

**WATER PERMIT NO. 8771-3**

Name of Applicant: County Line Dairy, LLC

Address: 45767 177<sup>th</sup> Street, Watertown SD 57201

Phone: 605-881-0992

Amount of Water Claimed: 1.55 cfs

Total Acres:

Source of Water Supply: Groundwater

Water to be used for: Commercial Dairy

County: Hamlin

Type of Waste Disposal System:

Location: Approx. 6 miles south of Watertown SD

PRIORITY Date Received: 6-12-2023

Application/License Fee: \$950.00

Corrected Application Received: 6-15-2023

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW 1/4 SW 1/4 Section 2-T115N-R52W

Land to be Irrigated:

Depth of Well: 33

Well Driller: Thein Well Company

Remarks:

Type of Map: aerial

|  |    |   |  |  |  |
|--|----|---|--|--|--|
|  |    |   |  |  |  |
|  |    |   |  |  |  |
|  | xx | 2 |  |  |  |
|  |    |   |  |  |  |

Reviewed and the Number Assigned on: 6-16-2023

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: \_\_\_\_\_

**SOUTH DAKOTA  
WATER PERMIT NO. 8771-3**

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Date of first receipt of application June 12, 2023.

Date of return to applicant for corrections, amendments or changes June 14, 2023.

Date of receipt of corrected application June 16, 2023.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8771-3 to County Line Dairy, LLC., c/o Jim Czech, 45767 177<sup>th</sup> Street, Watertown SD 57201 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. 8771-3 appropriates 230 acre-feet of water annually at a maximum pump rate of 1.55 cubic feet of water per second from up to three wells to be completed into the Big Sioux: North Aquifer (approximately 33 feet deep) located in the N 1/2 SW 1/4 Section 2 for commercial use in a dairy to be located in the NE 1/4 Section 2; all in T115N-R52W. This site is located approximately 6 miles south of Watertown SD.
2. The water appropriated shall be used for the purpose of commercial use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 8771-3 is August 28, 2023.
5. The date from which applicant may claim right is June 12, 2023.
6. One-fifth of the construction is to be completed on or before February 28, 2026.
7. All construction is to be completed on or before August 28, 2028.
8. Water is to be put to beneficial use on or before August 28, 2032.
9. 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 Water Permit No. 8771-3 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 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. 8771-3 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.

(continued)

3. Water Permit No. 8771-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-36.2 or 34A-2-112 or 34A-2-124 for concentrated animal feeding operations.
4. Water Permit No. 8771-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
  - a) Chapter 74:54:01 Ground Water Quality Standards,
  - b) Chapter 74:54:02 Ground Water Discharge Permit,
  - c) Chapter 74:51:01 Surface Water Quality Standards,
  - d) Chapter 74:51:02 Uses Assigned to Lakes,
  - e) Chapter 74:51:03 Uses Assigned to Streams, and
  - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions
5. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux:North aquifer.
6. Water Permit No. 8771-3 authorizes a total annual diversion of up to 230 acre-feet of water from the Big Sioux:North aquifer.

**WATER MANAGEMENT BOARD**

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

AUG 31 2023  
date





**FORM 2: Application for uses other than irrigation**  
(type or print)

RECEIVED

JUN 14 2023

Mail to:

SD DANR, Water Rights  
523 E Capitol Ave  
Pierre, SD 57501-3182

ph. (605) 773-3352

No. 8771-3 Hydrologic Unit 10170201  
Basin Upper Big Sioux  
Newspaper Castwood/Hamlin Co Republican  
Watertown Public Opinion  
(office use only)

OFFICE OF  
WATER  
**PAID**

JUN 14 2023

Ck# 6114123  
Rec't# 28410

Originally  
received  
6-12-23  
via  
Dawson

## Application for Permit to Appropriate Water in South Dakota

### Check use(s) of water:

☐  
☐  
☐

Municipal  
Rural Water System  
Domestic (over 18 gpm)

☐  
☐  
☐

Water Distribution System  
Commercial  
Industrial

☐  
☐  
☒

Recreational  
Fish & Wildlife  
Other Agricultural (Dairy Cattle)

☐  
☐

Institutional  
Geothermal

### Type of Application: (check one)

☒  
☐  
☐

**New** ☐ **Vested Right** (Use predates Mar 2, 1955) ☐ **Future Use Reservation**  
**Place to Beneficial Use Water Reserved by Future Use Permit No.** \_\_\_\_\_  
**Amendment/Correction to Permit No.** \_\_\_\_\_

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

1. Name to Appear on Water Permit County Line Dairy, LLC

Mailing Address 45767 177 th st watertown sd 57201  
(Address) (City) (State) (Zip Code)  
Phone \_\_\_\_\_ Mobile 605-881-0992 Email countylinedairysd.com and siouxriverdairy@g

2. Amount of water claimed 1.55 \*CFS or 700 \*\*GPM and 230 \*\*\*AF or 75,000 (Gallons)  
Flow rate and volume are both required. (\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use)

3. Source of water supply 3 wells

4. Location of point of diversion 3 wells on the north side of SW 2-115N-52W (N 1/2 SW 1/4) County Hamlin  
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☒ Yes ☐ No

If "Yes," where will water be used? NE 2-115N-52W Hamlin County  
1/4  
(example - NW1/4 section 12-T104N-R53W)

5. County or counties where water will be used Hamlin

6. Annual period during which water is to be used 365 Days

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

3 wells to be constructed. 1@100 GPM and 2@300 GPM  
attached preliminary test hole reports

I, Jim Czech

Name of Person

member

Title (if applicable)

, the applicant, certify under

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.



## 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 3 Have test holes been drilled? ☒ Yes ☐ No Drilled by Thein well drillers  
(if yes, please provide copies of logs)

b) If existing wells, how many \_\_\_\_\_ Provide copy of log(s), if available. Drilled by \_\_\_\_\_

#### For either existing or proposed wells:

c) Well Depth (required) 33 Depth to Top of Water Bearing Material 6 Depth to Water from Surface 10

d) Distance to nearest domestic well on applicant's property NA Property owned by others NA

### 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)

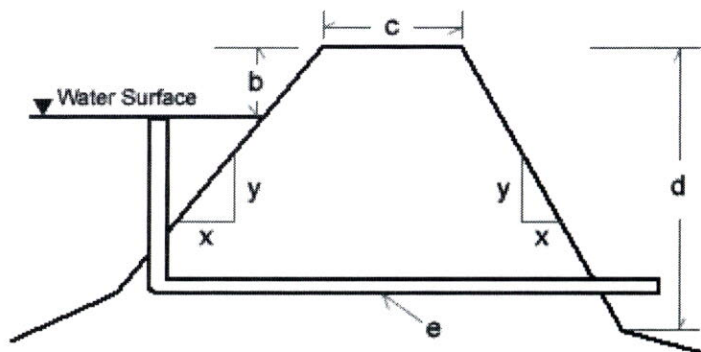
Upstream \_\_\_\_\_

Downstream \_\_\_\_\_

h) Area of Impoundment \_\_\_\_\_

i) Storage \_\_\_\_\_ Acre Feet

j) Drainage Area Above Dam \_\_\_\_\_ Acres





# JIM CZECH TEST HOLES SEC 2 & 3 WATERTOWN

Legend

TH #

TH # 1 40' - JIM CZECH

TH # 2 60'

TH # 3 40'

TH # 4 40'

TH # 5 60'

TH # 6 40'

TH # 7 40'

TH # 8 40'

TH # 9 40'

SW 2-115-52

Google Earth

3000 ft

N



# Untitled Map

County Line Dairy LLC projected location for wells  
SW 2-115N-52W hamlin county

## Legend

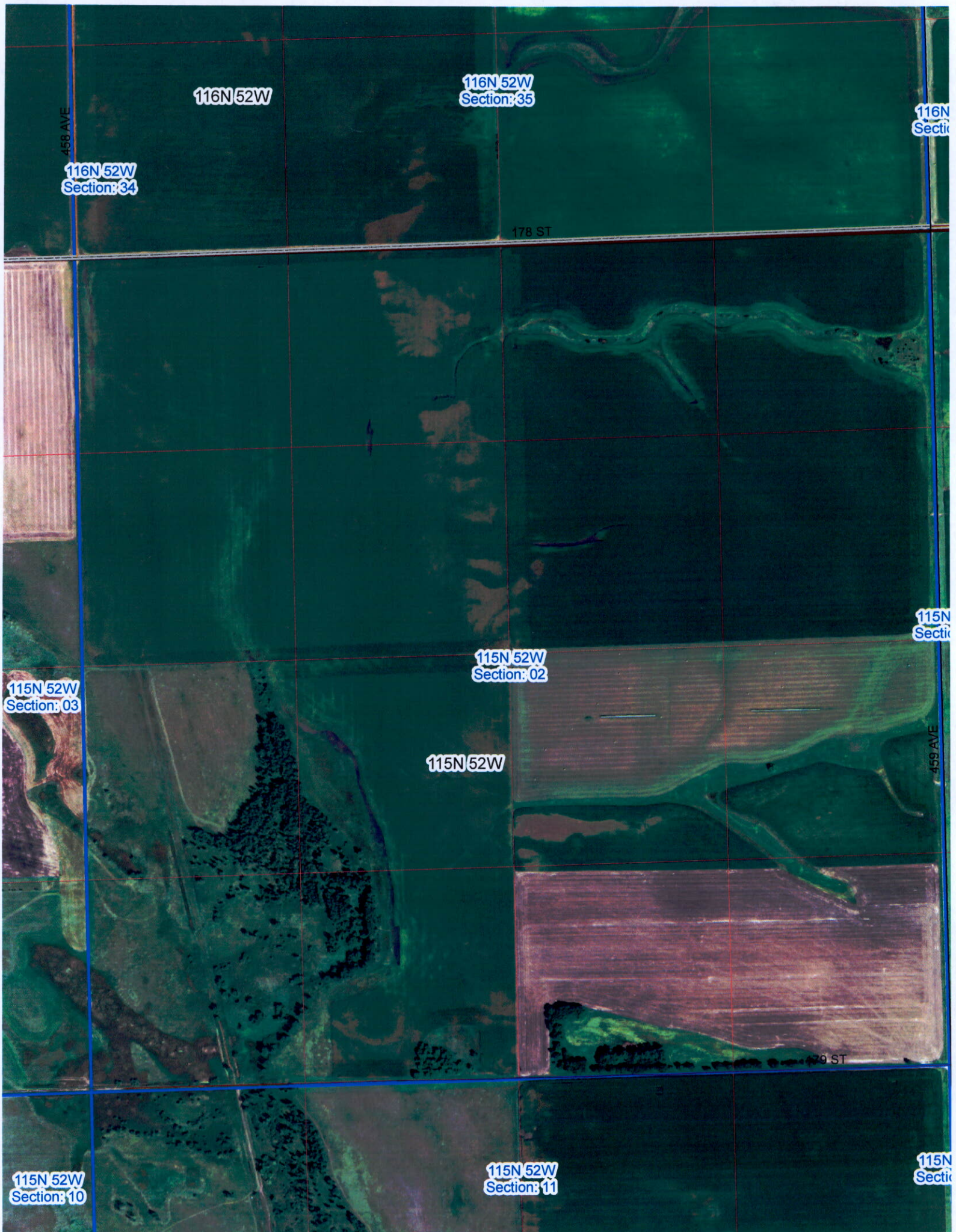
Untitled Path

well 3  
well 2 Proposed well 1

Google Earth

2000 ft





116N 52W

116N 52W  
Section: 35

116N  
Section

116N 52W  
Section: 34

178 ST

115N  
Section

115N 52W  
Section: 03

115N 52W  
Section: 02

115N 52W

459 AVE

115N 52W  
Section: 10

115N 52W  
Section: 11

115N  
Section

179 ST

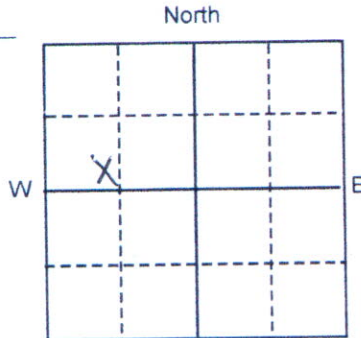


## SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW 1/4 NW 1/4 Sec 2 Twp 115 Rg 52County Hamlin

Please mark well location with an "X"



Well Completion Date

December 22, 2021

1 Mile

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

## PROPOSED USE:

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

## METHOD OF DRILLING:

## CASING DATA:

☐ Steel
 ☐ Plastic
 ☐ Other
 

If other describe \_\_\_\_\_

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

## GROUTING DATA:

| Grout Type | No. of Sacks | Grout Weight | From   | To      |
|------------|--------------|--------------|--------|---------|
| BENTONITE  | 4            | Lb/gal       | 0.0 Ft | 40.0 Ft |
|            |              | Lb/gal       | Ft     | Ft      |

Describe grouting procedure  
TREMMIE PIPED

## SCREEN:

☐ Perforated pipe
 ☐ Manufactured  
 Diameter \_\_\_\_\_ Inches Length \_\_\_\_\_ Feet  
 Material \_\_\_\_\_  
 Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet to \_\_\_\_\_ Feet  
 Other information \_\_\_\_\_
 WAS A PACKER OR SEAL USED? ☐ Yes ☐ No

If so, what material? \_\_\_\_\_

Describe packer(s) and location \_\_\_\_\_

## DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?  
☒ No, Why Not? TEST HOLE ONLY  
 Lab to which water quality sample sent for analysis \_\_\_\_\_
 Well Owner: JIM CZECH

Business Name: \_\_\_\_\_

Address: 45767 177TH STCity, State, Zip: WATERTOWN SD 57201

## WELL LOG:

| FORMATION  | DEPTH |    |
|------------|-------|----|
|            | FROM  | TO |
| TOP SOIL   | 0     | 4  |
| CLAY BROWN | 4     | 6  |
| GRAVEL     | 6     | 9  |
| SAND       | 9     | 21 |
| GRAVEL     | 21    | 28 |
| CLAY GRAY  | 28    | 40 |
|            |       |    |
|            |       |    |
|            |       |    |

STATIC WATER LEVEL \_\_\_\_\_ FEET

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_

Reduced flow rate \_\_\_\_\_ GPM

Can well be completely shut in? \_\_\_\_\_

## WELL TEST DATA:

☐ Pumped Describe: \_\_\_\_\_☐ Bailed☐ Other

Pumping Level Below Land Surface

\_\_\_\_\_ Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

\_\_\_\_\_ Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate: \_\_\_\_\_ GPM

## REMARKS

TH # 8 GPS N 44 47.8170 W 97 2.5200

300 gal

This well was drilled under license # 475 and this report is true and accurate.Drilling firm: THEIN WELL COMPANY, INC

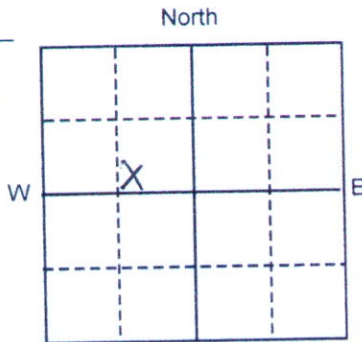
Signature of License Representative: \_\_\_\_\_

Signature of Well Owner or Equitable Property Holder: \_\_\_\_\_

Date: \_\_\_\_\_



## SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location SE 1/4 NW 1/4 Sec 2 Twp 115 Rg 52County HamlinPlease mark well  
location with an "X"

Well Completion Date

December 22, 2021

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:

CASING DATA: ☐ Steel ☐ Plastic ☐ Other

If other describe \_\_\_\_\_

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

## GROUTING DATA:

| Grout Type | No. of Sacks | Grout Weight | From   | To      |
|------------|--------------|--------------|--------|---------|
| BENTONITE  | 4            | Lb/gal       | 0.0 Ft | 40.0 Ft |
|            |              | Lb/gal       | Ft     | Ft      |

Describe grouting procedure  
TREMMIE PIPED

## SCREEN:

☐ Perforated pipe ☐ Manufactured  
 Diameter \_\_\_\_\_ Inches Length \_\_\_\_\_ Feet  
 Material \_\_\_\_\_  
 Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet to \_\_\_\_\_ Feet  
 Other information \_\_\_\_\_
WAS A PACKER OR SEAL USED? ☐ Yes ☐ No

If so, what material? \_\_\_\_\_

Describe packer(s) and location \_\_\_\_\_

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How? \_\_\_\_\_☒ No, Why Not? \_\_\_\_\_

TEST HOLE ONLY

Lab to which water  
quality sample sent for analysis \_\_\_\_\_Well Owner: JIM CZECH

Business Name: \_\_\_\_\_

Address: 45767 177TH STCity, State, Zip: WATERTOWN SD 57201

## WELL LOG:

| FORMATION       | DEPTH |    |
|-----------------|-------|----|
|                 | FROM  | TO |
| TOP SOIL        | 0     | 4  |
| CLAY BROWN      | 4     | 6  |
| GRAVEL          | 6     | 19 |
| SAND AND GRAVEL | 19    | 33 |
| CLAY BROWN      | 33    | 40 |
|                 |       |    |
|                 |       |    |
|                 |       |    |

## STATIC WATER LEVEL

 FEET  
 If flowing: closed in pressure \_\_\_\_\_ PSI  
 GPM flow \_\_\_\_\_ through \_\_\_\_\_ Inch pipe  
 Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_  
 Reduced flow rate \_\_\_\_\_ GPM  
 Can well be completely shut in? \_\_\_\_\_

## WELL TEST DATA:

☐ Pumped Describe: \_\_\_\_\_  
☐ Bailed  
☐ Other \_\_\_\_\_

Pumping Level Below Land Surface

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

## REMARKS

TH # 7 GPS N 44 47.8180 W 97 2.4020

300 gal

This well was drilled under license # 475 and this report is true and accurate.Drilling firm: THEIN WELL COMPANY, INC

Signature of License Representative: \_\_\_\_\_

Signature of Well Owner or Equitable Property Holder: \_\_\_\_\_

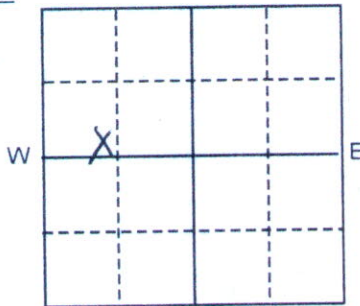
Date: \_\_\_\_\_

## SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW 1/4 NW 1/4 Sec 2 Twp 115 Rg 52County Hamlin

North

Please mark well  
location with an "X"

Well Completion Date

December 22, 2021

1 Mile

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

## PROPOSED USE:

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

## METHOD OF DRILLING:

CASING DATA: ☐ Steel ☐ Plastic ☐ Other

If other describe \_\_\_\_\_

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

## GROUTING DATA:

| Grout Type | No. of Sacks | Grout Weight | From   | To      |
|------------|--------------|--------------|--------|---------|
| BENTONITE  | 4            | Lb/gal       | 0.0 Ft | 40.0 Ft |
|            |              | Lb/gal       | Ft     | Ft      |

Describe grouting procedure  
TREMMIE PIPED

## SCREEN:

☐ Perforated pipe ☐ Manufactured

Diameter \_\_\_\_\_ Inches Length \_\_\_\_\_ Feet

Material \_\_\_\_\_

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet to \_\_\_\_\_ Feet

Other information \_\_\_\_\_

WAS A PACKER OR SEAL USED? ☐ Yes ☐ No

If so, what material? \_\_\_\_\_

Describe packer(s) and location \_\_\_\_\_

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How? \_\_\_\_\_☒ No, Why Not? \_\_\_\_\_

TEST HOLE ONLY

Lab to which water  
quality sample sent for analysis \_\_\_\_\_Well Owner: JIM CZECH

Business Name: \_\_\_\_\_

Address: 45767 177TH STCity, State, Zip: WATERTOWN SD 57201

## WELL LOG:

| FORMATION       | DEPTH |    |
|-----------------|-------|----|
|                 | FROM  | TO |
| TOP SOIL        | 0     | 4  |
| CLAY BROWN      | 4     | 6  |
| GRAVEL          | 6     | 10 |
| SAND AND GRAVEL | 10    | 28 |
| CLAY GRAY       | 28    | 40 |
|                 |       |    |
|                 |       |    |
|                 |       |    |
|                 |       |    |

STATIC WATER LEVEL \_\_\_\_\_ FEET

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_

Reduced flow rate \_\_\_\_\_ GPM

Can well be completely shut in? \_\_\_\_\_

## WELL TEST DATA:

☐ Pumped Describe: \_\_\_\_\_☐ Bailed☐ Other \_\_\_\_\_

Pumping Level Below Land Surface

\_\_\_\_\_ Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

\_\_\_\_\_ Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate: \_\_\_\_\_ GPM

## REMARKS

TH # 9 GPS N 44 47.8150 W 97 2.6150

300 gal.

This well was drilled under license # 475 and this report is true and accurate.Drilling firm: THEIN WELL COMPANY, INC

Signature of License Representative: \_\_\_\_\_

Signature of Well Owner or Equitable Property Holder: \_\_\_\_\_

Date: \_\_\_\_\_



# RECEIPT

## WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date June 14, 2023

RECEIVED OF Sioux River Dairy, Inc. 45767 177<sup>th</sup> St., Watertown SD 57201

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

|                                                                                                                        |                  |
|------------------------------------------------------------------------------------------------------------------------|------------------|
| Fee for Application for Permit No. <u>8771-3</u> to Appropriate Water, to construct and to put water to beneficial use | \$ <u>750.00</u> |
| 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>8771-3</u>            | \$ <u>200.00</u> |
| Fee for Filing Transfer Form _____                                                                                     | \$ _____         |
| 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>950.00</u> |

By Eric Gronlund  
Chief Engineer  
ERG

Okay Ron  
Per Duval

**LIMITED LIABILITY COMPANY OPERATING AGREEMENT**

**OF**

**COUNTY LINE DAIRY, LLC,  
a South Dakota Limited Liability Company**



## **OPERATING AGREEMENT**

This Operating Agreement (the "Agreement") is made and entered into this 29 day of MAY, 2023, by DRUMGOON YOUNGSTOCK, LLC, and CZECH FARM MANAGEMENT, LLC, (hereinafter referred to as the "Member").

### **RECITALS**

The Members have formed a limited liability company named COUNTY LINE DAIRY, LLC, a South Dakota limited liability company under the laws of the State of South Dakota (hereinafter referred to as the "LLC").

The articles of organization were filed on December 29, 2022, with the Secretary of State of the State of South Dakota (hereinafter referred to as "Articles of Organization").

In consideration of the covenants and the promises made herein, the parties hereby agree as follows:

### **SECTION 1: DEFINITIONS**

1.1 "Agreement" means this Limited Liability Company Operating Agreement, as amended.

1.2 "Articles of Organization" means the articles of organization which were filed on December 29, 2022, with the secretary of state of the State of South Dakota for the purpose of forming this LLC.

1.3 "Code" means the Internal Revenue Code of 1986, as amended.

1.4 "Capital Account" means the amount of a Member's Capital Contribution, as adjusted, including but not limited to increases due to profits or additional contributions and decreases due to losses and distributions.

1.5 "Capital Contribution" means any contribution of value, including but not limited to cash, property, assets, etc., by a Member to the capital of the LLC.

1.6 "Financial Interest" means a Member's right to share in the profits, losses, incomes, expenses, or other monetary items and to receive distributions and allocations from the LLC.

1.7 "LLC" means COUNTY LINE DAIRY, LLC, a South Dakota limited liability company under the laws of the State of South Dakota.

1.8 "LLC Interest" or "Interest" means an ownership interest in the LLC, which includes the Financial Interest, the right to vote, the right to participate in management,

and the right to obtain information concerning the LLC and any other rights granted to a Member under the Articles of Organization or this Agreement.

1.9 "Manager" or "Managers" means the person(s) elected, appointed, or otherwise designated in accordance with this Agreement to manage and operate the LLC. Whenever the word "manager" is used, it is intended to apply to any person named herein regardless of gender or number. Also, as used in this agreement where appropriate, the masculine includes the feminine, and the singular includes the plural (and vice versa).

1.10 "Member" or "Members" means any person(s) or entity(s) who owns any interest in this LLC. Whenever the word "member" is used, it is intended to apply to any person named herein regardless of gender or number. Also, as used in this agreement where appropriate, the masculine includes the feminine, and the singular includes the plural (and vice versa).

1.11 "Property" means any and all assets, in whole or in part, of the LLC, both tangible and intangible.

1.12 "Statute" means the South Dakota Limited Liability Company Act, as amended.

## SECTION 2: FORMATION

2.1 *Formation of the LLC.* The Member has formed the LLC pursuant to the laws of the State of South Dakota by filing the Articles of Organization with the secretary of state.

2.2 *Name.* The name of the LLC is COUNTY LINE DAIRY, LLC. The Member shall operate the business of the LLC under such name or use such other names as the Member deems necessary provided that such names do not violate the statute.

2.3 *Principal Office.* The LLC's principal place of business will be located at 45767 177<sup>th</sup> Street, Watertown, South Dakota 57201, or any other location agreed upon by the Member. If the principal office is located outside the state of organization, and the LLC has one or more business offices in the state of organization, the Member shall fix and designate a principal business office in the state of organization. Branch or subordinate offices may be established at any time and at any place as the Member may determine.



2.4 *Term.* The LLC will continue to exist until terminated or dissolved in accordance with its Articles of Organization or this Agreement.

2.5 *Business Purpose.* The purposes of the LLC are to own and manage agricultural businesses with the intent to maximize profitability, and to engage in any other business or activity that is necessary and proper to accomplish the above purposes.

2.6 *Registered Agent.* The LLC's registered agent will be REBECCA L. RONAYNE, or any other person or entity with an office in the state of organization as determined by the Members.

2.7 *Registered Office.* The LLC's registered office will be the office of the registered agent located at P.O. Box 759, Aberdeen, South Dakota 57402-0759, or any other location within the state of organization as determined by the Members.

### SECTION 3: MEMBERSHIP

3.1 *Initial Members.* The initial Members of the LLC are those persons set forth in this Agreement.

3.2 *Additional Members.* Additional persons or entities may be admitted to the LLC as Members, and LLC Interests may be issued to those additional Members, if a majority of LLC Interests of the current Members consent to the admission of the additional Members on such terms and conditions as determined by a majority of LLC Interests of the Members and in accordance with the Articles of Organization and this Agreement. All new Members must sign a copy of this Agreement and agree to be bound by the terms of this Agreement.

3.3 *Liability to Third Parties.* No Member shall be liable for the debts, obligations or liabilities of the LLC to a third party unless the Member agrees in writing to be liable.

3.4 *Authority.* No Member has the authority or power to act for or on behalf of, to bind, or incur liability on behalf of the LLC except as provided in the Agreement.

3.5 *Withdrawal.* No Member has the right to withdraw from the LLC as a Member except as provided in this Agreement. However, a Member has the power to withdraw but such withdrawal shall be deemed a breach of this Agreement. If a Member does exercise such power of withdrawal in breach of this Agreement, the Member shall be liable to the LLC and the other Members for all monetary damages as a result of the

breach, including but not limited to direct, indirect, incidental, and consequential damages. The LLC and the other Members shall not have the right to prevent the withdrawing Member from withdrawing through the use of an injunction or otherwise.

3.6 *Compensation.* No Member shall receive compensation for services rendered to the LLC except as expressly permitted by this Agreement, any other written agreement, or upon approval by 100% of the LLC interest. However, the LLC shall reimburse Members for any expense paid by them that is properly an expense of the LLC.

#### SECTION 4: CAPITAL ACCOUNTS

4.1 *Initial Contributions.* The initial Members shall contribute to the LLC cash or an interest in real estate and shall receive the following LLC Interest:

| <u>Name</u>                | <u>LLC Interest</u> | <u>Initial Contribution</u> |
|----------------------------|---------------------|-----------------------------|
| DRUMGOON YOUNGSTOCK, LLC   | 50%                 | \$6,000,000.00              |
| CZECH FARM MANAGEMENT, LLC | 50%                 | \$6,000,000.00              |

4.2 *Additional Contributions.* Except as specifically set forth in this Agreement, no Member shall be required to make any additional Capital Contributions.

4.3 *Failure to Contribute.* If a Member fails to timely provide a required Capital Contribution, the LLC may take such action as it deems necessary and appropriate including but not limited to instituting a court proceeding to obtain payment, canceling the Member's LLC Interest, or exercising any other right or remedy available at law or equity.

4.4 *Capital Accounts.* A Capital Account (hereinafter referred to as "Capital Account") shall be established and maintained for each Member. Each Member's Capital Account will be accounted for separately and will be maintained in accordance with generally accepted accounting principles. However, a Member who has more than one LLC Interest shall have only one Capital Account that reflects all of that Member's LLC Interests. If a Member validly transfers his or her LLC Interest, the Capital Account of the transferring Member shall carry over to the transferee Member in accordance with the Code.

4.5 *Adjustments to Capital Accounts.* Each Member's Capital Account shall be adjusted as follows:



(a) *Increases.* Each Member's Capital Account shall be increased by:

- (1) Capital contributions of cash and/or property at its agreed upon fair market value;
- (2) All items of LLC income and gain (including income and gain exempt from tax).

(b) *Decreases.* Each Member's Capital Account shall be decreased by:

- (1) Distributions of cash and/or property at its agreed upon fair market value;
- (3) All items of LLC deduction and loss (including deductions and loss exempt from tax).

4.6 *Advances by Members.* Members may, at any time, advance moneys to the LLC. An advance is a loan from the Member to the LLC and shall bear interest at the prevailing interest rate. An advance is not a Capital Contribution.

4.7 *Return of Capital.* No member shall have the right to withdraw or obtain a return of his or her capital contribution except as provided in this Agreement. The return of a member's capital contribution may not be withdrawn in the form of property other than cash except as provided in this Agreement.

## SECTION 5: ALLOCATION OF PROFITS AND LOSSES AND DISTRIBUTIONS

5.1 *Determination of Profits and Losses.* Profits and losses shall mean net income and net loss as determined by the books and records of the LLC which shall be kept in accordance with generally accepted accounting principles and the Code.

5.2 *Allocations.* Except as provided in the Code, all items of income, revenues, deductions, gain, and loss shall be allocated pro-rata in accordance with a Member's LLC Interest.

5.3 *Qualified Income Offset.* Notwithstanding the above, if a Member unexpectedly receives any adjustments, allocations, or distributions described in Treasury Regulations Section 1.704-1(b)(2)(ii)(d)(4), (5) or (6) or any amendment thereto, or receives an allocation of loss which produces a negative capital account for any Member while any other Member has a positive capital account, then items of LLC income shall be specially allocated to such Member such that the deficit Capital Account is eliminated. This

paragraph is intended to constitute a “qualified income offset” within the meaning of Treasury Regulation Section 1.704-1 (b)(2)(ii)(d).

5.4 *Minimum Gain Chargeback.* Notwithstanding the above, if there is a net decrease in LLC “minimum gain” during a taxable year, each Member shall be specially allocated, before any other allocation, items of income and gain for such LLC taxable year (and, if necessary, subsequent years) in proportion to each Member’s share of the net decrease in LLC “minimum gain” as determined in accordance with Treasury Regulation Section 1.704-2(g)(2). This paragraph is intended to comply with the “minimum gain chargeback” provisions of Treasury Regulation Section 1.704-2(1).

5.5 *Section 704(c) Allocation.* Notwithstanding the above, to the extent that Code Section 704(c) is applicable to any item of income, gain, loss, and deduction with respect to any property (other than cash) that has been contributed by a Member and which is required to be allocated to such Member for income tax purposes, the item shall be allocated to such Member in accordance with Code Section 704(c).

5.6 *Distributions.* Distribution of LLC assets and property shall be made at such times and in such amounts as the Members determine subject to any restrictions in this Agreement. Members agree that no distributions will be made for five (5) years from the date on which the articles of organization were filed. Distributions shall be made among the Members in proportion to a Member’s Capital Account.

## SECTION 6: MANAGEMENT

6.1 *Place of Meeting.* Meetings of Members shall be held at any place within the United States designated by the Members and stated in the notice of the meeting. If no place is so specified, Members’ meetings shall be held at the LLC’s principal office.

6.2 *Annual Meeting.* An annual meeting of Members may be held on the second day in January of each year at the Company office, provided, however, that should such day fall upon a legal holiday, then the annual meeting of Members shall be held at the same time and place on the next day thereafter which is a full business day. At the annual meeting, any proper business may be transacted.

6.3 *Special Meetings.* A special meeting of the Members may be called at any time by one or more Members holding Interests which, in the aggregate, constitute not



less than eighty percent (80%) of the LLC Interests. A request for a special meeting of the Members shall be in writing, specifying the time and place of the meeting and the general nature of the business proposed to be transacted. The notice shall be delivered in accordance with paragraphs 6.4 and 6.5 below.

6.4 *Notice of Members' Meetings.* All notices of meetings of Members shall be sent or otherwise given in accordance with paragraph 6.5 below and not less than ten (10) nor more than sixty (60) days before the date of the meeting being noticed. The notice shall specify the place, date, and hour of the meeting and (i) in the case of a special meeting, the general nature of the business to be transacted, or (ii) in the case of the annual meeting, those matters which are intended to be presented for action by the Members. If a proposal contains (i) a contract or transaction in which a Member has a direct or indirect Financial Interest, (ii) an amendment of the Articles of Organization, (iii) a reorganization of the LLC, or (iv) a voluntary dissolution of the LLC, the notice shall state the general nature of such proposal.

6.5 *Manner of Giving Notice; Affidavit of Notice.* Notice of any meeting of Members shall be given either personally, by first class mail, facsimile, electronic mail, or other written communication, charges prepaid, addressed to each Member at the address of each Member appearing on the books of the LLC or more recently given by the Member to the LLC for the purpose of notice. Notice shall be deemed to have been given at the time when delivered personally, deposited in the mail, or sent by facsimile, electronic mail, or other means of written communication. If any notice addressed to a Member at the address of such Member appearing on the books of the LLC is returned to the LLC by the United States Postal Service marked to indicate that the United States Postal Service is unable to deliver the notice to the Member at such address, all future notices or reports shall be deemed to have been duly given without further mailing if the same shall be available to the Member upon written demand of the Member at the principal office of the LLC for a period of one (1) year from the date of the giving of such notice. An affidavit of the mailing or other means of giving any notice of any Members' meeting shall be executed by the Member giving such notice, and shall be filed and maintained in the books and records of the LLC.

6.6 *Conduct of Meetings.* All meetings of the Members shall be presided over by the chairman of the meeting who shall be designated by a majority of the Members at the meeting. The chairman of the meeting shall determine the order of business and the procedures to be followed at the meeting.

6.7 *Quorum.* The presence, in person or by proxy, of the holder(s) of an aggregate of fifty-one percent (51%) or more of the LLC Interests shall constitute a quorum at all meetings of the Members for the transaction of business.

6.8 *Voting.* Each Member shall have a number of votes equal to the percentage LLC Interest held by such Member. However, if a Member is not entitled to vote on a specific matter, then such Member's number of votes and LLC Interest shall not be considered for purposes of determining whether a quorum is present, or whether approval by vote of the Members has been obtained, with respect to such specific matter. An aggregate of fifty-one percent (51%) or more of the LLC Interests shall be required to approve any action, unless a greater or lesser vote is required pursuant to this Agreement or by Statute.

Any Member entitled to vote on any matter may vote part of the votes in favor of the proposal and refrain from voting the remaining votes or vote them against the proposal, but if the member fails to specify the number of votes such Member is voting affirmatively, it will be conclusively presumed that the Member's approving vote is with respect to all votes the Member is entitled to vote.

6.9 *Adjourned Meeting and Notice Thereof.* Any Members' meeting, annual or special, whether or not a quorum is present, may be adjourned from time to time by the vote of a majority of the LLC Interests represented at such meeting, either in person or by proxy, but in the absence of a quorum, no other business may be transacted at such meeting. When any meeting of Members, either annual or special, is adjourned to another time and place, notice need not be given of the adjourned meeting if the time and place thereof are announced at the meeting at which the adjournment is taken, unless a new record date for the adjourned meeting is fixed, or unless the adjournment is for more than five (5) days from the date set for the original meeting, in which case the Members shall set a new record date. Notice of any such adjourned meeting, if required, shall be given to each Member entitled to vote at the adjourned meeting in accordance with paragraphs 6.4



and 6.5 above. At any adjourned meeting, the LLC may transact any business which might have been transacted at the original meeting.

6.10 *Waiver of Notice or Consent by Absent Members.* The transactions of any meeting of Members, either annual or special, however called and noticed, and whenever held, shall be as valid as if it had occurred at a meeting duly held after regular call and notice, if a quorum be present either in person or by proxy, and if, either before or after the meeting, each Member entitled to vote but not present in person or by proxy, signs a written waiver of notice, a consent to the holding of the meeting, or any approval of the minutes thereof. The waiver of notice or consent shall state either the business to be transacted or the purpose of any annual or special meeting of Members. All such waivers, consents and approvals shall be filed with the LLC's books and records. Attendance of a Member at a meeting shall constitute a waiver of notice of such meeting, unless such person objects at the beginning of the meeting.

6.11 *Member Action by Written Consent without a Meeting.* Any action which may be taken at any annual or special meeting of Members may be taken without a meeting and without prior notice, if consent in writing, setting forth the action so taken, are signed by Members holding LLC Interests representing the aggregate number of votes equal to or greater than the minimum number of votes that would be necessary to authorize or take such action at a meeting at which all LLC Interests entitled to vote thereon were present and voted. All such consents shall be filed with the LLC's books and records.

6.12 *Proxies.* Every Member entitled to vote shall have the right to do so either in person or by one or more agents authorized by a written proxy signed by the Member and filed with the LLC. A proxy shall be revocable unless the proxy specifically states that it is irrevocable.

## SECTION 7: TRANSFER AND ASSIGNMENT OF LLC INTERESTS

7.1 *Transfer or Assignment of Member's Interest.* Except as otherwise provided in this Agreement, no Member may transfer and/or assign, in whole or in part, his or her LLC Interest at any time. For purposes of this Agreement, transfer shall mean sale, exchange, assignment, alienation, disposition, gift, pledge, hypothecation, encumbrance, or grant of security interest in the LLC Interest. .

7.2 *Consent to Transfer.* No transfer or assignment of a LLC Interest, or any part thereof, will be valid without the express written consent of all of the LLC Interests,

excluding the Member proposing to transfer or assign his or her LLC Interest. If a LLC Interest is transferred or assigned without the consent of all of the LLC Interests, the transferee shall have no rights in nor may participate in the management or operation of the business and affairs of the LLC nor have the right to become a Member of the LLC. Any transfer or assignment of a LLC Interest without the proper consent shall only affect a transfer or assignment of the Member's Financial Interest, and the transferring Member shall still be bound to the terms of this Agreement. If a transfer or assignment does obtain the required consent, then the transferee shall be admitted as an additional Member pursuant to this Agreement.

7.3 *Transfer to Family Members.* For purposes of this section, the restriction on the transfer or assignment of a LLC Interest shall not apply to transfers or assignments to a Member's immediate family, including his or her spouse, parents, siblings, and children, or a trust, corporation, or other entity controlled by the transferring Member.

#### SECTION 8: BOOKS AND RECORDS

8.1 *Maintenance of Books and Records.* The LLC shall establish and maintain appropriate books and records of the LLC in accordance with generally accepted accounting principles. There shall be kept at the principal office of the LLC and the registered office of the LLC, if different, the following LLC documents:

- (a) A current list of the name and business or residence address of each Member and his or her Capital Contribution and LLC Interest;
- (b) A current list of the name and business or residence address of each Manager, if any;
- (c) A copy of the Articles of Organization and this Agreement and any amendments thereto;
- (d) Copies of the LLC's federal, state, and local income tax or information returns, if any, for the past six fiscal years;
- (e) Copies of the financial statements of the LLC, if any, for the past six fiscal years;
- (f) Originals or copies of all minutes, actions by written consent, consents to action, and waivers of notice to Members, Member votes, actions and consents; and
- (g) Any other information required to be maintained by the LLC pursuant to the state of organization's LLC statute.



8.2 *Annual Accounting.* Within 90 days after the close of each fiscal year of the LLC, the LLC shall cause to be prepared and submitted to each Member a balance sheet and income statement for the preceding fiscal year of the LLC (or portion thereof) in conformity with generally accepted accounting principles and provide to the Members all information necessary for them to complete federal and state tax returns.

8.3 *Inspection and Audit Rights.* Each Member has the right, upon reasonable request, for purposes reasonably related to the interest of that Member, to inspect and copy during normal business hours any of the LLC books and records. Such right may be exercised by the Member or his or her agent or attorney. Any Member may require a review and/or audit of the books, records, and reports of the LLC.

8.4 *Bank Accounts.* All funds of the LLC shall be deposited in the LLC's name in such banks as determined by the Members. All checks, drafts, or other orders for payment of money, notes or other evidences of indebtedness, issued in the name of or payable to the LLC, shall be signed or endorsed by such person or persons and in such manner as, from time to time, shall be determined by the Members.

8.5 *Fiscal Year.* The LLC's fiscal year shall end on December 31.

8.6 *Accounting Method.* For financial reporting purposes, the books and records of the LLC shall be kept on the cash method of accounting applied in a consistent manner and shall reflect all transactions of the LLC and be appropriate and adequate for the purposes of the LLC.

## SECTION 9: TAXATION

9.1 *Tax Year.* The LLC's taxable year shall end on December 31.

9.2 *Tax Matters Partner.* A majority of LLC Interests at a meeting of the Members shall appoint a Tax Matters Partner pursuant to Code Section 6231 to represent the LLC. The Tax Matters Partner, on behalf of the LLC, shall oversee the LLC tax affairs in the overall best interests of the LLC and make all elections for federal income tax purposes. The Tax Matters Partner shall have all necessary federal and state income and information tax returns prepared and filed on behalf of the LLC. The determination of the Tax Matters Partner as to adjustments to the financial reports, books, records, and returns of the LLC, in the absence of fraud or gross negligence, shall be final and binding upon the LLC and all of the Members.

## SECTION 10: INDEMNIFICATION

10.1 *Definitions: Agents, Proceedings, and Expenses.* For the purposes of this Agreement, "Agent" means any person who is or was a Member, Manager, Officer, employee, or other agent of this LLC; "Proceeding" means any threatened, pending or completed action or proceeding, whether civil, criminal, administrative, or investigative; and "Expenses" means any and all costs, fees, and expenses including but not limited to court costs and attorneys' fees.

10.2 *Actions Other Than by the LLC.* The LLC shall indemnify and hold harmless any person or Agent who was or is a party, or is threatened to be made a party, to any Proceeding (other than an action by or in the right of this LLC) by reason of the fact that such person is or was an Agent of this LLC, against Expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with such Proceeding, if that person acted in good faith and in a manner that person reasonably believed to be in the best interests of this LLC, and, in the case of a criminal proceeding, had no reasonable cause to believe his or her conduct was unlawful. The termination of any Proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner which the person reasonable believed to be in the best interests of this LLC or that the person had reasonable cause to believe that his or her conduct was unlawful.

### 10.3 *Actions by the LLC.*

- (a) This LLC shall indemnify any person or Agent who was or is a party, or is threatened to be made a party, to any threatened, pending, or completed action by or in the right of this LLC to procure a judgment in its favor by reason of the fact that the person is or was an Agent of this LLC, against expenses actually and reasonably incurred by that person or Agent in connection with the defense or settlement of that action if that person or Agent acted in good faith, in a manner that person or Agent believed to be in the best interests of this LLC, and with such care, including reasonable inquiry, as an ordinary prudent person in a like position would use under similar circumstances.
- (b) No indemnification, however, shall be made under this Section (i) with respect to any claim, issue or matter as to which that person or Agent shall have been adjudged to be liable to this LLC in the performance of that person's or Agent's duty to the LLC, unless the court in which that action was



brought shall determine upon application that the person or Agent is fairly and reasonably entitled to indemnity for the expenses which the court shall determine; (ii) for amounts paid in settling or otherwise disposing of a threatened or pending action, with or without court approval; or (iii) for Expenses incurred in defending a threatened or pending action which is settled or otherwise disposed of without court approval.

10.4 *Successful Defense by Agent.* To the extent that an Agent of this LLC has been successful on the merits in defense of any Proceeding, the agent shall be indemnified against Expenses actually and reasonably incurred by the Agent in connection with the Proceeding.

10.5 *Required Approval.* Any indemnification under this Section shall be made by the LLC only if authorized upon a determination by a majority vote of the LLC Interests of Members who were not parties to the proceeding at a duly held meeting of the Members at which a quorum is present.

10.6 *Advance of Expenses.* Expenses incurred in defending any Proceeding may be advanced by the LLC before the final disposition of the Proceeding upon receipt of an undertaking by or on behalf of the Agent to repay the amount of the advance unless it shall be determined ultimately that the Agent is entitled to be indemnified.

10.7 *Other Contractual Rights.* Nothing contained in this Section shall affect any right to indemnification to which Agents of this LLC or any subsidiary may be entitled by contract, by vote of the Members, as a matter of law or equity, or otherwise.

10.8 *Insurance.* The LLC may, upon a determination by the Members, purchase and maintain insurance on behalf of any Agent of the LLC against any liability which might be asserted against or incurred by the Agent in such capacity, or which might arise out of the Agent's status as such, whether or not the LLC would have the power to indemnify the Agent against that liability.

10.9 *Amendment to State of Organization's Laws.* In the event that the state of organization's law regarding indemnification of members, managers, directors, officers, employees, and other agents of a LLC, as in effect at the time of adoption of this Agreement, is subsequently amended to in any way that increases the scope of permissible indemnification beyond that set forth herein, the indemnification authorized by this Section shall be deemed to be coextensive with the maximum afforded by the state of organization's law as so amended.

## SECTION 11: LLC CERTIFICATES

11.1 *Issuance of LLC Certificates.* Each Member's LLC Interest shall be represented by a LLC Certificate. Upon the execution of this Agreement and the payment of the Capital Contributions by the Member, the Members shall have the LLC issue one or more LLC Certificates in the name of each Member certifying that the named Member is the record holder of the LLC Interests.

11.2 *Transfer of LLC Certificates.* An LLC Interest which is transferred in accordance with the terms of this Agreement shall be transferable on the books of the LLC. However, the transfer of an LLC Interest shall not be entered until the previously issued LLC Certificate representing such LLC Interest is surrendered to the LLC and canceled and a replacement LLC Certificate is issued to the assignee of such LLC Interest.

11.3 *Lost, Stolen, or Destroyed Certificates.* The LLC shall issue a new LLC certificate in place of any LLC Certificate LLC Certificate satisfactorily proves that previously issued LLC Certificate has been lost, destroyed, or stolen. If a Member fails to notify the LLC within a reasonable time after it has notice of the loss, destruction, or theft of a LLC Certificate, and a transfer of the LLC Interest represented by the LLC Certificate is registered before receiving such notification, the LLC shall have no liability with respect to any claim against the LLC for such transfer or for a new LLC Certificate.

## SECTION 12: TERMINATION AND DISSOLUTION

12.1 *Dissolution.* The LLC shall be dissolved upon the occurrence of any of the following events:

- (a) The expiration of the period fixed in the Articles of Organization;
- (b) The written consent of a majority of the LLC Interests;
- (c) The death, withdrawal, resignation, expulsion, bankruptcy or dissolution of a Member, or the occurrence of any other event which terminates the Member's continued membership in the LLC, unless the business of the LLC is continued by the consent of a majority of the remaining LLC Interests within ninety (90) days of the happening of that event.



12.2 *Statement of Intent to Dissolve.* Upon the occurrence of any of the events specified above, the LLC shall execute and file a Statement of Intent to Dissolve.

12.3 *Conduct of Business.* Upon the occurrence of any of the events specified above, a majority of the members shall appoint one or more of the Members to act as liquidator and wind up all LLC business and affairs. However, the LLC shall continue to exist until Articles of Dissolution have been filed or until a decree dissolving the LLC has been entered by a court of competent jurisdiction.

12.4 *Distribution of Net Proceeds.* Upon the occurrence of any of the events specified above and the completion of the winding up all LLC business and affairs, the assets of the LLC shall be promptly liquidated and distributed in the following order:

- (a) To the payment of creditors, excluding Members, in the order of priority as provided by law;
- (b) To the payment of loans or advances made by the Members;
- (c) To the Members in proportion to their Capital Accounts after adjustments for all allocations of net profits and net loss.

Where the distribution consists both of cash and noncash assets, the cash shall be distributed first, in descending order, to the above categories. With respect to the noncash assets, which distribution values are to be based on the fair market value of the noncash asset as determined in good faith by the liquidator, the liquidator may sell the noncash assets and distribute the cash proceeds or distribute the assets in kind, in descending order, to the above categories.

12.5 *Termination.* The LLC shall be terminated upon the distribution of all assets. The Members shall cause the LLC to file Articles of Dissolution, if required, or take any other actions necessary to terminate the LLC.

#### SECTION 13: NOT FULL TIME PURSUIT

The members may own, be employed, or provide other services to businesses which directly compete with the LLC. Such efforts shall not be deemed as a breach of the Members' duty to LLC.

## SECTION 14: AMENDMENTS

This Agreement may be adopted, amended, altered, or repealed by the vote or written consent of all of the LLC Interests at a meeting of the Members at which a quorum is present.

## SECTION 15: GENERAL PROVISIONS

15.1 *Entire Agreement/Modification.* This Agreement contains the entire understanding of the parties with respect to the subject matter of the agreement, and it supersedes all prior understandings and agreements, whether written or oral, and all prior dealings of the parties with respect to the subject matter hereof. This Agreement, in whole or in part, cannot be changed, modified, extended, or discharged orally and no waiver of compliance with any provision or condition hereof and no consent provided for herein shall be effective unless evidenced by an instrument in writing duly executed by the party against whom enforcement of any waiver, change, modification, extension, or discharge is sought. Further, no consent or waiver, express or implied, to or of any breach or default shall constitute a consent or waiver to or of any other breach.

15.2 *Partition.* Each Member agrees that he or she has no right, and irrevocably waives any and all such rights, to have the assets of the LLC partitioned, or to file a complaint, or institute and maintain any proceeding at law or equity to have the assets of the LLC partitioned.

15.3 *Further Actions.* Each of the Members agrees to execute, acknowledge, and deliver such additional documents, and take such further actions, as may reasonably be required from time to time to carry out each of the provisions and the intent of this Agreement, and every agreement or document relating hereto, or entered into in connection herewith.

15.4 *Severability.* If any provision of this Agreement or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.



15.5 *Successor and Assigns.* This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors, legal representatives, and assigns. This Agreement may not be assigned by any party without the express written consent of the other parties.

15.6 *Notices.* All notices, requests, demands, and other communications made hereunder shall be in writing and shall be deemed duly given if delivered or sent by telex, email, facsimile, or registered or certified mail, postage prepaid, as follows, or to such other address or person as the party may designate by notice to the other party hereunder:

DRUMGOON YOUNGSTOCK  
19048 U.S. Highway 81  
Lake Norden, South Dakota 57248; and

CZECH FARM MANAGEMENT, LLC  
45767 177<sup>th</sup> Street  
Watertown, South Dakota 57201

15.7 *Attorneys' Fees.* In the event of any litigation, arbitration or other dispute arising as a result of or by reason of this Agreement, the prevailing party in any such litigation, arbitration or other dispute shall be entitled to, in addition to any other damages assessed, its reasonable attorneys' fees, and all other costs and expenses incurred in connection with settling or resolving such dispute.

15.8 *Construction.* Throughout this Agreement, the masculine, feminine, or neuter genders shall be deemed to include the masculine, feminine, and neuter and the singular, the plural, and vice versa. The section headings of this Agreement are for convenience of reference only and do not form a part hereof and do not in any way modified, interpret, or construe the intentions of the parties.

15.9 *Execution and Counterparts.* This Agreement may be executed in several counterparts each of which shall be deemed to be an original, and all such counterparts when taken together shall constitute one and the same instrument.

15.10 *Governing Law.* This agreement shall be governed by, and interpreted in accordance with, the laws of the State of South Dakota.

### CERTIFICATION

We, all members, hereby certify that the foregoing constitute the Operating Agreement of COUNTY LINE DAIRY, LLC, a limited liability company this 29 day of may, 2023.

DRUMGOON YOUNGSTOCK, LLC

By Rahy Alt  
Its member

CZECH FARM MANAGEMENT, LLC

By Jan Zent  
Its member

Members





DL241176

B0248-9362 12/29/2022 3:40PM Rec'd by SD SOS

# ARTICLES OF ORGANIZATION

DOMESTIC LIMITED LIABILITY COMPANY  
SDCL 47-34A-203, 212

Secretary of State  
500 E. Capitol Ave  
Pierre, SD 57501-5070  
(605) 773-4845

Filing Fee: \$150

Total Fee: \$150

Please Type or Print Clearly in Ink  
Please submit one Original  
Make payable to the SECRETARY OF STATE

## Article I

The name of the Company: **County Line Dairy, LLC**

## Article II

The address of the initial designated office in or out of the State of South Dakota where the company conducts its business:

Actual Street Address

**19048 U.S. HIGHWAY 81  
LAKE NORDEN, SD 57248**

Mailing Address

**19048 U.S. HIGHWAY 81  
LAKE NORDEN, SD 57248**

## Article III

SDCL 59-11-6

The South Dakota Registered Agent's Name:

South Dakota law permits the registered agent to be either (a) a noncommercial registered agent or (b) a commercial registered agent.

(a) The South Dakota Noncommercial Registered Agent's name

Name **Rebecca L Ronayne**

Actual Street Address in this State

**24 FIFTH AVENUE SW  
PO BOX 759  
ABERDEEN, SD 57402**

Mailing Address in this State

**PO BOX 759  
ABERDEEN, SD 57402**

## Article IV

The name and address of each organizer

Name

Address

**Rebecca L. Ronayne**

**24 Fifth Avenue SW, Aberdeen, South Dakota, 57401**

## Article V

The duration of the company if other than perpetual is: **Perpetual**

If the document is not to be effective upon filing by the Secretary of State, the delayed effective date is: \_\_\_\_\_



## Article VI

☒ Member-Managed      ☐ Manager-Managed

## Article VII

Beneficial Owners (optional): A beneficial owner is a person who has or in some manner controls an equity security. Please consult an attorney for legal advice if you have any questions concerning this entry. Any question under this heading is considered a request for legal advice and the secretary of state's office is, by statute, not permitted, to provide legal advice.

## Article VIII

To the fullest extent permitted by S. D. Codified Laws Ann. §47-34A-303(c), no member of the company is to be liable for its debts and obligations.

## Signature/Authorization

The Articles of Organization must be executed by the organizers.

No person may execute this report knowing it is false in any material respect. Any violation may be subject to a criminal penalty (SDCL 22-39-36).

Rebecca L. Ronayne

*Rebecca L. Ronayne*

12/29/2022

PRINTED NAME

SIGNATURE

TITLE

DATED



B0248-9364 12/29/2022 3:40PM Rec'd by SD SOS

# State of South Dakota

Office of the Secretary of State

## Certificate of Organization

Domestic Limited Liability Company

I, **Monae L. Johnson**, Secretary of State of the State of South Dakota, hereby certify that the ARTICLES OF ORGANIZATION for

**County Line Dairy, LLC**

BUSINESS ID# DL241176

with an effective date of: December 29, 2022, duly signed and verified, SDCL 47-34A-203, 212 has been received in this office and is found to conform to law.

**ACCORDINGLY**, and by virtue of the authority vested in me by law, I hereby issue this Certificate of Organization and attach hereto a duplicate of the ARTICLES OF ORGANIZATION.



**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of South Dakota, in Pierre, the Capital City, this day, December 29, 2022.

*Monae L. Johnson*

**Monae L. Johnson**  
Secretary of State

12/29/2022 3:40 PM

## Rodriguez, Rachel

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**From:** Jim Czech <siouxriverdairy@gmail.com>  
**Sent:** Thursday, June 15, 2023 10:21 AM  
**To:** Rodriguez, Rachel  
**Subject:** RE: [EXT] New Application - UPDATE  
**Attachments:** County Line Dairy LLC Signed Operating Agreement.pdf

Good day

Attached is the operating agreement that shows that I am a partner in county line and have signing abilities. Please let me know if emailing the document is acceptable. I will be leaving for vacation tomorrow and would like to take of anything today if possible.

Thanks Jim

---

**From:** Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>  
**Sent:** Thursday, June 15, 2023 8:15 AM  
**To:** siouxriverdairy@gmail.com  
**Subject:** FW: New Application - UPDATE

Good morning,

I am in receipt of the map, fee and test hole well logs. The only outstanding item now needed is the following:

- A review of the Secretary of State's corporation website finds Rebecca L. Ronayne listed. Your name is not listed as one of its partners. DANR will need the application to be signed by a listed partner or a statement of authority that the person signing the application (Jim Czech) has the authority to act on behalf of County Line Dairy, LLC on all matters involving the water permit application.

Thank you,

Rachel Rodriguez  
DANR | Program Assistant  
[Rachel.Rodriguez@state.sd.us](mailto:Rachel.Rodriguez@state.sd.us)



---

**From:** Rodriguez, Rachel  
**Sent:** Wednesday, June 14, 2023 2:25 PM  
**To:** [siouxriverdairy@gmail.com](mailto:siouxriverdairy@gmail.com)  
**Subject:** New Application

Thank you for submitting the *Application for a Permit to Appropriate Water in South Dakota* in Hamlin County. In order to complete the application, the following is required.



- Enclosed is the aerial photo map for the location of the dairy. On the map, please mark the 3 well locations with an "X".
- Please provide the well logs for the test holes.
- A review of the Secretary of State's corporation website finds Rebecca L. Ronayne listed. Your name is not listed as one of its partners. DANR will need the application to be signed by a listed partner or a statement of authority that the person signing the application (Jim Czech) has the authority to act on behalf of County Line Dairy, LLC on all matters involving the water permit application.
- The application fee \$750.00 plus license fee of \$200.00 equals total of \$950.00.

Once I have received all the items above, I can begin processing your application.

Thank you,

Rachel Rodriguez  
DANR | Program Assistant  
[Rachel.Rodriguez@state.sd.us](mailto:Rachel.Rodriguez@state.sd.us)





**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 8771-3, County Line Dairy, LLC**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Water Permit Application No. 8771-3, County Line Dairy, LLC, c/o Jim Czech, 45767 177<sup>th</sup> Street, Watertown SD 57201.

The Chief Engineer is recommending APPROVAL of Application No. 8771-3 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 domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The wells approved under Water Permit No. 8771-3 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 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. 8771-3 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. Water Permit No. 8771-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-36.2 or 34A-2-112 or 34A-2-124 for concentrated animal feeding operations.
4. Water Permit No. 8771-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
  - a) Chapter 74:54:01 Ground Water Quality Standards,
  - b) Chapter 74:54:02 Ground Water Discharge Permit,
  - c) Chapter 74:51:01 Surface Water Quality Standards,
  - d) Chapter 74:51:02 Uses Assigned to Lakes,
  - e) Chapter 74:51:03 Uses Assigned to Streams, and
  - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions

(continued)



5. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux:North aquifer.
6. Water Permit No. 8771-3 authorizes a total annual diversion of up to 230 acre-feet of water from the Big Sioux:North aquifer.

See report on application for additional information.



Eric Gronlund, Chief Engineer

August 8, 2023

*Report to the Chief Engineer*

*Water Permit Application No. 8771-3*

*County Line Dairy, LLC, c/o Jim Czech*

*July 26, 2023*

Water Permit Application No. 8771-3 proposes to appropriate 230 acre-feet of water annually at a maximum instantaneous diversion rate of 1.55 cubic feet of water per second (cfs) from up to three wells to be completed into the Big Sioux: North aquifer (approximately 33 feet deep). The proposed diversion points are located in the N  $\frac{1}{2}$  SW  $\frac{1}{4}$  of Section 2 for commercial use in a dairy operation which is located in the NE  $\frac{1}{4}$  of Section 2, all in T115N-R52W. This site is located in Hamlin County, approximately 6 miles south of Watertown, South Dakota.

**AQUIFER:** Big Sioux: North (BS: N)

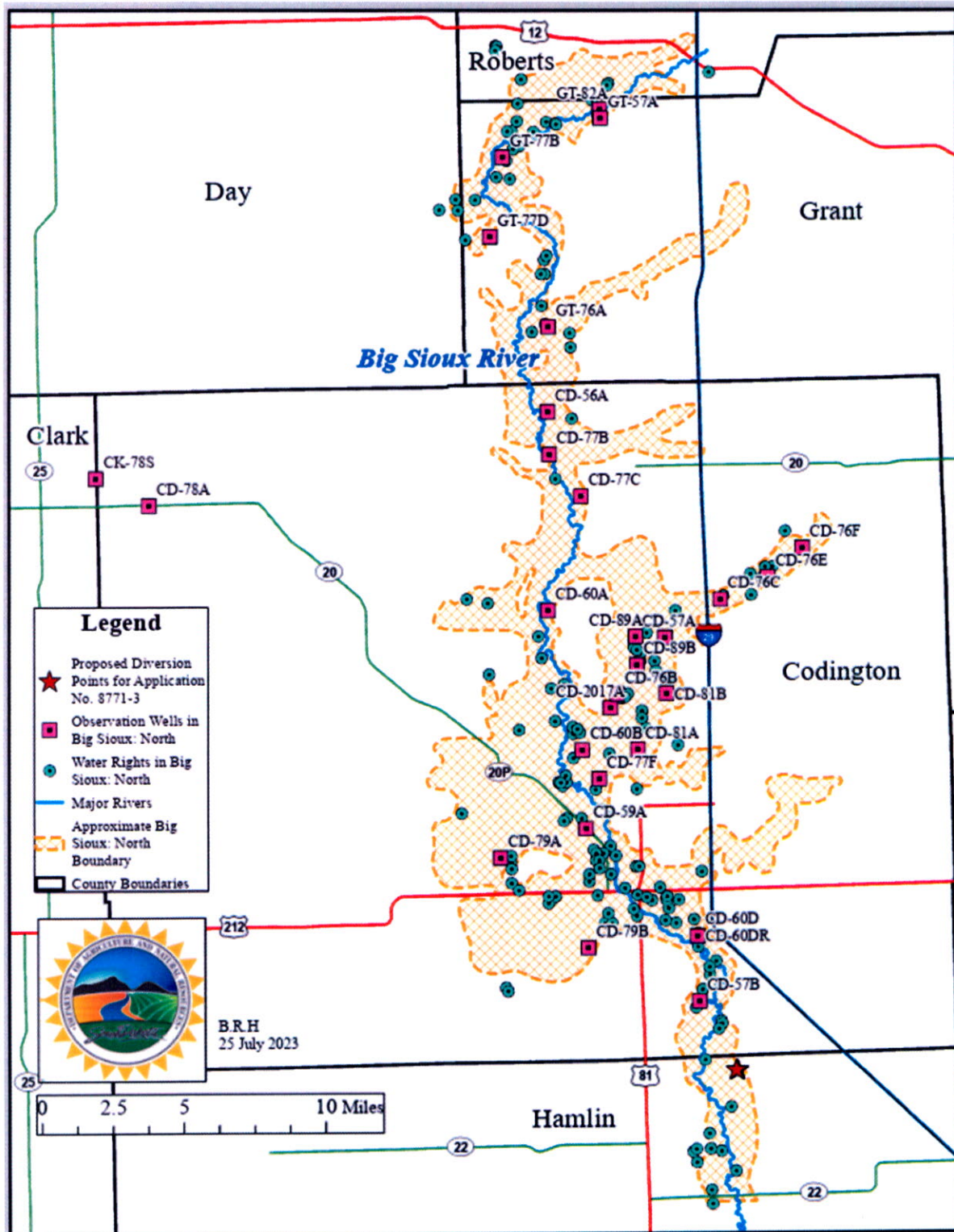
**HYDROGEOLOGY:**

The Big Sioux aquifer is a quaternary-aged glacial outwash that underlies the flood plain of the Big Sioux River and its tributaries (Hansen, 1990). The northernmost management unit is called the Big Sioux: North aquifer with the city of Castlewood, SD located near the southernmost end of the management unit. The aquifer underlies portions of Codington, Hamlin, Grant, and Roberts Counties (Hedges et al., 1982). Aquifer materials consist of poorly sorted medium sand and gravel and are generally underlain by glacial till (Hansen, 1990; Putnam and Thompson, 1996), with some confining portions of the aquifer being overlaid with 3 to 5 feet of till (Hansen, 1990). The aquifer is primarily unconfined, with the average thickness of aquifer materials approximately 22 to 24 feet but can range from 2 to 54 feet. (Hansen, 1994; Putnam and Thompson, 1996).

The areal extent of the Big Sioux: North aquifer is estimated to be 111,700 acres after Stonesifer (2013) reevaluated delineations by Hedges et al. (1982) along with numerous other aquifer studies outlined in Water Permit No. 7857-3. This areal extent should be considered a likely minimum. Observation wells CK-78S and CD-78A were originally determined to be Big Sioux: North aquifer observation wells but are far outside the delineation by Stonesifer (2013). The aquifer that these observation wells are completed into is still being determined (Mathiowetz, 2023).

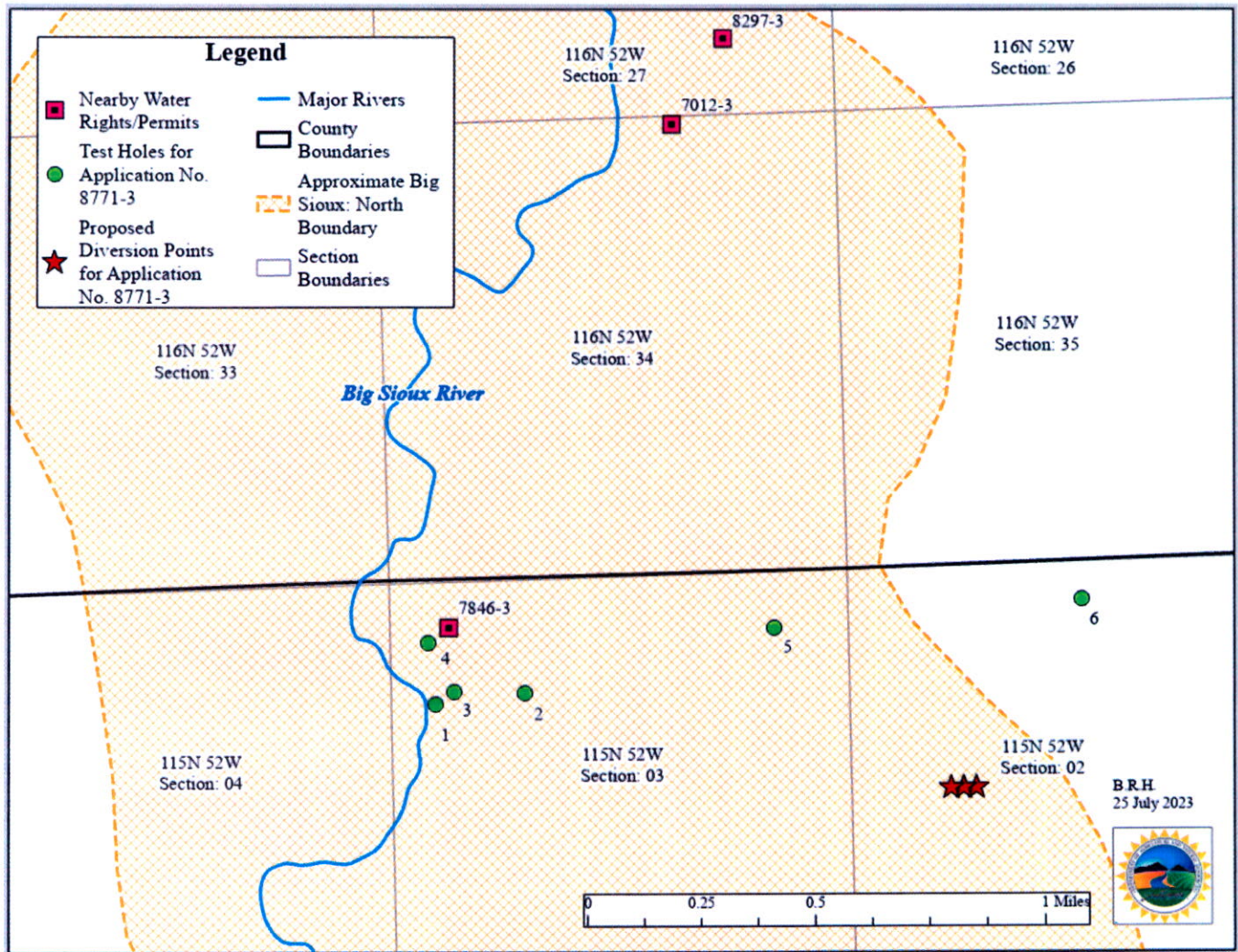


Completion reports for nine test holes drilled in Sections 2 and 3 in T115N-R52W for the applicant are on file with the Water Rights Program and three of those were included with Application No. 8771-3 (Water Rights, 2023c and 2023d). Test hole Nos. 7, 8 and 9 were chosen as the sites for the proposed diversion points. Figure 2 shows the approximate location of test holes 1 through 6 and the relative approximate location of the proposed diversion points. The test hole completion reports on file do not list a static water level; however, supplemental information on file with the application states a static water level depth of approximately 10 feet. Test holes 1 through 6 had saturated aquifer thicknesses ranging from approximately 7 to 20 feet, and depth to top of aquifer materials ranging from approximately 4 to 10 (Water Rights, 2023c and 2023d). At the proposed diversion points, the saturated aquifer thickness ranged from approximately 18 to 23 feet, and depth to top of aquifer was approximately 6 feet (Water Rights, 2023c and 2023d). This indicates water-table conditions, which matches conditions of nearby well completion reports on file for Water Permit No. 7012-3 and pending Application No. 8770-3 (Water Rights, 2023c and 2023d).



**Figure 1:** Map of the approximate Big Sioux: North aquifer areal extent (Stonesifer, 2013), the location of three wells to be completed for Application No. 8771-3, existing water rights/permits, and observation wells in the Big Sioux: North aquifer (Water Rights, 2023b and 2023c).





**Figure 2:** Map of six test holes with well completion reports (Water Rights, 2023d), the location of the three proposed diversion points for Application No. 8771-3, and the diversion points for Water Permit No. 7012-3 and pending Application No. 8770-3 (c/o Jim Czech) (Water Rights, 2023c).

## APPLICABLE SOUTH DAKOTA CODIFIED LAW (SDCL):

### SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, “A permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant’s proposed use, that the diversion point can be developed without unlawful impairment of existing domestic water uses and water rights, and that the proposed use is a beneficial use and in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board as defined by SDCL 46-2-9 and 46-2-11.” This report will address the availability of unappropriated water and the potential for unlawful impairment of existing domestic water uses and water rights within the Big Sioux: North aquifer.



### **SDCL 46-6-3.1**

Water Permit Application No. 8771-3 proposes to appropriate water from the Big Sioux: North aquifer. The probability of unappropriated water being available from the aquifer can be evaluated by considering SDCL 46-6-3.1, which requires that:

“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. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the Greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.”

Water Permit Application No. 8771-3 does not involve a public water system as defined by SDCL 46-1-6(17) and the aquifer is above the Greenhorn formation (Fahrenbach et al., 2010). Therefore, recharge and withdrawal must be considered. The methods of assessment are a hydrologic budget with quantified values of recharge and withdrawal, and observation well analysis.

### **HYDROLOGIC BUDGET:**

#### **Recharge**

Recharge to the Big Sioux: North aquifer in Codington and Grant Counties is primarily by infiltration of precipitation and seepage from surface water features when potentiometric levels are higher than those in the aquifer, especially lakes Kampeska and Pelican (Hansen, 1990; Putnam and Thompson, 1996). Water levels in the Big Sioux: North aquifer tend to fluctuate in response to the Big Sioux River and may gain water from the river (Putnam and Thompson, 1996; Thompson, 2001).

Hedges et al. (1985) used observation well analysis to estimate the recharge rates to unconfined, unburied aquifers, and the rate for Big Sioux: North aquifer was estimated to be 3.2 inches/year. The recharge rates for the entire Big Sioux aquifer using observation well analysis ranged from 2.7 to 5.6 inches/year (Hedges et al., 1985). Hansen (1990) estimated the recharge rate to the Big Sioux aquifer to range from 4 to 10 inches/year using similar methods. Using observation well analysis, Putnam and Thompson (1996) estimated recharge rates of 2.9 to 5.8 inches/year. The recharge range 2.9 to 5.8 inches/year will be used in this scenario due to the study's emphasis of the Big Sioux: North aquifer in Codington and Grant Counties. This gives a volumetric recharge rate range of approximately 27,000 to 54,000 acre-feet/year, using the areal extent of the Big Sioux: North aquifer estimated by Stonesifer (2013).



## Discharge

Discharge from the Big Sioux: North aquifer is primarily from base flow south to the Big Sioux River, evapotranspiration, and pumping from wells (Thompson, 2001). There may be outflow to adjacent lakes (Kampeska, Still, Pelican) depending on the relative stages of the lakes and aquifer (Putnam and Thompson, 1996).

Currently, there are 105 established water rights/permits (irrigation and non-irrigation use) that are authorized to appropriate water from the Big Sioux: North aquifer, and one pending application No. 8770-3 (Water Rights, 2023c). Pending Application No. 8770-3, if approved, is a non-irrigation use and requests a maximum annual volume of 56 acre-feet and will be included in the hydrologic budget for this application. Additionally, Water Right No. 8336-3 is authorized to divert water from both the Big Sioux: North and Prairie Coteau aquifers, with a specific volume limitation authorized for each aquifer. For the purpose of estimating average annual withdrawals, Water Right No. 8336-3 is assumed to withdraw their full specified volume permitted from their Big Sioux: North aquifer well. Water Right No. 5158-3 for Sioux Rural Water System has not been used since 1998. The well field has “basically been abandoned” because of water quality issues (Mathiowetz, 2014; Water Rights, 2023c). Consequently, the appropriated volume for this water right has not been included in the hydrologic budget.

Table 1 summarizes the 41 established non-irrigation water rights/permits, including three future use permits that are authorized to appropriate water from the Big Sioux: North aquifer with the estimated annual use for each water right/permit as determined by their permitted maximum diversion rate or volume. Historically, average water use by non-irrigation appropriations limited by an instantaneous diversion rate have been assumed to be pumping 60% of the time at the respective permitted diversion rate. Water rights/permits limited by an annual volume are assumed to withdraw their entire respective annual volume limitation. For non-irrigation permits that report annual pumping to the Chief Engineer and have at least 10 years of data (Water Rights, 2023f), the average of the reported withdrawal rates was used to estimate annual use. These are standard methods used by the DANR- Water Rights Program for estimating annual withdrawals by non-irrigation appropriations from an aquifer (Water Rights, 2023c).

Overall, the estimated average annual withdrawal rate from the Big Sioux: North aquifer by the non-irrigation water rights/permits (including future use water permits and pending Application No. 8770-3) is approximately 13,525 acre-feet/year (Table 1) (Water Rights, 2023c).

**Table 1:** Estimated annual use for the non-irrigation water rights/permits authorized to divert water from the Big Sioux: North aquifer (Water Rights, 2023c).

| Permit No.                                                                                                                                                                                                                                                                                                               | Name                                | Priority Date | County | Status | Use | Authorized Diversion Rate (cfs) | Permitted Volume (acre-feet) | Estimated Volume (acre-feet/year) |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|---------------|--------|--------|-----|---------------------------------|------------------------------|-----------------------------------|
| 1218-3                                                                                                                                                                                                                                                                                                                   |                                     | 12/03/1956    | CD     | FU     | MUN | N/A                             | 2,709                        | 2,709                             |
| 2107-3                                                                                                                                                                                                                                                                                                                   |                                     | 08/26/1974    | CD     | FU     | MUN | N/A                             | N/A                          | 0                                 |
| 5862-3                                                                                                                                                                                                                                                                                                                   |                                     | 04/06/1995    | CD     | FU     | MUN | N/A                             | 760                          | 760                               |
| 1716-3                                                                                                                                                                                                                                                                                                                   |                                     | 12/03/1956    | CD     | LC     | MUN | 0.8                             | N/A                          | 347.5                             |
| 2239-3                                                                                                                                                                                                                                                                                                                   |                                     | 09/02/1965    | CD     | LC     | MUN | 2.23                            | N/A                          | 968.7                             |
| 2757-3                                                                                                                                                                                                                                                                                                                   |                                     | 09/02/1965    | CD     | LC     | MUN | 1.45                            | N/A                          | 629.9                             |
| 3022-3                                                                                                                                                                                                                                                                                                                   |                                     | 09/02/1965    | CD     | LC     | MUN | 1.31                            | N/A                          | 569.1                             |
| 349-3                                                                                                                                                                                                                                                                                                                    | City of Watertown                   | 01/01/1933    | CD     | LC     | MUN | 0.33                            | N/A                          | 143.4                             |
| 350-3                                                                                                                                                                                                                                                                                                                    |                                     | 01/01/1933    | CD     | LC     | MUN | 0.8                             | N/A                          | 347.5                             |
| 351-3                                                                                                                                                                                                                                                                                                                    |                                     | 01/01/1934    | CD     | LC     | MUN | 1.12                            | N/A                          | 486.5                             |
| 352-3                                                                                                                                                                                                                                                                                                                    |                                     | 12/03/1956    | CD     | LC     | MUN | 1.12                            | N/A                          | 486.5                             |
| 6500-3                                                                                                                                                                                                                                                                                                                   |                                     | 06/14/2004    | CD     | LC     | MUN | 0.11                            | N/A                          | 47.8                              |
| 6208-3                                                                                                                                                                                                                                                                                                                   |                                     | 05/15/2000    | CD     | LC     | MUN | 0.1                             | N/A                          | 43.4                              |
| 5233-3                                                                                                                                                                                                                                                                                                                   |                                     | 09/02/1965    | CD     | LC     | MUN | 2                               | N/A                          | 868.8                             |
| 5683-3                                                                                                                                                                                                                                                                                                                   |                                     | 09/02/1965    | CD     | LC     | MUN | 2.67                            | 1160                         | 1,160                             |
| 348A-3                                                                                                                                                                                                                                                                                                                   | Watertown Municipal Utilities Dept. | 08/01/1932    | CD     | LC     | MUN | 0.33                            | N/A                          | 143.4                             |
| 4183A-3                                                                                                                                                                                                                                                                                                                  | Pelican Plaza                       | 10/27/1977    | CD     | LC     | SHD | 0.08                            | N/A                          | 34.8                              |
| 4932-3                                                                                                                                                                                                                                                                                                                   | Northern Con-Agg Inc.               | 10/27/1982    | CD     | LC     | IND | 3.12                            | N/A                          | 1,355.3                           |
| 494-3                                                                                                                                                                                                                                                                                                                    | Watertown Mall Assoc.               | 08/06/1957    | CD     | LC     | COM | 0.11                            | N/A                          | 47.8                              |
| 496-3                                                                                                                                                                                                                                                                                                                    | Medical Center                      | 08/15/1957    | CD     | LC     | COM | 0.08                            | N/A                          | 34.8                              |
| 5157-3                                                                                                                                                                                                                                                                                                                   | Magellan Pipeline Co. LLC           | 10/08/1987    | CD     | LC     | IND | 0.19                            | N/A                          | 82.5                              |
| 5318-3                                                                                                                                                                                                                                                                                                                   | Consolidated Ready Mix              | 04/11/1989    | CD     | LC     | COM | 0.1                             | N/A                          | 43.4                              |
| 5636-3                                                                                                                                                                                                                                                                                                                   | Stanley Schmitt                     | 01/01/1949    | CD     | LC     | COM | 0.033                           | N/A                          | 14.3                              |
| 1402-3                                                                                                                                                                                                                                                                                                                   | FJ McLaughlin Co                    | 04/26/1967    | CD     | LC     | COM | 1                               | N/A                          | 434.4                             |
| 5690-3                                                                                                                                                                                                                                                                                                                   | BJ's Food & Spirits                 | 07/22/1992    | CD     | LC     | COM | 0.07                            | N/A                          | 30.4                              |
| 5696-3                                                                                                                                                                                                                                                                                                                   | Rauville Café                       | 08/03/1992    | CD     | LC     | COM | 0.022                           | N/A                          | 9.6                               |
| 5954-3                                                                                                                                                                                                                                                                                                                   | Lakeland Nurseries                  | 09/09/1996    | CD     | LC     | COM | 0.022                           | N/A                          | 9.6                               |
| 6043-3                                                                                                                                                                                                                                                                                                                   | Dakota Finishing Inc.               | 01/23/1998    | CD     | PE     | IND | 0.155                           | N/A                          | 67.3                              |
| 6270-3                                                                                                                                                                                                                                                                                                                   | Dakota Plastics Company             | 07/17/2001    | CD     | LC     | IND | 0.214                           | N/A                          | 93.0                              |
| 6457-3                                                                                                                                                                                                                                                                                                                   | Big Sioux Nursery Inc.              | 12/30/2003    | CD     | LC     | COM | 0.04                            | N/A                          | 17.4                              |
| 6514-3                                                                                                                                                                                                                                                                                                                   | Concrete Dakota Redi-Mix Inc.       | 05/24/2004    | CD     | LC     | IND | 0.134                           | N/A                          | 58.2                              |
| 6595-3                                                                                                                                                                                                                                                                                                                   | Clark RWS Inc.                      | 01/26/2005    | CD     | LC     | RWS | 0.44                            | 404                          | 135.9*                            |
| 6750-3                                                                                                                                                                                                                                                                                                                   | Big Sioux Nursery Inc.              | 08/16/2006    | CD     | LC     | COM | 0.055                           | N/A                          | 23.9                              |
| 6856-3                                                                                                                                                                                                                                                                                                                   | Watertown Municipal Utilities       | 09/02/1965    | CD     | LC     | MUN | 2.14                            | 927                          | 19*                               |
| 7055-3                                                                                                                                                                                                                                                                                                                   |                                     | 04/06/1995    | CD     | LC     | MUN | 8                               | 4,500                        | 2,621.3*                          |
| 7012-3                                                                                                                                                                                                                                                                                                                   | Sioux River Dairy Inc.              | 04/10/2008    | CD     | PE     | COM | 0.089                           | N/A                          | 38.7                              |
| 7969-3                                                                                                                                                                                                                                                                                                                   | Bronson Custom Farms Inc.           | 02/13/2014    | GT     | LC     | COM | 0.2                             | N/A                          | 86.9                              |
| 8027-3                                                                                                                                                                                                                                                                                                                   | Wilbur Ellis                        | 06/13/2014    | GT     | LC     | COM | 0.09                            | N/A                          | 39.1                              |
| 8297-3                                                                                                                                                                                                                                                                                                                   | Valley View Farms Inc.              | 06/16/2017    | CD     | LC     | COM | 0.08                            | 35                           | 35                                |
| 8336-3                                                                                                                                                                                                                                                                                                                   | Everist Inc.                        | 03/12/2018    | RB     | LC     | COM | 0.044                           | 2.75                         | 2.75                              |
| 8341-3                                                                                                                                                                                                                                                                                                                   |                                     | 03/26/2018    | RB     | LC     | IND | 6.67                            | 1,199                        | 1,199                             |
| CD= Codington; GT= Grant; RB= Roberts; FU= Future Use; LC= Water Right; PE= Water Permit; MUN= Municipal; COM= Commercial; SHD= Suburban Housing Development; IND= Industrial; RWS= Rural Water System; *Average annual pumping (with at least 10 years of data) as reported by the Chief Engineer (Water Rights, 2023f) |                                     |               |        |        |     |                                 | <b>Total</b>                 | <b>13,469</b>                     |



Irrigation water rights/permits have been required to report their annual usage on an irrigation questionnaire since 1979. Table 2 shows the annual withdrawn volume of irrigation water rights/permits from 1979 to 2021. The average annual withdrawal rate for the Big Sioux: North aquifer from 1979 through 2021 is approximately 2,442 acre-feet/year (Table 2) (Water Rights, 2023a). To reflect the current development of irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2012 through 2021 is approximately 3,782 acre-feet/year (Table 2) (Water Rights, 2023a).

Currently, there are 64 irrigation water rights/permits authorized to appropriate water from the Big Sioux: North aquifer (Water Rights, 2023c). Table 2 lists 61 water rights/permits as per the 2021 irrigation questionnaire (IQ) survey, and permit applications approved for irrigation use since then include Permit Nos. 8554-3, 8622-3, and 8728-3, authorizing the irrigation of 368 acres (Water Rights, 2023a and 2023c). Generally, irrigators in eastern South Dakota apply less than one foot of water per acre per year. To account for the fluctuation in wet and dry cycles from year to year, one foot of water per acre per year is used to overestimate the annual withdrawal rate for the irrigation water permits not represented on Table 2, thus the estimated appropriation for the three water permits not listed on Table 2 is 368 acre-feet/year (Water Rights, 2023a and 2023c). The collective estimated annual withdrawal rate for irrigation water rights/permits in the Big Sioux: North aquifer is approximately 4,150 acre-feet/year (average from 2012 to 2021: 3,782 acre-feet/year, plus the estimated average annual withdrawal rate for the irrigation water permits approved after the 2021 IQ survey: 368 acre-feet/year) (Water Rights, 2023a and 2023c).

There are domestic wells completed into the Big Sioux: North aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2023d). Due to their relatively low diversion rates, withdrawals from domestic wells are generally not considered to be a significant portion of the hydrologic budget. Additionally, rural water systems have been developed in areas where the Big Sioux: North aquifer is the uppermost aquifer available, and it is likely that some domestic users have transitioned to rural water. Therefore, the quantity of water withdrawn by domestic wells is estimated to be negligible to the hydrologic budget for the aquifer.

**Table 2:** Reported historic irrigation use from the Big Sioux: North aquifer and summary statistics from 1979 to 2021 (Water Rights, 2023a).

| <b>Year</b>                | <b>No. of Permits Reporting</b> | <b>Pumpage Reported (acre-feet/year)</b> |
|----------------------------|---------------------------------|------------------------------------------|
| 1979                       | 39                              | 912                                      |
| 1980                       | 39                              | 888                                      |
| 1981                       | 37                              | 1,067                                    |
| 1982                       | 32                              | 1,384                                    |
| 1983                       | 34                              | 1,110                                    |
| 1984                       | 36                              | 1,685                                    |
| 1985                       | 36                              | 1,420                                    |
| 1986                       | 35                              | 1,079                                    |
| 1987                       | 35                              | 1,929                                    |
| 1988                       | 35                              | 2,740                                    |
| 1989                       | 40                              | 2,687                                    |
| 1990                       | 44                              | 2,520                                    |
| 1991                       | 38                              | 1,659                                    |
| 1992                       | 33                              | 1,326                                    |
| 1993                       | 34                              | 865                                      |
| 1994                       | 33                              | 1,193                                    |
| 1995                       | 32                              | 1,187                                    |
| 1996                       | 30                              | 1,498                                    |
| 1997                       | 31                              | 1,656                                    |
| 1998                       | 35                              | 1,703                                    |
| 1999                       | 35                              | 2,593                                    |
| 2000                       | 36                              | 3,013                                    |
| 2001                       | 36                              | 2,559                                    |
| 2002                       | 37                              | 2,835                                    |
| 2003                       | 37                              | 3,662                                    |
| 2004                       | 38                              | 2,449                                    |
| 2005                       | 40                              | 2,887                                    |
| 2006                       | 38                              | 4,286                                    |
| 2007                       | 38                              | 3,309                                    |
| 2008                       | 41                              | 2,744                                    |
| 2009                       | 45                              | 1,774                                    |
| 2010                       | 46                              | 2,421                                    |
| 2011                       | 46                              | 2,148                                    |
| 2012                       | 50                              | 4,970                                    |
| 2013                       | 56                              | 4,943                                    |
| 2014                       | 61                              | 3,269                                    |
| 2015                       | 61                              | 3,603                                    |
| 2016                       | 63                              | 4,436                                    |
| 2017                       | 63                              | 4,276                                    |
| 2018                       | 64                              | 3,894                                    |
| 2019                       | 62                              | 1,189                                    |
| 2020                       | 60                              | 2,966                                    |
| 2021                       | 61                              | 4,274                                    |
| <b>MIN</b>                 | 64                              | 865                                      |
| <b>MAX</b>                 | 30                              | 4970                                     |
| <b>Average (1979-2021)</b> | 42                              | 2,442                                    |
| <b>Average (2012-2021)</b> | 60                              | 3,782                                    |



### Hydrologic Budget Summary

The estimated annual recharge rate to the Big Sioux: North aquifer is approximately 27,000 to 54,000 acre-feet/year. The estimated average annual withdrawal rate from the Big Sioux: North aquifer is approximately 17,905 acre-feet/year as follows in Table 3. Based on the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Big Sioux: North aquifer for the proposed appropriation.

**Table 3:** Hydrologic Budget Summary for Application 8771-3.

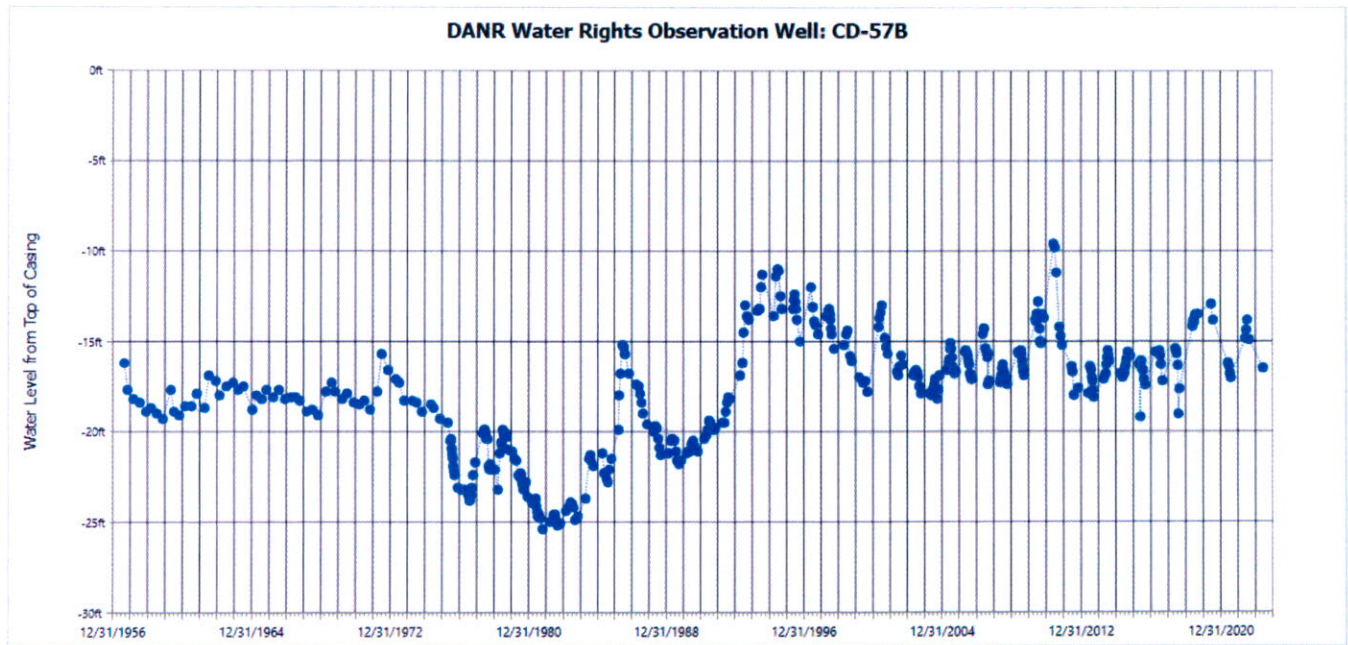
|                        |                              |
|------------------------|------------------------------|
| Non-Irrigation         | 13,525 acre-feet/year        |
| Irrigation             | 4,150 acre-feet/year         |
| Application No. 8771-3 | 230 acre-feet/year           |
| <b>Total</b>           | <b>17,905 acre-feet/year</b> |

### OBSERVATION WELL DATA:

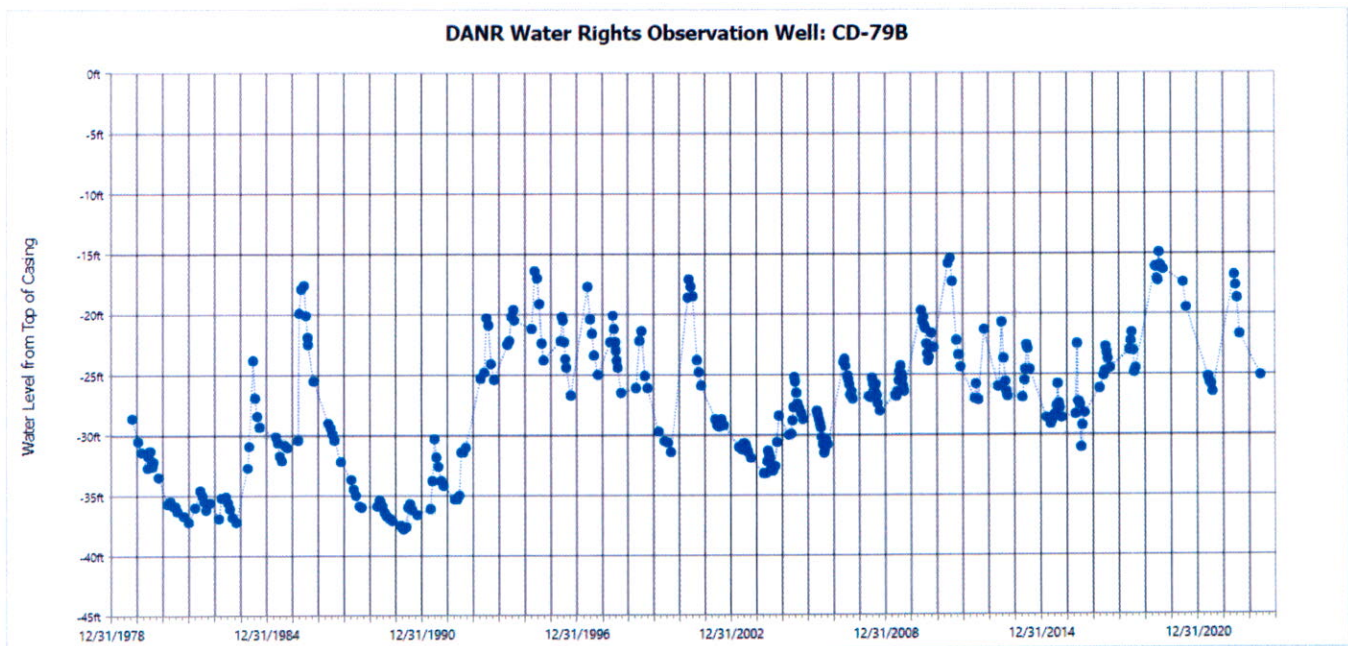
Administrative Rule of South Dakota (ARSD) 74:02:05:07 requires that the Water Management Board shall rely upon the record of observation well measurements in addition to other data to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual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

Observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The DNR-Water Rights Program monitors 29 observation wells completed into the Big Sioux: North aquifer (Water Rights, 2023b). The three closest observation wells to the diversion points for Application No. 8771-3 as shown in Figure 1) are CD-57B (approximately 2.8 miles northeast), CD-79B (approximately 6.8 miles northeast), and CD-59A (approximately 10.1 miles northeast) (Water Rights, 2023b). These observation wells are representative of the hydrographs for other observation wells completed into the Big Sioux: North aquifer. Hydrographs of observation wells are constructed by measuring the static water level from the top of the well casing over a period of record. The hydrographs of these nearest observation wells are displayed in Figures 3 to 5 (Water Rights, 2023b).

The overall trend for the hydrographs of the nearest observation wells to the proposed diversion points display stable to increasing water levels. This indicates that the Big Sioux: North aquifer responds well to climatic conditions because water levels are rising during wetter periods and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the aquifer returns to pre-pumped conditions between irrigation seasons. Aquifer recovery indicates that climatic conditions, and therefore, recharge to and natural discharge from the aquifer govern the long-term fluctuations of water levels in the aquifer rather than the impacts of pumping from the Big Sioux: North aquifer. Natural discharge can also be captured for pumping. Therefore, observation well hydrographs demonstrate that unappropriated water is available for the proposed appropriation.

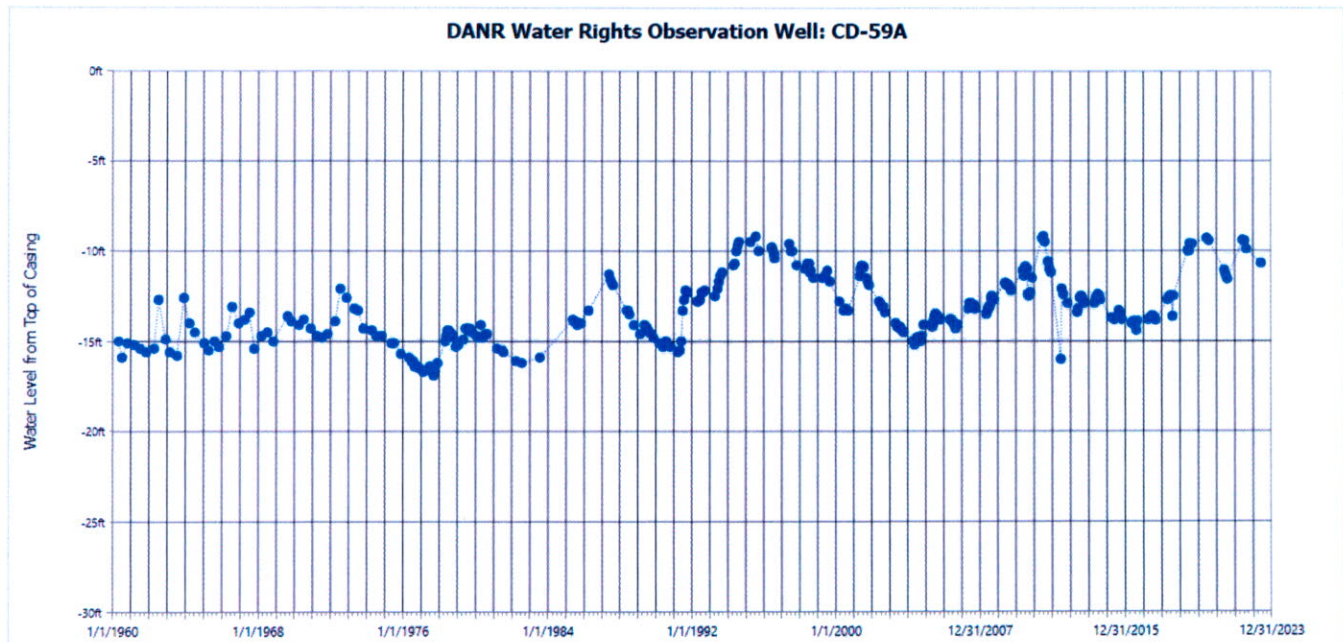


**Figure 3:** Hydrograph for observation well CD-57B (Water Rights, 2023b).



**Figure 4:** Hydrograph for observation well CD-79B (Water Rights, 2023b).





**Figure 5:** Hydrograph for observation well CD-59A (Water Rights, 2023b).

#### **POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:**

Currently, there are 105 water rights/permits and one pending application authorized to appropriate water from the Big Sioux: North aquifer (Water Rights, 2023c). The closest water right/permit to the proposed diversion points is Water Permit No. 7846-3, held by Marvin Czech. The diversion point for Water Permit No. 7846-3 is located approximately 1.3 miles northeast of the proposed diversion points for this application (Table 3) (Figure 2) (Water Rights, 2023c).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the Big Sioux: North aquifer, with the closest domestic well on file (not held by the applicant) approximately 1.4 miles northeast of the proposed diversion point (Water Rights, 2023d). There could potentially be other domestic wells completed into the Big Sioux: North aquifer near the proposed diversion points that are not on file with the DANR-Water Rights Program. The location of the domestic wells is based on the location provided at the time of completion by the well driller.

Logs for test hole Nos. 1 through 6 submitted with this application have saturated aquifer thicknesses ranging from 7 to 20 feet, and logs for the proposed diversion points (test holes Nos. 7 through 9) have saturated aquifer thicknesses ranging from 18 to 23 feet (Water Rights, 2023d). The Water Management Board recognizes that an “adequate well” is defined in ARSD 74:02:04:20(6) as:

“A well constructed or rehabilitated to allow various withdrawal methods to be used, to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer or formation material when the well is constructed, or to allow the pump to be placed as near to the bottom of the aquifer as is practical if the aquifer thickness is less than 20 feet.”

This application is to appropriate a total of 700 gallons/minute from one well producing 100 gallons/minute and the other two wells each producing 300 gallons/minute. Well completion reports located within 1.4 miles to the proposed well locations have pump rates of 130 gallons/minute and 200 gallons/minute, with saturated aquifer thicknesses ranging from 14 feet and 20 feet, respectively (Water Rights, 2023d).

The aquifer is under water-table conditions at the well site (Water Rights, 2023d). Drawdown created by pumping a well generally does not extend far from the pumped well in an unconfined aquifer. The hydrograph for observation well CD-57B completed in the Big Sioux: North aquifer shows no signs of being significantly impacted by drawdown caused by pumping, despite being located within three miles of several high yield wells (assumed to be a well with an authorized diversion rate greater than 0.2 cfs) (Figure 1) (Water Rights, 2023b and 2023c). For Codington and Hamlin Counties, there are no complaints on file with the DANR- Water Rights Program regarding well interference for adequate wells completed into the Big Sioux: North aquifer (Water Rights, 2023e).

While the best information available indicates that there is a reasonable probability average annual recharge exceeds average annual withdrawals in the aquifer, conditions can occur where withdrawals in the aquifer exceed recharge for a period of time. Situations may occur where pumping from a thicker part of an unconfined aquifer could cause drawdown impacting adequate wells in a thinner part of the aquifer. Under such conditions an unlawful impairment of senior water rights/permits, or adequate domestic wells may occur. Therefore, the applicant should control their withdrawals so that nearby adequate domestic wells and senior water rights/permits are able to access needed water.

Considering the statutes SDCL 46-2A-9 and 46-6-3.1, the generally unconfined nature of the aquifer, saturated aquifer thickness at the proposed diversion sites, and the lack of well interference complaints for adequate wells completed into the Big Sioux: North aquifer (Water Rights, 2023b, 2023c, 2023e), there is a reasonable probability that any interference from the proposed appropriation will not impose unlawful impairments on water right/permit holders or domestic users with adequate wells.



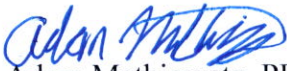
## CONCLUSIONS:

1. Application No. 8771-3 proposes to complete up to three wells to appropriate 230 acre-feet of water annually at a maximum pump rate of 1.55 cfs to be completed into the Big Sioux: North aquifer, for the commercial use in a dairy operation. The site of interest is in Hamlin County, approximately 6 miles south of Watertown, South Dakota.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Big Sioux: North aquifer to supply the proposed appropriation.
3. There is a reasonable probability that the proposed wells to be completed by Application No. 8771-3 will not unlawfully impair adequate wells for existing water rights/permits and domestic uses.



Brittan Hullinger  
Natural Resources Engineer I  
SD DANR - Water Rights Program

Reviewed by:



Adam Mathiowetz, PE  
Natural Resources Engineer IV  
SD DANR - Water Rights Program

## References

- Fahrenbach, M.D., Steece, F.V., Sawyer, J.F., et al. 2010. South Dakota Stratigraphic Correlation Chart. Oil and Gas Investigations 3. SD DANR-Geological Survey. Vermillion, SD.
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- 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; United States Army Corps of Engineers Contract DACW 45-80-C-0185.
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Water Rights, 2023c. Water Right/Permit Files. SD DANR-Water Rights Program. Joe Foss Building. Pierre, SD.

Water Rights, 2023d. Well Completion Reports. SD DANR-Water Rights Program. Joe Foss Building. Pierre, SD.

Water Rights, 2023e. County Files. SD DANR-Water Rights Program. Joe Foss Building. Pierre, SD.

Water Rights, 2023f. Non-Irrigation Yearly Reports. SD DANR- Water Rights Program. Joe Foss Building. Pierre, SD.





**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

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

August 9, 2023

County Line Dairy, LLC  
c/o Jim Czech  
45767 177<sup>th</sup> Street  
Watertown SD 57201

Dear Mr. Czech:

Water Permit Application No. 8771-3 for agricultural use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Hamlin County Republican printed at Castlewood SD (Ph # 605 793-2293) and the Public Opinion printed at Watertown SD (see attachment for contact number). 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 publishers have been instructed to publish your notice. The newspapers have 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,

*Rachel Rodriguez*

Rachel Rodriguez  
Water Rights Program  
(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. 8771-3 to Appropriate Water

Notice is given that County Line Dairy, LLC., c/o Jim Czech, 45767 177<sup>th</sup> Street, Watertown SD 57201 has filed an application for a water permit to appropriate 230 acre-feet of water annually at a maximum pump rate of 1.55 cubic feet of water per second from up to three wells to be completed into the Big Sioux: North Aquifer (approximately 33 feet deep) located in the N 1/2 SW 1/4 Section 2 for commercial use in a dairy to be located in the NE 1/4 Section 2; all in T115N-R52W. This site is located approximately 6 miles south of Watertown SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8771-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by August 28, 2023.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by August 28, 2023.

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.

Published once at the total approximate cost of \_



## Rodriguez, Rachel

---

**From:** Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>  
**Sent:** Wednesday, August 9, 2023 8:18 AM  
**To:** Rodriguez, Rachel  
**Subject:** RE: [EXT] 9155920 8771-3 County Line Dairy, LLC - Public Notice  
**Attachments:** 9155920.pdf

### ORDER #9155920

Attached is a proof of your notice **scheduled to publish once in the Public Opinion on August 16, 2023** at the total cost of \$51.20 to be **invoiced to County Line Dairy account #1025548**.

**Deadline to make any changes is BEFORE 8am Monday, 8-14-23, otherwise your notice WILL PUBLISH as stated.**

An affidavit will be processed and mailed to the Water Rights Program within 7 to 10 days after final publication date.

Liz Arceneaux  
Public Notice Representative



Office: 844-254-5287

---

**From:** Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>  
**Sent:** Tuesday, August 8, 2023 4:19 PM  
**To:** SD-Watertown Legals <legals@thepublicopinion.com>  
**Subject:** 9155920 8771-3 County Line Dairy, LLC - Public Notice

Attached is a notice to be published on August 16, 2023.

County Line Dairy, LLC., c/o Jim Czech, 45767 177th Street, Watertown SD 57201, (605 881-0992) 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 Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez  
DANR | Program Assistant  
[Rachel.Rodriguez@state.sd.us](mailto:Rachel.Rodriguez@state.sd.us)



## Rodriguez, Rachel

---

**From:** Rodriguez, Rachel  
**Sent:** Tuesday, August 8, 2023 4:18 PM  
**To:** LeeAnne Dufek  
**Subject:** 8771-3 County Line Dairy, LLC - Public Notice  
**Attachments:** 8771-3 public.short\_final.docx; FORM8.FRM.doc

Attached is a notice to be published on August 16, 2023 in the Hamlin County Republican.

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

Thank you,

Rachel Rodriguez  
DANR | Program Assistant  
Rachel.Rodriguez@state.sd.us





## Rodriguez, Rachel

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Rachel Rodriguez  
DANR | Program Assistant  
[Rachel.Rodriguez@state.sd.us](mailto:Rachel.Rodriguez@state.sd.us)



# LOCALiQ

Aberdeen News  
Watertown Public Opinion

PO Box 630567 Cincinnati, OH 45263-0567

## **PROOF OF PUBLICATION**

Water Rights Program  
County Line Dairy LLC  
45767 177th ST  
Watertown SD 57201-7169

STATE OF SOUTH DAKOTA, COUNTY OF CODINGTON

The Watertown Public Opinion is, and during all the times hereafter mentioned was, a daily legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4, as amended, published at Watertown, Codington County, South Dakota, by Watertown Public Opinion; that the notice, order or advertisement, a printed copy of which is attached, was published in said newspaper in the issue dated:

08/16/2023

and that the fees charged are legal.  
Sworn to and subscribed before on 08/16/2023

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$51.20

Order No: 9155920

# of Copies:

Customer No: 1025548

1

PO #: Water Permit #8771-3

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

AMY KOKOTT  
Notary Public  
State of Wisconsin



NOTICE OF  
APPLICATION NO. 8771-3  
to Appropriate Water

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Published 8/16/23 at the total approximate cost of \$51.20 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).  
9155920



RECEIVED

AUG 21 2023

OFFICE OF  
WATER

Form 8

**PROOF OF PUBLICATION**

STATE OF SOUTH DAKOTA )

County of Hamlin ) SS

I, LeeAnne Dufek

certify that the attached printed Notice was taken

from the Hamlin County  
Republican

printed and published in Castnewood

County of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following date:

Aug. 16, 2023

Cost of Printing \$40.36

LeeAnne Dufek  
(Signature)

Owner  
(Title)

8-17-23  
(Date Signed)

**NOTICE OF APPLICATION NO.  
8771-3 TO APPROPRIATE WATER**

Notice is given that County Line Dairy, LLC., c/o Jim Czech, 45767 177<sup>th</sup> Street, Watertown SD 57201 has filed an application for a water permit to appropriate 230 acre-feet of water annually at a maximum pump rate of 1.55 cubic feet of water per second from up to three wells to be completed into the Big Sioux: North Aquifer (approximately 33 feet deep) located in the N 1/2 SW 1/4 Section 2 for commercial use in a dairy to be located in the NE 1/4 Section 2; all in T115N-R52W. This site is located approximately 6 miles south of Watertown SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8771-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer.

A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by August 28, 2023.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by August 28, 2023.

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.

Published Aug. 16, 2023, at total cost of \$40.36 and may be viewed online at [www.sdpublicnotices.com](http://www.sdpublicnotices.com)

## Rodriguez, Rachel

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**From:** Rodriguez, Rachel  
**Sent:** Wednesday, August 9, 2023 9:22 AM  
**To:** countylinedairysd@gmail.com; siouxriverdairy@gmail.com  
**Subject:** 8771-3 County Line Dairy, LLC - Public Notice  
**Attachments:** 8771-3\_rec.pdf; Ltr8771-3.pdf; pubnotice.pdf; Invoice\_Public Opinion.pdf

Attached is a copy of the report, chief engineer recommendation and information regarding the public notice for your water permit application. As stated in the letter, **please contact the paper(s) as soon as possible to authorize publication and arrange for payment.** This information is also being mailed to you today.

Thank you,

Rachel Rodriguez  
DANR | Program Assistant  
Rachel.Rodriguez@state.sd.us







**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

AUG 31 2023

County Line Dairy, LLC.  
c/o Jim Czech  
45767 177<sup>th</sup> Street  
Watertown SD 57201

Dear Mr. Czech:

Enclosed is Water Permit No. 8771-3 authorizing construction of the 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,

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

enclosures



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

STATE OF SOUTH DAKOTA       )  
                                              ) SS  
COUNTY OF HUGHES            )

**Affidavit of Public Notice  
Posting on DANR Website**

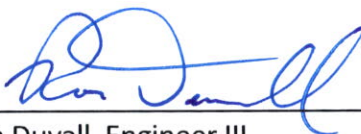
Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the application is contested, the posting is moved to the DANR contested case website at <https://danr.sd.gov/public/ContestedCase.aspx> until final action is taken on the application pursuant to SDCL § 46-2A-4.

**Application No.:** 8771-3

**Name of Applicant:** County Line Dairy, LLC., c/o Jim Czech

**Date of Posting:** 8/15/2023

**Date of Removal:** 8/31/2023

  
\_\_\_\_\_  
Ron Duvall, Engineer III

8/31/2023  
\_\_\_\_\_  
Date

Subscribed and sworn to before me, a notary public, this 31 day of August, 2023.

  
\_\_\_\_\_  
Notary Public - South Dakota  
My commission expires: **Rachel Rodriguez**  
**My Commission Expires**  
**May 16, 2029**



(SEAL)



8771-3

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

Date 1-5-2025

TO: Water Rights Program, DANR  
523 E. Capitol  
Pierre, SD 57501-3181

FROM: County Line Dairy, LLC Co Jim Czeka  
(name)

P.O. Box 786  
(address)

Watertown SD 57201  
(city, state, zip)

605-881-0992  
(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. 8771-3 states that the water use system is to be constructed by 1-1-28 8-28-28, and water is to be put to beneficial use by 1-1-28 8-28-2032.  
(date) (date)

The water use system was completed on 11-1-24.  
(date)

Applying the water to beneficial use was completed on 1-4-2025.  
(date)

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

Jim Czeka member.  
(signature)

Physical Address  
17835 ~~487~~ 459<sup>th</sup> AV  
Watertown SD 57201



RECEIVED

JAN 08 2025

OFFICE OF  
WATER



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

January 10, 2025

8771-3

County Line Dairy, LLC  
c/o Jim Czech  
45767 177<sup>th</sup> St  
Watertown SD 57201

Dear Mr. Czech:

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 water use 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,

Amanda Dewell  
Permitting Administrator  
Water Rights Program  
(605) 773-3352  
email: Amanda.Dewell@state.sd.us



8771-3

SD EForm - 1621LD V1

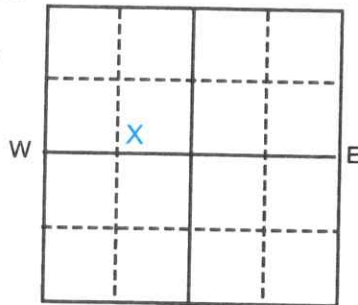
## SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Sec 2 Twp 115 Rg 52County HAMLIN ☒

North

Please mark well location with an "X"



Well Completion Date

10/17/2024

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?  
ft. from NOTHING CLOSE BY (identify source)

## PROPOSED USE:

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

## METHOD OF DRILLING:

MUD ROTARY

## CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

| PIPEWEIGHT | DIAMETER    | FROM        | TO           | HOLE DIAMETER   |
|------------|-------------|-------------|--------------|-----------------|
| LB/FT      | <u>8</u> IN | <u>0</u> FT | <u>24</u> FT | <u>12.75</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>BENTONITE</u> | <u>2.5</u>   | Lb/gal       | <u>0</u> Ft | <u>19</u> Ft |
|                  |              | Lb/gal       | Ft          | Ft           |

Describe grouting procedure

TREMMIE PIPED

## SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 8 InchesLength 10 FeetMaterial STAINLESS STEELSlot Size .080 Set From 24 Feet to 34 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? chlorinated☐ No, Why Not?Lab to which water quality sample sent for analysis livestock well onlyWell Owner: JIM CZECHBusiness Name: COUNTY LINE DAIRYAddress: 45767 177TH STCity, State, Zip: WATERTOWN ☒ SD ☒ 57201

## WELL LOG:

| FORMATION              | DEPTH       |             |
|------------------------|-------------|-------------|
|                        | FROM        | TO          |
| <u>BLACK TOP SOIL</u>  | <u>0</u>    | <u>2</u>    |
| <u>YELLOW CLAY</u>     | <u>2</u>    | <u>4</u>    |
| <u>SAND AND GRAVEL</u> | <u>4</u>    | <u>29</u>   |
| <u>BOULDER</u>         | <u>29</u>   | <u>30.5</u> |
| <u>GRAY CLAY</u>       | <u>30.5</u> | <u>40</u>   |
|                        |             |             |
|                        |             |             |
|                        |             |             |

## STATIC WATER LEVEL

10 FEET

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_

Reduced flow rate \_\_\_\_\_ GPM

Can well be completely shut in?

## WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

17.4 Ft. After 4 Hrs. pumped 260 GPM

\_\_\_\_\_ Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate: \_\_\_\_\_ GPM

## REMARKS

8" WEST WELL GPS N 44 47.8200 W 97 2.4930This well was drilled under license # 475 and this report is true and accurate.Drilling firm: THEIN WELL COMPANY, INCORPORATED

Signature of License Representative:

Michael Thein

Signature of Well Owner or Equitable Property Holder:

Jim Czech Member.Date: 11-21-24

RECEIVED

DEC 17 2024

OFFICE OF  
WATER

# SOUTH DAKOTA WATER WELL COMPLETION REPORT

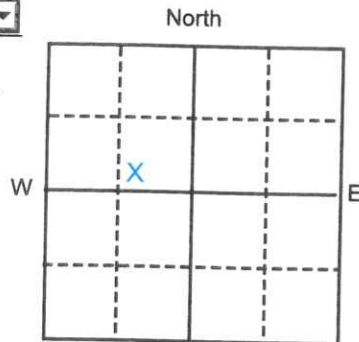
SD EForm - 1621LD V1

11-02

Location SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Sec 2 Twp 115 Rg 52

County HAMLIN ☒

Please mark well location with an "X"



Well Completion Date

10/15/2024

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?  
ft. from NOTHING CLOSE BY (identify source)

## PROPOSED USE:

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

## METHOD OF DRILLING:

MUD ROTARY

## CASING DATA:

If other describe ☐ Steel ☒ Plastic ☐ Other

| PIPEWEIGHT | DIAMETER    | FROM        | TO           | HOLE DIAMETER   |
|------------|-------------|-------------|--------------|-----------------|
| LB/FT      | <u>8</u> IN | <u>0</u> FT | <u>26</u> FT | <u>12.75</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>BENTONITE</u> | <u>2.5</u>   | Lb/gal       | <u>0</u> Ft | <u>21</u> Ft |
|                  |              | Lb/gal       | Ft          | Ft           |

Describe grouting procedure

TREMMIE PIPED

## SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 8 Inches

Length 10 Feet

Material STAINLESS STEEL

Slot Size .080 Set From 26 Feet to 36 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? CHLORINATED

Lab to which water quality sample sent for analysis

livestock only

Well Owner: JIM CZECH

Business Name: COUNTY LINE DAIRY

Address: 45767 177TH ST

City, State, Zip: WATERTOWN ☒ SD ☒ 57201

## WELL LOG:

| FORMATION       | DEPTH |    |
|-----------------|-------|----|
|                 | FROM  | TO |
| BLACK TOP SOIL  | 0     | 2  |
| YELLOW CLAY     | 2     | 5  |
| SAND AND GRAVEL | 5     | 34 |
| GRAY CLAY       | 34    | 40 |
|                 |       |    |
|                 |       |    |
|                 |       |    |
|                 |       |    |
|                 |       |    |

STATIC WATER LEVEL 10 FEET

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_

Reduced flow rate \_\_\_\_\_ GPM

Can well be completely shut in?

## WELL TEST DATA:

☒ Pumped Describe:

☐ Bailed

☐ Other

Pumping Level Below Land Surface

18.4 Ft. After 4 Hrs. pumped 260 GPM

\_\_\_\_\_ Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate: \_\_\_\_\_ GPM

## REMARKS

8" EAST WELL GPS N 44 47.8220 W 97 2.4030

This well was drilled under license # 475 and this report is true and accurate.

Drilling firm: THEIN WELL COMPANY, INCORPORATED

Signature of License Representative:

*Michael Thein*

Signature of Well Owner or Equitable Property Holder:

*Jim Czech Member*

Date: 10-21-24

RECEIVED

DEC 17 2024

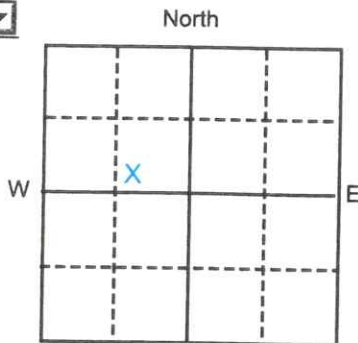
OFFICE OF  
WATER



8771-3

## SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Sec 2 Twp 115 Rg 52County HAMLINPlease mark well  
location with an "X"

Well Completion Date

10/17/2024

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?  
ft. from NOTHING CLOSE BY (Identify source)

## PROPOSED USE:

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

## METHOD OF DRILLING:

MUD ROTARY

## CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

| PIPEWEIGHT | DIAMETER    | FROM        | TO           | HOLE DIAMETER  |
|------------|-------------|-------------|--------------|----------------|
| LB/FT      | <u>6</u> IN | <u>0</u> FT | <u>26</u> FT | <u>10.0</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>BENTONITE</u> | <u>3</u>     | Lb/gal       | <u>0</u> Ft | <u>21</u> Ft |
|                  |              | Lb/gal       | Ft          | Ft           |

Describe grouting procedure

TREMMIE PIPED

## SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 6 Inches Length 5 FeetMaterial PVC SLOTTEDSlot Size .025 Set From 26 Feet to 31 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? chlorinated☐ No, Why Not?Lab to which water  
quality sample sent for analysisMVTL

RECEIVED

DEC 17 2024

OFFICE OF  
WATERWell Owner: JIM CZECHBusiness Name: COUNTY LINE DAIRYAddress: 45767 177TH STCity, State, Zip: WATERTOWN SD 57201

## WELL LOG:

| FORMATION                         | DEPTH     |           |
|-----------------------------------|-----------|-----------|
|                                   | FROM      | TO        |
| <u>BLACK TOP SOIL</u>             | <u>0</u>  | <u>3</u>  |
| <u>MED/COARSE SAND AND GRAVEL</u> | <u>3</u>  | <u>31</u> |
| <u>GRAY CLAY</u>                  | <u>31</u> |           |
|                                   |           |           |
|                                   |           |           |
|                                   |           |           |
|                                   |           |           |
|                                   |           |           |
|                                   |           |           |
|                                   |           |           |
|                                   |           |           |

STATIC WATER LEVEL 8 FEET

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_

Reduced flow rate \_\_\_\_\_ GPM

Can well be completely shut in?

## WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

13 Ft. After 4 Hrs. pumped 60 GPM

\_\_\_\_\_ Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate: \_\_\_\_\_ GPM

## REMARKS

6" MIDDLE WELL GPS N 44 47.82072 W 97 2.4456This well was drilled under license # 475 and this  
report is true and accurate.Drilling firm: THEIN WELL COMPANY, INCORPORATED

Signature of License Representative:

*Michael Thein*

Signature of Well Owner or Equitable Property Holder:

*Jim Czech Member*Date: 10-21-24



# Jim Czech ( County Line Dairy ) Sec 2 Castlewood SD 3 Wells

Legend

Jim Czech- County Line Dairy

WEST WELL 34' 8" WELL  
TH # 8 40'

6" Well 31' MIDDLE WELL

East Well 36' 8" steel

TH # 7 40'

RECEIVED  
JUL 2 2024  
OFFICE OF  
WATER



200 ft

Google Earth

Image © 2024 Airbus