

WATER PERMIT NO. 6209-3

Name of Applicant: Joe Ebbers

Address: RR 2, Box 77, Castlewood SD 57223

Phone: 605 873-2111

Amount of Water Claimed: 1.3 add'l cfs

Total Acres: 66 (no add'l)

Source of Water Supply: groundwater (1 existing well)

Water to be used for: irrigation

County: Brookings

Type of Waste Disposal System:

Location: 5 miles north of Bruce

PRIORITY

Date Received: 5-30-2000

Fee: \$!50

Corrected Application Received::

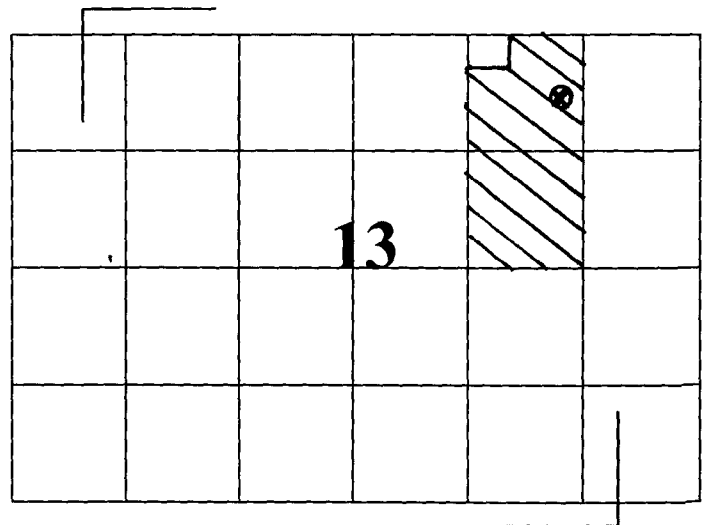
Period of Annual Use: April 1 – September 30

Remarks: Increases the diversion rate authorized by Water Right No. 2127A-3

Diversion Point: NE ¼ NE ¼ Sec 13-T112N-R51W

Land to be Irrigated: E ½ NE ¼

Sec 13-T112N-R51W



Depth of Well: 31 feet

Well Driller:

Remarks: well log not available

Type of Map: plat

Prepared by:

Reviewed and the Number Assigned on: 5-30-2000

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6209-3**

Date of first receipt of application May 30, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6209-3 to Joe Ebbers, RR 2, Box 77, Castlewood SD 57223 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. 6209-3 appropriates an additional 1.3 cubic feet of water per second (cfs) to what is currently authorized by Water Right No. 2127A-3. Water Right No. 2127A-3 appropriates 0.70 cfs from one well (Big Sioux:Brookings Aquifer) 31 feet deep located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13 to irrigate 66 acres located in the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 13; all in T112N-R51W. This permit increases the diversion rate by 1.3 cfs for a total diversion rate of 2 cfs.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is May 30, 2000.
4. The date of approval of Permit No. 6209-3 is August 28, 2000.
5. 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 2127A-3 and Water Permit No. 6209-3 authorizes a maximum diversion rate of 2.0 cfs for the irrigation of 66 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

OCT 10 2000

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>6209-3</u>	Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Brookings Register</u>	



Application For Permit To Appropriate Water For Irrigation

Type of Application: X New Vested Right Amendment/Correction to Permit No.

(Use predates Mar 2, 1955)

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

- Name of Applicant Joe Ebbers Phone (605) 873-2111 (work)
 (check one) ✓ Owner Tenant/lessee
 Mailing Address RR 2 Box 77, Castlewood State SD 57223
 (Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.3 ~~0.64~~ *CFS or 585 **GPM ***AF Total Acreage 66 (no add'l)
 (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply ground water (one existing well)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
one well located in the NE 1/4 NE 1/4 Section 13, T112N, R51W
Brookings County
- County or counties where water will be used Brookings
- Annual period during which water is to be used April 1st - September 30th
- 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
NE 1/4 NE 1/4 Section 13, T112N, R51W	29.00		
SE 1/4 NE 1/4 Section 13, T112N, R51W	37.00		
(all land authorized under No. 2127A-3)			

8. Give a description of the project. (Attach sheet if more space is needed)
 Water Right No. 2127A-3 with a priority date of October 9, 1974 authorizes 0.70 cfs (314 gpm) to irrigate 66 acres. The system is capable of diverting 1.34 cfs (600 gpm) which is more than the statutory limit. The statutory limit for irrigation of 66 acres is 0.94 cfs (422 gpm). In order to operate this system an additional 0.40 cfs (180 gpm) above the statutory limit is required. A total of 0.64 cfs is being requested with this application. 1.3

STATE OF SOUTH DAKOTA) SS
 County of Hamlin)

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)

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

Applicant's signature Joe Ebbers

Subscribed and sworn to before me this 24th day of May, 2000.

Walter F. Koisti

Notary Public signature

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 416534

Pierre, May 30, 2000

RECEIVED OF Joe Ebbers, RR 2, Box 77, Castlewood, SD 57223
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6209-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6209-3</u> _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By Harland Ebbels

1

(1) WELL CONSTRUCTION

Location of well: NE 1/4 NE¹/₄ NE⁴/₄ Section 13 Township 112-N Range 51-W

Well owner MERIE HAGSETH BRUCE, SD
(Name) (Address)

Date well drilling completed 8-28-76 Purpose of well IRRIGATION
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer
0-2	Topsoil
2-11	Fine sand
11-33	clean sand
33	blue clay

Depth to top of water producing aquifer 11' 3" ft.

Depth to static water level 11' 3" ft.

Name of producing aquifer (if known) _____

Total depth of drill hole 33 ft.

Depth to bottom of casing _____ ft.

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

23' x 12" x 5/16" steel casing

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

10' x 12" x .100 Johnson Irrigation Screen

Is it flowing well, flow of completed well, _____ G.P.M.

Attach sheet if more space is needed

Attach sheet if more space is needed

23' x 12" x 5/16" steel casing

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

10' x 12" x .100 Johnson
Irrigation
Screen

17 a flowing well, flow of completed well, _____ 8 P.M.

Ed H. Lacey & Son
Name of Drilling Contractor

PUMP INSTALLATION

Company name and size of pump WESTERN LAND ROLLER HP 60

Type of pump Turbine Capacity of installed pump 500 G.P.M.

Depth of pump placement 26 ft., Date of pump installation -

On some wells an air-tight water surface measuring tube is required: See Section 46.40B of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

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

EDH LACEY & SONS
Name of Pump Installation Contractor

AXIOM™

The Highlighted
is the Land to
be irrigated under
Licence 2127A-3
and also the Land in
which I Am Asking for
more Ballonage
Control without compromise.™

REPORT ON WATER PERMIT APPLICATION NO. 6209-3
for Joe Ebbers
July 17, 2000

Application No. 6209-3 proposes to appropriate an additional 1.3 cfs (585 gpm) to what is currently authorized by Water Right No. 2127A-3. Water Right No. 2127A-3 appropriates 0.70 cfs from one well approximately 31 feet deep located in the NE 1/4 NE 1/4 of Section 13 to irrigate 66 acres located in the E 1/2 NE 1/4 of Section 13; all in T112N-R51W in Brookings County. This application proposes to increase the diversion rate by 1.3 cfs for a total diversion rate of 2.0 cfs. The new diversion rate is in excess of one cfs for each 70 acres, however, pursuant to SDCL 46-5-6 this may be allowed if the method of irrigation, time constraints on diversion of water, or the type of soil so requires.

AQUIFER - BIG SIOUX BROOKINGS (BS-B)

The Big Sioux Brookings is a surficial outwash (sand and gravel) which is under water table conditions in this area. The Big Sioux aquifer underlies 540 square miles and contains an estimated 2.0 million acre feet of water in storage in Kingsbury and Brookings Counties (Hamilton, 1989). The Big Sioux Brookings management unit of the Big Sioux aquifer underlies 74,500 acres and contains an estimated 245,850 acre feet of recoverable water in storage in Brookings County alone (Hedges, 1982). The aquifer also extends into Hamlin County to the north and is hydraulically connected to the Big Sioux River. Ground water movement is probably from north to south and towards the river in this area (Hamilton, 1989).

The Water Rights Program does monitor observation wells in this area which are completed into the Big Sioux aquifer. Observation well BG-75G is located about one-half mile south of this application. Water levels for this well show good correlation with climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. A hydrograph for this observation well is included with this report (Water Rights, 2000).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

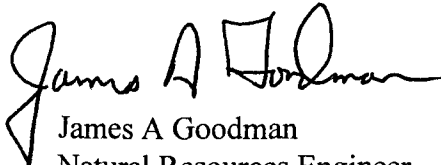
There are four existing water rights within one mile of this application. The closest well for any of these water rights is about one-half mile from the well for this application. Interference is not a concern. These are all existing wells and have been in use for many years with no apparent problems.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer.
2. The aquifer is under water table conditions and drawdown created by pumping does not extend very far from individual production wells. This is shown by the observation well hydrograph for BG-75G. Interference is not a concern.
3. This is an existing well and has been in use for many years. The increase in diversion rate is to allow using a center pivot to be operated in a windshield wiper fashion. The original well

completion report (for Merle Hagseth) indicates that the well was capable of producing 500 gpm with a pump emplacement at 26 feet. This well needs to be tested to verify a potential pumping rate of 1000 gpm and also if the well would maintain this rate especially during dry years. This creates a situation where the one cfs per 70 acres rule is violated but this can be allowed pursuant to SDCL 46-5-6. This permit application can be approved for a diversion rate of 2.0 cfs for irrigation of 66 acres.

4. This land is also covered by Water Right No. 2127A-3. This new application will eventually incorporate the old license into a new license. The additional diversion rate will require a new priority date.



James A Goodman
Natural Resources Engineer

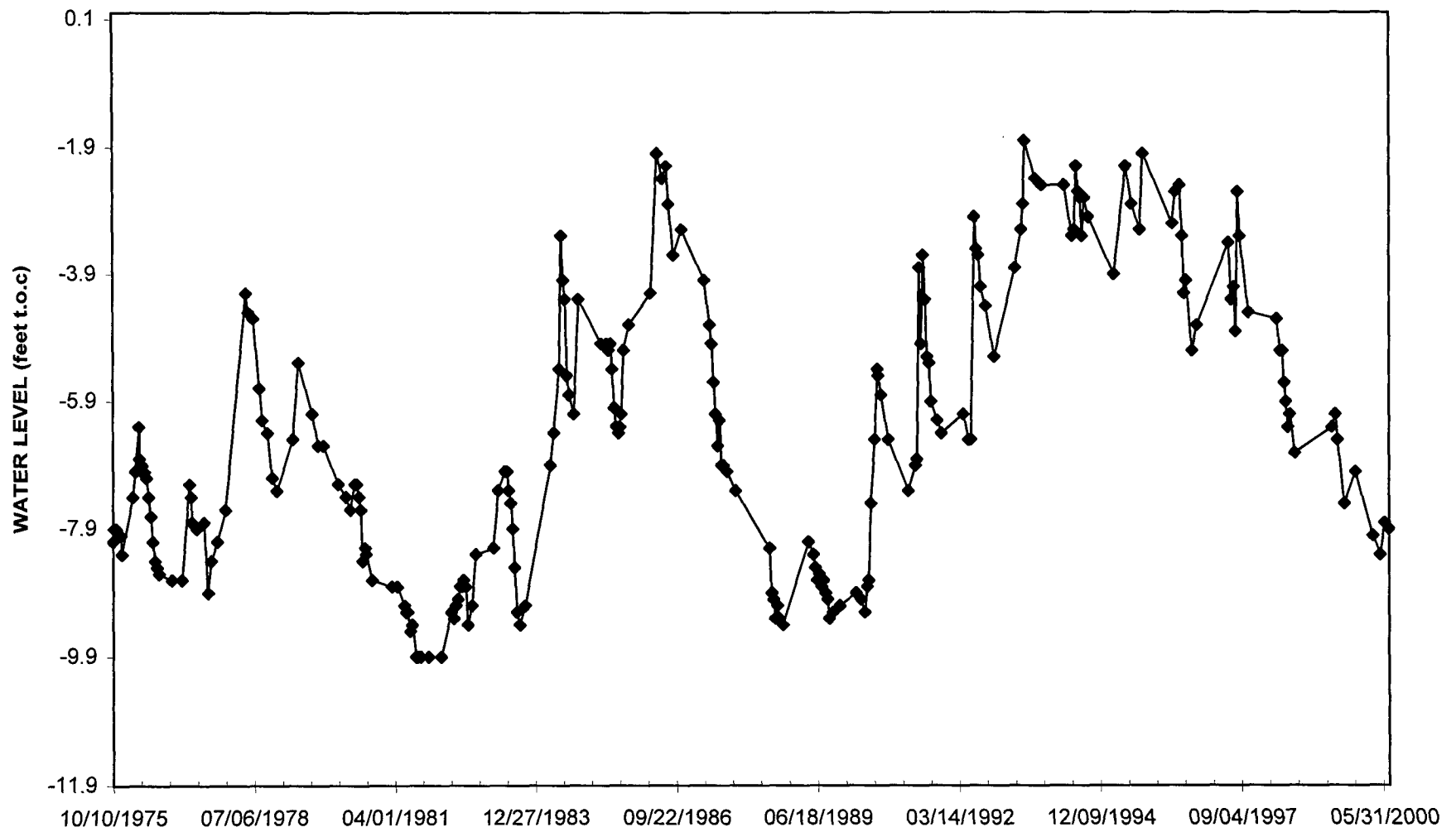
BIBLIOGRAPHY

Hamilton, L.J., 1989, Water Resources of Brookings and Kingsbury Counties, South Dakota, WRI 88-4185, USGS, Huron, SD, 57350.

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

Water Rights, 2000, Unpublished Observation Well Data for Brookings County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
BG-75G**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6209-3, Joe Ebbers**

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. 6209-3, Joe Ebbers, RR 2, Box 77, Castlewood, SD 57223.

The Chief Engineer is recommending APPROVAL of Application No. 6209-3-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 2127A-3 and Water Permit No. 6209-3 authorizes a maximum diversion rate of 2.0 cfs for the irrigation of 66 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
August 2, 2000



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

August 2, 2000

Joe Ebbers
RR 2, Box 77
Castlewood, SD 57223

Dear Mr. Ebbers:

Water Permit Application No. 6209-3 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 Brookings Register printed at Brookings, SD (Ph # (605) 692-6271). 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 57501-3182
www.state.sd.us/denr

August 2, 2000

Brookings Register
Box 177
Brookings, SD 57006-0177

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6209-3 to Appropriate Water to be published twice. Please publish the first notice on August 9, 2000, 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 Joe Ebbers, RR 2, Box 77, Castlewood, SD 57223 (Ph # (605) 873-2111).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 6209-3

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

Date _____

We are in receipt of your letter of August 2, 2000, enclosing Notice of Hearing to Appropriate Water by Application No. 6209-3 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 August 9, 2000, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6209-3 to Appropriate Water
and to Amend Water Right No. 2127A-3

Notice is given that Joe Ebbers, RR 2, Box 77, Castlewood SD 57223 has filed an application for a water permit to appropriate an additional 1.3 cubic feet of water per second (cfs) to what is currently authorized by Water Right No. 2127A-3. Water Right No. 2127A-3 appropriates 0.70 cfs from one well (Big Sioux:Brookings Aquifer) 31 feet deep located in the NE ¼ NE ¼ Section 13 to irrigate 66 acres located in the E ½ NE ¼ Section 13; all in T112N-R51W. This application proposed to increase the diversion rate by 1.3 cfs for a total diversion rate of 2 cfs. This diversion rate is in excess of one cfs for each 70 acres irrigated, however, pursuant to SDCL 46-5-6 this may be allowed if the method of irrigation, time constraints on diversion of water, or the type of soil so requires.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6209-3 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 August 28, 2000.

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

Affidavit of Publication

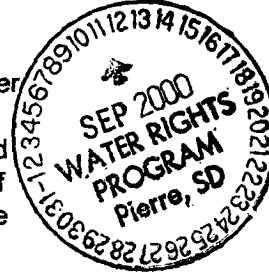
State of South Dakota

SS

Exhibit "A"

County of Brookings

Kristy Rosse of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed in the office maintained at said place of publication; and that the



Legal #591 Notice of Application

Brookings and State of South Dakota, for more than one a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit "A," and is made a part of this affidavit, was published in said newspaper for 2 times, to-wit:

August 9, 2000

August 16, 2000

That the full amount of the fee charged for the publication of said Exhibit "A" inures to the sole benefit to the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Fourty-three dollars and fifteen cents \$43.15

Subscribed and sworn to before me this

21 day of

August

, 2000.

Christina Nelson

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires April 27, 2006

Legal 591, 2x, 8/9, 16

NOTICE OF APPLICATION NO.

6209-3 to Appropriate Water and to Amend Water Right No. 2127A-3

Notice is given that Joe Ebberts, RR 2, Box 77, Castlewood SD 57223 has filed an application for a water permit to appropriate an additional 2.3 cubic feet of water per second (cfs) to what is currently authorized by Water Right No. 2127A-3. Water Right No. 2127A-3 appropriates 0.70 cfs from one well (Big Sioux: Brookings Aquifer) 31 feet deep located in the NE 1/4 NE 1/4 Section 13 to irrigate 66 acres located in the E 1/2 NE 1/4 Section 13; all in T1 12N-R5 1 W. This application is proposed to increase the diversion rate from 1.3 cfs for a total diversion rate of 2 cfs. This diversion rate is in

excess of one cfs for each 70 acres irrigated, however, pursuant to SDCL 46-5-6 this may be allowed if the method of irrigation, time constraints on diversion of water, or the type of soil so requires.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6209-3 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.

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**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

Joe Ebbers
RR 2 Box 77
Castlewood SD 57223

Dear Mr. Ebbers:

Enclosed is Water Permit No. 6209-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Sincerely,

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

enclosures

Permit No. 6209-3
Sioux River - Water District

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

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

I have this day, **April 22, 2008**, made a thorough examination of the water use system constructed by **Joe Ebberts** of **46243 189th St., Castlewood, SD 57223** holder of Permit No. **6209-3**, bearing the priority of **May 30, 2000** authorizing the diversion of **1.30** cu. ft. per second of the waters of the **Big Sioux:Brookings Aquifer** for **Irrigation use** purposes, in **Brookings** County.

Inspection contact & relationship
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Lacey Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **33** feet
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **12** inches
- 2) Length **23** feet
- 3) Type **Steel**

Screen:

- 1) Type **Johnson Irrigation Screen**
- 2) Length **10** feet
- 3) Static water level **11** feet

Pump:

- 1) Make **Western Land Roller**
- 2) Model **10CH**
- 3) Capacity **600** GPM

Motor:

- 1) Make GE
- 2) Model No. 5KE286DTT6001
- 3) Horsepower rating 30 hp

B. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Unknown
- 2) Number of towers 6
- 3) End gun Y
- 4) High or low pressure Low

Chemigation Equipment:

- 1) Does chemigate N

C. Compliance with Permit Requirements:

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

The system is in Good condition with the point(s) of diversion located as follows:

Approximately 605 feet south and 240 feet west of the NE corner of Section 13 T112N-R51W

(N 44.51254, W -96.88953) (NE ¼ NE ¼)

The works are capable of diverting and conveying to the place of use 1.33 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:

Section 13-T112N-R51W

NE ¼ NE ¼ - 33 acres

SE ¼ NE ¼ - 33 acres

comprising a total of 66 acres of land and the license should be issued for 1.33 cfs.

All structures, wells and lands on map Y

Report of Examination of Works

Permit No. 6209-3

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

Permit No. 6209-3 appropriates 1.33 cfs of additional water currently authorized by Water Right No. 2127A-3. Water Right No. 2127A-3 appropriates 0.70 cfs to irrigate the 66 acres in Section 13-T112N-R51W. Combined appropriation of water is 2.03 cfs; however, the maximum pumping rate is only 1.33 cfs which is what should be licensed. Permit No. 6209-3 should also be incorporated into Water Right No. 2127A-3 to reflect the system as developed while each retaining their priority dates of October 9, 1974 for 0.70 cfs and May 30, 2000 for the remaining 0.63 cfs.



Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: **August 25, 2009**

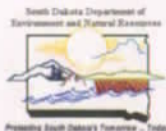
Joe Ebbers
46243 189th St.
Castlewood, SD 57223
873-2737

Water Permit No. 6209-3



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
August 25, 2008



0 800 1,600 3,200 Feet

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6209-3**

(1) Joe Ebbers, 46243 189th St, Castlewood SD 57223 made Application No. 6209-3, May 30, 2000 for a water permit to divert 1.30 additional cubic feet of water per second (cfs) from ground water – one existing well into the Big Sioux Brookings Aquifer (authorized by Water Right No. 2127A-3), in Brookings County, South Dakota for irrigation purposes. Permit No. 6209-3, with a priority date of May 30, 2000 was approved August 28, 2000 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

Water Permit No. 6209-3 was obtained to increase the diversion rate authorized by Water Right No. 2127A-3. Permit No. 2127A-3, with a priority date of October 9, 1974 authorizes diversion of 0.70 cfs for irrigation of 66 acres. The applicable portions of No. 2127A-3 have been incorporated into Water License No. 6209-3.

(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 1.33 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 605 feet south and 240 feet west of the NE corner of Section 13, T112N, R51W (NE ¼ NE 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 13, T112N, R51W	NE ¼ NE ¼	33 acres
	SE ¼ NE ¼	33 acres
	Total	66 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Joe Ebbers, 46243 189th St, Castlewood SD 57223 the holder and/or owner of Incorporated Water Right No. 6209-3 is issued a license to appropriate water, the right to use 1.33 cubic feet of water per second from ground water (one well – Big Sioux Brookings Aquifer) with priority dates of October 9, 1974 (0.70 cfs) and May 30, 2000 (0.63 cfs) from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 6209-3 and subject to the following qualifications:

- The well authorized under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner 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.
- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints or type of soils so requires, authorizes a maximum diversion rate of 1.33 cfs (***developed diversion rate***) for irrigation of 66 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
- This water right is approved subject to the irrigation water use questionnaire being submitted each year.


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

SEP 24 2009

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 24 2009

6209-3
2127A-3

Joe Ebbers
46243 189th St
Castlewood SD 57223

Dear Mr. Ebbers:

Enclosed is your Water License No. 6209-3. This is the final water right document completing your process of obtaining a Water Right. Issuance of the license incorporated the applicable portions of Water Right No. 2127A-3. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6209-3, 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 License, 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