

WATER PERMIT NO. 8365-3

Name of Applicant: Chris Roebke

Address: 506 S Smith St, Clark D 57225 Phone: 605 532-5204

Amount of Water Claimed: 0.89 cfs Total Acres: 80

Source of Water Supply: groundwater (two wells)

Water to be used for: irrigation County: Clark

Type of Waste Disposal System:

Location: 10 miles southwest of Clark

PRIORITY Date Received: 6-12-18

Application/License Fee: \$ 950

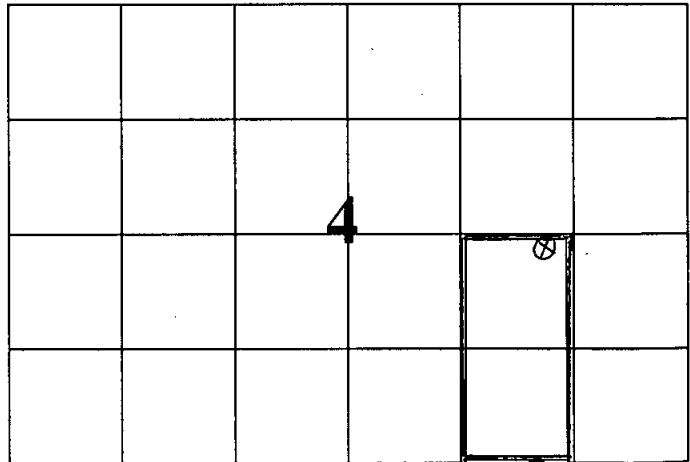
Corrected Application Received: 7-9-18

Period of Annual Use: May 1 – September 30

Remarks:

Diversion Point: NE 1/4 NE 1/4 Sec 4-T115N-
R59W

Land to be Irrigated: E 1/2 SE 1/4 Sec 4-T115N-
R59W



Depth of Well: 112 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 7-10-18

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8365-3**

Date of first receipt of application June 12, 2018.

Date of return to applicant for corrections, amendments or changes June 13, 2018.

Date of receipt of corrected application July 9, 2018.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8365-3 to Chris Roebke, 506 S Smith St, Clark SD 57225 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. 8365-3 appropriates 0.89 cubic feet of water per second from up to two wells to be completed into the Altamont Aquifer (112 feet deep) located in the NE 1/4 SE 1/4 Section 4 for irrigation of 80 acres located in the E 1/2 SE 1/4 Section 4; all in T115N-R59W which is approximately 10 miles southwest of Clark SD.
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 June 12, 2018.
4. The date of approval of Permit No. 8365-3 is September 4, 2018.
5. One-fifth of the construction is to be completed on or before March 4, 2021.
6. All construction is to be completed on or before September 4, 2023.
7. Water is to be put to beneficial use on or before September 4, 2027.
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 Permit No. 8365-3 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. 8365-3 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*
Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 21 2018

date



FORM 2: Application for irrigation in South Dakota
(type or print)RECEIVED
JUN 12 2018
WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8365-3</u> (office use only) Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>Clark County Courier</u> <u>Plainsman</u>

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 Chris Roebke
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent
(name and complete address if different than above name)Mailing Address 506 S Smith St Clark SD 57225
(Address) (City) (State) (Zip Code)Home Phone 605 532 5204 Cell 605 881 5393 Email chrisroebke@gmail.com2. Amount of water claimed 0.89 *CFS or 400 **GPM --- ***AF Total Acreage 80
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)3. Source of water supply 1-2 new well(s) more than likely one4. Location of point of diversion NE 1/4 SE 1/4 Sec 4 - T115N - R59W
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)County Clark5. County or counties where water will be used Clark6. Annual period during which water is to be used May 1 to September 307. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
T 115N R59W Sec 4	80		
SE 1/2 of SE Quarter			

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

Looking to install a sub surface irrigation system
for crop use. 60% more efficient than pivot on
water and fert.

I, Chris Roebke, the applicant, certify that I have read this application,
have examined the attached map, and that the matters stated are true.

(type or print)

(check one or both as applicable)

☐ Using existing well(s)

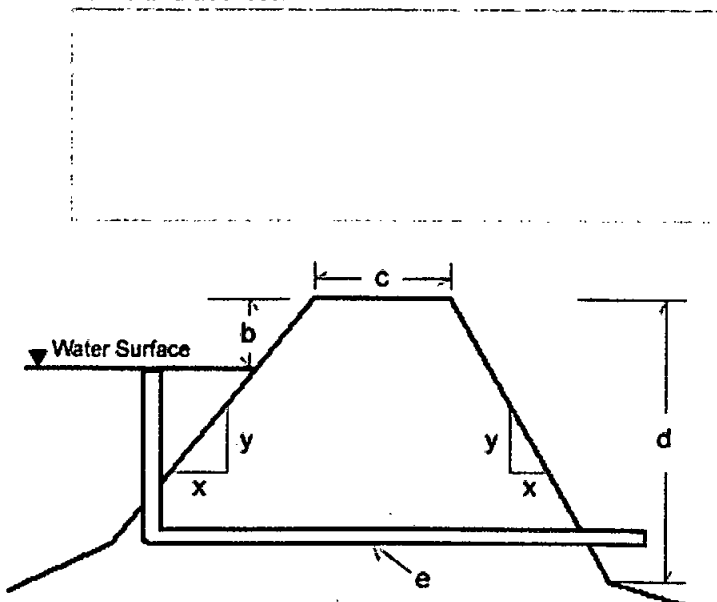
d) Distance to nearest existing domestic well:

On property owned by others 3500'

c) Connected to the City of Sanitary System

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

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



j) Drainage Area Above Dam	Acres
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ROEBKE, CHRISTIAN
T115N R59W Section 4

CLARK, SD
T115N R59W section 4

Page 11 of 18 Crop Year:2018 Date Printed:3/19/2018



Provided Courtesy of:



RCIS | We grow stronger every day - together

LEGEND

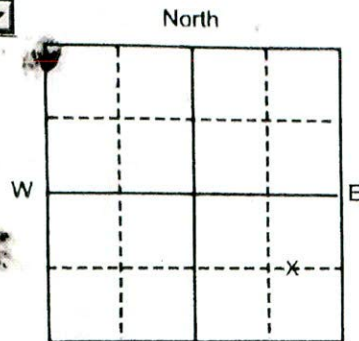
ACRES

Fields

Fields	378.78
TOTAL	378.78

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location E 1/2 1/4 SE 1/4 Sec 4 Twp 115N Rg 59WCounty ClarkPlease mark well
location with an "X"

Well Completion Date

6-04-18

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

DIRECT ROTARY

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
Sch40 LB/FT	3 IN	+2 FT	100 FT	6.75 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
grtwelDF	4	54 Lb/gal	0 Ft	96 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

PRESSURE PULL METHOD

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 3 Inches Length 10 FeetMaterial PVCSlot Size 60 Set From 100 Feet to 110 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? hth granular
☐ No, Why Not? _____
Lab to which water
quality sample sent for analysisWell Owner: CHRIS ROEBKE

Business Name: _____

Address: 503 SMITH STCity, State, Zip: CLARK ☒ SD ☒ 57225

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	1
YELLOW CLAY	1	30
YELLOW SAND MIX	30	32
YELLOW CLAY	32	42
SOFT BLUE CLAY w/ SAND LAYERS	42	52
BLUE CLAY	52	100
GREY FINE SAND MIXED W/ COAL	100	110
BLUE CLAY	110	165
ROCKS	165	166

STATIC WATER LEVEL 4'6" 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: AIR LIFT 60 GPM
☐ Bailed

☐ Other

Pumping Level Below Land Surface

54 Ft. After 25 Hrs. pumped 61 GPM

 Ft. After Hrs. pumped GPM
If pump installed, pump rate: GPM

REMARKS

ROCKS 165-166

SHALE 166-180

This well was drilled under license # 689 and this report is true and accurate.Drilling firm: KAISER WELL DRILLING 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 June 12

, 20 18

RECEIVED OF Christian Roebke 506 S Smith St Clark, SD 57225

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	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. _____	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. **08761**

By Jeanne Goodman
Chief Engineer

7/27

**Water Rights Program - DENR
Conversation File Documentation**

NAME OF PERSON OR FILE: Chris Roebke

ADDRESS: 506 S Smith Street, Clark SD 57225

COUNTY: Clark County

DATE: June 13, 2018 **TELEPHONE:** (605) 881-5393

RE: water permit application

COMMENTS: I called Mr. Roebke and the following was discussed.

- He overpaid by \$100 and that will be refunded to him
- Kaiser well drilling did the test hole and he will get us a copy.
- Only one well is needed to supply the 80 acres
- I inquired regarding the 600 gpm requested diversion rate. Mr. Roebke indicated that is what the driller said the well will produce. He will contact the irrigation equipment supply person to find out the diversion rate needed to supply the subsurface irrigation system.


Eric Gronlund



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 28, 2018

Chris Roebke
506 S Smith St
Clark SD 57225

Dear Mr. Roebke:

On June 12, 2018 we received your *Application for a Permit to Appropriate Water* for irrigation in Clark County. This letter is a reminder of what is needed in order to complete the application.

- Regarding the amount of water claimed, the application states 600 gallons per minute. You indicated in a phone conversation with Eric Gronlund with this office, that you would contact the irrigation equipment supply person to find out the diversion rate needed to supply the subsurface irrigation system.
- Also, you were going to contact Kaiser Well Drilling and get a copy of the test hole log for our records.

Please let us know the amount of water needed for your irrigation project. Once we have that information, further processing of your application will proceed. If you have any questions, please contact me.

Sincerely,

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

Water Rights Program - File Documentation

NAME: Chris Roebke

ADDRESS: Clark SD

DATE: 7-9-18 **COUNTY:** CK **TELEPHONE:**

RE: Pending Application

COMMENTS:

Chris Roebke called and stated he talked with the his irrigation equipment sales person who indicated at the least they would need a diversion rate of 160 gpm to make the system work and the most they would need it 400 gpm. We discussed the licensing process after his system is developed. Mr. Roebke stated he would like to request 400 gpm.

Mr. Roebke indicated he would email me a copy of the test hole log from Kaiser Well Drilling Inc.



Karen Schlaak
Water Rights Program

Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, July 09, 2018 4:01 PM
To: 'Chris Roebke'
Subject: RE: [EXT]

Received the well completion report. I will also change your application to request 400 gpm as stated in our phone conversation. After the report and chief engineer recommendation is complete, you will receive a letter from us with further instructions regarding the public notice.

Karen Schlaak

SD DENR, Water Rights Program
(605) 773-3352



From: Chris Roebke [<mailto:chrisroebke@gmail.com>]
Sent: Monday, July 09, 2018 3:29 PM
To: Schlaak, Karen
Subject: [EXT]



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8365-3, Chris Roebke**

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. 8365-3, Chris Roebke, 506 S Smith Street, Clark SD 57225.

The Chief Engineer is recommending APPROVAL of Application No. 8365-3 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 Permit No. 8365-3 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. 8365-3 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.

for Eric Tumbler
Jeanne Goodman, Chief Engineer
August 14, 2018

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 8365-3
CHRIS ROEBKE
AUGUST 10, 2018

Water Permit Application No. 8365-3 proposes to appropriate water at a maximum diversion rate of 0.89 cubic feet of water per second (cfs) from up to two wells to be completed into the Altamont aquifer, approximately 112 feet deep, located in the NE ¼ SE ¼ Section 4 for the irrigation of 80 acres located in the E ½ SE ¼ Section 4; all in T115N-R59W in Clark County. The proposed well sites are approximately 10 miles southwest of Clark, SD.

AQUIFER: Altamont (A)

Aquifer Characteristics:

Hamilton (1986) described six major glacial aquifers in Clark County, Prairie Coteau 1, 2 and 3, and Altamont 1, 2 and 3. Based on the depth to aquifer material and the location of the well sites this application proposes to use, the proposed wells would be completed into the Altamont 2 aquifer. The Altamont 2 aquifer is a buried glacial outwash aquifer composed of very coarse sand and gravel and sandy silt (Hamilton, 1986). The aquifer underlies approximately 630 square miles (403,200 acres) of Clark County and contains an estimated 3.23 million ac-ft of water (Hamilton, 1986). The depth to the top of the aquifer ranges from 10 feet along its western edges to up to 480 feet under the Coteau des Prairies (Hamilton, 1986).

The Altamont 2 aquifer is hydraulically connected to the Altamont 1 aquifer near the center of Clark County and with the Altamont 3 aquifer near the western part of the county (Hamilton, 1986). In the past, the DENR-Water Rights Program has not differentiated between units and considered all of the deeper and hydraulically connected outwash deposits in Clark County the Altamont aquifer. When considering the Altamont aquifer as a single aquifer, it has an areal extent of approximately 537,200 acres and contains an estimated 3,326,400 ac-ft of recoverable water in storage in Clark County (Hedges et. al, 1982). The Altamont aquifer also underlies portions of Beadle, Brookings, Brown, Codington, Day, Deuel, Grant, Hamlin, Kingsbury, Marshall, Roberts, and Spink Counties (Hedges et. al, 1982). Hedges and others (1982) estimated the areal extent of the aquifer in South Dakota to be more than 1,672,800 acres and contains greater than 7,197,360 ac-ft of recoverable water in storage. The Altamont aquifer is generally under confined conditions (Water Rights, 2018a). The well completion report submitted with this application indicates fine sand was encountered 100 feet below ground surface and had a thickness of 10 feet. The static water level was 4 feet 6 inches below ground surface at the time the test well was completed in June 2018.

South Dakota Codified Law (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 this 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 effects on existing rights from the aquifer that are pertinent to this application.

WATER AVAILABILITY:

This application proposes to appropriate water from the Altamont aquifer. 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 water distribution system has applied for a permit, the Board need not consider the recharge/withdrawal issue. In this case, the aquifer is not stratigraphically lower than the Greenhorn Formation and the applicant is not a water distribution system. Therefore, the recharge versus withdrawal issue needs to be considered.

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 in addition to other data 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 31 observation wells completed into the Altamont aquifer with 22 of those observation wells located in Clark County (Water Rights, 2018a). Figure 1 shows a map of the project area including the proposed well sites for this application and Altamont aquifer observation wells and water rights/permits (Water Rights, 2018a and 2018b). Table 1 lists the water rights/permits shown in Figure 1.

Table 1- Water rights/permits shown in Figure 1 (Water Rights, 2018b)

Permit No.	Name	County	Status	Use	CFS	Acres
1776-3	RIVERVIEW LLP	CK	LC	IRR	1.93	135
2417-3	FORDHAM HTRN BRTH	CK	LC	IRR	1.78	268
2489-3	CLARK FARMERS COOP	CK	LC	IRR	1.78	264
3028-3	FORDHAM HTRN BRTH	CK	LC	IRR	1.78	132
3059-3	DRM HOLDINGS LLC	CK	LC	IRR	2.01	269
4399-3	FORDHAM HTRN BRTH	CK	LC	IRR	1.78	270
5812-3	CLARK FARMERS COOP	CK	LC	IRR	1.78	262
6883-3	RIVERVIEW LLP	CK	PE	IRR	1.88	132
6998-3	RIVERVIEW LLP	CK	LC	COM/LCO	0.89	n/a
7105-3	RIVERVIEW LLP	CK	PE	IRR	0	364
7419-3	JAMES ORRIS	CK	PE	IRR	6.46	520
7709-3	GARY DOPPENBERG	CK	PE	IRR	4	320
8266-3	HILLSIDE HTRN BRTH	SP	PE	IRR	0.09	30
CK= Clark, SP= Spink, LC= Water Right, PE=Water Permit, IRR= Irrigation, COM= Commercial, LCO= Livestock Confinement Operation						

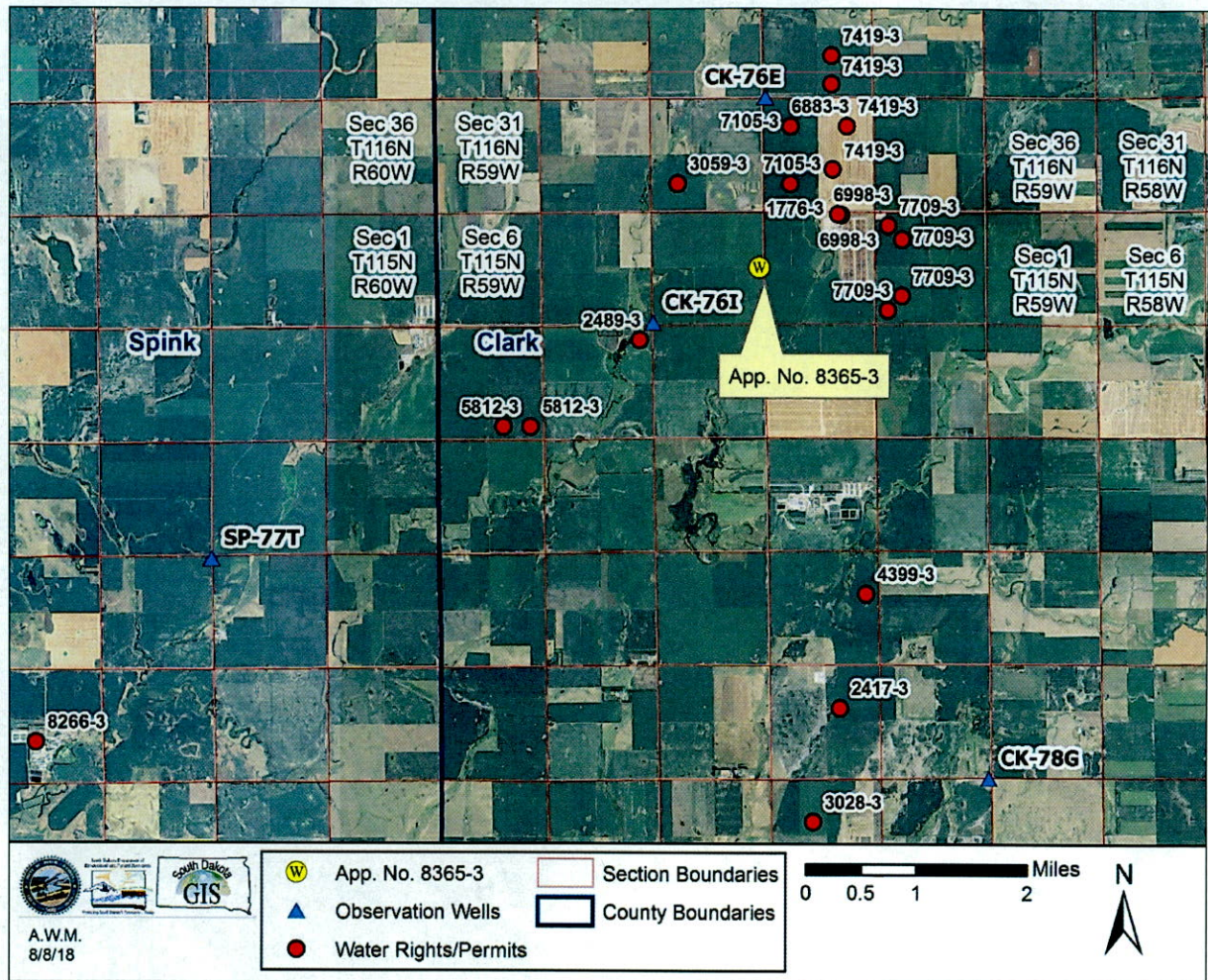


Figure 1- Map of the project area including Application No. 8365-3 proposed well sites, Altamont aquifer observation wells and water rights/permits (Water Rights, 2018a and 2018b)

There are four Altamont aquifer observation wells within approximately 5.5 miles of the well sites proposed by this application as shown in Figure 1. The hydrographs for these four observation wells are shown in Figures 2 through 5. These four hydrographs are representative of the hydrographs for other observation wells completed into the Altamont aquifer. Over the period of record, the hydrographs for the observation wells completed into the Altamont aquifer in general show a stable to rising water level. Many of the observation wells show the short term effects of pumping on artesian head pressure. However, the water level recovers to pre-pumping levels after the end of the irrigation season. The hydrographs document the longer term effects of climate dominate changes in water level in the aquifer. That is to say water levels rise during wetter periods and slowly decline during drier periods. This means that recharge to and natural discharge from the aquifer significantly exceed pumping. Recognizing that recharge to and natural discharge from an aquifer can be captured for pumping, the hydrographs document there is unappropriated water available for this proposed appropriation as required by SDCL 46-2A-9.

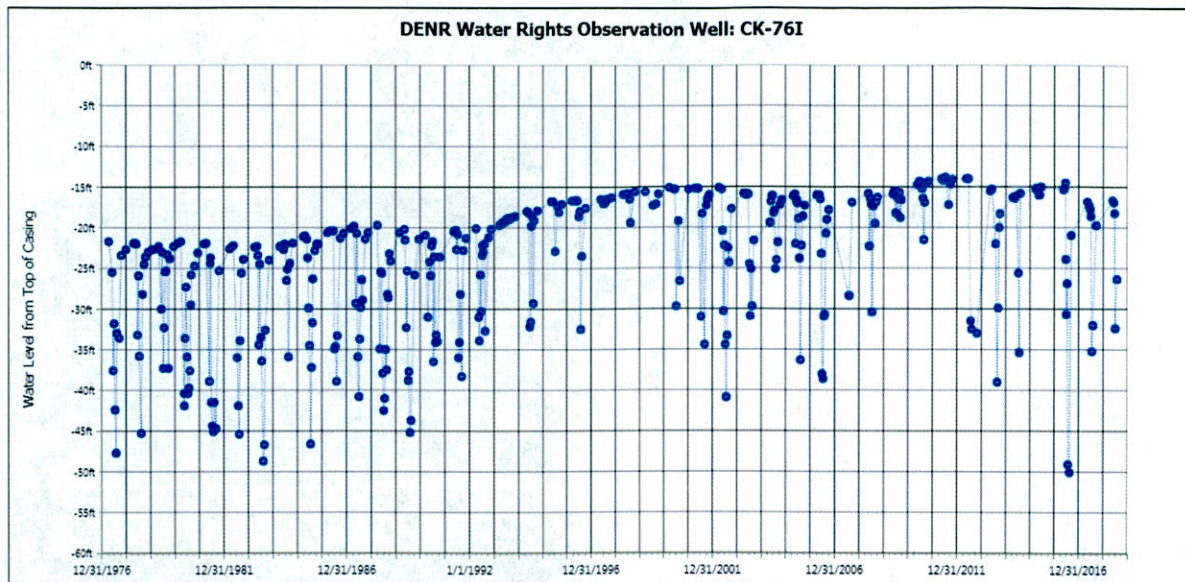


Figure 2- Hydrograph for CK-76I, approximately 1.1 miles southwest of the proposed well sites (Water Rights, 2018a)

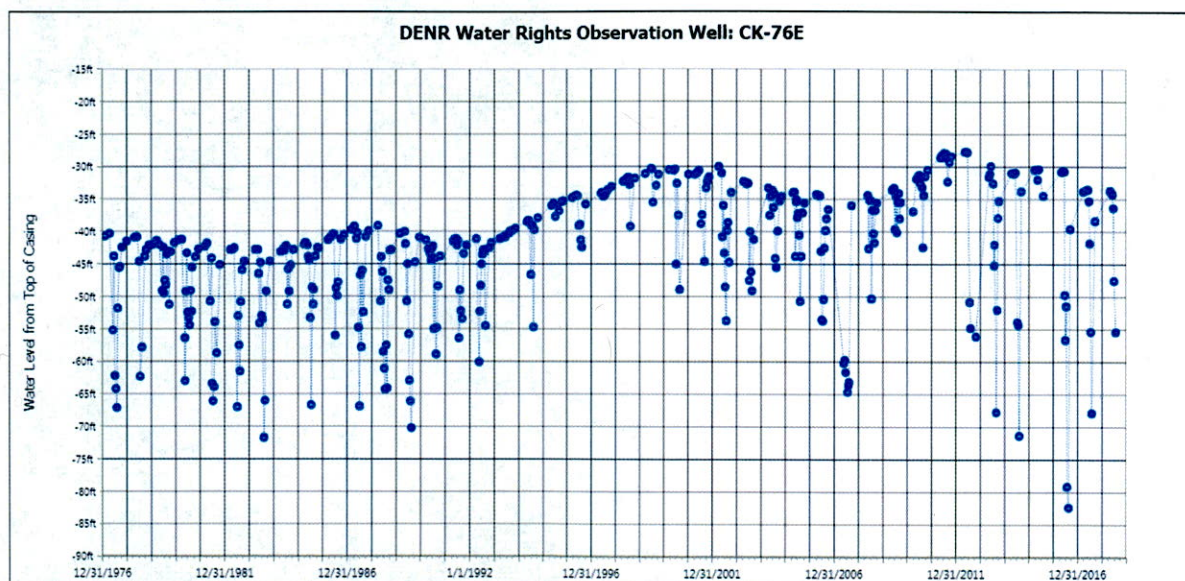


Figure 3- Hydrograph for CK-76E, approximately 1.5 miles north of the proposed well sites (Water Rights, 2018a)

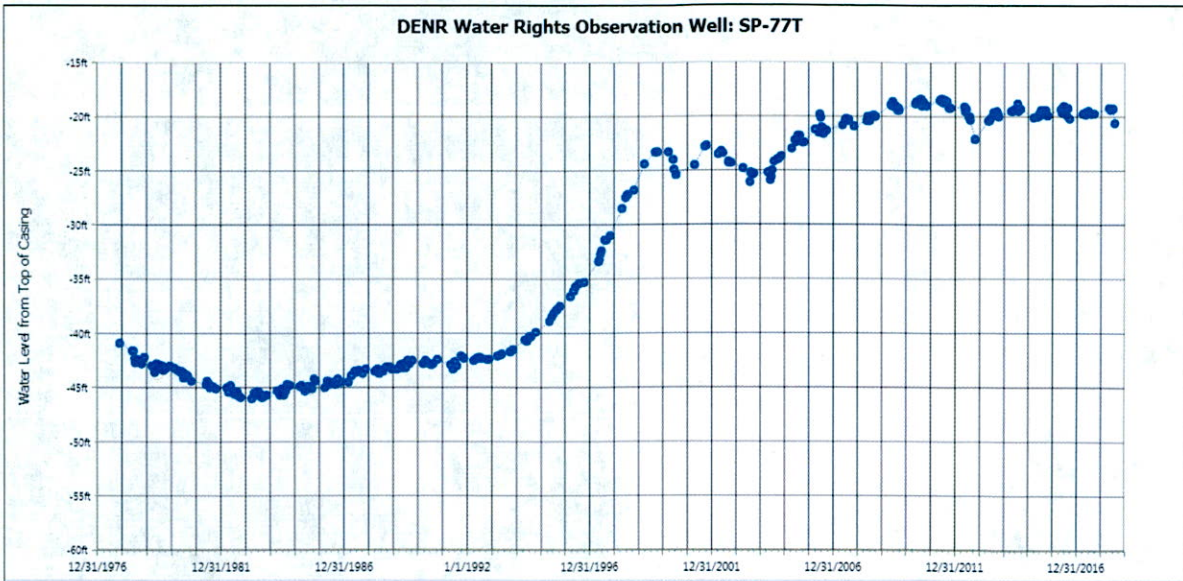


Figure 4- Hydrograph for SP-77T, approximately 5.0 miles southwest of the proposed well sites (Water Rights, 2018a)

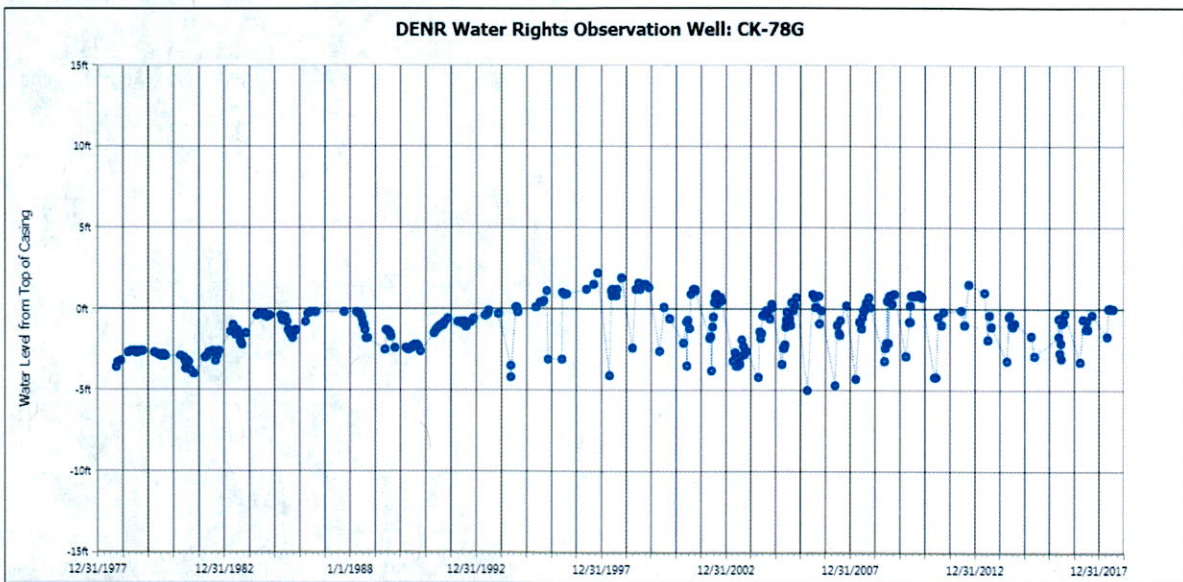


Figure 5- Hydrograph for CK-78G, approximately 5.5 miles southeast of the proposed well sites (Water Rights, 2018a)

Recharge and Discharge:

Recharge

Recharge to the Altamont aquifer in Clark County is through infiltration of precipitation and lateral inflow from other counties (Hamilton, 1986). Hamilton (1986) determined recharge from precipitation to the Altamont 2 aquifer in Clark County is 1.5 inches per year, which is 50,400 ac-ft/yr. using Hamilton's (1986) estimated aquifer areal extent.

Hedges and others (1985) estimated the average annual recharge rate to the unconfined portion of the Altamont aquifer to be 2.2 inches per year. However, a large majority of the Altamont

aquifer is under confined conditions, and that recharge rate would not necessarily be applicable. Hedges and others (1985) recommended a range of 0.15 to 0.6 inches for recharge rates to confined aquifers for use by management and development programs. Using Hedges and others (1982) estimated areal extent with Hedges and others (1985) confined aquifer recharge rate range, the estimated average annual recharge to the whole Altamont aquifer is 20,910 to 83,640 ac-ft/yr. and 6,715 to 26,860 in just Clark County.

Discharge

Discharge from the Altamont aquifer in Clark County primarily occurs through outflow to other counties and well withdrawals (Hamilton, 1986). Well withdrawals are a primary source of discharge from the aquifer throughout its entire areal extent (Water Rights, 2018b and 2018c). Currently, there are 76 water rights/permits authorizing the withdrawal of water from the Altamont aquifer and two future use permits reserving water. Clark County contains 55 of those 76 water rights/permits (Water Rights, 2018b).

Water use by non-irrigation appropriations is estimated by assuming pumping at the maximum permitted diversion rate for 60 percent of the time if the water right/permit is limited only by diversion rate or, if the water right/permit is limited by an annual volume, assuming the entire volume will be pumped. The cities of Arlington, Roslyn, Bristol, Clark, and Wallace all obtain water from rural water systems (Friedeman, 2017). The cities of Andover, Revillo, and Brandt have individual hookups to rural water systems (Friedeman, 2017). In either situation, the water use under these water rights is expected to be minimal with the water right maintained primarily for emergency purposes (i.e. fire protection). Estimated average annual water use by non-irrigation water rights/permits is expected to be less than 2,248.5 ac-ft/yr. with approximately 904 ac-ft/yr. of that in Clark County alone.

Future Use Permit Nos. 4052-3 and 4054B-3 are for the Towns of Henry and Wallace, respectively (Water Rights, 2018b). Both towns are now connected to rural water, and it is unlikely these permits will ever be developed (Friedeman, 2017). However, it is assumed both future use permits will be fully developed for the purposes of estimating average annual water use from the Altamont Aquifer. The total amount of water reserved by future use permits from the Altamont aquifer is 881 ac-ft/yr.

The historic water use by irrigation water rights/permits is listed in Table 2. There are a number of domestic wells on file with the DENR-Water Rights Program that appear to be completed into the Altamont aquifer (Water Rights, 2018c). However, the availability of rural water and their relatively low diversion rate means the volume of water pumped for domestic purposes is not significant to the hydrologic budget.

Table 2- Historic irrigation use from the Altamont aquifer and the Altamont aquifer in only Clark County (Water Rights, 1979-2018)

Year	Entire Aquifer			Clark County	
	Number of Permits Reporting	Pumpage (acre-feet)		Number of Permits Reporting	Pumpage (acre-feet)
1979	49	3060		24	1472.71
1980	50	3712		25	2329.09
1981	56	3699		27	2689.99
1982	43	2428.17		24	1226.1
1983	41	3601.31		26	2665.18
1984	45	2639		27	1808
1985	44	2639		27	1917
1986	43	1797		27	1436
1987	41	3892		25	2463
1988	39	5074.1		24	3123.6
1989	39	4751.2		24	3321.8
1990	39	2921		24	2023
1991	39	2130.6		25	1622.2
1992	39	1107		24	585
1993	40	51.6		25	42
1994	39	984.17		25	579.68
1995	39	409.95		25	260.8
1996	39	2004.72		25	1320.61
1997	39	644		25	357
1998	37	1188.17		23	826.28
1999	38	1332.7		24	1170.95
2000	39	2273.94		26	1995.52
2001	38	2108.79		25	1615.69
2002	38	3570.27		25	2695.04
2003	39	2877.53		26	2286.11
2004	44	1954.9		30	1766.3
2005	44	2365.47		30	2190.13
2006	44	3684.08		31	3336.34
2007	46	2651.96		33	2143.63
2008	48	1945.86		36	1660.16
2009	47	842.88		36	735.49
2010	45	1027.13		36	887.92
2011	45	1057.97		36	981.08
2012	47	3157.99		38	2727.41
2013	51	2382.68		42	1977.78
2014	54	2106.01		46	1777.8
2015	52	1754.51		44	1502.62
2016	51	3656.68		44	3194.2
2017	53	2929.58		44	2372.83
Min	37	51.6		23	42
Max	56	5074.1		46	3336.34
Avg.	43.7	2369.6		29.6	1771.4

Hydrologic Budget

The estimated average annual use by non-irrigation appropriations is 2,248.5 ac-ft/yr. with 904 ac-ft/yr. coming from Clark County alone. The future use reservation from the Altamont aquifer is 881 ac-ft/yr. with none of it in Clark County. The average annual irrigation pumpage from the Altamont aquifer is 2,369.6 ac-ft/yr. with 1,771.4 ac-ft/yr. of that coming from within Clark County alone. Thus, the average annual use plus future use reservation is approximately 5,500 ac-ft/yr. with 2,675.4 ac-ft/yr. coming from users in Clark County. This application is expected to use less than 67 ac-ft/yr. based on an application rate of 10 inches per acre which is a typical irrigation application rate east of the Missouri River in South Dakota.

The estimated average annual recharge rate range is 20,910 to 83,640 ac-ft/yr. for the entire aquifer and 6,715 to 50,400 ac-ft/yr. in just Clark County. When the average annual pumpage and average annual recharge values are compared, the estimated average annual recharge greatly exceeds average annual withdrawals. Therefore, there is a reasonable probability there is unappropriated water available for this proposed appropriation as required by SDCL 46-2A-9. This hydrologic budget is in agreement with the data shown in the observation well hydrographs.

EXISTING WATER RIGHTS:

There are nine water rights/permits with wells completed into the Altamont aquifer within approximately 2.5 miles of the well sites proposed by Application No. 8365-3 (see Figure 6) (Water Rights, 2018b). The nearest well authorized by a water right/permit is approximately 0.8 miles northwest of the proposed well sites. Figure 6 shows the Altamont aquifer water rights/permits within approximately 2.5 miles of the proposed well sites. The water rights/permits shown in Figure 6 are listed in Table 1. There are also a number of domestic wells within approximately one mile of the well this application proposes to use that appear to be completed into the Altamont aquifer (Water Rights, 2018c).

Since the aquifer is under confined conditions at the well site, some drawdown from pumping is expected. At observation wells CK-76I and CK-76E, there is generally 20 feet and 48 feet of artesian head pressure, respectively. The hydrographs for both observation wells, Figures 2 and 3 respectively, both show that there is at least five feet of artesian head pressure above the top of the aquifer at their respective lowest recorded water levels. Furthermore, there are several water rights/permits withdrawing water from the Altamont aquifer in close proximity to each other and observation well CK-76E. There is no history of complaints of well interference in that location. Therefore, pumping this proposed diversion is not expected to have adverse effects on existing adequate appropriative or domestic wells completed into the Altamont aquifer.

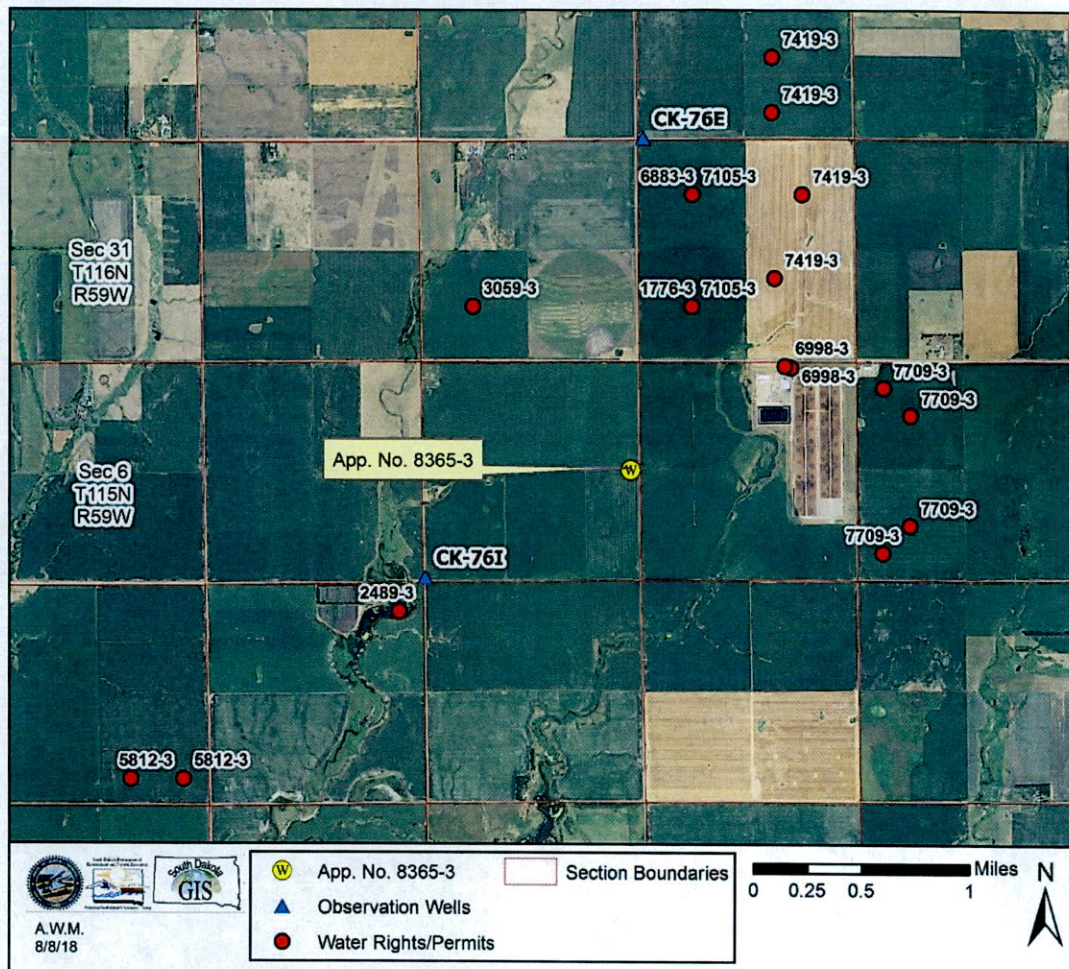


Figure 6- Map of the closest Altamont aquifer water rights/permits and observation wells to Application No. 8365-3 (Water Rights, 2018a and 2018b)

In the past, the Water Management Board has recognized to place water to maximum beneficial use, a certain amount of drawdown may occur. Since the aquifer is under confined conditions at the well site, drawdown due to pumping may extend some distance from the well site even though it is not expected to do so. The Water Management Board has promulgated rules that allow water to be placed to maximum beneficial use without the necessity of maintaining artesian head pressure for domestic use. The Water Management Board defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) as:

“a well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner’s needs”.

The Water Management Board considered the delivery of water by artesian head pressure versus maximum beneficial use of water issued for Water Right No. 2313-2 for Coca-Cola Bottling Company of the Black Hills. The Water Management Board adopted Findings of Facts and

Conclusions of Law that noted reservation of artesian head pressure for delivery of water would be inconsistent with SDCL 46-1-4 which states, “general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable...” (Water Rights, 1995). Furthermore, the Water Management Board found if increased cost or decreased production as a result of impacts on artesian head pressure by legitimate users is to be considered an adverse impact it would also be in conflict with SDCL 46-1-4 (Water Rights, 1995). With that in mind, some existing well owners may need to lower their pumps to accommodate for deeper water levels depending on the specific characteristics of the Altamont aquifer. However, when considering the statutes (SDCL 46-1-4 and 46-6-6.1), rule (ARSD 74:02:04:20(7)), the artesian head pressure at the well site and the lack of well interference complaints in the area, well interference from this proposed diversion is not expected to cause an adverse impact. Therefore, there is a reasonable probability that any interference created by pumping for this proposed appropriation will not be adverse.

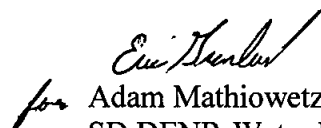
Artesian Springs:

There have been a number of controversies regarding pumping water under water rights/permits and their effects on springs in the general area of the proposed well sites. Buhler (2012) summarized these controversies. Water Rights staff at the time of each controversy determined the claims that pumping from the buried, confined Altamont aquifer was having effects on local springs were unsubstantiated. There have been no complaints since 1980 and no intervention in nearby water permit applications since 2004 (Buhler, 2012).

The area of Clark County where this application is located lies along the steeply-sloping terrain between the Coteau des Prairies and the James River Basin. These springs are generally in areas where the terrain slopes downward and has incised the water table. A small fluctuation in water levels of the incised aquifer could have an effect on the discharge of these springs. However as shown in the hydrographs for nearby observation wells (see Figures 2-5), there is variation in the static water level of the aquifer in the area. That is to say the changes in water level of the aquifer before and after the irrigation season are primarily dependent on the climatic conditions in the area. This means that the flow from these incised springs is primarily affected by climatic conditions. The observation wells completed into the Altamont aquifer in the area will document any effects that may be caused by pumping this proposed diversion. However, adverse impacts to these springs are not anticipated by pumping this proposed diversion.

CONCLUSIONS:

1. Application No. 8365-3 proposes to divert water from the Altamont aquifer for the irrigation of 80 acres at a maximum diversion rate of 0.89 cfs from up to two wells.
2. Based on the observation well data and a hydrologic budget, unappropriated water is available from the Altamont aquifer for this proposed appropriation.
3. There is a reasonable probability the diversion proposed by this application can be made without adversely impacting existing appropriative or domestic users.


for Adam Mathiowetz, PE
SD DENR-Water Rights Program

REFERENCES:

- Buhler, K.A. 2012. Report to the Chief Engineer on Water Permit Application No. 7419-3 James R. Orris October 26, 2012. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, SD.
- Friedeman, B. Personal Communication. December 27, 2017. SD DENR-Drinking Water Program Environmental Scientist.
- Hamilton, L.J. 1986. Geology and Water Resources of Clark County, South Dakota Part II: Water Resources. Bulletin 29. SD DENR-Geological Survey. Vermillion, South Dakota.
- 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.
- 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.
- Water Rights. 1979-2018. "1979-2017 Irrigation Questionnaires": SD DENR-Water Rights Program, Joe Foss Building, Pierre, South Dakota.
- Water Rights. 2018a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 1995. Findings of Fact, Conclusions of Law, and Final Decision in the Matter of Water Permit Application No. 2313-2, Coca-Cola Bottling Company of the Black Hills. DENR-Water Rights Program file for Water Right No. 2313-2. Pierre, South Dakota.

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, August 14, 2018 1:40 PM
To: Chris Roebke (chrisroebke@gmail.com)
Subject: Water Permit Application No. 8365-3
Attachments: 8365-3.pdf

Attached is the report, recommendation and information regarding the public notice on your Water Permit Application No. 8365-3. As stated in our letter it is important that you contact the two papers to authorize publication and arrange for payment.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352

called him also 8/14/18





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

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

August 14, 2018

Chris Roebke
506 S Smith St
Clark SD 57225

Dear Mr. Roebke:

Water Permit Application No. 8365-3 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 Clark County Courier printed at Clark SD (Ph # 605 532-3654) and the Plainsman printed at Huron SD (Ph # 605 353-7414). You will need to contact the newspapers 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 newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers 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.

NOTICE OF APPLICATION NO. 8365-3 to Appropriate Water

Notice is given that Chris Roebke, 506 S Smith St, Clark SD 57225 has filed an application for a water permit to appropriate 0.89 cubic feet of water per second from up to two wells to be completed into the Altamont Aquifer (112 feet deep) located in the NE 1/4 SE 1/4 Section 4 for irrigation of 80 acres located in the E 1/2 SE 1/4 Section 4; all in T115N-R59W which is approximately 10 miles southwest of Clark SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8365-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 September 4, 2018.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of _____.

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, August 14, 2018 1:33 PM
To: rcrandall@plainsman.com
Subject: 8365-3, Chris Roebke
Attachments: 8365-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on August 22, 2018

Chris Roebke, 506 S Smith Dr, Clark SD 57225 (605 881-5393) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, August 14, 2018 1:32 PM
To: courier@itctel.com
Subject: 8365-3, Chris Roebke
Attachments: 8365-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on August 22, 2018

Chris Roebke, 506 S Smith Dr, Clark SD 57225 (605 881-5393) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352



PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss

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

CHRIS ROEBKE- #3817 WATER RIGHTS

was published for one day, in said newspaper, and not in any supplement of the said newspaper, the publication was of the **22ND Day AUGUST 2018.** That the full amount of the fee charged for publishing **THIRTY-FOUR & 80/100** dollars insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whom so ever.

Mckenzie Castillo

Subscribed and sworn to me before this 18TH Day
of **SEPTEMBER 2018.**

JB Blair
Notary Public, South Dakota

My term expires 03/11/2022
Legal #3817

F.P. 08-22-18

**NOTICE OF
APPLICATION
NO. 8365-3 to
Appropriate Water**

Notice is given that Chris Roebke, 506 S Smith St, Clark SD 57225 has filed an application for a water permit to appropriate 0.89 cubic feet of water per second from up to two wells to be completed into the Altamont Aquifer (112 feet deep) located in the NE 1/4 SE 1/4 Section 4 for irrigation of 80 acres located in the E 1/2 SE 1/4 Section 4; all in T15N-R59W which is approximately 10 miles southwest of Clark SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8365-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 September 4, 2018.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner,
Secretary,
Department of
Environment and
Natural Resources.
No. 3817 (adv.)

Published once at the
total approximate cost of
\$34.80.

Affidavit of Publication

State of South Dakota

§

County of Clark

**NOTICE OF APPLICATION NO.
8365-3 to Appropriate Water**

Notice is given that Chris Roebke, 506 South Smith St, Clark SD 57225 has filed an application for a water permit to appropriate 0.89 cubic feet of water per second from up to two wells to be completed into the Altamont Aquifer (112 feet deep) located in the NE 1/4, SE 1/4 Section 4 for irrigation of 80 acres located in the E 1/2 SE 1/4 Section 4; all in T115N-R59W which is approximately 10 miles southwest of Clark, SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8365-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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, Energy 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 September 4, 2018.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$27.61.

8-22-18

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

Chris Roebke

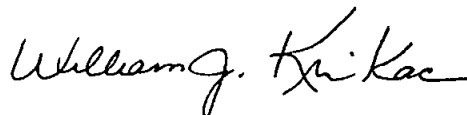
a printed copy of which taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

One

successive week(s), on the day of each week on which said newspaper was regularly published, to wit:

August 22, 2018

that the full amount of the fees for the publication of the annexed notice is

\$27.61


Subscribed and sworn to before me this

RECEIVED**AUG 27 2018****WATER RIGHTS
PROGRAM****23rd day of August, 2018**


Notary Public
Clark County, South Dakota

My Commission expires: 06/04/2019

September 19, 2018

PAYMENT REQUEST FORM

PAYEE: Chris Roebke
506 S Smith St
Clark, SD 57225

FROM: DENR Water Rights Program
523 E. Capitol Ave
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Over payment of Application/License Fee

AMOUNT: \$100.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

OTHER:

COMMENTS:

AUTHORIZATION:



I declare and affirm under the penalties of perjury that this claim is in all things, true and correct.
I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued
thereunder relating to nondiscrimination in federal assisted programs.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 21 2018

Chris Roebke
506 S Smith St
Clark SD 57225

Dear Mr. Roebke:

Enclosed is Water Permit No. 8365-3 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The application was submitted with a fee of \$1,050.00. The application/license fee for irrigation of 80 acres is \$950.00. Therefore, \$100.00 will be refunded to you. The refund check should be received within two weeks.

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

8365-3

SD EForm - 0495LD V2 NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 8365-3Date: 10/14/14I/We request that Water Right/Permit No. 8365-3 formerly owned by:Chris Roebke

be transferred to:

New Owner Name:

Gary Doppmeyer

Address:

1003 Country Club Rd PO Box 126

City, State, Zip

SheldonIA51201Telephone No. 712-348-1009

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

80 acres E 1/2 of SE 1/4 Sec 4 T11S R59

☒ I understand that the validity of Water Right/Permit No. 8365-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Gary Doppmeyer, the new owner, certify that the above information is true and correct.

Gary Doppmeyer
(signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date **October 17**, 20 **18**

RECEIVED OF **Gary or Donna Doppenberg 1003 Country Club Rd PO Box 126 Sheldon IA 51219**

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 8365-3		
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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08781**

By

Jeannie Goodman
Chief Engineer

271



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 18, 2018

8365-3

Gary Doppenberg
PO Box 126
Sheldon IA 51201-0126

Dear Mr. Doppenberg:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for transferring Water Permit No. 8365-3.

The ownership change has been completed. The water permit formerly held by Chris Roebke is now listed in your name.

Enclosed for your records is Receipt No. 08781 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

enclosure

8365-3
RECEIVED

AUG 20 2020

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEWATER RIGHTS
PROGRAM

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

Date 8/17/2020

FROM: Gary Doppenburg
(name)
1003 Country Club rd Box 126
(address)

Sheldon IA 51201 712-348-6234
(city) (state) (zip) (phone)

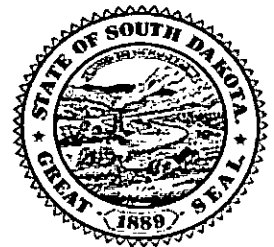
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 8365-3 states that the water use system is to be constructed by
9/4/2023, and water is to be put to beneficial use by 9/4/2027
(date) (date)

The water use system was completed on 8/01/2020
(date)

Applying the water to beneficial use was completed on 8/01/2020
(date)

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





DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 20, 2020

8365-3

Gary Doppenberg
PO Box 126
Sheldon IA 51201-0126

Dear Mr. Doppenberg:

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

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

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

Sincerely,

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

8365-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date October 31, 2022RECEIVED OF Fordham Hutterian Brethren Inc. 533 Fordham Dr., Carpenter SD 57322

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>8365-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Bronlund
Chief Engineer
EB

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

OCT 31 2022

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

OCT 31 2022

OFFICE OF
WATER

Water Right/Permit No. 8365-3

Date: 10/28/2022

I/We request that Water Right/Permit No. 8365-3 formerly owned by:

Gary Dappenberg

be transferred to:

New Owner Name: Fordham Hutterian Brethren

Address: 533 Fordham Dr

mobile: 605 233 1112

City, State, Zip

Carpenter SD 57322

email: Jaredj1112@gmail.com

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

E 1/2 of SE 1/4 Sec 4 T115N R 59W Clark County SD.

☒ I understand that the validity of Water Right/Permit No. 8365-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Fordham Hutterian Brethren, the new owner, certify that the above information is true and correct.

[Signature]

(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

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



8365-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

November 16, 2022

7709-3
8365-3

Jared Glanzer
Fordham Hutterian Brethren
533 Fordham Dr
Carpenter SD 57322

Dear Mr. Glanzer:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on Water Permit Nos. 7709-3 and 8365-3.

The ownership changes have been completed. Water Permit Nos. 7709-3 and 8365-3 formerly held by Gary Doppenberg are now listed under Fordham Hutterian Brethren.

Enclosed for your records are receipts for the filing fees that were paid. If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures



8365-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

JUN 23 2023

Fordham Hutterian Brethren
c/o Jared Glanzer
533 Fordham Dr.
Carpenter SD 57322

8365-3

Dear Mr. Glanzer:

Enclosed is Water License No. 8365-3. 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

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8365-3

(1) Chris Roebke; 506 S Smith St, Clark SD 57225, made Application No. 8365-3, June 12, 2018, for a water permit to divert 0.89 cubic feet of water per second from groundwater, two wells (Altamont Aquifer), Clark County, South Dakota for irrigation purposes. Permit No. 8365-3, with a priority date of June 12, 2018, was approved September 4, 2018, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 4, 2023, and for the application to beneficial use of water on or before September 4, 2027.

Ownership of Water Permit No. 8365-3 was transferred to Fordham Hutterian Brethren; 533 Fordham Dr., Carpenter SD 57322, in October of 2022.

(2) It is certified that the permit holders have 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 0.89 cubic feet of water per second for beneficial use. The location of the diversion point is: *(only one well was developed)*

- 2,640 ft N & 620 ft W of the SE corner of Section 4, T115N, R58W (NE ¼ SE ¼)
(Latitude 44.79817 Longitude -97.91989)

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

Section 4, T115N, R59W
NE ¼ SE ¼ 40.0 acres
SE ¼ SE ¼ 40.0 acres
TOTAL: 80.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Fordham Hutterian Brethren, the holders and/or owners of Water Right No. 8365-3 are issued a license to appropriate water, the right to use 0.89 cubic feet of water per second from groundwater, one well (Altamont Aquifer), with a priority date of June 12, 2018, 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. 8365-3 and subject to the following qualifications:

1. The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owners under this water right shall control their 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. 8365-3 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.

continued

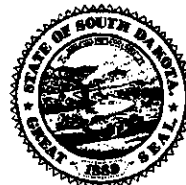
3. This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

Eric Gronlund

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

JUN 23 2023

date



Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 8365-3

I have this day, June 12, 2023, made a thorough examination of the water use system constructed by Fordham HTTRN BRTH, 533 Fordham Dr, Carpenter, SD 57322 of Permit No. 8365-3, bearing the priority of June 12, 2018, authorizing the diversion of 0.89 cu. ft. per second of the waters of the Altamont Aquifer for irrigation purposes, in Clark County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Kaiser Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 130 feet
- 4) Well log is available Y/N If no, explain in comments

Comments: There is no well information to be found in the DANR data bases for this legal.

Casing:

- 1) Diameter _____ inches
- 2) Length _____ feet
- 3) Type _____

Screen:

- 1) Type _____
- 2) Length _____ feet
- 3) Static water level _____ feet

Pump:

- 1) Make Submersible
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 400 GPM

Motor:

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

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

- 1) Type Buried 2) Size N/A inches 3) Length N/A feet

Comments: This is a subsurface drip irrigation system which uses an aerially distributed water application system where water is not delivered to a fixed point for application purposes such as a center pivot. Many different pipe diameters and lengths will be used for system purposes.

C. Works used to apply water to beneficial use: SEE SECTION B**Chemigation Equipment:**

- 1) Does chemigate Y

Comments: Uses a commercially available injection system.

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 poor, good, etc condition with the point(s) of diversion located as follows: WELL LOCATION From the SE corner Sec 4, T115N, R59W, 2640 ft N & 620 ft W, Lat 44.79817 Long - 97.91989 (NE ¼ SE ¼)
2. The works are capable of diverting and conveying to the place of use 0.89 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:
- | <u>legal description/acreage</u> | <u>legal description/acreage</u> |
|-------------------------------------|----------------------------------|
| <u>All land in Sec 4 T115N R59W</u> | |
| <u>NE ¼ SE ¼ - 40 acres</u> | |
| <u>SE ¼ SE ¼ - 40 acres</u> | |
- comprising a total of 80 acres of land and the license should be issued for 0.89 cfs
3. All structures, wells and lands on map Y

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

The irrigated acreage was estimated with the aid of FSA imagery and ArcMAPS software.

The pump rate reported in a recent Irrigation Questionnaire was used to establish the system flow capacity.

The mailing address in the permit materials is current while a current contact telephone number is 605/233-1112.

I talked to Jared Glanzer on the phone during the field inspection visit.

A handwritten signature in black ink, appearing to read "Darrell W DeBoer". The signature is fluid and cursive, with the first name "Darrell" and last name "DeBoer" clearly distinguishable.

Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: June 21, 2023

