

WATER PERMIT NO. 6031-3

Name of Applicant: LaFleur Farms c/o Doug LaFleur

Address: RR 1 Box 155, Jefferson SD 57038

Phone: 605 966-5852

Amount of Water Claimed: 1.77 cfs (800 gpm)

Total Acres: 100 acres

Source of Water Supply: groundwater

Water to be used for: irrigation County: Union

Type of Waste Disposal System: NA

Location: 2 miles south of Jefferson

PRIORITY Date Received: 1-9-1998

Fee: \$225.00

Corrected Application Received:

Period of Annual Use: May 1 - August 31

Remarks: Requesting more water than statutory limit

Diversion Point: ^{NE}SE 1/4 SW 1/4
Sec 31-T90N-R48W

Land to be Irrigated: SW 1/4 NW 1/4,
SW 1/4 SE 1/4, SW 1/4 Sec 31-T90N-R48W

Depth of Well: 120 feet deep

Well Driller:

Remarks:

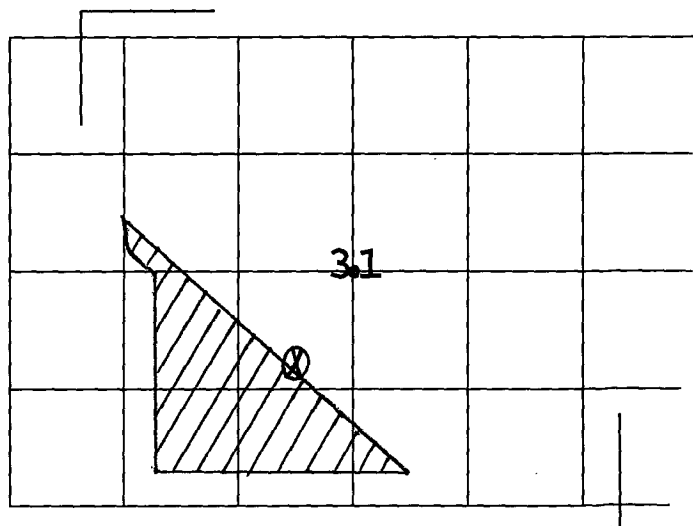
Type of Map: aerial

Prepared by: Audrey Morse, Union Co. FSA

Reviewed and the Number Assigned on: 1-9-1998

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 6031-3**

Date of first receipt of application January 9, 1998.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6031-3 to LaFleur Farms, c/o Doug LaFleur, RR 1 Box 155, 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. 6031-3 appropriates 1.77 cubic feet of water per second (800 gallons per minute) from one well (Missouri:Elk Point Aquifer) 120 feet deep located in the SE 1/4 SW 1/4 Section 31 to irrigate 100 acres located in the SW 1/4 NW 1/4, SW 1/4 SE 1/4, SW 1/4 Section 31; all in T90N-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: May 1 - August 31.
3. The date from which applicant may claim right is January 9, 1998.
4. The date of approval of Permit No. 6031-3 is March 9, 1998.
5. One-fifth of the construction is to be completed on or before September 9, 2000.
6. All construction is to be completed on or before March 9, 2003.
7. Water is to be put to beneficial use on or before March 9, 2007.
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. 6031-3 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. Pursuant to SDCL 46-5-6, Permit No. 6031-3 authorized a maximum diversion rate of 1.77 cfs. Combination of diversions authorized by Water Right No. 3336-3 and this Permit may not exceed 2 acre feet of water per acre per year.
4. 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

APR 23 1998

date



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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only) No. <u>6031-3</u> Hydrologic Unit <u>10170203</u> Basin <u>Sioux River</u> Newspaper <u>Elk Point Leader Courier, Elk Point, SD</u>
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Application For Permit To Appropriate Water For Irrigation

Type of Application: X 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.)

1. Name of Applicant LaFleur Farms c/o Doug LaFleur ☐ Owner ☐ Tenant/Lessee Phone 605-966-5852
(check one)
- Mailing Address RR #1 Box 155 Jefferson S.D. State 57038
(Street, RR, or Box) (Zip Code)
2. Amount of water claimed 1.77*CFS or 800 **GPM ***AF Total Acreage 100
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply groundwater
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SE 1/4 SW 1/4 Sec 31-T90N-R48W
County Union
5. County or counties where water will be used Union
6. Annual period during which water is to be used May 1 - August 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
All in Section 31-T90N-R48W		NW 1/4 SW 1/4	23
SW 1/4 NW 1/4	6	NE 1/4 SW 1/4	17
SW 1/4 SE 1/4	9	SW 1/4 SW 1/4	18
		SE 1/4 SW 1/4	27

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

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, LaFleur Farms, 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 X Douglas LaFleur POA

Subscribed and sworn to before me this 7 day of January 19 98

Quedrey L. Morse
Notary Public

My commission expires 10-27-2002

Supplemental Information

(type or print in ink)

Don't know

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 120'
- b) Casing Type PVC Diameter 16" Thickness Sch 40
- c) Screen Type PVC Diameter 16" Thickness Sch 40
- d) Gravel Pack Pea Gravel Length of Gravel Pack 40 ft
- e) Depth to Top of Water Bearing Material @ 50'
- f) Depth to Water (ground surface to water level) @ 10'
- g) Distance to nearest existing domestic well:
- On applicants property None On property owned by others 1/2 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

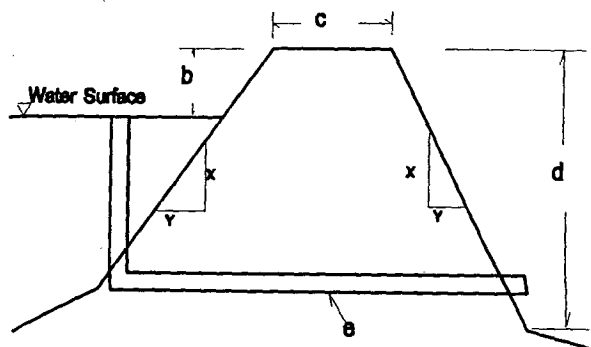
3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

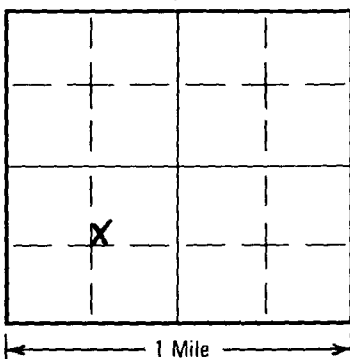
Location NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 3i Twp 90 Rg 48County Union North

Please mark well location with an "X"

W

E

Well Completion Date

7-7-98

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 5000 ft. from Septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>60</u> FT	<u>22</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cmt</u>	<u>20</u>	<u>15.5</u> lb./gal	<u>0</u> ft	<u>30</u> ft
<u>bent</u>	<u>30</u>	_____ lb./gal	<u>30</u> ft	<u>60</u> ft

Describe grouting procedure TremieSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 16 IN Length 40 FEETMaterial PVCSlot Size 50 Set From 60 Feet to 100 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

X YES, How: Cl

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Lafleur Brothers Livestock

Business Name: _____

Address: Jefferson, SD

WELL LOG:

DEPTH

FORMATION

FROM

TO

Top Soil
blue clay
sand
gravel

<u>0</u>	<u>3</u>
<u>3</u>	<u>10</u>
<u>10</u>	<u>56</u>
<u>56</u>	<u>100</u>

STATIC WATER LEVEL 9 Feet

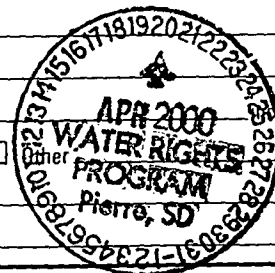
If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____



WELL TEST DATA:

☒ Pumped

Describe: _____

☐ Bailed☐ Other

Pumping Level Below Land Surface

40 ft. After 12 Hrs. pumped 1000 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 341

And this report is true and accurate.

Drilling firm Wetmore Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

Audrey Morse, P.A.
Union County FSA Office

NOT TO SCALE



LaFleur Farms
Doug LaFleur

Section 6 8948
N 1/2 Section 6

NOT TO SCALE

T-1334

Karen,
I hope this helps

Doug

Irrigated
254.4

1994

Proposed
New Irrigated
Land
134 Acres

New
well

T217

C.R.P.

CRP Fall signed
NHEA

31

CRP

old line
well

CRP

Proposed
New well

39 Acres

90-48

LaFleur Farms Center Point
Existing Permit 3336-3

31 L

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

415589

Pierre, January 9, 1998

RECEIVED OF LaFleur Farms, Doug LaFleur, RR 1 Box 155, Jefferson SD 57038
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>60313</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	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	225 00

±

By

Chief Engineer

John Hatch
JOHN HATCH

ks



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 29, 1997

Doug LaFleur
LaFleur Farms
RR 1, Box 155
Jefferson SD 57038

Dear Mr. LaFleur:

Enclosed is a partially completed *Application for a Permit to Appropriate Water for Irrigation* form. The acreage amounts were determined from the cross-hatched area you marked on the aerial photo. Please review and complete the application. The application needs to be signed and notarized. A few other items are required to complete the application.

The aerial photo must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).

Please complete the Form 2A, *Supplemental Information* form. You indicated that a test hole has not been drilled but you did have a copy of the proposed construction including the proposed well depth.

Under state statutes you are allowed 1 cubic foot of water per second (cfs) (450 gallons per minute) for each 70 acres irrigated. This would mean that you are allowed 1.43 cfs (642 gpm) for the 100 acres to be irrigated. The Water Management Board may allow a greater diversion, in volume or rate or both, if the method of irrigation, any time constraints on diversion of water, or the type of soil so requires.

The application fee to irrigate 100 acres is \$225.00.

Hopefully, this application reflects your proposed irrigation project. If not, please make the necessary changes. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

Water Rights Program - File Documentation

NAME: Doug LaFleur

ADDRESS: Jefferson

DATE: December 29, 1997 **COUNTY:** Union **TELEPHONE:** 605 966-5852

RE: New Application

COMMENTS:

Mr. LaFleur submitted an aerial photo for his proposed irrigation project. Based on observations from the map, I called Mr. LaFleur and told him no permit was found for the area cross-hatched on the map.

Mr. LaFleur indicated the proposed new well would be solely used for irrigation of the cross-hatched area and would not be used to supply water to the existing permit to the south and southeast (Permit No. 3336-3).

Mr. LaFleur stated he agreed that the cross-hatched area was located in Section 31, not Section 6 as was indicated on the top of the map.

Mr. LaFleur indicated the size of the existing pivot (Permit No. 3336-3) may be reduced. I told Mr. LaFleur that these acres would not be lost if they continued to be irrigated by the new system within the cross-hatched area.

Mr. LaFleur stated they were planning to use a pivot to irrigate the proposed acreage.

I told Mr. LaFleur that we would be sending him a partially completed application listing the acreage amounts based on the map which he had submitted.



Karen Schlaak
Environmental Scientist

1/7/98

Water Rights Program

Karen Schlaak

Karen,

Due to the extreme
sandy soil, we are requesting
to change the 642 GPM to
800 GPM on the 100 Acres
in question.

Sincerely,

LaFleur Farms
Dory LaFleur

REPORT ON WATER PERMIT APPLICATION NO. 6031-3

for LaFleur Farms

January 22, 1998

Application No. 6031-3 proposes to appropriate 1.77 cfs (800 gpm) from one well approximately 120 feet deep located in the SE 1/4 SW 1/4 of Section 31 to irrigate 100 acres located in the SW 1/4 NW 1/4, SW 1/4 SE 1/4, SW 1/4 of Section 31; all in T90N-R48W in Union County.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) which is under unconfined or water table conditions in this area. 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 and Missouri Rivers, to the Upper Vermillion Missouri aquifer to the west, the Big Sioux South aquifer to the north, to the Dakota Formation which directly underlies the Missouri Elk Point in southern Union County, and extends laterally into Clay County to the west. Ground water movement is basically from northwest to southeast with discharge toward either the Big Sioux or Missouri Rivers.

No test hole information is supplied with this application but there is sufficient information from existing wells in the area and from drilling for the county study and for Water Rights observation wells to evaluate this application.

The Water Rights Program does monitor an observation well UN-77P which is completed into the Missouri Elk Point aquifer and located about two miles northwest of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1998). A hydrograph for UN-77P is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

This area of Union County is intensively irrigated. There are three existing water permits/rights surrounding this application. The wells for these permits/rights are between one half mile and one mile from the well for this application. Interference is not a concern. The Missouri Elk Point is a highly prolific aquifer and drawdown is not expected to be significant at the distances between the existing wells and this application.

WATER RIGHTS OBSERVATION WELL

UN-77P



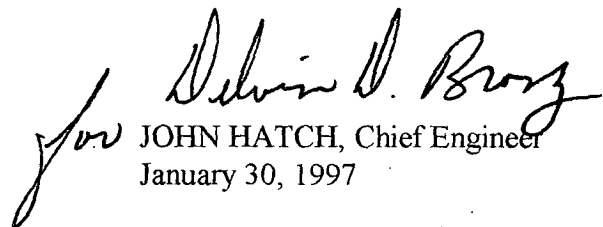
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6031-3, LaFleur Farms

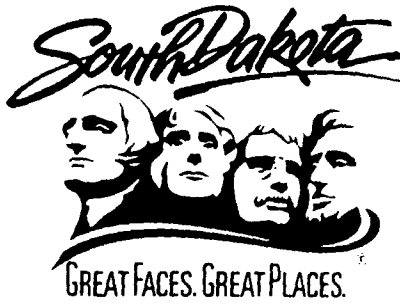
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6031-3, LaFleur Farms, c/o Doug LaFleur, RR1 Box 155, Jefferson, SD 57038.

The Chief Engineer is recommending APPROVAL of Application No. 6031-3 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. The well authorized by Permit No. 6031-3 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. Pursuant to SDCL 46-5-6, Permit No. 6031-3 authorizes a maximum diversion rate of 1.77 cfs. Combination of diversions authorized by Water Right No. 3336-3 and this Permit may not exceed 2 acre feet of water per acre per year.
4. 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
January 30, 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.

February 11, 1998

LaFleur Farms
%Doug LaFleur
RR 1, Box 155
Jefferson, SD 57038

Dear Mr. LaFleur:

Water Permit Application No. 6031-3 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 # (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

February 11, 1998

Elk Point Leader Courier
Box 310
Elk Point, SD 57025-0310

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6031-3 to be published twice. Please publish the first notice on February 19, 1998, 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 LaFleur Farms, %Doug LaFleur, RR 1, Box 155, Jefferson, SD 57038 (Ph # (605) 966-5852).

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
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 February 19, 1998, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6031-3 to Appropriate Water

Notice is given that LaFleur Farms, c/o Doug LaFleur, RR 1 Box 155, Jefferson SD 57038 has filed an application for a water permit to appropriate 1.77 cubic feet of water per second (800 gallons per minute) from one well (Missouri:Elk Point Aquifer) 120 feet deep located in the SE 1/4 SW 1/4 Section 31 to irrigate 100 acres located in the SW 1/4 NW 1/4, SW 1/4 SE 1/4, SW 1/4 Section 31; all in T90N-R48W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6031-3 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 March 9, 1998.

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

LaFleur Farms
%Doug LaFleur
RR 1, Box 155
Jefferson, SD 57038

Dear Mr. LaFleur:

Enclosed is Water Permit No. 6031-3 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 10/21/98

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

FROM: LaFleur Farms RR #1, Box 155
(name) (address)

Jefferson S.D. 57038 605 966-5852
(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. 6031-3.

Water Permit No. 6031-3 states that the diversion system is to be constructed by March 9, 2003, and that the water is put to beneficial use by
(date)

March 9, 2007.
(date)

The diversion system was completed on 6/15/98.
(date)

Applying the water to beneficial use was completed on 7/1/98.
(date)

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

LaFleur Farms
Douglas LaFleur POA
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 10, 1999

Dick Hammond
Geo-Energy Drilling
27 N. Yale St.
Vermillion, SD 57069

Dear Mr. Hammond:

Our office is in the process of issuing Water Licenses for Water Permit Nos. 6031-3 and 6076-3. In order to complete the files, and before the licenses can be issued, a well log is needed for the following described wells.

6031-3	LaFluer Farms	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T90N, R48W	drilled in 1997
6076-3	Brian Chicoine	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, T90N, R48W	drilled in 1998

The water licenses are nearly ready to be issued but cannot be done until an "as constructed" log of the well is obtained. If the logs are no longer available, please contact me by phone or mail. Your prompt attention in this matter will be appreciated. If you have any question, please contact me.

Sincerely,

Lynn Beck
Natural Resources Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 20, 1999

Doug LaFleur, LaFleur Farms
RR 1, Box 155
Jefferson, SD 57038

Dear Mr. LaFleur:

Please find enclosed a map representing Water Right Nos. 6031-3 and 3336-3. Review the map and let me know if it is correct. Any changes can be made on the map and mailed to me or we can try to do it over the phone. You can contact me at (605) 773-3352. Thank you in advance.

Sincerely,

Lynn Beck
Natural Resources Engineer III



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 10, 2000

2342-3, 2343-3, 3907-3 & 6031-3

Russell LaFleur
RR 1 Box 155
Jefferson SD 57038

Dear Mr. LaFleur:

Water Permit Nos. 2342-3, 2343-3 & 3907-3 have been readvertised to correct errors on the original public notice and to clarify legal descriptions. The final water right documents, the Water Licenses, can now be issued.

Regarding Permit No. 6031-3, the license can not be issued until we receive a well completion report from Wetmore Drilling. We have requested the report from the driller but have not received it, as of today.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of each Water License (total \$200.00)

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

Sincerely,

Karen Schlaak

Karen Schlaak
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.

Permit No. 6031-3
Missouri 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, **October 19, 1999** made a thorough examination of the water use system constructed by **LaFleur Farms of RR 1, Box 155, Jefferson, SD 57038** holder of Permit No. **6031-3**, bearing the priority of **January 9, 1998** authorizing the diversion of **1.77** cu. ft. per second of the waters of **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:

One well 100' deep with 60' of 16" pvc casing and 40' of 16" pvc screen, 800 gpm Armadillo pump and a ford diesel tractor motor.

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

170' of 8" pvc pipe.

C. Works used to apply water to beneficial use:

Valley center pivot 1625' long with 8 towers and an end gun, low pressure system with an 800 gpm capacity.

The system is in the following condition **good**. The point of diversion is located **2150' E and 1500' N of the SW corner of Section 31, T90N, R48W**. The works are capable of diverting and conveying to the place of use **1.77** cu. ft. per second of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

All in Section 31, T90N, R48W:

NE¼ SW¼ 16 acres **SW¼ SE¼ 9 acres**

NW¼ SW¼ 19 acres

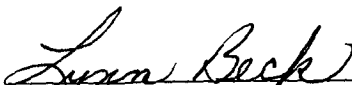
SW¼ SW¼ 13 acres

SE¼ SW¼ 38 acres

comprising a total of **95** acres of land and the license should be issued for **1.77** cfs.

Applicable permit qualifications have been complied with: **Yes, due to the sandy soil the diversion is greater than 1 cfs per 70 acres.**

Exceptions to compliance are: **none**



Lynn Beck

Natural Resources Engineer

DENR, Water Rights Program

4-24-2000

Date

REPORT ON INSPECTION OF PERMIT NO. 6031-3

DATE OF INSPECTION: 10-19-99

Other permit(s) associated with the project: #

NAME & ADDRESS OF INSPECTION CONTACT: Doug LaFleur, RR 1, Box 155, Jefferson, SD 57038

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: LaFleur Farms, same as above.

DIVERSION POINT LEGAL LOCATION: 2150' E and 1500' N of the SW corner of Section 31, T90N, R48W in the NE¼ SW¼ Section 31.

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore Drilling
- 2) No. of Wells 1
- 3) Depth(s) 100 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 16 inches
- 2) Length 60 feet
- 3) Type pvc

Screen:

- 1) Type pvc
- 2) Length 40 feet
- 3) Static water level 9 feet

Pump:

- 1) Make Armadillo
- 2) Model #
- 3) Size #
- 4) Capacity 800 GPM

Motor:

- 1) Make Ford diesel tractor
- 2) Model No. #
- 3) Horsepower rating # hp

DISTRIBUTION LINES OR CANALS:

- 1) Type pvc 2) Size 8" 3) Length 170 feet

SYSTEM TYPE:**Center Pivot:**

- 1) Make Valley
- 2) Overall length 1625
- 3) Number of towers 8
- 4) End gun yes
- 5) High or low pressure low
- 6) Capacity 800

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

Approval of Location Change and/or Additional Diversion Point(s)

NAME: LaFleur Farms, Doug LaFleur

ADDRESS: RR 1, Box 155, Jefferson, SD 57038

DATE: December 22, 1999

COUNTY: Union

TELEPHONE: (605) 966-5852

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The location of the diversion point is listed as in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T90N, R48W on the permit. The actual location is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T90N, R48W. The well is in the same water source and uses no additional water.

- **If irrigation, no new land is irrigated**

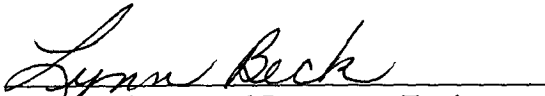
Irrigates lands covered under Permit No. 6031-3.

- **Review of Existing Diversions**

There are two diversion points under Water Right No. 4527-3 held by Rufab Co. and one diversion point under Water Right No. 3336-3 held by LaFleur Farms all within one mile of this diversion.

RECOMMENDED ACTION

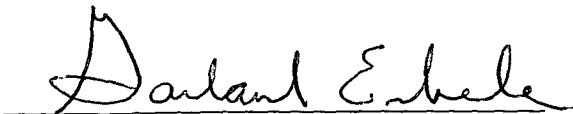
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Lynn Beck, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

**PROOF OF PUBLICATION**

STATE OF SOUTH DAKOTA)
 County of Union) SS

I, Kelly Kruihnoff

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:

Feb 19 & 26, 1998

Cost of Printing 35.36

Kelly Kruihnoff
 (Signature)

Editor
 (Title)

2-25-98
 (Date Signed)

**NOTICE OF APPLICATION
 NO. 6031-3 TO
 APPROPRIATE WATER**

Notice is given that LaFleur Farms, c/o Doug LaFleur, RR 1 box 155, Jefferson SD 57038 has filed an application for a water permit to appropriate 1.77 cubic feet of water per second (800 gallons per minute) from one well (Missouri: Elk Point Aquifer) 120 feet deep located in the SE1/4SW1/4 Section 31 to irrigate 100 acres located in the SW1/4NW1/4, SW1/4 SE1/4, SW1/4 Section 31, all in T90N-R48W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6031-3 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 the 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.

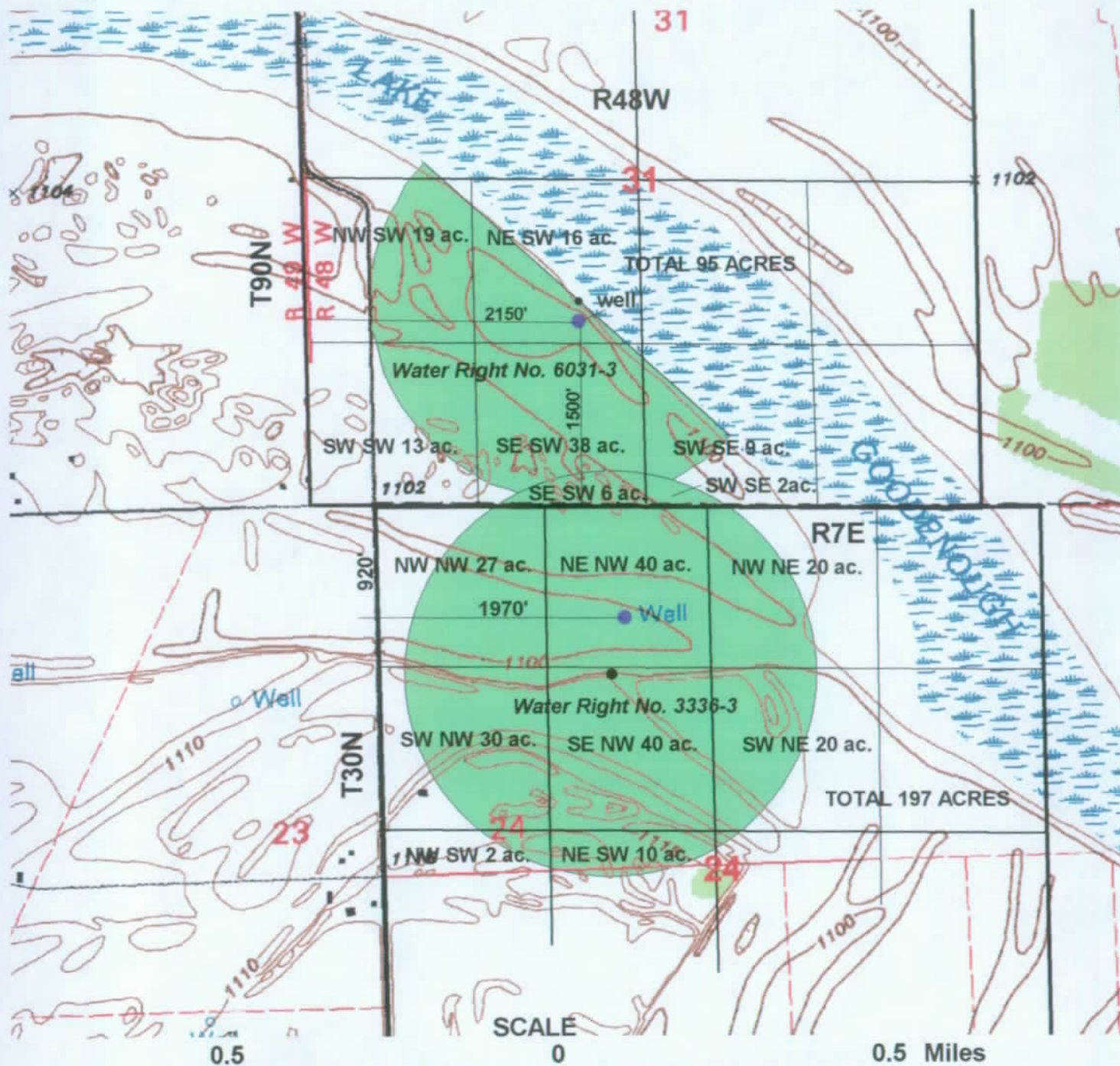
Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is Water Rights Program, Foss 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 March 9, 1998.

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 February 19 and 26, 1998
 32-17-64 35.36



WATER RIGHT NOS. 6031-3 AND 3336-3



Lynn Beck

Lynn Beck
Natural Resources Engineer
DENR, Water Rights Program
December 17, 1999



South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 24, 2000

Doug LaFleur
LaFleur Farms
RR 1, Box 155
Jefferson, SD 57038

Dear Mr. LaFleur:

Please find enclosed a copy of your well log for Water Right No. 6031-3, thought you would like a copy for your records. I finally got the well log from Wetmore Drilling and will proceed with licensing Permit No. 6031-3.

Sincerely,

Lynn Beck
Natural Resources Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 9, 2000

Permit Nos. 2342-3
2343-3
3907-3
6031-3

REMINDER NOTICE

TO: Russell LaFleur
RR 1, Box 155
Jefferson, SD 57038

FROM: Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Water License/Investigation Fee Requirement

On February 10, 2000, we advised you that a \$50.00 fee per license (\$200.00 total) is due for the completed investigation of Water Permit Nos. 2342-3, 2343-3, 3907-3 and 6031-3. The fee also covers issuance of your water licenses which is the final document in obtaining and perfecting a water right.

To date, we have not received the \$50.00 fee per license (\$200.00 total); therefore, we can not issue the water licenses. Your licensed water rights will be similar to a property right that can not be lost as long as the water use continues and you abide by any permit requirements.

In our letter to you in February, we had stated that we needed the well completion report from Wetmore Drilling before we'd be able to issue a Water License on Permit No. 6031-3. Please be advised that we have received the form from the well driller, and upon receipt of the fee for all the Water Licenses, further processing can continue.

Please remit the fee as soon as possible to obtain your water licenses. In addition, South Dakota water law does not allow water to be diverted until the license fee is paid. To avoid jeopardizing your ability to use water, please send the fee to the following address:

Department of Environment and Natural Resources
Water Rights Program
523 E Capitol
Pierre SD 57501-3181

Thank you for your prompt response. If you have any questions or believe our records are in error, please contact Genny McMath at (605) 773-3352.

RECEIVED OF _____ Date _____
the following amount _____

Fee for Application for _____
and to put water _____
Fee for Application for _____
Use _____
Fee to retain Future U _____
Fee for Inspecting Co _____
License No. _____
Fee for Filing Transfe _____
Fee for Filing Extensi _____
Fee for _____

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.

3. Article Addressed to:

Russell LaFleur
RR 1, Box 155
Jefferson, SD 57038

2342-3
2343-3
3907-3
6031-3

5. Received By: (Print Name)

Jess LaFleur

6. Signature: (Addressee or Agent)

X

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

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

7099 3220 0004 5201 0653

4b. Service Type

☐ Registered

☒ Certified

☐ Express Mail

☐ Insured

☐ Return Receipt for Merchandise

☐ COD

7. Date of Delivery

5-11-00

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
www.state.sd.us/denr

OCT 10 2000

Russell LaFleur
LaFleur Farms
33022 482nd Ave
Jefferson, SD 57038

Dear Mr. LaFleur:

Enclosed are Water License Nos. 2342-3, 2343-3, 3907-3 and 6031-3. They are the final water right documents completing your process of obtaining Water Rights. Included is Reissued Water License No. 3336-3.

The investigation of our water use systems found three of them capable of diverting over the statutory limit for the acres irrigated. The water licenses were issued for the statutory limit of 1.00 cfs for every 70 acres irrigated.

Water Right No.	Capacity of system	Licensed (statutory limit)
2342-3	1000 gpm (2.22 cfs)	644 gpm (1.43 cfs)
2343-3	1000 gpm (2.22 cfs)	644 gpm (1.43 cfs)
3907-3	576 gpm (1.28 cfs)	468 gpm (1.04 cfs)

*gpm = gallons per minute

**cfs = cubic feet of water per second

For your information SDCL 46-6-27 requires that if the owner of an existing well(s), such as the wells authorized by Water Right Nos. 2342-3, 2343-3, 3336-3, 3907-3 and 6031-3, 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.

Also enclosed are Receipt Nos. 416513, 416514, 416515 and 416516 in the amounts of \$50.00 each which you paid for the investigation and issuance of the Water Licenses. As long as you use the water beneficially, as stated in the 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.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6031-3

(1) LaFleur Farms, c/o Doug LaFleur, 33022 482nd Ave, Jefferson SD 57038 made Application No. 6031-3, January 9, 1998 for a water permit to divert 1.77 cubic feet of water per second from groundwater (one well), Union County, South Dakota for irrigation purposes. Permit No. 6031-3, with a priority date of January 9, 1998 was approved March 9, 1998 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 9, 2003 and for the application to beneficial use of said water on or before March 9, 2007.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on October 23, 1998. The *Notice* stated the diversion system was completed on June 15, 1998 and the water placed to beneficial use on July 1, 1998.

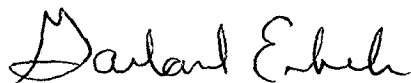
An investigation conducted for licensing purposes found the well under Water Permit No. 6031-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.77 cubic feet of water per second for beneficial use. The location of the diversion point is 2,150 feet east and 1,500 feet north of the southwest corner of Section 31-T90N-R48W (NE ¼ SW ¼).

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

Section 31-T90N-R48W	NE ¼ SW ¼	16 acres
	NW ¼ SW ¼	19 acres
	SW ¼ SW ¼	13 acres
	SE ¼ SW ¼	38 acres
	SW ¼ SE ¼	9 acres
Total 95 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 LaFleur Farms, c/o Doug LaFleur, 33022 482nd Ave, Jefferson SD 57038 the holder and/or owner of Water Right No. 6031-3 is issued a license to appropriate water, the right to use 1.77 cubic feet of water per second from groundwater (one well) with a priority date of January 9, 1998 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. 6031-3 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 10 2000

date

