

WATER PERMIT NO. 6001-3

Name of Applicant: **Joseph and John Trudeau**

Address: **RR 1 Box 370, Jefferson, SD 57038**

Phone: **966-5238**

Amount of Water Claimed: **1.78 cfs**

Total Acres: **160**

Source of Water Supply: **ground water**

Water to be used for: **irrigation**

County: **Union**

Type of Waste Disposal System: **XX**

Location: **center of SE1/4 Section 24, T90N, R49W**

PRIORITY

Date Received: **May 5, 1997**

Fee: **250**

Corrected Application Received: **XX**

Period of Annual Use: **May 1 - Sept. 30**

Remarks: **XX**

XX

XX

Diversion Point: **center of SE1/4 Section 24**

T90N, R49W

XX

Land to be Irrigated: **SE1/4 Section 24,**

T90N, R49W

XX

XX

Depth of Well: **105 feet**

Well Driller: **XX**

Remarks: **XX**

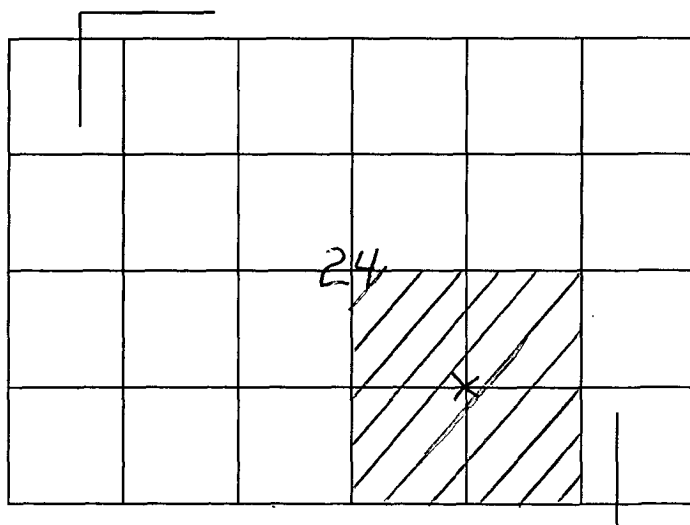
Type of Map: **aerial map**

Prepared by: **Audrey Morse**

Reviewed and the Number Assigned on: **May 5, 1997**

By: Eric Gronlund

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 6001-3**

Date of first receipt of application May 5, 1997.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6001-3 to Joseph & John Trudeau, RR 1 Box 370, Jefferson SD 57038 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. 6001-3 appropriates 1.78 cubic feet of water per second from one well (Missouri:Elk Point Aquifer) 105 feet deep located in the approximate center of the SE 1/4 Section 24 to irrigate 160 acres located in SE 1/4 Section 24; all in T90N-R49W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - September 30.
3. The date from which applicant may claim right is May 5, 1997.
4. The date of approval of Permit No. 6001-3 is July 7, 1997.
5. One-fifth of the construction is to be completed on or before January 7, 2000.
6. All construction is to be completed on or before July 7, 2002.
7. Water is to be put to beneficial use on or before July 7, 2006.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6001-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

AUG 8 1997

date



FORM 2: Application for irrigation in South Dakota

(type or print)

Karen

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 6001-3 Hydrologic Unit 10170102
Basin Vermillion River
Newspaper Leader Courier, Elk Point, SD
(office use only)



Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(check one) (Use predates Mar 2, 1955)

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

- Name of Applicant Joseph & John Trudeau Phone 605-966-5238
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address RR1 Box 370 Jefferson State S.D. 57038
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout if applicable)
- Source of water supply Groundwater
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Center of SE 1/4 of Section 24 - 90-49
County Union
- County or counties where water will be used Union
- Annual period during which water is to be used May 1 through Sept 30
- List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 of SE 1/4 Sec 24	40		
NE 1/4 of SE 1/4 Sec 24	40		
SW 1/4 of SE 1/4 Sec 24	40		
SE 1/4 of SE 1/4 Sec 24	40		

- Give a description of the project. (Attach sheet if more space is needed)
well located in the middle of section 24, will be a 7 tower center pivot, powered by electric & propane

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of UNION SS

I, Joe Trudeau, the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.

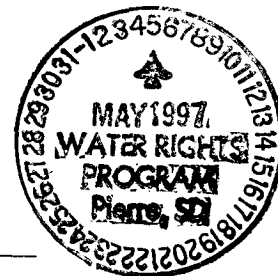
Signed [Signature]
Subscribed and sworn to before me this 2 day of May 19 97

Audrey L. Morse
Notary Public

My Commission expires 10-27-02

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22 Depth 105'
b) Casing Type PVC Diameter 16" Thickness 1/2"
c) Screen Type PVC Diameter 16" Thickness 1/2"
d) Gravel Pack Thickness 3" Length of Gravel Pack 52'
e) Depth to Top of Water Bearing Material 13'
f) Depth to Water (ground surface to water level) 17'
g) Distance to nearest existing domestic well:

On applicants property 1300' On property owned by others 1300'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
b) System Capacity (gallons) _____ c) Year Constructed _____
d) 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

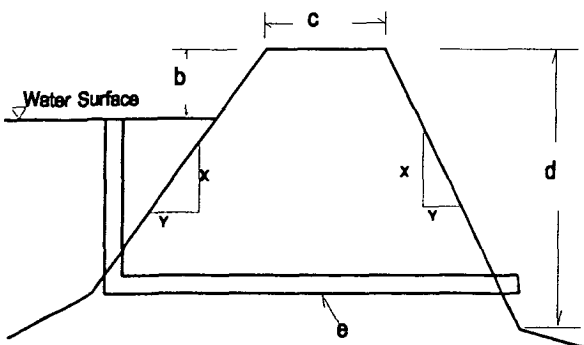
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: 1/4 1/4 NE Section 24 Township 20 Range 49
 Well owner Ernie Rozell, Jr. Elk Point, SD
 (Name) (Address)
 Date well drilling completed 5/16/74 Purpose of well Irrigation (South well)
 (for municipal, residential, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer
0- 2	top soil	80 ft.
2- 80	sand w/clay layers	Depth to static water level 17 ft.
80-110	sand & gravel	Name of producing aquifer (if known) unknown
		Total depth of drill hole 110 ft.
		Depth to bottom of casing 110 ft.
		Casing information: In the space below show kind, size, weight, length, etc., for production casing and surface casing, if used.
		0-80 22" O.D. kelly concrete casing
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
		80-110 22" O.D. Kelly concrete well screen
		If a flowing well, flow at completed well _____ G.P.M.

Attach sheet if more space is needed

Empire Irrigation Drilling Co., Inc.
 Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump Western Land Roller 8" HP 60
 Type of pump turbine 3-12 MB bowl Capacity of installed pump 800 G.P.M.
 Depth of pump placement 45 ft., Date of pump installation 5/16/74

(3) WATER SURFACE MEASURING TUBE

In some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____

Empire Irrigation Drilling Co., Inc.
 Name of Pump Installation Contractor



6001-3

NOT TO

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T-1429

T-1445

T-1379

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NAME _____

Gated Pipe
IRRIGATED

T-1427

NH₂L

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K) 475 5

5-2-97
Audrey Morse
Acting CED

NHEL

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Irigated

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X Fwell

NH₂EL

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T-2487

T-1384

T-1415

T-1434

T.

600-3

RECEIPT

Division of Water Rights

415338

South Dakota Department of Environment and Natural Resources

Pierre, _____

May 5, 19 97

RECEIVED OF Joseph & John Trudeau, RR 1, Box 370, Jefferson, SD 57036

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

Fee for Application for Permit No. <u>6001-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	250	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 _____		

(Any Other Work Provided by Law)	Total	250 00

By

Chief Engineer

John Hatch 



12-9-96

Genny

Thank You for the information on our Water Permits. I have put an identifying label on each permit. If you could put that on the label I would appreciate it, if you can't no big deal, since ~~I~~ I have the list now.

I would like you to send me the Applications for more Water Permits. One to pump out of the Missouri River and another to pump ground water.

Thanks again. If you have any Question Please call.

Joe Finkler



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 17, 1996

Joe Trudeau
RR 1 Box 370
Jefferson, SD 57038

Dear Mr. Trudeau:

Enclosed, as you requested, are two sets of water permit application forms and an instruction sheet. The only difference between the two sets of forms is that the ground water set includes an additional sheet pertaining to well information.

Thank you for your suggestion concerning the labeling of irrigation questionnaires. I will check into trying to attach the "identifying" name on the labels. This may or may not work, but it is definitely something to consider.

If you have any questions or need assistance in completing the application forms, please contact either Karen Schlaak or myself at (605) 773-3352. Karen deals more with incoming applications and would be the one most likely able to help you.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 5, 1997

Joseph & John Trudeau
RR 1, Box 370
Jefferson, SD 57038

Dear Mr. Trudeau:

The Water Rights Program received your water permit application for irrigation of the SE1/4 Section 24, T90N, R49W. A well log or driller's test log for the proposed well was not submitted with the application. A well log or driller's test log signed by a SD licensed well driller is suppose to accompany the application.

I reviewed our files and found a well log for a neighboring well that I believe will be sufficent to meet the well log requirement. We will begin processing the application.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

REPORT ON WATER PERMIT APPLICATION NO. 6001-3

for Joseph and John Trudeau

June 3, 1997

Application No. 6001-3 proposes to appropriate 1.78 cfs (800 gpm) from one well approximately 105 feet deep located in the center of the SE 1/4 of Section 24 to irrigate 160 acres located in the SE 1/4 of Section 24; all in T90N-R49W in Union County.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) which is under predominantly water table conditions in this area. Locally the aquifer may be buried and under slight artesian conditions. The aquifer underlies 180 square miles and contains an estimated 1.5 million acre feet of recoverable water in storage in Union County (Niehus, 1994). The aquifer is hydraulically connected to the Big Sioux South and Lower Vermillion Missouri aquifers to the north, the Big Sioux and Missouri Rivers, the underlying Dakota Formation and also extends into Clay County to the west. The general direction of ground water movement is from northwest to southeast with local movement toward the Missouri or Big Sioux River. No test well log was submitted with the application but there is sufficient information available from the Union County Study, area observation wells and surrounding well logs to determine water availability.

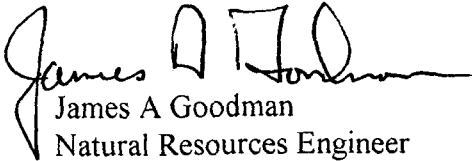
The Water Rights Program monitors two observation wells, UN-77P and UN-87B, which are located within a one mile radius of this application and completed into the Missouri Elk Point aquifer. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals. Hydrographs for these two observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are four existing water permits/rights within a one mile radius of this application. Interference is not a concern. Drawdown created by pumping is not significant and this is shown by the observation well record. Many permits/rights in this area have been in use for many years with no apparent problems.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer may be under slightly confined conditions but should behave as if under water table conditions. This is shown by the observation well hydrographs. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, Water Resources Investigations Report 93-4195, USGS, Rapid City, SD, 57702.

Water Rights, 1997, Unpublished Observation Well Records for Union County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

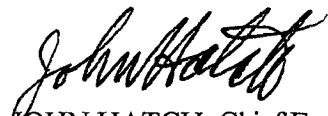
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6001-3, Joseph and John Trudeau**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6001-3, Joseph and John Trudeau, RR 1 Box 370, Jefferson, SD 57038.

The Chief Engineer is recommending APPROVAL of Application No. 6001-3 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) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6001-3 shall be constructed by a licensed well driller and construction 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~~.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
June 9, 1997



**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.

June 10, 1997

Joseph and John Trudeau
RR 1, Box 370
Jefferson, SD 57038

Dear Sirs:

Water Permit Application No. 6001-3 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 Leader Courier printed at Elk Point, SD (Ph # (605) 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
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

June 10, 1997

Leader Courier
Box 310
Elk Point, SD 57025-0310

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6001-3 to be published twice. Please publish the first notice on June 19, 1997, 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 APPLICANTS are Joseph and John Trudeau, RR 1, Box 370, Jefferson, SD 57038 (Ph # (605) 966-5238).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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 June 19, 1997, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6001-3 to Appropriate Water

Notice is given that Joseph and John Trudeau, RR 1 Box 370, Jefferson, SD 57038 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well (Missouri Elk Point Aquifer) 105 feet deep located in the approximate center of the SE1/4 Section 24 to irrigate 160 acres located in the SE1/4 Section 24; all in T90N, R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6001-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 7, 1997.

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

Form 8



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Union) SS

I, Bruce Odson

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

printed and published in Elk Point

County of Union and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 19, 1997

June 26, 1997

Cost of Printing \$ 33.71

(Signature)

(Title)

6-26-97

(Date Signed)

NOTICE OF APPLICATION NO. 6001-3 TO APPROPRIATE WATER

Notice is given that Joseph and John Trudeau, RR 1 Box 370, Jefferson, SD 57038 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well (Missouri Elk Point Aquifer) 105 feet deep located in the approximate center of the SE1/4 Section 24 to irrigate 160 acres located in the SE1/4 Section 24; all in T90N, R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6001-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3352)" and the applicants; mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 7, 1997.

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

NETTIE H. MYERS, Secretary
Department of Environment
and Natural Resources

Publish June 19 and 26, 1997
49-2-61

33.71



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 8 1997

Joseph and John Trudeau
RR 1, Box 370
Jefferson, SD 57038

Dear Sirs:

Enclosed is Water Permit No. 6001-3 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 Program
605 773-3352

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.

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



Date 8-15-97

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

FROM: Joe + John Trudeau RI Box 370
(name) (address)
Jefferson SD 57038 966-5238
(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. 6001-3.

Water Permit No. 6001-3 states that the diversion system is to be constructed by 7-7-2002, and that the water is put to beneficial use by
(date)

7-7-2006.
(date)

The diversion system was completed on 6-6-97.
(date)

Applying the water to beneficial use was completed on 6-6-97.
(date)

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

John Trudeau
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 18, 1997

6001-3

Joe & John Trudeau
RR 1 Box 370
Jefferson, SD 57038

Dear Sirs:

This will acknowledge receipt of the "Notice of Completion of Works" form you submitted to our office. Submission of the form notifies us that you have completed your system and are ready for an investigation to be conducted.

I will add your permit to the list of those ready for investigation. You may keep the enclosed copy of the permit for your records. If you have any questions, please contact me.

Sincerely,

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

REPORT ON INSPECTION OF PERMIT NO. 6001-3, Joseph and John Trudeau

DATE OF INSPECTION: August 10, 1999

Other permit(s) associated with the project: none

Contact Person & Address: Joseph Trudeau, 33060 480th Avenue, Jefferson SD 57038

DIVERSION POINT LEGAL LOCATION: approximately 1320 feet north and 1320 west of the SE corner of Section 24, T90N, R49W

WATER SUPPLY: one well constructed into the Missouri:Elk Point Aquifer

Well Information:

- | | |
|--|-------------------------------------|
| 1) Well Drilling Firm: <u>Wetmore Drilling</u> | 2) No. of Wells <u>One</u> |
| 3) Depth(s) <u>105</u> feet | 4) Well log is available <u>Yes</u> |

Casing:

- | | |
|------------------------------|--------------------------|
| 1) Diameter <u>16</u> inches | 2) Length <u>65</u> feet |
| 3) Type <u>Sch 40</u> | |

Screen:

- | | |
|--------------------------------------|--------------------------|
| 1) Type <u>PVC (slot size 50)</u> | 2) Length <u>40</u> feet |
| 3) Static water level <u>18</u> feet | |

Pump:

- | | |
|------------------------|------------------------------|
| 1) Make <u>Jacuzzi</u> | 2) Model |
| 3) Size | 4) Capacity <u>800</u> GPM * |

* capacity is according to Mr. Trudeau's records

Motor:

- | | |
|-----------------------------------|----------------------------------|
| 1) Make <u>US Electric</u> | 2) Model No. |
| 3) Horsepower rating <u>40</u> hp | 4) ID No. <u>5307A 806-6089M</u> |

SYSTEM TYPE:

Center pivot:

- | | |
|------------------------------------|---|
| 1) Make <u>Valley Model 8000</u> | 2) Overall length <u>1380</u> feet (1280' + 100' end gun throw) |
| 3) Number of towers <u>7</u> | 4) End gun <u>Yes</u> |
| 5) High or low pressure <u>Low</u> | 6) Capacity <u>800</u> GPM |

CHEMIGATION EQUIPMENT: Chemigation is not used

- | |
|-----------------------------|
| 1) Does chemigate <u>No</u> |
| 2) |

PERMIT QUALIFICATIONS AND REGULATIONS:

- | |
|--|
| 1) Special qualifications to permit being abided by <u>yes</u> |
| 2) All structures, wells and lands on map <u>yes</u> |
| 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period <u>inspected prior to time to complete construction</u> |

Comments

- ◆ Note the mailing address of Mr. Trudeau's for sending any future correspondence.
- ◆ System was operating at the time of licensing investigation.
- ◆ Systems operating pressure was viewed to be 30 psi
- ◆ Concrete pad at site is etched as being poured in 1997
- ◆ Field was planted in seed corn with a soybean buffer on the East 1/16 of the quarter section

Permit No. 6001-3, Joseph and John Trudeau
Vermillion 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

On, August 10, 1999, I made a thorough examination of the water use system constructed by Joseph and John Trudeau of 33060 480th Avenue, Jefferson SD 57038 holder of Permit No. 6001-3, bearing the priority of May 5, 1997 authorizing the diversion of 1.78 cu. ft. per second of the Missouri:Elk Point Aquifer for irrigation purposes, in Union County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

A 105 foot well constructed into the Missouri:Elk Point Aquifer

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

Jacuzzie pump and US Electric Motor

C. Works used to apply water to beneficial use:

Valley Model 8000 center pivot

The system is in the following condition excellent (the system is only 2 years old). The point of diversion is located approximately 1320 feet north and 1320 west of the SE corner of Section 24, T90N, R49W. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water (800 gpm) which is to be used for irrigation of 136 acres. Water has been put to beneficial use to the maximum extent as follows:

All in Section 24, T90N, R49W

NW ¼ SE ¼ - 34 acres

SW ¼ SE ¼ - 34 acres

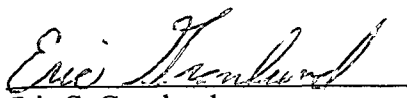
NE ¼ SE ¼ - 34 acres

SE ¼ SE ¼ - 34 acres

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

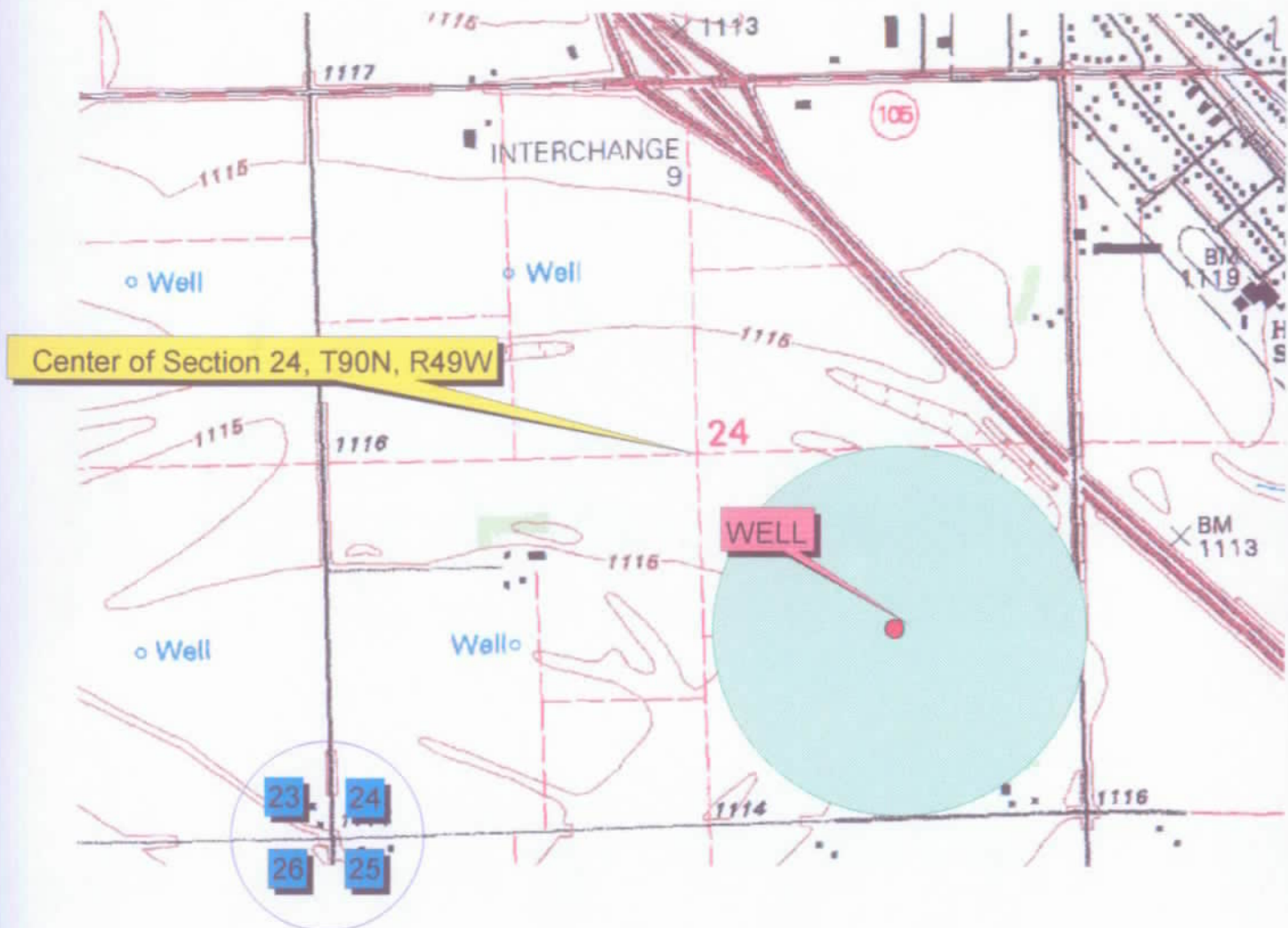
Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none


Eric S. Gronlund

Natural Resources Engineer
DENR, Water Rights Program

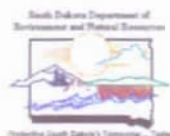
August 30, 1999
Date



Well is located in the approximate center of the SE1/4 Section 24, T90N, R49W



Eric Gronlund
Eric Gronlund
Water Rights Program



Licensing investigation conducted
August 10, 1999



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

September 1, 1999

5841-3
6001-3
6079-3

Joe Trudeau
33060 480th Ave.
Jefferson, SD 57038

Dear Mr. Trudeau:

The investigation of your water use systems was conducted on August 10 and 11, 1999, by Eric Gronlund, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 5841-3, 6001-3 and 6079-3. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per license (\$150.00 total) for the investigation and issuance of the Water Licenses. Upon receipt of the \$50.00 fee per license from you (\$150.00 total), we will begin processing your Water Licenses.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

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

NOTE: On check or money order, please specify your permit numbers. This will insure proper handling of the fee.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 416193

Pierre, September 16, 19 99

RECEIVED OF Trudeau Farms, Inc., Rt 1, Box 370, Jefferson, SD 57038
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. 6001-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By _____
Chief Engineer

John Hatch



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

DEC 6 1999

5841-3
6001-3
6079-3

Vincent Trudeau
%Joseph and John Trudeau
33060 480th Ave.
Jefferson, SD 57038

Dear Mr. Trudeau:

Enclosed are Water License Nos. 5841-3, 6001-3 and 6079-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 416192, 416193 and 416194 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 5841-3, 6001-3 and 6079-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

NOTE: The investigation of the irrigation system developed under No. 5841-3 (Vincent Trudeau) found the system is capable of diverting 1.45 cubic feet of water per second (cfs) which is equivalent to approximately 650 gallons per minute (gpm). The statutory limit for 39 acres is 0.56 cfs (equivalent to approximately 250 gpm). Diversion of water under this water license is limited to 0.56 cfs.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6001-3

(1) Joseph & John Trudeau, 33060 480th Ave, Jefferson SD 57038 made Application No. 6001-3, May 5, 1997 for a water permit to divert 1.78 cubic feet of water per second from groundwater (one well), Union County, South Dakota for irrigation purposes. Permit No. 6001-3, with a priority date of May 5, 1997 was approved July 7, 1997 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 7, 2002 and for the application to beneficial use of said water on or before July 7, 2006.

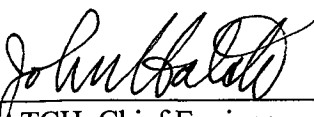
The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on August 18, 1997. The *Notice* stated the diversion system was completed on June 6, 1997 and the water placed to beneficial use on June 6, 1997.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and are entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 1,320 feet north and 1,320 feet west of the southeast corner of Section 24-T90N-R49W (center of SE ¼).

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

Section 24-T90N-R49W	NW ¼ SE ¼	34 acres
	SW ¼ SE ¼	34 acres
	NE ¼ SE ¼	34 acres
	SE ¼ SE ¼	34 acres
Total 136 acres		

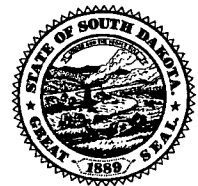
(4) Pursuant to South Dakota Water Law 46-5-30.1 Joseph and John Trudeau, 33060 480th Ave, Jefferson SD 57038 the holders and/or owners of Water Right No. 6001-3 are issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of May 5, 1997 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Right No. 6001-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 6 1999

date



Schlaak, Karen

From: Gronlund, Eric
Sent: Wednesday, August 01, 2018 1:14 PM
To: Schlaak, Karen
Subject: overspray

Took a call alleging overspray from a pivot in the SE ¼ Section 24-T90N-R49W in Union County.

Should be WR 6001-3, Trudeau



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

No. 6001-3

August 1, 2018

Joseph & John Trudeau
33060 480th Ave
Jefferson SD 57038

Dear Sirs:

The Department of Environment and Natural Resources (DENR) has received information alleging the irrigation system located in the SE 1/4 Section 24-T90N-R49W had irrigation water from the end gun overspraying on the road. This acreage is authorized by Water Right No. 6001-3.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

If you don't believe this irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

Schlaak, Karen

From: Duvall, Ron
Sent: Monday, August 06, 2018 2:03 PM
To: Gronlund, Eric; Schlaak, Karen
Cc: Goodman, Jeanne
Subject: Overspray Call

I got a call from John Trudeau regarding a letter he received about irrigation overspray. He indicated that on that the end gun stops are in place and worked on the last pass of the pivot. I confirmed the legal description in the letter we sent him is correct. Mr. Trudeau suggested that whoever reported the overspray got the legal description wrong. He indicated there are other pivots nearby that do overspray.

Ron Duvall
SD DENR, Water Rights Program
(605) 773-3352
denr.sd.gov





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 19, 2024

NOTICE

TO: KEMPS C/O TRUDEAU FARMS INC. OP, JOE TRUDEAU, 33060 480TH AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaires

Our records indicate your 2023 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1100-3, 2347-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3, 3869-3 & 4370-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2340-3, 2623-3, 5666-3, 6001-3, 6079-3 & 6956-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 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) 2340-3, 2623-3, 5666-3, 6001-3, 6079-3 & 6956-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1100-3, 2347-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3, 3869-3 & 4370-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TEFGBZB**

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 13, 2024

1100-3, 2347-3, 2401-3, 2402-3
2624-3, 2625-3, 3286-3, 3869-3
4370-3, 2340-3, 2623-3, 5666-3
6001-3, 6079-3 & 6956-3

Trudeau Farms Inc.
c/o Joseph Trudeau
33060 480th Ave
Jefferson SD 57038

Dear Mr. Trudeau:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 1100-3, 2347-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3, 3869-3, 4370-3, 2340-3, 2623-3, 5666-3, 6001-3, 6079-3 & 6956-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

cc: STEVE HEITMAN, RR 1 BOX 150, JEFFERSON SD 57038
MERYLN KARPEN, BOX 187, JEFFERSON, SD 57038
CLARENCE KNEEBONE, PO BOX 366, ELK POINT SD 57025
PAUL VONDRAK, RT 1, JEFFERSON SD 57038