

Considered: _____

WATER PERMIT NO. 5703-3

Phone: 232-4465

Name of Applicant: Jerry Mayer

Post Office Address: 90 Sunset Dr., Dakota Dunes SD 57049

Amount of Water Claimed: 0.07 cfs 32 gpm Total Acres: 2

Source of Water Supply: groundwater

Water to be used for: irrigation County: Union

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F.& C/.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received: 7-20-92 Fee: \$50 Remarks _____

Corrected Application Received 8-10-92 Period of Annual Use April 1 - Oct 31

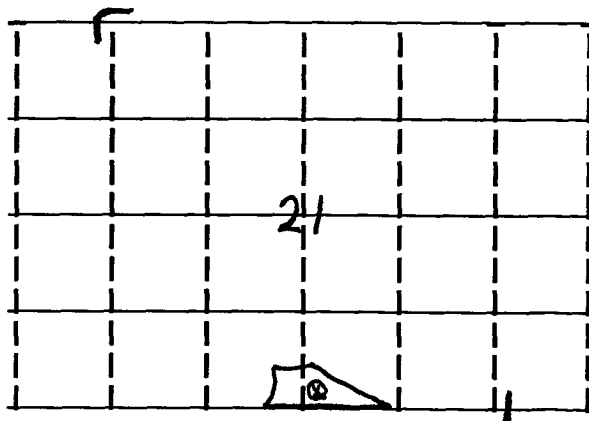
WATER QUALITY APPROVAL RECEIVED 8-27-92 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES X NO _____ REMARKS _____

Diversion Point: SW 1/4 SE 1/4 Sec 21-T89N-R48W

Land to be Irrigated: portions of SE 1/4 SW 1/4

and SW 1/4 SE 1/4 Sec 21-T89N-R48W



Well Log: Driller: Marty Soole Well Drilling Licensed YES X NO _____

Depth of Well: 187' REMARKS _____

Type of Map: aerial PREPARED BY: Howard Wagner Reviewed and the Number

Assigned on 8-27-92 By Karen Schlaak

(See instructions)

No. 5703-3 Hydrologic Unit 10/70/01
Basin Vermillion River
Newspaper Elk Point Leader-Courier, Box 310

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

1. Name of Applicant Serry, Mayer Phone No. 232-4465
Post Office Address 90 Sunset Dr. Dakota Dunes State SD Zip Code 57049
(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s) 32 gpm (0.07 cfs) Total acres irrigated aprox. 2

3. Source of Water supply well

4. Location of point of diversion SE 1/4 SW 1/4 section 21 T89N, 48W
(SW 1/4 SE 1/4)
County Union

5. Counties where water will be used Union

6. Annual period during which water is to be used April 1 - Oct - 31

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Portions of

Land Description	No. Acres Irr.
SE 1/4 SW 1/4 sect 21 T89N, 48W	2
SW 1/4 SE 1/4 Sec 21-89-48	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: Rain Bird
(Specify) lawn sprinkler

9. Crops to be Irrigated: lawn

10. Give a description of proposed project. (Attach sheet if more-space is needed)

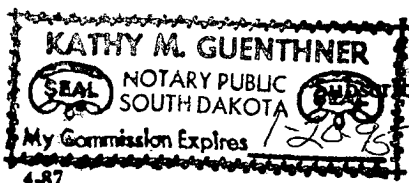
provide water to approx 2 acres of lawn



Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of _____)

I, Serry Mayer, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.



Signed _____

Subscribed and sworn to before me this 13th day of July 1992
Kathy M. Guenther
Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 5703-3**

Date of first receipt of application July 20, 1992.

Date Soil/Water Compatibility Permit received August 27, 1992.

Date of return to applicant for corrections, amendments or changes July 22, 1992.

Date of receipt of corrected application August 10, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5703-3 to Jerry Mayer, 90 Sunset Dr., Dakota Dunes SD 57049 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. 5703-3 appropriates 32 gallons per minute (0.07 cubic feet of water per second) from one well (Dakota Formation) 187 feet deep located in the SW 1/4 SE 1/4 Section 21 to irrigate portions of 2 acres located in the SE 1/4 SW 1/4 and the SW 1/4 SE 1/4 Section 21; all in T89N-R48W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is July 20, 1992.
4. The date of approval of Permit No. 5703-3 is December 2, 1992.
5. One-fifth of the construction is to be completed on or before June 2, 1995.
6. All construction is to be completed on or before December 2, 1997.
7. Water is to be put to beneficial use on or before December 2, 2001.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

(continued)

3. Approval of Permit No. 5703-3 limits the diversion rate from the one well to 13 gallons per minute (gpm) unless the number of hours of irrigation per day are reduced to a corresponding equivalent time period and the total amount of water applied does not exceed 24 inches per year. At a pumping rate of 32 gpm, the pumping time may not exceed 9.6 hours per day.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

MAR 17 1993

date

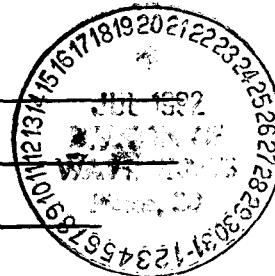
Supplemental Information

(type or print in ink)

Don Frye has
well log

1. Well Information - Proposed construction

- a) Drill Hole Diameter 5" Depth 187
- b) Casing Type PVC Diameter 5" Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property none On property owned by others 1/4 mile approx



2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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 _____

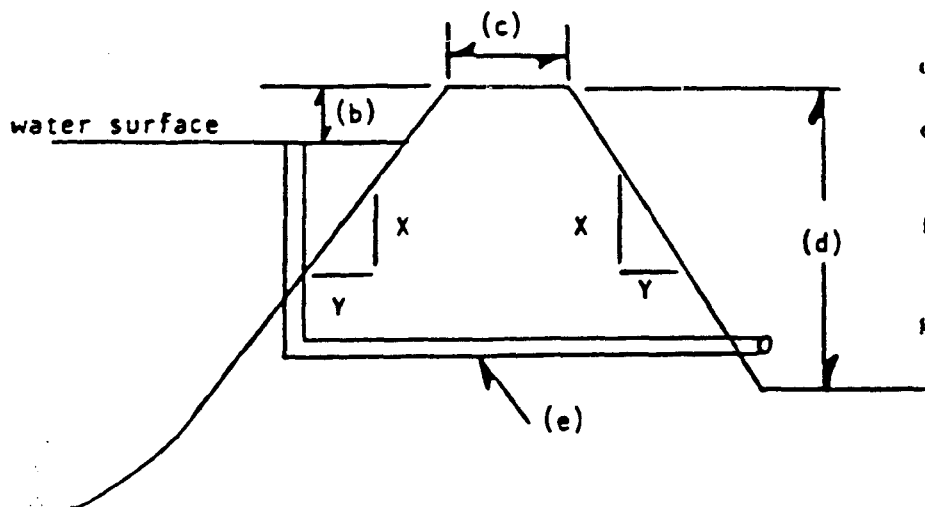
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



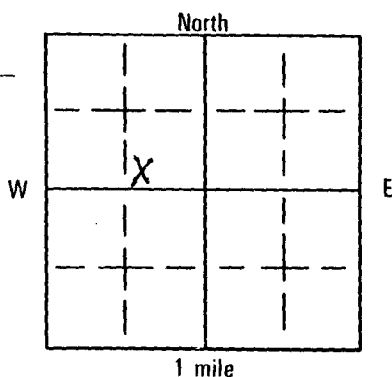
Signature of Applicant _____

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NW 1/4 SE 1/4 Sec 21 Twp 87N Rg 48WCounty Union

Please mark well location with an "X"



Well Completion Date _____

PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other
 If other describe 250# PVC

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>3.554</u> LB/FT	<u>5" I.D.</u> IN	<u>0</u> FT	<u>177</u> FT	<u>278 3/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 173' FEETWhat is grouting material? CementIf cement, number of sacks? 36Describe grouting procedure Pumped Through a Tremie pipeWhat was grout weight? 19 LB/GALSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5" I.D. IN Length 10 FEETMaterial PVCSlot Size 35 Set From 177 Feet To 187 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information Johnson Continuous wound 5" cap on bottomWas a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain ChlorinatedBacteriological analysis ☒ YES ☐ NOLaboratory sent to Siouxland District Health

Well Owner:

Name Jerry MayerAddress 90 sunset Dr Dakota Dunes S.D.

Well Log:

Depth

Formation	From	To
Fine Sand	0	12
gray clay + fine sand	12	17
Fine gray Sand	17	21
gray clay	21	32
Fine Sand	32	46
gray clay + rocks	46	55
Fine sand	55	58
Coarse gravel + rocks	58	64
gray clay	64	65
Coarse gravel + rocks	65	66
Fine sand	66	69
med. To coarse few rocks	69	78
Coarse gravel	78	90
gray clay + rocks	90	119
Coarse gravel + rocks	119	121
Few traces white shale	121	148
Sandstone	148	149
gray shale	149	187
	187	188

STATIC WATER LEVEL 22 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducer ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☒ Bailed☐ OtherDescribe: bailed till clear
Then set pump

Pumping Level Below Land Surface

34 ft. After 3 Hrs. pumped 32 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 338

And this report is true and accurate

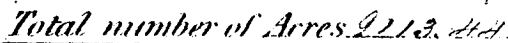
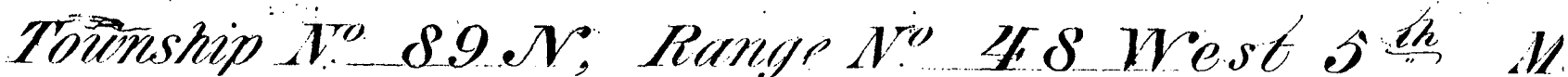
Drilling firm Marty Soak Well Drilling

Signature of License Representative:

Marty Soak

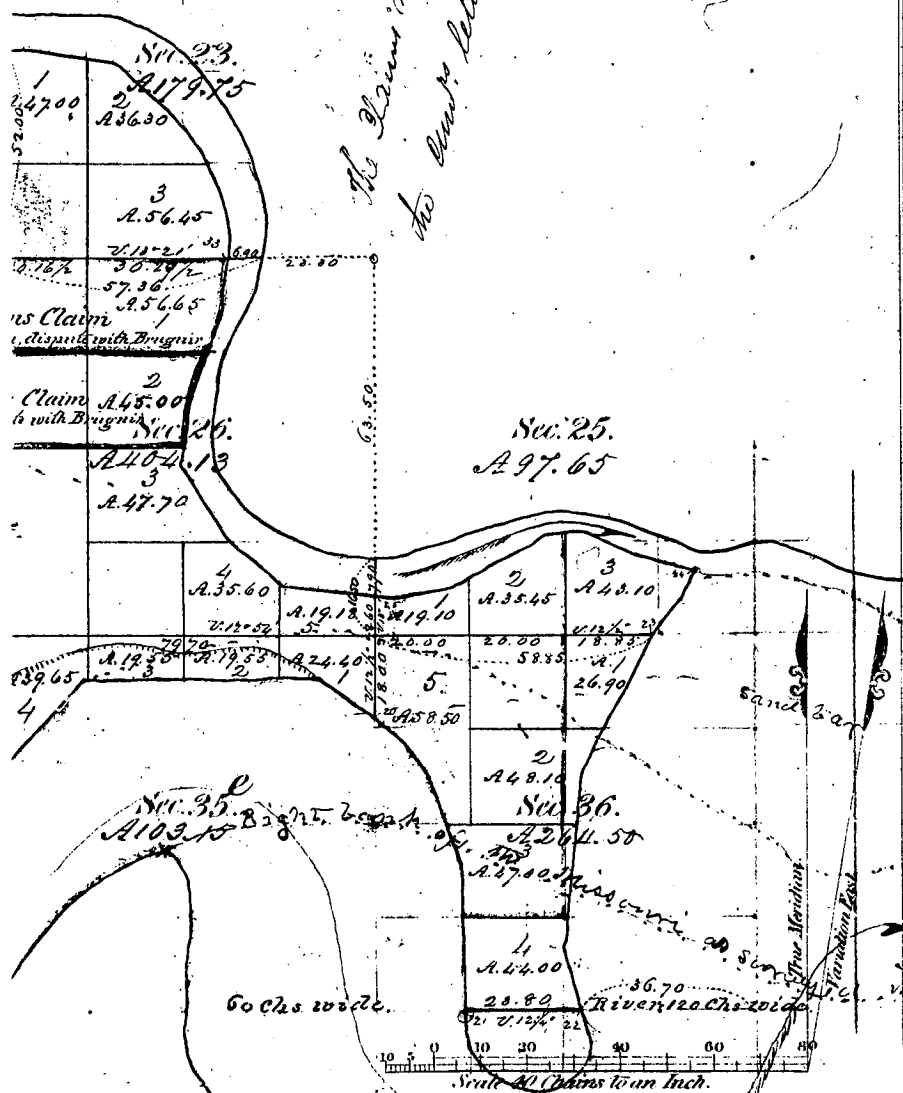
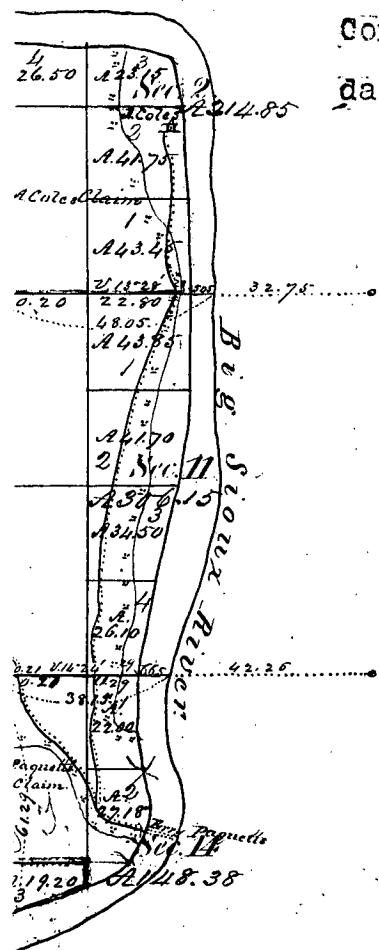
Signature of Well Owner:

Date 4-1-91

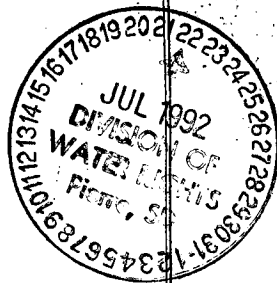


The above Hon.
Principal, Mr.
of the survey the
Sutcliffe General
Dubuque

Accepted:
Commissioner's letter #E
dated Feb. — 1861



Mandars of Missouri & Big Sioux Rivers.									
Posts	Courses	Ch. Lk.	Posts	Courses	Ch. Lk.	Posts	Courses	Ch. Lk.	
Missouri River									
Left bank, down stream				N. 42 E.	29.00		S. 8 W.	8.00	
				East	48.50		S. 5 W.	5.00	
			20	S. 55 E.	14.35		S. 20 W.	19.00	
1	S. 13 E.	4.50					S. 10 W.	13.00	
	S. 17 E.	17.00		S. 56 E.	5.00		S. 30 E.	19.00	
	South	20.00		S. 40 E.	12.00		S. 50 E.	15.00	
	S. 14 W.	15.00		S. 20 E.	20.00	25	S. 84 E.	19.00	
2	S. 12 E.	27.00	21	N. 1/2 E.	31.24				
	S. 7 E.	25.00	22	N. 15 W.	13.00	Total	Mis	Chs.	Lks
	S. 6 W.	20.00		N. 5 E.	39.00		23.	67.	62
	S. 12 W.	18.00	23	N. 29 E.	32.50				
3	S. 20 W.	19.00							
				S. 29 E.	9.00				
4	S. 20 W.	5.00		N. 15 E.	7.00				
			24	N. 69 W.	13.50				
	S. 20 W.	33.50		N. 72 W.	13.00				
	S. 12 W.	5.00		S. 86 W.	7.00				
	S. 9 E.	19.00		S. 62 W.	22.00				
5	S. 80 E.	10.00		S. 79 W.	13.00				
			25	N. 84 W.	3.90				
	N. 71 E.	15.00							
	N. 65 E.	62.00	Big Sioux River.						
6	N. 7 E.	30.40	Right bank, down stream						
7	N. 5 1/2 E.	54.23	26	S. 10 E.	10.20				
				S. 30 E.	10.00				
	N. 14 E.	10.00		S. 60 E.	8.00				
8	N. 22 1/2 E.	17.75	27	S. 85 E.	36.10				
	N. 23 E.	1.00		S. 85 E.	16.00				
	N. 43 E.	12.50		N. 89 E.	13.00				
	N. 65 E.	25.00		S. 72 E.	10.00				
	S. 65 E.	31.00		S. 12 E.	10.00				
9	S. 40 E.	15.00	28	S. 3 1/2 E.	40.10				
	S. 35 E.	7.40		N. 1/2 W.	36.00				
10	S. 26 E.	14.00		S. 8 W.	14.00				
				S. 13 W.	30.00				
	S. 26 E.	6.60	29	S. 11 W.	21.50				
	S. 21 E.	10.00							
	S. 5 E.	27.50		S. 3 W.	12.50				
	S. 10 E.	10.00		S. 10 E.	15.50				
11	South	8.00		S. 6 W.	5.00				
				S. 23 W.	8.00				
	S. 5 W.	14.00		S. 52 W.	8.50				
12	S. 20 W.	28.20		S. 67 W.	17.00				
			30	S. 76 W.	8.00				
	S. 26 W.	30.00							
13	S. 37 W.	15.00		S. 70 W.	11.50				
				S. 60 W.	4.00				
	S. 39 W.	13.50		S. 47 W.	8.00				
	S. 27 W.	32.00		S. 37 W.	8.00				
	S. 24 W.	17.00	31	S. 3 W.	9.00				
14	S. 20 1/2 W.	27.00							
				S. 1 E.	17.20				
15	S. 25 1/2 W.	44.85		S. 37 E.	4.00				
				S. 48 E.	21.00				
16	S. 25 1/2 W.	43.80	32	S. 79 E.	6.10				
	S. 19 W.	26.00		East	10.00				
	S. 7 W.	45.00		S. 81 E.	17.00				
17	S. 35 E.	13.20		S. 47 E.	14.00				
				S. 39 E.	10.00				
18	N. 39 E.	27.00		S. 26 E.	11.00				
	N. 56 E.	6.00		S. 13 E.	10.00				
19	N. 41 1/4 E.	23.00	33	S. 1 W.	4.50				



The above Map of Township No. 89 North of Range No. 48 West 5th Principal Meridian Dakota is strictly conformable to the field notes of the survey thereof on file in this Office which have been examined and approved.

Procyer General's Office
Dubuque Feb'y 4th 1861

Wm. Lewis

WETLAND INVENTORY

NOT TO SCALE



Handwritten signature: Douglas P. Wagner, District Conservationist

Appl No. 5703-3

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413324

Pierre, July 21, 19 92

RECEIVED OF Jerald/Janet Mayer, 90 Sunset Dr, Dakota Dunes, SD 57049

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

Fee for Application for Permit No. <u>5703-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch / [Signature]
Chief Engineer

SOIL/WATER COMPATIBILITY PERMIT

Division of Conservation

Office Use Only

4723

WR#

OWNERS NAME: MAYER, JERRYOWNERS ADDRESS: 90 SUNSET DRIVEDAKOTA DUNES, SD 57044COUNTY LAND LOCATED IN: UNION PHONE: 232-4465

LEGAL DESCRIPTION:

1. LOCATION SW $\frac{1}{4}$ SE $\frac{1}{4}$ 21-T89N-R48W☒ Well☐ Surface

Depth _____

Legal Description	Acres	Legal Description	Acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 21-T89N-R48W			
(PORTIONS OF)			
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 21-T89N-R48W			
TOTAL OF	2		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: RAIN BIRD LAWN SPRINKLER
(Specify)

3. CROPS TO BE IRRIGATED: LAWN

WATER QUALITY:

4. WATER SAMPLE NUMBER: 92-0300 7. ADJUSTED (SAR): 3.93
5. SALINITY (EC X 10⁶): 1500 8. PERCENT SODIUM: 21.97
6. SODIUM (SAR): 1.52

Requirements:

That the water management be such that it doesn't result in perching the water table, or in adverse wetness.



Director, Division of Conservation

AUGUST 17, 1992

Date

XXX APPROVED

DISAPPROVED

WAIVER

XXX REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

June 18, 1992

Jerry Mayer
90 Sunset Drive
Dakota Dunes SD 57049

Dear Mr. Mayer:

A well driller's report filed by Marty Soole Well Drilling shows that they completed a new well for you which produced 32 Gallons Per Minute (GPM). Based on the information in the report, you may need a water permit.

1. A water permit must be obtained for any water use except for reasonable, private domestic use. Reasonable domestic use is defined as use of 18 Gallons Per Minute (GPM) or less, on an average daily basis (26,000 gallons per day), with a maximum rate not exceeding 25 GPM. Households, farms and ranches that exceed reasonable domestic use require a water permit. Please let us know how many GPM your pump is capable of pumping so we can update our records.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Please use the enclosed postage free envelope to send us the information on your pump rate (in GPM) by July 17, 1992 or, contact Don Frye at 605-773-3352.

Very truly yours,

RON DUVAL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

July 1, 1992

Jerry and Janet Mayer
90 Sunset Drive
Dakota Dunes SD 57049

Dear Mr and Mrs Mayer:

Based on the information I received from Mrs. Mayer, you need a water permit because you are irrigating approximately two acres of lawn and that exceeds reasonable domestic use. State statutes require individuals obtain a water permit for irrigation of more than one acre.

Please complete and return the enclosed application forms, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by August 3, 1992. Please contact me at 605-773-3352 if you need assistance.

Sincerely,

DON FRYE, Natural Resources Analyst
Water Rights Division

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

July 23, 1992

Jerry Mayer
90 Sunset Dr.
Dakota Dunes SD 57049

Dear Mr. Mayer:

In regard to your water permit application received on July 20, 1992, the following information needs to be clarified in order to process your application.

1. Item No. 7 of the application states that the land to be irrigated is located in the SE 1/4 SW 1/4 Section 21-T89N-R48W. It appears from the area outlined on the aerial photo, that a portion of the 2 acres being irrigated would be located in the SW 1/4 SE 1/4 Section 21-T89N-R48W. Is this correct? *yes - I just had a problem reading the map!*
2. Also, does the small circle indicate the location of the well? *yes.* If not, please mark the location of the well.
3. A soils map is required of the land to be irrigated in order to proceed with the Soil/Water Compatibility permit. *see enclosure*

The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Upon receipt of the above, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

Jerry Mayer
8/6/92

Conversation or File Documentation

NAME OF PERSON OR FILE: Janet MeyerADDRESS: Dakota Dunes COUNTY _____DATE: 8-10-92 TELEPHONE _____RE: pending appl. for Jerry Meyer

COMMENTS:

Called Janet Meyer. Told her that from the aerial photo submitted with the application, it appeared that the well was located in the SW¹/₄ SE¹/₄ instead of the SE¹/₄ SW¹/₄ as indicated on the application. She stated she concurred with making that change on the application.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Karen Schenk

REPORT ON APPLICATION NO. 5703-3
for Jerry Mayer
October 1, 1992

Application No. 5703-3 proposes to appropriate 32 gpm (0.07 cfs) from one well approximately 187 feet deep located in the SW 1/4 SW 1/4 of section 21 to irrigate portions of 2 acres located in the SE 1/4 SW 1/4 and the SW 1/4 SE 1/4 of section 21; all in T89N R48W in Union County.

AQUIFER - DAKOTA FORMATION (DKOT)

The Dakota Formation consists of interbedded sandstone and shale which is approximately 400 feet thick in this area (Schoon, 1971). The Dakota Formation underlies 452 square miles and contains an estimated 7.8 million acre feet of recoverable water in storage in Union County (Hedges, 1982). The Dakota Formation is confined and overlain by glacial sediments in this area. Also the Dakota Formation is hydraulically connected to the overlying Missouri Elk Point aquifer. In some areas, this site being an example, the sands and gravel of the Missouri Elk Point aquifer are directly lying upon the sandstone of the Dakota Formation.

The driller's log submitted with the application indicates that sandstone was encountered at a depth of 148 feet below land surface. The well was cased and grouted to a depth of 173 feet with a well screen installed from 177 to 187 feet all below land surface. As built, the well is producing water from the Dakota Formation only, even though the sands and gravel of the Missouri Elk Point aquifer are lying upon the sandstone.

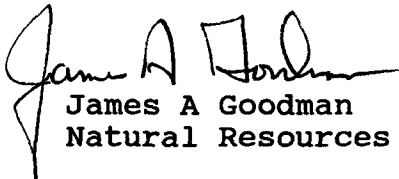
The Division of Water Rights monitors four observation wells within four miles of this area. None of these wells are completed into the Dakota Formation. Water levels for the Missouri Elk Point aquifer and the Dakota Formation respond similarly in other areas of Union County. That is, the water levels rise during wet years (recharge) and decline gradually during dry years. The evidence suggests that because of the good hydraulic connection between the aquifers water levels for the Missouri Elk Point may be representative of the Dakota Formation in this area. The water level record indicates that the Missouri Elk Point aquifer is capable of sustaining additional withdrawals (Water Rights, 1992).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two other existing Water Permit Nos. 5501-3 and 5584-3 which are located within 1/2 mile of this application. Interference is not expected to be a concern. The existing permits are relatively small pumping rates and the requested diversion for this application is also small. Drawdown caused by pumping these wells should not be significant.

CONCLUSIONS

1. Water is available from the Dakota Formation.
2. The Dakota Formation is confined and under artesian conditions in this area. The well log submitted with this application indicates good hydraulic connection with the overlying Missouri Elk Point aquifer.
3. The well has been completed in accordance with SD Well Construction Standards.
4. The purpose of this diversion is for irrigation. The requested diversion rate is greater than the amount allowed by statute (0.028 cfs).



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Schoon, R.A., 1971, Geology and Hydrology of the Dakota Formation in South Dakota, RI No. 104, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1992, Unpublished Observation Well Records for Union County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

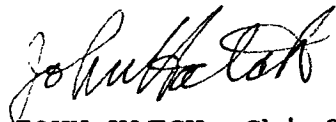
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5703-3, Jerry Mayer

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5703-3, Jerry Mayer, 90 Sunset Drive, Dakota Dunes, SD 57049.

The Chief Engineer is recommending APPROVAL of Application No. 5703-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Approval of Permit No. 5703-3 limits the diversion rate from the one well to 13 gallons per minute (gpm) unless the number of hours of irrigation per day are reduced to a corresponding equivalent time period and the total amount of water applied does not exceed 24 inches per year. At a pumping rate of 32 gpm, the pumping time may not exceed 9.6 hours per day.

See report on application for additional information.



JOHN HATCH, Chief Engineer
October 19, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

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

October 29, 1992

Jerry Mayer
90 Sunset Drive
Dakota Dunes, SD 57044

Dear Mr. Mayer:

Water Permit Application No. 5703-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Elk Point Leader-Courier printed at Elk Point, SD (Ph # 356-2632). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

October 29, 1992

Elk Point Leader-Courier
Box 310
Elk Point, SD 57025

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5703-3 to be published twice. Please publish the first notice on November 5, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Jerry Mayer, 90 Sunset Drive, Dakota Dunes, SD 57044 (Ph # 232-4465).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on November 5, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5703-3 to Appropriate Water

Notice is given that Jerry Mayer, 90 Sunset Drive, Dakota Dunes, SD 57044 has filed an application for a water permit to appropriate 32 gallons per minute (0.07 cubic feet of water per second) from one well (Dakota Formation) 187 feet deep located in the SW 1/4 SE 1/4 Section 21 to irrigate portions of 2 acres located in the SE 1/4 SW 1/4 and the SW 1/4 SE 1/4 Section 21; all in T89N-R48W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5703-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 23, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 2, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 23, 1992.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by November 23, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Union) ss.

I, Lester E Emerson

certify that the attached printed Notice was taken
 from the The Leader-Courier

A newspaper which during the whole time of publication of
 said notice herein after stated, has been and is printed and
 published in the _____

City of Elk Point, S. D

County of Union and State of South Dakota;
 that the said notice was published in said newspaper on the
 following two dates:

November - 5 - 1992

November - 12 - 1992

Lester E. Emerson
 (Signature)

Publisher
 (Title)

Nov 14 - 1992
 (Date Signed)

Cost of Printing: \$ 56.30

NOTICE OF HEARING
 on Application No. 5703-3 to
 Appropriate Water

Notice is given that Jerry Mayer, 90 Sunset Drive, Dakota Dunes, SD 57049 has filed an application for a water permit to appropriate 32 gallons per minute (0.07 cubic feet of water per second) from one well (Dakota Formation) 187 feet deep located in the SW 1/4 SE 1/4 Section 21 to irrigate portions of 2 acres located in the SE 1/4 SW 1/4 and the SW 1/4 SE 1/4 Section 21; all in T89N-R48W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5703-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 23, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 a.m., December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 2, 1992, hear-

(over)

ing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 23, 1992.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by November 23, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD-74:02:01:01 thru 74:02:01:15.

ROBERT E. ROBERTS
Secretary, Department of
Environment and Natural
Resources
Pub. Nov. 3, 12



MAR 17 1993

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

Jerry Mayer
90 Sunset Drive
Dakota Dunes, SD 57049

Dear Mr. Mayer:

Enclosed is Water Permit No. 5703-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

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

Date APRIL 1 1993

TO: Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: CHARLES A LONG 90 SUNSET DRIVE
(name) (address)
DAKOTA DUNES SD 57049 605-232-3466
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5703-3.

Water Permit No. 5703-3 states that the diversion system is to be constructed by DEC 2, 1997, and that the water is put to beneficial use by DEC 2, 2001.
(date) (date)

The diversion system was completed on APRIL 1, 1993.
(date)

Applying the water to beneficial use was completed on APRIL 1, 1993.
(date)

You may schedule an inspection so that the Water License may be issued.

Charles A Long
(signature)

Charles A. Long
90 Sunset Drive - Riverland Estates
Dakota Dunes, SD 57049
(605) 232-3466



April 1, 1993

John Hatch, Chief Engineer
Water Rights Division, DENR
523 East Capitol
Pierre, SD 57501-3181

re: Water Permit No. 5703-3

I am enclosing the "Notice of Completion of Works and Application of Water to Beneficial Use".

Since the start of the application process I have purchased the property from Jerry Mayer, so I am the owner of record now. Nothing on the permit, other than the owner's name, has changed.

Will I need to submit an irrigation water use questionnaire each year? If so, where can I get that form?

Sincerely


Charles A. Long



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

April 13, 1993

5703-3

Charles A Long
Riverland Estates
90 Sunset Drive
Dakota Dunes, SD 57049

Dear Mr. Long:

The "Notice of Completion of Works and Application of Water to Beneficial Use" has been received and filed with Water Permit No. 5703-3. An inspection of the water use system will be scheduled.

Enclosed is a partially completed "Notice of Transfer of Ownership". You indicated in your letter that you now own the land described in Water Permit No. 5703-3. Please complete the transfer form and then sign it in the presence of a notary. Upon completion, return the form to our office with a required filing fee of \$2.50. Water Permit No. 5703-3 will be transferred to your name upon receipt of the completed form and filing fee in our office.

Water Permit No. 5703-3 was approved with the qualification that a yearly water use questionnaire be submitted. Our office mails out the questionnaires to irrigators in October of each year. The questionnaires have to be completed and returned to us by mid December.

If you have any further questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 77-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. 5703-3

Date: _____

I\We request that Water Permit No. 5703-3

formerly owned by: Jerry Mayer

be transferred to: (name & address) CHARLES A LONG - 90 SUNSET DRIVE - RIVERLAND ESTATES

DAKOTA DUNES SD 57049 (Telephone No) 232-3466

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

2 acres - SE 1/4 SW 1/4 & SW 1/4 SE 1/4 Section 21, T89N, R48W

I\We understand that the validity of Water Permit No. 5703-3 has not been determined by this transfer action. If I\We have any questions on validity, I\We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

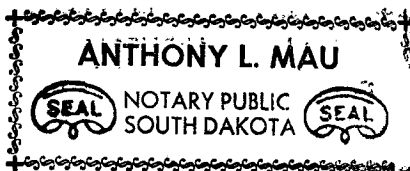
A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of UNION)

I\We CHARLES A LONG being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Charles A Long
(Signed)

Subscribed and sworn to before me this 20th day of APRIL, 19 93.



Anthony L. Mau
(Notary Public)

Expires July 15, 2000

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

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

RECEIPT

413737

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ April 22, 19 93

RECEIVED OF Charles A Long, 90 Sunset Dr, Dakota Dunes, SD 57049

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Permit No. 5703-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

April 23, 1993

No. 5703-3

Charles A. Long
90 Sunset Dr., Riverland Estates
Dakota Dunes, SD 57049

Dear Mr. Long:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 5703-3.

Our records now show you as the owner of Water Permit No. 5703-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

NOTICE

TO: CHARLES A LONG, 90 RIV-R-LAND ESTATES, DAKOTA DUNES, SD 57049

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 5703-3

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 5703-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 5703-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:45 am, March 6, 1996 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5703-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

CHARLES A LONG
~~90 RIV-R-LAND ESTATES~~
DAKOTA DUNES SD 57049
90 Sunset

4a. Article Number

Z 161 984 059

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

1-31-96 CT

5. Received By: (Print Name)

6. Signature: (Addressee or Agent) *

X Linda Fisher

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 27, 1996

5703-3

Charles A Long
90 Sunset Drive
Riv-R-Land Estates
Dakota Dunes, SD 57049

Dear Mr. Long:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, **Notice of Violation of Water Permit No. 5703-3.**

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



September 14, 2005

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

5703-3

Chuck Montange, Grounds Manager
Long Line
501 4th St
Sargent Bluff IA 51054

Dear Mr. Montange:

On July 28, 2005 the investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5703-3 (Charles A. Long), was completed by Lynn Beck, a staff engineer with our program. The final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee, we will complete processing the water license. The check or money order for the fee should be made payable to the Water Rights Program.

A licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
(605) 773-3352

Pay per Chuck

RECEIVED

SEP 20 2005

WATER RIGHTS
PROGRAM

[Redacted signature area]

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/23/05, 20__

RECEIVED OF Cal Co., 501 4th Street, Sergeant Bluff IA 51354

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5703-3</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No.

00190

By

David Libek
Chief Engineer

Permit No. 5703-3
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, July 28, 2005, made a thorough examination of the water use system constructed by Charles A. Long of 90 Sunset Drive – Riverland Estates, Dakota Dunes SD 57049 holder of Permit No. 5703-3, bearing the priority of July 20, 1992 authorizing the diversion of 0.07 cu. ft. per second of the waters of Dakota Formation for irrigation purposes, in Union County.

Inspection contact & relationship
to permit holder, if applicable:

Chuck Montange – Grounds Manager
Long Lines
501 4th Street
Sargent Bluff, IA 51054

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Marty Soole Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 188 feet
- 4) Well log is available yes
- 5) Comment:

Casing:

- 1) Diameter 5 inches
- 2) Length 177 feet
- 3) Type pvc

Screen:

- 1) Type pvc
- 2) Length 10 feet
- 3) Static water level 22 feet

Pump:

- 1) Make submersible
- 2) Model
- 3) Size
- 4) Capacity 28 GPM

Motor:

- 1) Make submersible
- 2) Model No.
- 3) Horsepower rating 1.25 hp

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

- | | | |
|--------------------|----------------------------|--------------------------|
| 1) Type <u>pvc</u> | 2) Size <u>1.25</u> inches | 3) Length <u>60</u> feet |
| 1) Type <u>pvc</u> | 2) Size <u>1.00</u> inches | 3) Length _____ feet |

C. Works used to apply water to beneficial use:

Sprinkler System:

- 1) Make Rainbird
- 2) Number of heads 104
- 3) Number of zones 26
- 4) Comments: Operate one zone at a time.
- 5) Capacity 28 GPM

Chemigation Equipment:

- 1) Does chemigate no

D. Compliance with Permit Requirements:

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

The system is in good condition with the point(s) of diversion located as follows: 2500' W and 240' N of the SE corner Section 21-T89N-R48W in the SW¼ SE¼. The works are capable of diverting and conveying to the place of use 0.06 cu. ft. per second of water which is to be used for lawn irrigation. Water has been put to beneficial use to the maximum extent as follows:

Section 21-T89N-R48W:

SE¼ SW¼ 0.5 acres

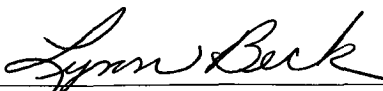
SW¼ SE¼ 1.5 acres

comprising a total of 2.0 acres of land and the license should be issued for 0.06 cfs.

All structures, wells and lands on map yes

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

Qualification #3 on the permit allows for a greater than 1 cfs per 70 acres diversion rate as long as the total amount of water applied does not exceed 24 inches per year.



Lynn Beck

Natural Resources Engineer Specialist
DENR, Water Rights Program

Date report completed: August 4, 2005

Lat: 42.503246

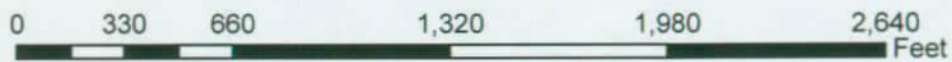
2 Long: -96.515847

WATER RIGHT 5703-3
CHARLES A. LONG
R48W



2 ACRES TOTAL

SCALE



Lynn Beck

Lynn Beck, Natural Resources Engineer
SD DENR, Water Rights Program
August 4, 2005

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5703-3

(1) Jerry Mayer, Dakota Dunes SD made Application No. 5703-3, July 20, 1992 for a water permit to divert 0.07 cubic feet of water per second from groundwater (one well), Union County, South Dakota for irrigation purposes. Permit No. 5703-3, with a priority date of July 20, 1992 was approved December 2, 1992 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 2, 1997 and for the application to beneficial use of water on or before December 2, 2001.

On April 22, 1993, Water Permit No. 5703-3 was transferred to Charles A Long, 90 Sunset Drive, Riverland Estates, Dakota Dunes SD 57049.

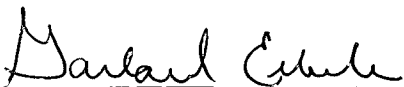
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 5703-3 is issued a license, bearing a priority date of July 20, 1992 to appropriate 0.06 cubic feet of water per second from groundwater (one well) to irrigate 2 acres.

The diversion point is located: 2,500 feet west and 240 feet north of the southeast corner of Section 21-T89N-R48W (SW ¼ SE ¼). The acres authorized for irrigation are as follows:

Section 21-T89N-R48W	SE ¼ SW ¼	0.5 acres
	SW ¼ SE ¼	1.5 acres
Total 2 acres		

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 5703-3 including the following now applicable qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
- Approval of Permit No. 5703-3 limits the diversion rate from the one well to 13 gallons per minute (gpm) unless the number of hours of irrigation per day are reduced to a corresponding equivalent time period and the total amount of water applied does not exceed 24 inches per year. At a pumping rate of 28 gpm, the pumping time may not exceed 11 hours per day.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 30 2005

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

SEP 30 2005

5703-3

Chuck Montange Grounds Manager
Long Line
501 4th St
Sargent Bluff IA 51054

Dear Mr. Montange:

Enclosed is Water License No. 5703-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 001980 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 3, 2005

5703-3

Chuck Montange, Mgr
501 4th St
Sargent Bluff IA 51054

Dear Sir:

Recently you should have received Water License No. 5703-3. Typically when sending out the license, we include a copy of the map prepared by the staff engineer who conducted the field investigation. We realized after sending the license that the map had been omitted.

Enclosed is the map prepared as part of the water license. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

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

McMath, Genny

From: Chuck Long <cal333@mac.com>
Sent: Thursday, July 31, 2014 11:36 AM
To: McMath, Genny
Subject: Re: pump rate for water right

Sorry for the delayed answer – I had to find my file on these reports

You are correct...I made a mistake in my report and it dates clear back to 2000 when I accidentally used the previous year's document for filling out my report – I had previously reported "10GPM" as my monthly irrigation usage – I did not clearly decipher this number and recorded "106" thinking that the "G" in the earlier report was actually a "6" - so since then I have been sending in the wrong usage number as "106" when it should have been "10" GPM for irrigation – this well also serves our domestic needs in our home

Do you want me to send in a corrected report?

THANKS!

Chuck Long
712-251-2058

From: "McMath, Genny" <Genny.McMath@state.sd.us>
Date: Wednesday, July 23, 2014 10:02 AM
To: "Chuck Long, User" <cal333@longlines.com>
Subject: pump rate for water right

I am reviewing your questionnaire from last year and note the extreme amount of water use. At the time an inspection was done for licensing purposes, the staff engineer reported your well diverted 28 gpm. On your questionnaire you reported 106 gpm. Did you change out the pump in your well? I think if I recalculate the water use based on 28 gpm versus 106 gpm, the figures would be more in line of what was actually diverted for 2013.

Please give me a call when you get a few minutes.

Genny McMath
Water Rights Program
605.773.5455



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

January 20, 2023

NOTICE

TO: CHARLES A LONG, 90 SUNSET DR - BOX 1880, DAKOTA DUNES, SD 57049

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5703-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5703-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5703-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: DGWEGJ**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 21, 2023

5703-3

Charles Long
90 Sunset Dr Box 1880
Dakota Dunes SD 57049

Dear Mr. Long:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 5703-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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