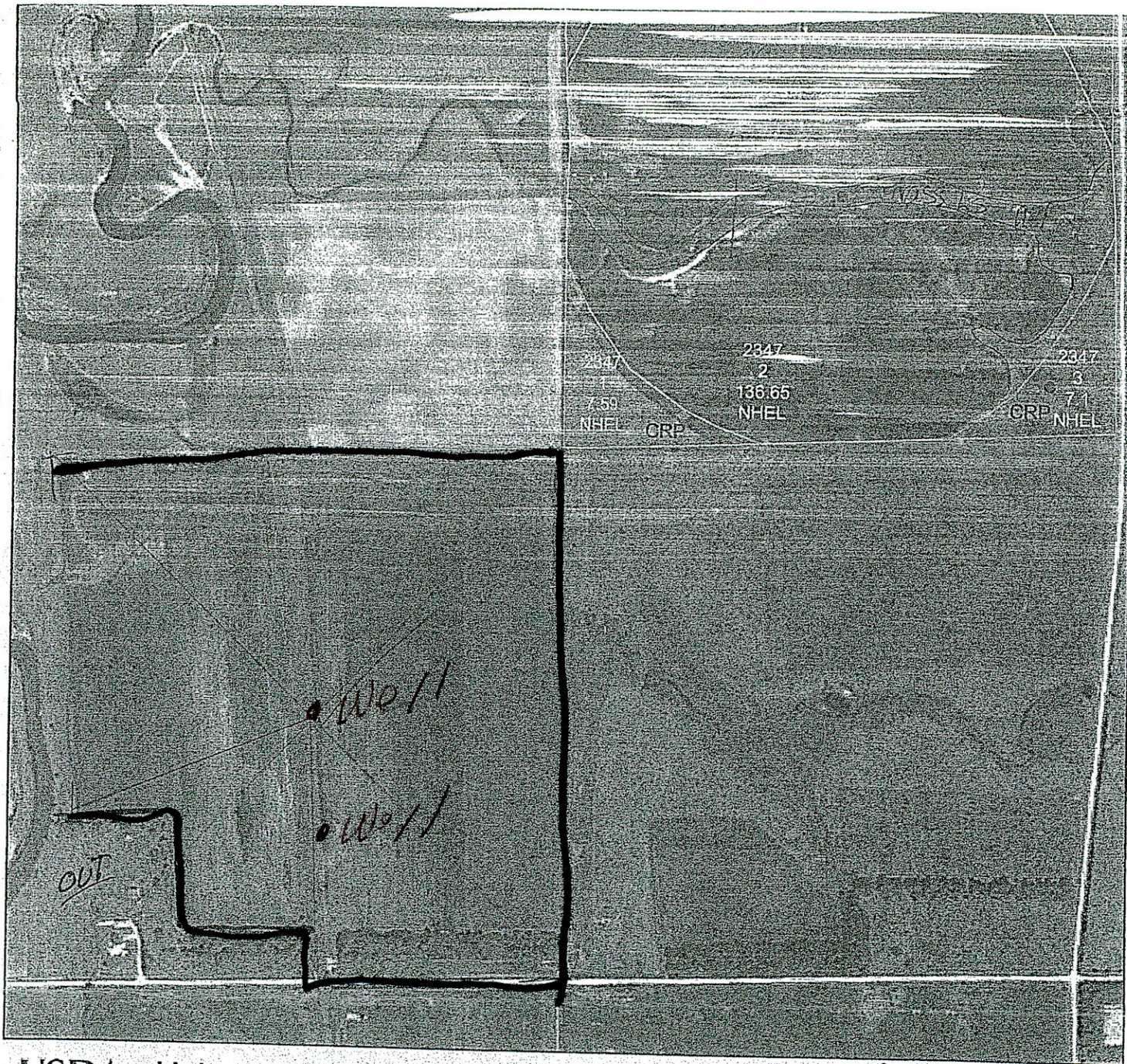
Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres





United States Department of Agriculture
Farm Service Agency

PLSS: 17_112N_50W
Farm: 6210

Brookings County, SD

1:8,636



All grain
December 07, 2010
NEK

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

- Wetland Determination Identifiers**
- Restricted Use
 - ▽ Limited Restrictions
 - Exempt from Conservation Compliance Provisions

- Common Land Units
- ▨ Non Cropland

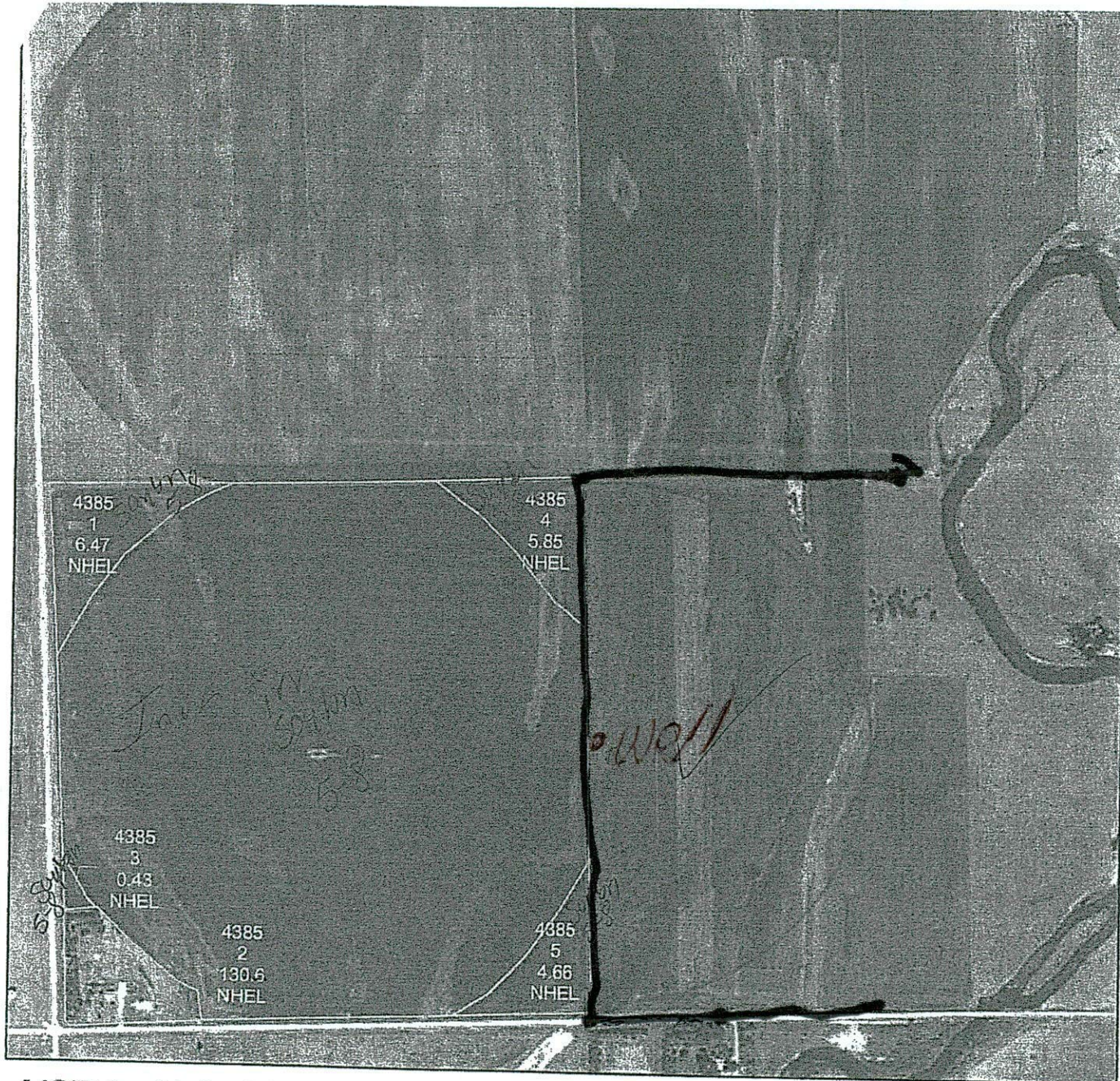
2010 Ortho-Photography - Not to Scale

Bret Adees

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United States Department of Agriculture
Farm Service Agency

PLSS: 18_112N_50W
Farm: 6210

Brookings County, SD

1:8,287



All grain
December 07, 2010

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Common Land Units

- ▨ Non Cropland

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

2010 Ortho-Photography - Not to Scale

Bret Adees

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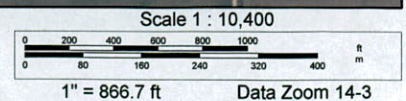
SEP 19 2013

**WATER RIGHTS
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PPLS: 17_112N_50W

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PPLS: 18_112N_50W

Data use subject to license.

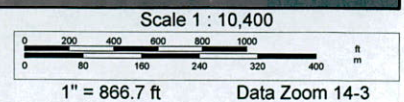
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www.delorme.com



SEP 19 2013

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Wells — Pumps
Dewatering Work
Test Drilling

In Water Since 1946

LACEY WELL DRILLING, INC.
47582 - 240th St.
Dell Rapids, South Dakota 57022
Telephone (605) 428-5979

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Down-Hole Camera
Water Specialists
Irrigation Supplies

BRET A LEE
47351 SD Hwy 28
Toronto, S.D.

9-4-13

BRET,

WE Drilled two test wells on
property ~~NE~~ NE of Bruce, 8-29-13.
S bore, 0-4 till, 4-25 coarse gravel
N bore 0-5 till, 5-24 gravel, not as
clean.

Thanks

Jim Lacey

SD # 111

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/19, 20 13

RECEIVED OF Bret Adee BCA Properties PO Box 368 Bruce SD 57220

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

Fee for Application for Permit No. <u>7902-3</u> to Appropriate Water, to construct and to put water to beneficial use	1050	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7902-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	1250 00

No. **06437**

By Jeanne L. Looman
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. 7902-3, Brett Adee**

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. 7902-3, Brett Adee, 47351 SD Hwy 28, Toronto SD 57268.

The Chief Engineer is recommending APPROVAL of Application No. 7902-3 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 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.
2. The wells authorized by Permit No. 7902-3 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 18, 2013

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO.7902-3
BRETT ADEE
OCTOBER 21, 2013

Water Permit Application No. 7902-3 proposes to appropriate water at a maximum diversion rate of 2.67 cubic feet of water per second (cfs) from three wells to be completed into the Brookings management unit of the Big Sioux aquifer. The wells are expected to be 28 feet deep and are to be located in the SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17 and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 18 for the irrigation of 260 acres located in the SW $\frac{1}{4}$ Section 17 and SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 18; all in T112N-R50W in Brookings County.

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

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Big Sioux: Brookings is a predominantly surficial outwash aquifer that is primarily under water table conditions in the area of this application (Koch, 1980). The Big Sioux: Brookings extends south from Hamlin County into Brookings County and east into Deuel County. The aquifer underlies approximately 191,100 acres and contains an estimated 642,230 ac-ft of recoverable water in storage, with 74,500 acres and 245,850 ac-ft of recoverable water in Brookings County alone (Hedges et. al, 1982). The aquifer is hydraulically connected to area lakes, streams, and the Big Sioux River (Kume, 1985). Kume (1985) estimated that Big Sioux: Brookings has an average thickness of 30 feet and can be encountered at generally less than 50 feet below ground surface. Kume (1985) also stated that wells completed into the Big Sioux: Brookings aquifer could yield in excess of 1,000 gpm of water that is suitable for irrigation.

The test hole completion reports submitted with this application identified till from ground surface to four feet below grade, and gravel from four to 25 feet below ground surface. The static water level in the test holes was four feet below ground surface in September 2013.

SDCL 46-2A-9

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

WATER AVAILABILITY:

This application proposes to appropriate water from the Big Sioux: Brookings aquifer. The actual water use if this application is approved will likely be less than 520 acre-feet per year (ac-ft/yr). The probability of unappropriated water available from the aquifer can be evaluated by considering SDCL 46-6-3.1 which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source." 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 and the aquifer is not older or lower than the Greenhorn Formation, therefore withdrawal/recharge issue must be considered.

Hydrologic Budget:

Recharge:

Recharge to the Big Sioux: Brookings is by infiltration of precipitation, and seepage from the Big Sioux River and its tributaries (Kume, 1985). Recharge rates and volumes from various sources for the entire aquifer and for Brookings County alone are shown in Table 1. This is not to suggest that this entire volume of water is available everywhere in the aquifer but demonstrates that in general the Big Sioux: Brookings aquifer is readily recharged.

Source	Rate (in/yr)	Entire Aquifer (ac-ft)	Brookings County (ac-ft)
Koch, 1980	6.57	104,627	40,789
Hedges et. al, 1985	4	63,700	24,833

Table 1- Recharge rates and volumes to the Big Sioux: Brookings aquifer

Discharge:

The Big Sioux: Brookings discharges through seepage to the Big Sioux River and its tributaries during periods of low flow and stage, evapotranspiration, and well withdrawals (Koch, 1980). There are 248 water rights/permits appropriating water, 10 future use permits reserving water, and one pending application to appropriate water from the Big Sioux: Brookings aquifer (Water Rights, 2013b). The amount of water that can be expected to be withdrawn through water rights/permits authorizing water use for non-irrigation purposes at the current appropriation level can be estimated by assuming: 1) water rights/permits limited by an annual volume will pump the entire volume appropriated 2) water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time, and 3) future use permits can be fully developed. The estimated average annual withdrawal by non-irrigation appropriations including future use permits from the Big Sioux: Brookings is 19,367 ac-ft/yr with 10,240 ac-ft/yr from Brookings County alone (Water Rights, 2013b).

The domestic withdrawal from the Big Sioux: Brookings is not significant to the hydrologic budget of the aquifer, especially since many of the domestic wells are no longer used as primary sources of water since the introduction of rural water systems to the area. Table 2 shows the irrigation withdrawal from the entire Big Sioux: Brookings aquifer. The average annual irrigation pumping from the entire aquifer over the period of record is 8,608 ac-ft with 4,020 from Brookings County alone (Water Rights, 1979-2012). This wide range on 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.

Hydrologic Budget:

Estimated average annual withdrawal from the entire Big Sioux: Brookings is 27,975 ac-ft with 14,260 ac-ft coming from Brookings County alone at the current level of appropriation. This is much less than either estimated average annual recharge. Therefore, there is a reasonable probability that unappropriated water is available from the Big Sioux: Brookings aquifer for this proposed appropriation.

Year	Entire Aquifer			Brookings County		
	No. of Permits Reporting	Appropriation (ac-ft)	Pumpage (ac-ft)	No. of Permits Reporting	Appropriation (ac-ft)	Pumpage (ac-ft)
2012	177	63694.4	19482.51	81	29026.4	8547.2
2011	174	63494.4	8527.61	79	28986.4	3038.03
2010	172	62966.4	2713.39	78	28666.4	814.7
2009	174	65098.4	9172.9	84	31718.4	4617.07
2008	166	62761.8	12505.85	81	31360.6	5674.28
2007	164	62374.8	12730.13	81	31439.6	6353.63
2006	161	61075.8	14325.04	82	31778.6	6582.34
2005	159	61435.8	11513.48	81	31778.6	5083.47
2004	156	60695.8	11809.91	80	31530.6	4921.14
2003	149	58970.8	11380.47	80	31545.6	5046.02
2002	149	59186.8	12410.94	79	31265.6	6186.26
2001	149	59312.8	8384.81	79	30863.6	3862.57
2000	153	60799.8	8933.72	79	31171.6	4553.53
1999	155	62181.3	7841.04	80	31899.1	4138.46
1998	157	63306.2	8109.71	79	31664	4420.23
1997	153	62281.7	5650	81	32444	3085
1996	154	62575.2	7220.95	82	32738	3025.84
1995	161	62961.2	3862.25	84	33332	1283.66
1994	160	64395.2	2854.62	82	33164	1835.56
1993	162	64963.7	1042.9	82	32251	258.4
1992	162	64603.7	2331.6	82	32283	856.5
1991	165	65534.97	7771.74	84	32647.27	2877.2
1990	175	71616.95	5862.92	87	33636.87	2111.7
1989	166	69391.27	13930.7	83	32174.87	5263.1
1988	167	74615.27	18521.4	88	37438.87	8818.8
1987	171	76624.07	10015	95	40607.17	4833.5
1986	179	80788.57	2854.7	102	43057.67	1236.88
1985	181	81385.57	4951.4	103	43398.67	3079
1984	188	84188.07	8177.6	111	45920.17	3605.5
1983	161	74854.57	8227.46	91	39073.67	4833.77
1982	155	77754.57	4551.86	86	40804.67	2374.92
1981	197	91051	9040	125	55623	5699
1980	187	87093	9837	116	53197	4609
1979	184	85701	6144	113	52417	3170
Min	149	58970.8	1042.9	78	28666.4	258.4
Max	197	91051.0	19482.5	125	55623.0	8818.8
Avg	165.97	68521.61	8608.52	87.65	35614.82	4020.48

Table 2- Irrigation Water Use from the Big Sioux: Brookings aquifer (Water Rights 1979-2013).

Observation Well Data:

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

The DENR-Water Rights Program monitors 80 observation wells completed into the Big Sioux: Brookings aquifer (Water Rights, 2013a). There are five observation wells, BG-75G, BG-75H, BG-75J, BG-75K, and BG-75L, completed into the Big Sioux: Brookings aquifer within approximately one mile of the proposed well sites (Water Rights, 2013a).

Water levels in the observation wells show good response to climatic conditions. The water levels rise (recharge) during wet years and gradually decline during dry years. The hydrographs show the effects of pumping, but the drawdown does not appear to be significant over the period of record. The climatic effects on water level mask the temporal impacts of well withdrawal. Therefore, recharge to and natural discharge from the Big Sioux: Brookings aquifer significantly exceeds pumping. Recognizing that natural discharge can be captured, there is a reasonable probability that unappropriated water is available for this proposed appropriation. Considering the hydrographs from the other observation wells completed into the Big Sioux: Brookings aquifer, the hydrographs for observation wells BG-75G, BG-75H, BG-75J, BG-75K, and BG-75L are representative of the aquifer.

Figures 1 through 5 show the hydrographs for observation wells BG-75G, BG-75H, BG-75J, BG-75K, and BG-75L, respectively. Figure 6 is a map of the area showing domestic wells on file with the SD DENR-Water Rights Program, water rights/permits, Water Rights Program observation wells, the future use areas for Future Use Permit No. 3982-3, 3982A-3, and 6988-3, and the proposed well sites (Water Rights; 2013a, 2013b, and 2013c).

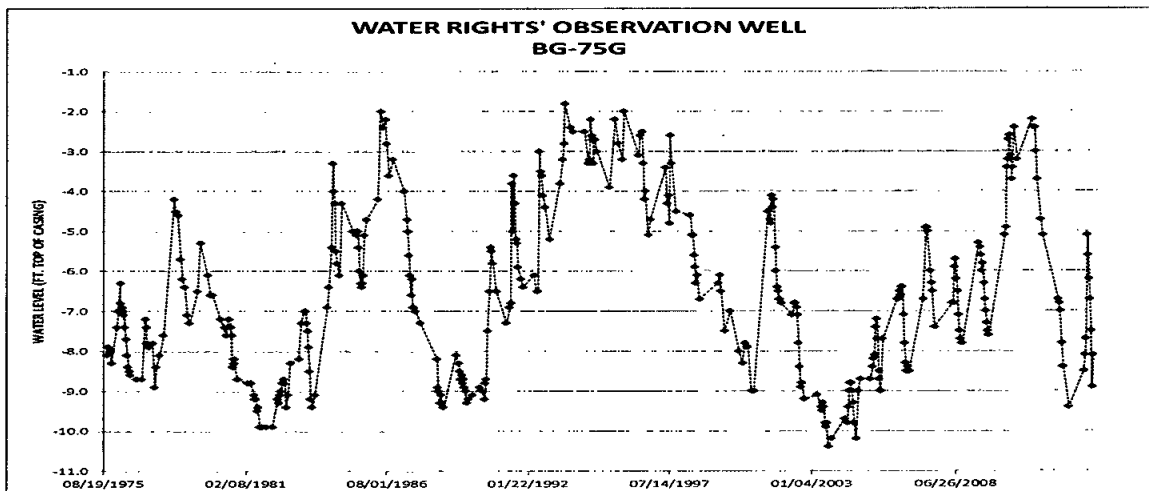


Figure 1- Hydrograph of DENR-Water Rights' observation well BG-75G (Water Rights, 2013a)

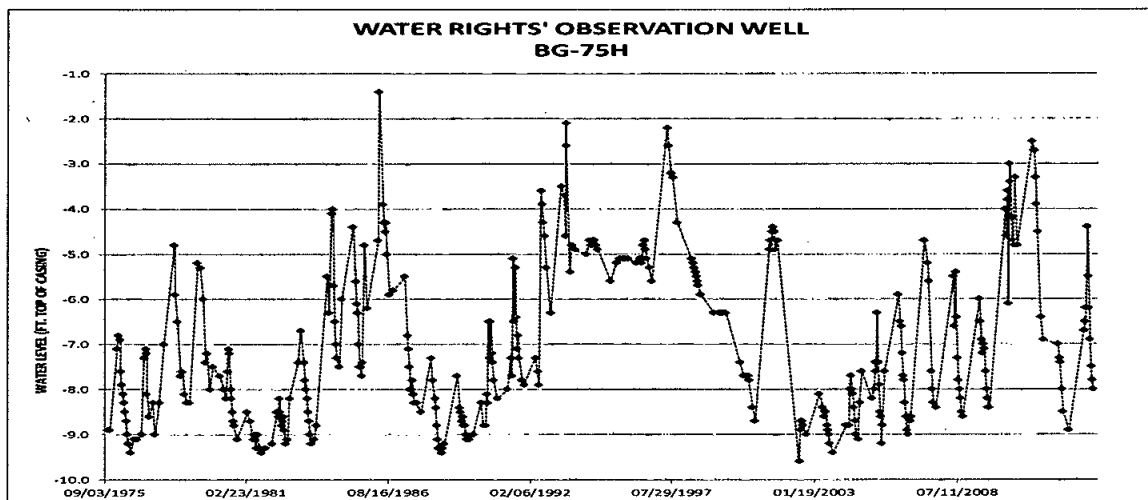


Figure 2- Hydrograph of DENR-Water Rights' observation well BG-75H (Water Rights, 2013a)

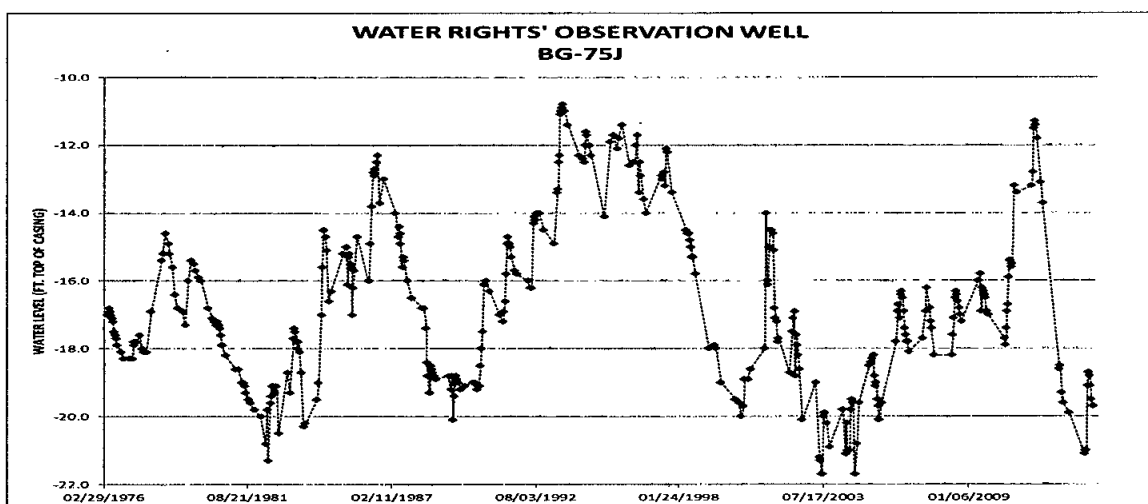


Figure 3- Hydrograph of DENR-Water Rights' observation well BG-75J (Water Rights, 2013a)

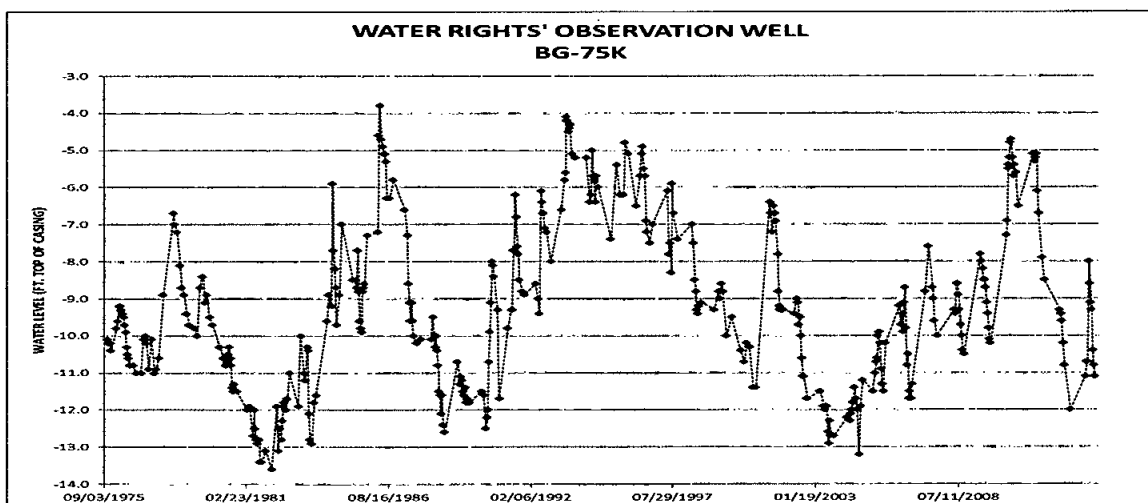


Figure 4- Hydrograph of DENR-Water Rights' observation well BG-75K (Water Rights, 2013a)

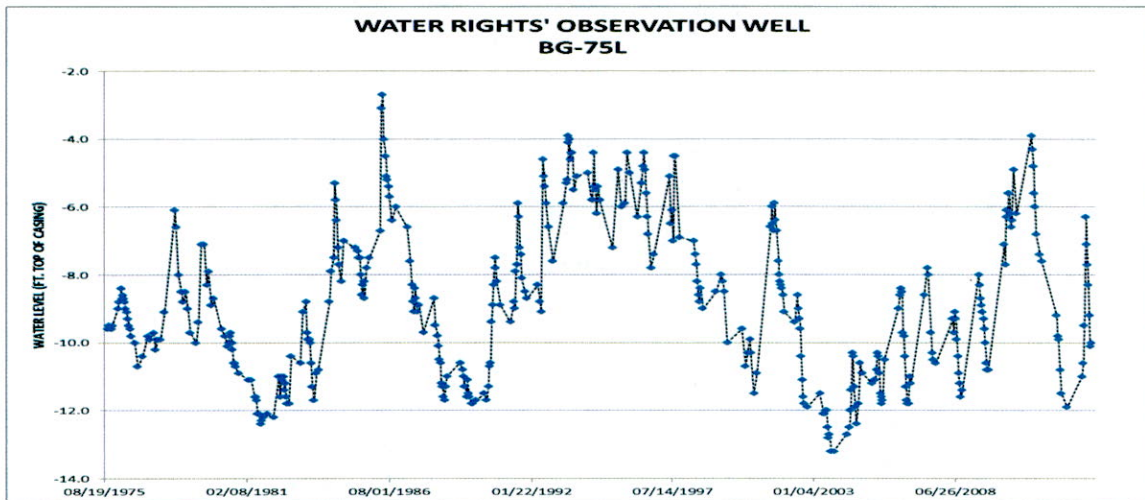


Figure 5- Hydrograph of DENR-Water Rights' observation well BG-75L (Water Rights, 2013a)

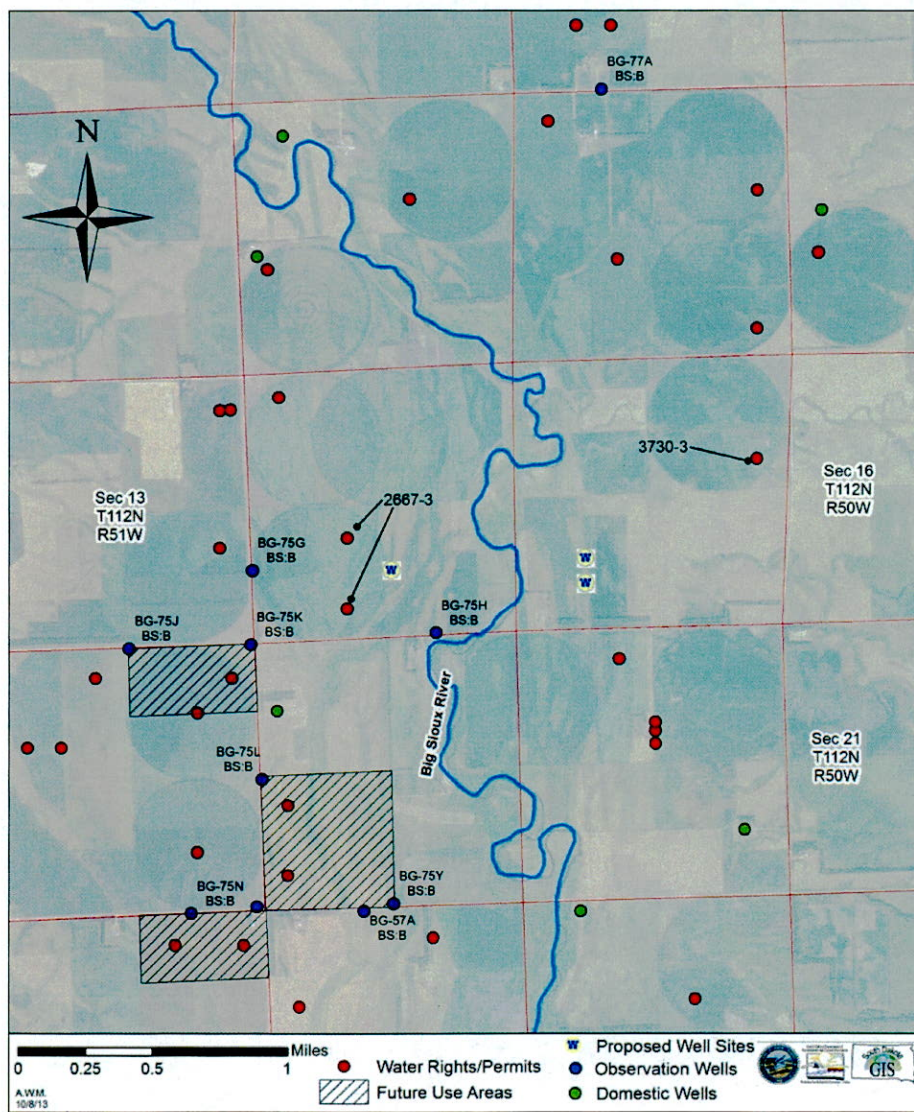


Figure 6- Map of the area of Permit Application No. 7902-3

EXISTING WATER RIGHTS:

There are 14 water right/permits authorizing wells completed into the Big Sioux: Brookings aquifer and three future use areas within approximately 1.5 miles of the proposed well sites, as shown in Figure 6 (Water Rights, 2013b). Water Right No. 2667-3 and 3730-3, labeled in Figure 6, are water rights that are held by the applicant. There are six domestic wells on file with the SD DENR-Water Rights Program within approximately 1.5 miles of the proposed well sites, as shown in Figure 6 (Water Rights, 2013c).

There is a farm site approximately 0.3 miles south of the western proposed well site. However, there does not appear to be a well completion report on file with the DENR-Water Rights Program for that location. There is a farmsite approximately 0.2 miles southwest of the proposed eastern well sites. However, there does not appear to be a well completion report on file with the DENR-Water Rights Program for that location. This area is now served by rural water, and it is likely that both of the farmsites are connected to a rural water system.

While there has been significant development of the Big Sioux: Brookings aquifer in this area, there is no history on file with the DENR-Water Rights Program of well interference issues in the area of the proposed well sites. In the past, the Water Management Board has recognized that to place water to maximum beneficial use, a certain amount of drawdown must occur. The aquifer is under water table conditions in the area of the proposed well sites. The observation well hydrographs show that the water level generally ranges from one to 15 feet below ground surface in this area. The water table conditions dictate that drawdown due to pumping should not be significant far from the proposed well site and not adverse to adequate wells as defined by Administrative Rule of South Dakota 74:02:04:20(6).

However, the extensive development from this relatively thin aquifer could lead to a cumulative impact of overall water level declines in the aquifer. While withdrawals would not exceed recharge of the aquifer as a whole, this cumulative impact of withdrawals could lead to a reduction of water levels to the extent that local rights/permits and domestic users can no longer pump at their developed, or "historically established," diversion rates. This may be considered an adverse impact. If approved, the water permit should include a qualification that the well owner controls his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

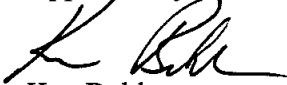
CONCLUSIONS:

1. Water Permit Application No. 7902-3 proposes to appropriate water from the Big Sioux: Brookings aquifer for the irrigation of 260 acres at a maximum diversion rate of 2.67 cfs from three wells.
2. There is a reasonable probability that unappropriated water is available from the Big Sioux: Brookings aquifer to supply this proposed diversion.
3. There is a reasonable probability that the diversion requested by this application can be made without adversely affecting existing water rights or domestic users.



Adam Mathiowetz
SD DENR-Water Rights Program

Approved by:



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Hedges, L.S., Allen, J., 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
- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon. 1982. Evaluation of Ground-water Resources in 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
- 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, SD.
- Kume, J. 1985. Water Resources of Deuel and Hamlin Counties, South Dakota. Water-Resources Investigations Report 84-4069. USGS, Huron SD.
- Water Rights. 1979-2013. "1979-2012 Irrigation Summaries by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2013a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2013b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2013c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

RECEIVED

NOV - 4 2013

Affidavit of Publication

WATER RIGHTS
PROGRAM

10/

Exhibit "A"

State of South Dakota

ss

County of Brookings

Jennifer Milligan of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

Legal 696, 1A, 10/30
NOTICE OF APPLICATION NO. 7902-3 to
Appropriate Water
Notice is given that Brett Adee, 47351 SD Hwy 28, Toronto SD 57268 hasfiled an application for a water permit to appropriate 2.67 cubic feet of water per second from three wells to be completed into the Big Sioux:Brookings Aquifer (28 feet deep) located in the center of the SW 1/4,

S 1/2 SW 1/4 Section 17 and W 1/2 SE 1/4 Section 18 for irrigation of 280 acres located in the SW 1/4 Section 17 and SE 1/4, E 1/2 SW 1/4 Section 18; all in T112N-R50W. Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7902-3 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 12, 2013. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of \$23.71.

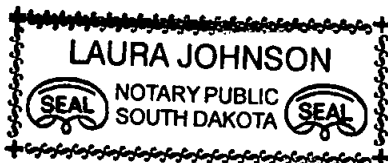
Leg#696 Notice on App #7902-3-Adee

same was published, is hereto attached marked Exhibit said newspaper for _____ 1 times, to-wit:

October 30, 2013

said Exhibit "A" inures to the sole benefit for the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

twenty-three dollars and seventy-one cents \$23.71



October

31st day of

2013

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires August 3, 2017.

Laura Johnson



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

October 22, 2013

Brookings Register
PO Box 177
Brookings SD 57006

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7902-3 to Appropriate Water. Please publish the notice once on October 30, 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 Brett Adey, 47351 SD Hwy 28, Toronto SD 57268 (Ph # 605-794-2008).

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

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

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

October 22, 2013

Brett Adee
47351 SD Hwy 28
Toronto SD 57268

Dear Mr. Adee:

Water Permit Application No. 7902-3 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 Brookings Register printed at Brookings SD (Ph # 605-692-6271). 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 October 30, 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. 7902-3 to Appropriate Water

Notice is given that Brett Adey, 47351 SD Hwy 28, Toronto SD 57268 has filed an application for a water permit to appropriate 2.67 cubic feet of water per second from three wells to be completed into the Big Sioux:Brookings Aquifer (28 feet deep) located in the center of the SW 1/4, S 1/2 SW 1/4 Section 17 and W 1/2 SE 1/4 Section 18 for irrigation of 260 acres located in the SW 1/4 Section 17 and SE 1/4, E 1/2 SW 1/4 Section 18; all in T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7902-3 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 12, 2013.

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

Published once at the total approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

NOV 21 2013

Bret Adee
47351 SD Hwy 28
Toronto SD 57268

Dear Mr. Adee:

Enclosed is Water Permit No. 7902-3 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

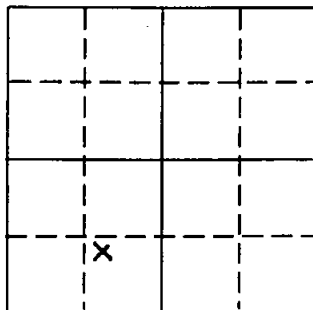
7902-3

11-02

Location SE 1/4 SW 1/4 Sec 17 Twp 112-N Rg 50W

County Brookings

North



Please mark well location with an "X"

Well completion Date

7-28-14

1 Mile

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

3/4 mile ft. from Domestic (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Bucket - False Casing

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>25 LB/FT</u>	<u>14 IN</u>	<u>+1 FT</u>	<u>19 FT</u>	<u>20 IN</u>
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>		<u>Lb/gal</u>	<u>0 Ft</u>	<u>1 Ft</u>
<u>Benbale</u>		<u>Lb/gal</u>	<u>1 Ft</u>	<u>3 Ft</u>

Describe grouting procedure

SCREEN:

- ☐ Perforated pipe ☒ Manufactured

Diameter 14 Inches Length 10 Feet

Material PVC 160

Slot Size 100 Set From 19 Feet to 29 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 in part

- ☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner:

Brett Adeo

Business Name:

Adeo Horse Farm

Address1:

P.O. Box 368

Address2:

City, State, Zip:

Brookings South Dakota 57220

WELL LOG:

DEPTH

FORMATION

FROM

TO

Topsoil

0

2

Clay

2

3

Really Rocky

3

10

Good Coarse Gravel

10

27

Good Sand

27

29

STATIC WATER LEVEL

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: Sub

- ☐ Bailed

- ☐ Other

Pumping Level Below Land Surface

19'

Ft. After 1

Hrs. pumped

700

GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

Good Well

RECEIVED

OCT 08 2014

WATER RIGHTS PROGRAM

This well was drilled under license #

111

And this report is true and accurate.

Drilling firm:

Lacey Well Drilling, Inc.

Signature of License Representative:

[Signature]

Signature of Well Owner or Equitable Property Holder:

[Signature]

Date:

10-1-2014

Please return **WHITE COPY** to: DENR Water Rights, 523 E. Capitol Ave., Pierre SD 57501

10-28-14

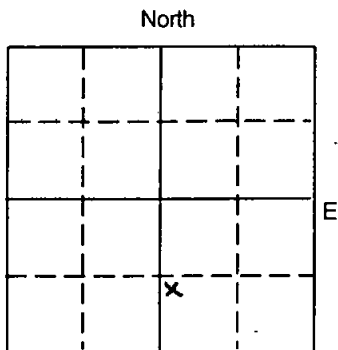
SOUTH DAKOTA WATER WELL COMPLETION REPORT

7902-3

11-02

Location SW 1/4 SE 1/4 Sec 18 Twp 12-N Rg 50W

County Brookings



Please mark well location with an "X"

Well completion Date

7-18-14

1 Mile

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

1/2 mile ft. from Domesic (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Bucket-False Casing

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>25</u> LB/FT	<u>14</u> IN	<u>1</u> FT	<u>30</u> FT	<u>120</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
<u>Cement</u>		Lb/gal	<u>0</u> Ft	<u>3</u> Ft
<u> Bentonite </u>		Lb/gal	<u>3</u> Ft	<u>5</u> Ft

Describe grouting procedure

SCREEN:

- ☐ Perforated pipe ☒ Manufactured

Diameter 14 Inches Length 10 Feet

Material PVC 160

Slot Size .100 Set From 20 Feet to 30 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 in park

- ☐ No, Why Not?

Lab sample sent to for water quality analysis

Irre

Well Owner:

Brett Adee

Business Name:

Adee's Horse Farm

Address1:

P.O. Box 368

Address2:

City, State, Zip:

Bruce 50246-57220

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Topsoil</u>	<u>0</u>	<u>3</u>
<u>Clay</u>	<u>3</u>	<u>5</u>
<u>Sand</u>	<u>5</u>	<u>9</u>
<u>Good Gravel Course</u>	<u>9</u>	<u>28</u>
<u>Good Loose Sand</u>	<u>28</u>	<u>30</u>

STATIC WATER LEVEL

5' 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: Sub

- ☐ Bailed

- ☐ Other

Pumping Level Below Land Surface

156"

Ft. After

1

Hrs. pumped

750

GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

Good Well

RECEIVED

OCT 08 2014

WATER RIGHTS PROGRAM

This well was drilled under license #

111

And this report is true and accurate.

Drilling firm:

Lacey Laxell Drilling Inc

Signature of License Representative:

[Signature]

Signature of Well Owner or Equitable Property Holder:

[Signature]

Date:

10-1-2014

Please return **WHITE COPY** to: DENR Water Rights, 523 E. Capitol Ave., Pierre SD 57501

10-28-14

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7902-3

I have this day, June 8, 2021, made a thorough examination of the water use system constructed by Bret Adee, 47351 SD Hwy 28, Toronto, SD 57268 of Permit No. 7902-3, bearing the priority of September 19, 2013 authorizing the diversion of 2.67 cu. ft. per second of the waters of the Big Sioux: Brookings Aquifer for irrigation purposes, in Brookings County.

A. Works used to divert the water:

Well Information: WELL # 1 (Section 18)

- 1) Well Drilling Firm: Lacey Well Drilling, Inc
- 2) No. of Wells 1
- 3) Depth(s) 30 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 14 inches
- 2) Length 20 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 10 feet
- 3) Static water level 5 feet

Pump:

- 1) Make NA
- 2) Model Submersible
- 3) Size NA
- 4) Capacity 700 GPM

Motor:

- 1) Make unknown
- 2) Model No. unknown
- 3) Horsepower rating 15 hp

Well Information: WELL # 2 (Section 17)

- 1) Well Drilling Firm: Lacey Well Drilling
- 2) No. of Wells 1
- 3) Depth 29 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 14 inches
- 2) Length 19 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 10 feet
- 3) Static water level 5 feet

Pump:

- 1) Make NA
- 2) Model Submersible
- 3) Size NA
- 4) Capacity 700 GPM

Motor:

- 1) Make unknown
- 2) Model No. unknown
- 3) Horsepower rating 15 hp

B. Works used to transport water to place of use: Buried pipe for short distances

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

- 1) Make 2 - Valley
- 2) Overall length 1300 feet
- 3) Number of towers 7
- 4) End gun Y
- 5) Capacity 700 GPM

Chemigation Equipment: none**D. Compliance with Permit Requirements:**

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows From the SE corner of Sec 18. T112N-R50W - WELL # 1 1324 ft N & 2560 ft W, Lat 44.50349 Long -96.88226 (NW 1/4 SE 1/4 Sec 18) WELL # 2 From the SW corner of Section 17, 1450 ft N & 1440 ft E Lat 44.50406 Long -96.86256 (NE 1/4 SW 1/4 Sec 17)
2. The works are capable of diverting and conveying to the place of use 3.12 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Land in Sec 17-T112N-R50W

NW1/4 SW 1/4 - 31 ac
NE 1/4 SW 1/4 - 36 ac
SE 1/4 SW 1/4 - 27 ac
SW 1/4 SW 1/4 - 19 ac

Land in Sec 18-T112N-R50W

NE 1/4 SW 1/4 - 6 ac
SE 1/4 SW 1/4 - 6 ac
NW 1/4 SE 1/4 - 35 ac
SW 1/4 SE 1/4 - 31 ac

comprising a total of 191 acres of land and the license should be issued for 2.67 cfs

3. All structures, wells and lands on map Y

F. Comments or other permit(s) associated with the project: All irrigated acreage values were determined by using FSA maps and ArcMAP Software.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: June 8, 2021

Diversion Point Locations

From the SE corner of
Sec18 T112N-R50W
Well #1

1324 ft N & 2560 ft W
Lat 44.50349

Long -96.88226
From SW corner Sec
17 Well #2

1450 ft N & 1440 ft E
Lat 44.50406
Long -96.86256

Irrigated Acres

In Sec18 T112N-R50W

NE1/4 SW1/4 - 6 ac

SE1/4 SW1/4 - 6 ac

NW1/4 SE1/4 - 35 ac

SW1/4 SE1/4 - 31 ac

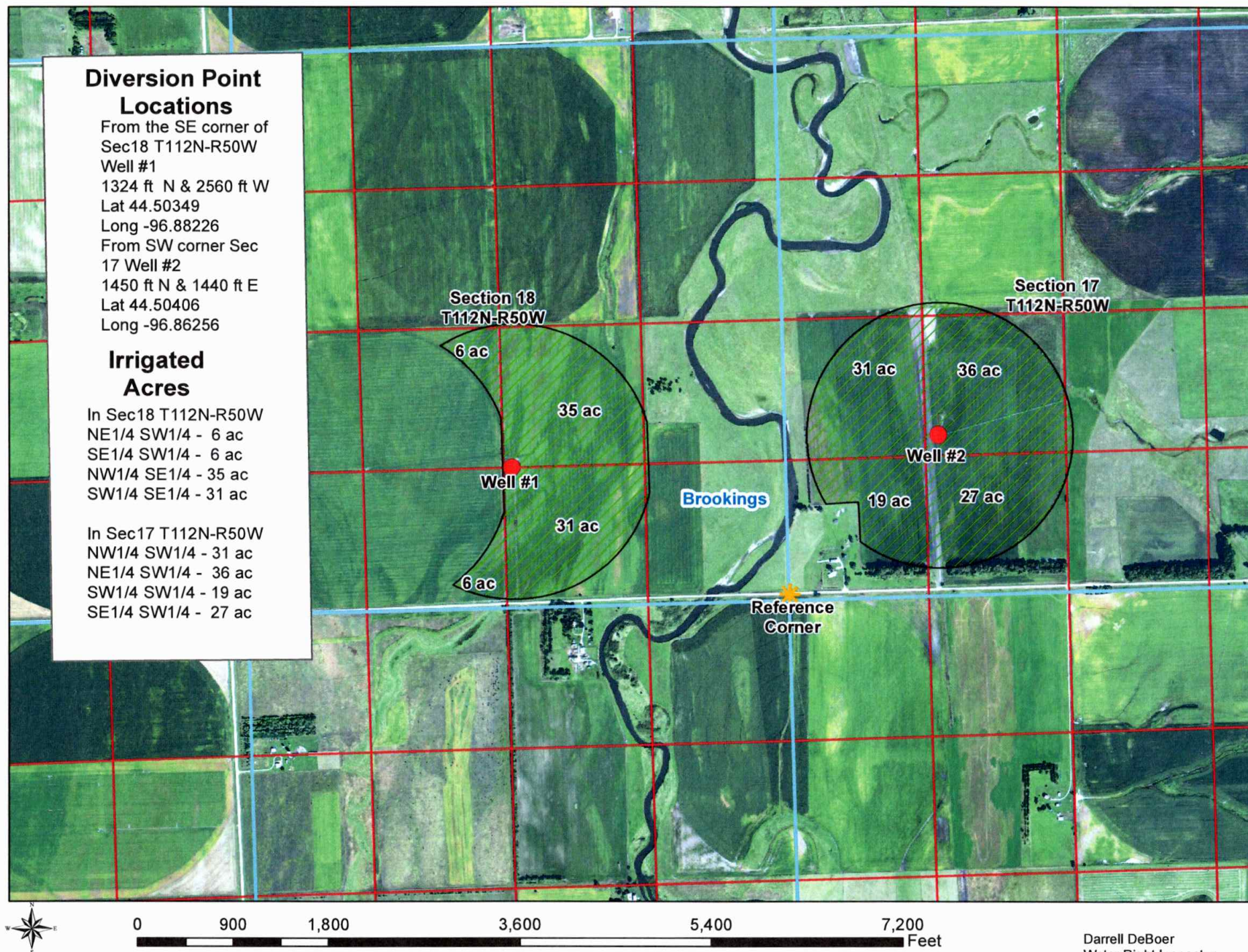
In Sec17 T112N-R50W

NW1/4 SW1/4 - 31 ac

NE1/4 SW1/4 - 36 ac

SW1/4 SW1/4 - 19 ac

SE1/4 SW1/4 - 27 ac





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

SEP 29 2021

7902-3

Bret Adee
47351 SD Hwy 28
Toronto SD 57268

Dear Mr. Adee:

Enclosed is Water License No. 7902-3. 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, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The investigation found your irrigation system capable of diverting 3.12 cubic feet of water per second (cfs) which is equivalent to approximately 1400 gallons per minute. The water permit authorized a total of 2.67 cfs (equivalent to 1200 gpm). Diversion of water under this water license is limited to 2.67 cfs.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7902-3

(1) Bret Adee, 47351 SD Hwy 28, Toronto SD 57268 made Application No. 7902-3, September 19, 2013 for a water permit to divert 2.67 cubic feet of water per second from ground water, three wells (Big Sioux Brookings Aquifer), Brookings County, South Dakota for irrigation purposes. Permit No. 7902-3, with a priority date of September 19, 2013 was approved November 12, 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 12, 2018 and for the application to beneficial use of said water on or before November 12, 2022.

(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 2.67 cubic feet of water per second for beneficial use. The diversion points are located as follows:

Well # 1: 1,324'N & 2,560'W of the SE corner of Section 18, T112N, R50W (NW ¼ SE ¼ Section 18)
Latitude 44.50349 Longitude -96.88226

Well # 2: 1,450'N & 1,440'E of the SW corner of Section 17, T112N, R50W (NE ¼ SW ¼ Section 17)
Latitude 44.50406 Longitude -96.86256

(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 17, T112N, R50W		Section 18, T112N, R50W	
NW ¼ SW ¼	31 acres	NE ¼ SW ¼	6 acres
NE ¼ SW ¼	36 acres	SE ¼ SW ¼	6 acres
SE ¼ SW ¼	27 acres	NW ¼ SE ¼	35 acres
SW ¼ SW ¼	19 acres	SW ¼ SE ¼	31 acres
Total 191 acres			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Bret Adee, 47351 SD Hwy 28, Toronto SD 57268 the holder and/or owner of Water Right No. 7902-3 is issued a license to appropriate water, the right to use 2.67 cubic feet of water per second from ground water, two wells (Big Sioux Brookings Aquifer) with a priority date of September 19, 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. 7902-3 and subject to the following qualifications:

- The wells approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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 wells authorized by Permit No. 7902-3 shall be constructed by a licensed well driller and construction of the wells and installation of the pumps 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. ***Both wells were drilled by Lacey Well Drilling Inc. in July 2014. Copies of the well completion reports are on file with the Water Rights Program.***
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

Eric Gronlund

Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

SEP 29 2021

date

