

WATER PERMIT NO. 6372-3

Name of Applicant: Virgil Tjeerdsma

Address: 30628 414th Ave, Tyndall SD 57066 Phone: 605 589-4162

Amount of Water Claimed: no add'l Total Acres: 123

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Bon Homme

Type of Waste Disposal System:

Location: 4 miles southwest of Tyndall

PRIORITY Date Received: 12-16-02

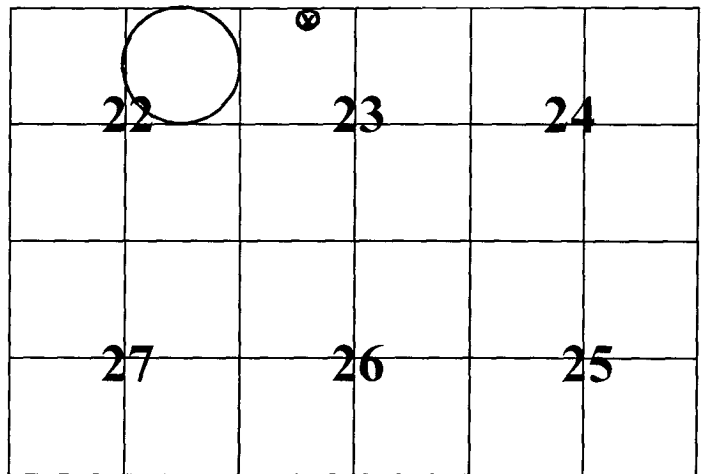
Application/License Fee: \$300

Corrected Application Received: 12-18-02

Period of Annual Use: May 1 – August 31

Remarks: Will be using the existing well authorized by Water Right No. 4727-3

Diversion Point: NE ¼ NW ¼ Sec 23-T94N-R60W



Land to be Irrigated: NE ¼ Sec 22-T94N-R60W

Depth of Well: 237 feet deep

Well Driller: : Dakota Boring

Remarks:

Type of Map: aerial

Prepared by: Erin R Brown, FSA

Reviewed and the Number Assigned on: 12-18-02

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6372-3</u>	(office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Tyndall Tribune & Register, Tyndall</u>	

RECEIVED
DEC 16 2002
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ 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.) _____

1. Name of Applicant Virgil Teendsma Phone 605-589-4162
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 306 28th 414th av Tyndall, State S.D., 57066
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed *CFS or 700 **GPM ***AF Total Acreage 123
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
3. Source of water supply Existing Irrigation well on Albion Plat, T-94-N, R-60-W section 23 NE 1/4
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Irrigation permit # 4727-3
Shadow Tyndall ag. sec NE 1/4 NW 1/4 Sec 23-T94N-R60W
County _____
5. County or counties where water will be used Bon Homme
6. Annual period during which water is to be used may, June, July, Aug, Sept 30
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
<u>Sec 22, T-94-N, R-60-W NE 1/4</u>	<u>123</u>		

8. Give a description of the project. (Attach sheet if more space is needed)
I am planning to pump water to the 1/4 described above in an under-
ground pipeline from my existing irrigation well. (approx 3,000')

STATE OF SOUTH DAKOTA) SS
County of Bon Homme

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, Virgil Teendsma, 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 Virgil Teendsma

Subscribed and sworn to before me this 12th day of December 20 02

E. R. Bunn

Notary Public signature

My Commission Expires 10-15-2004

SOUTH DAKOTA
WATER PERMIT NO. 6372-3

Date of first receipt of application December 16, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6372-3 to Virgil Tjeerdsma, 30628 414th Ave, Tyndall SD 57066 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. 6372-3 authorizes irrigation of 123 additional acres. Water Right No. 4727-3 appropriates 1.78 cubic feet of water per second from one well (Choteau-Tyndall Aquifer) 237 feet deep located in the NE ¼ NW ¼ Section 23 to irrigate 130 acres located in the NW ¼, W ½ NE ¼ Section 23; all in T94N-R60W. This permit authorizes irrigation of an additional 123 acres located in the NE ¼ Section 22-T94N-R60W. This permit does not authorize any increase in the developed diversion rate.
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 December 16, 2002.
4. The date of approval of Permit No. 6372-3 is February 18, 2003.
5. One-fifth of the construction is to be completed on or before August 18, 2005.
6. All construction is to be completed on or before February 18, 2008.
7. Water is to be put to beneficial use on or before February 18, 2012.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

WATER MANAGEMENT BOARD

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

MAR 13 2003

date



Supplemental Information

(type or print in ink)

*This sheet doesn't
apply to my project*

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

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 _____

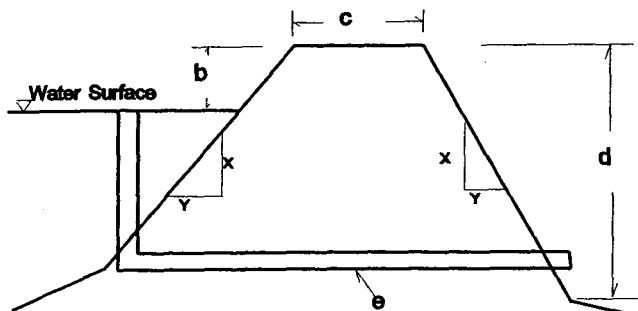
3. Dugout Information

- 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

6/60

Well Test Data:

☐ Pumped _____

☐ Bailed Describe: _____

☐ Other _____

Pumping Level Below Land Surface

_____ ft. After	_____ Hrs. pumped	_____ GPM
_____ " "	_____ " "	_____ " "
_____ " "	_____ " "	_____ " "

[illegible]

Method of Drilling: ☒ Forward Rotary ☐ Bored ☐ Jetted
☒ Reverse Rotary ☐ Cable ☐ Other

Date Completed: 3-25-81

Driller: Dakota Boring 234
Driller's or Firm's Name License NO.

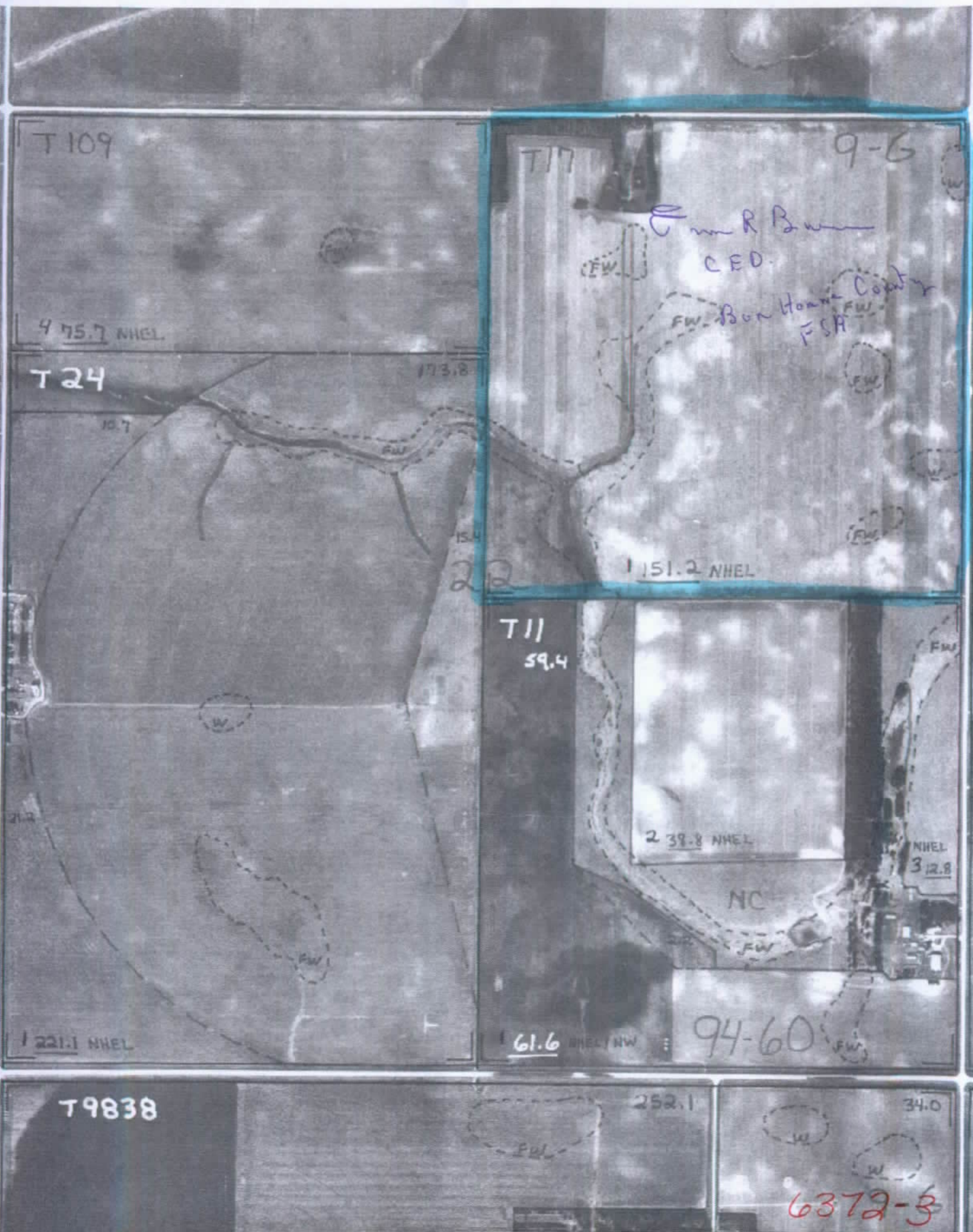
Lebanon SD
Address

Signed By Emil Worn Date 3-25-81

Remarks :



MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 16, 20 02

RECEIVED OF Virgil Tieerdana, 30628 414th Ave., Tondall SD 57066

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

Fee for Application for Permit No. <u>1772-3</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. <u>1772-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300.00

No.

000440

By

Darland Eide
Chief Engineer gm



December 16, 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Virgil Tjeerdsma
30628 414th Ave
Tyndall SD 57066

Dear Mr. Tjeerdsma:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation of an additional 123 acres.

Water Right No. 4727-3 authorizes 1.78 cubic feet per second (800 gallons per minute) from one well located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23 to irrigate 130 acres located in the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 23; all in T94N-R60W.

The new application states the amount of water claimed is 700 gpm. Is this amount in addition to the 800 gpm authorized by Water Right No. 4727-3? Are you proposing to increase the diversion rate from the well?

Upon clarification of the above, further processing of your application will continue. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

Water Rights Program - File Documentation

NAME: Virgil Tjeerdsma

ADDRESS: Tyndall SD

DATE: 12-18-02 **COUNTY:** BH **TELEPHONE:** 605 589-4162

RE: pending application

COMMENTS:

Virgil Tjeerdsma called regarding my December 16th letter. Mr. Tjeerdsma stated he is not requesting any additional water with this application. He will not be increasing the diversion rate from the well.



Karen Schlaak
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

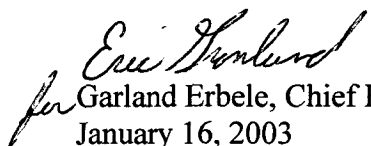
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6372-3, Virgil Tjeerdsma**

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. 6372-3, Virgil Tjeerdsma, 30628 414st Avenue, Tyndall SD 57066.

The Chief Engineer is recommending APPROVAL of Application No. 6372-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

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

See report on application for additional information.


for Garland Erbele, Chief Engineer
January 16, 2003

REPORT ON WATER PERMIT APPLICATION NO. 6372-3

For Virgil Tjeerdsma

January 2, 2003

Application No. 6372-3 proposes to irrigate an additional 123 acres. Water Right No. 4727-3 appropriates 1.78 cfs (800 gpm) from one well approximately 237 feet deep located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 23 to irrigate 130 acres located in the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ of section 23; all in T94N R60W. This application proposes to irrigate 123 acres located in the NE $\frac{1}{4}$ of section 22, T94N R60W all in Bon Homme County. This application, if approved, does not authorize any increase in the developed diversion rate.

AQUIFER – CHOTEAU TYNDALL (CH-T)

The Choteau Tyndall aquifer is buried outwash (sand and gravel) which fills a pre-glacial valley that extends from southwest of Tyndall through east central Bon Homme County into Yankton County (Jorgensen, 1971). The aquifer underlies 31,300 acres and contains an estimated 140,850 acre-feet of recoverable water in storage in Bon Homme County (Hedges, 1982). The aquifer can be under artesian or water table conditions in the area. At this site the aquifer is under confined or artesian conditions. The aquifer extends into Yankton and Hutchinson counties to the east and north (where the aquifer is called the Lower James Missouri - Scotland) and the direction of ground water movement is from north to south across the area of this application. The Choteau Tyndall aquifer is also hydraulically connected to the Niobrara aquifer, which directly underlies or butts up against the Choteau Tyndall aquifer in the subsurface over much of Bon Homme County.

The Water Rights Program monitors four observation wells located within a four-mile radius of this application. These are observation wells, BH-76B, BH-76C, BH-82B and BH-71C. Hydrographs for these four wells are included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2003).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

This is an existing well under water right No. 4727-3. Drawdown does occur but apparently is not significant. There is an existing irrigation well located about 2100 feet southeast of this application. Interference is not expected to be a concern. These wells have been used for many years with no apparent problems. The nearest observation well (BH-82B) located about one-half mile east of the well for this application, indicates about 15 feet of fluctuation can occur but this has not adversely affected the water supply from the aquifer. Adding this additional acreage will increase pumping duration and increase the expected amount of drawdown from the existing well.

CONCLUSIONS

1. Water is available from the Choteau Tyndall aquifer.

2. The aquifer is under artesian conditions at this site. Drawdown will occur as a result of pumping. This is not expected to create problems that are adverse. The wells in this area have been used for many years with no apparent problems.
3. This is an existing well which does not have construction information available to determine if it was constructed in accordance with SD Well Construction Standards.
4. No additional diversion rate is requested by this application but since there will be an additional 130 acres of land irrigated there will be additional water appropriated.


James A Goodman
Natural Resources Engineer

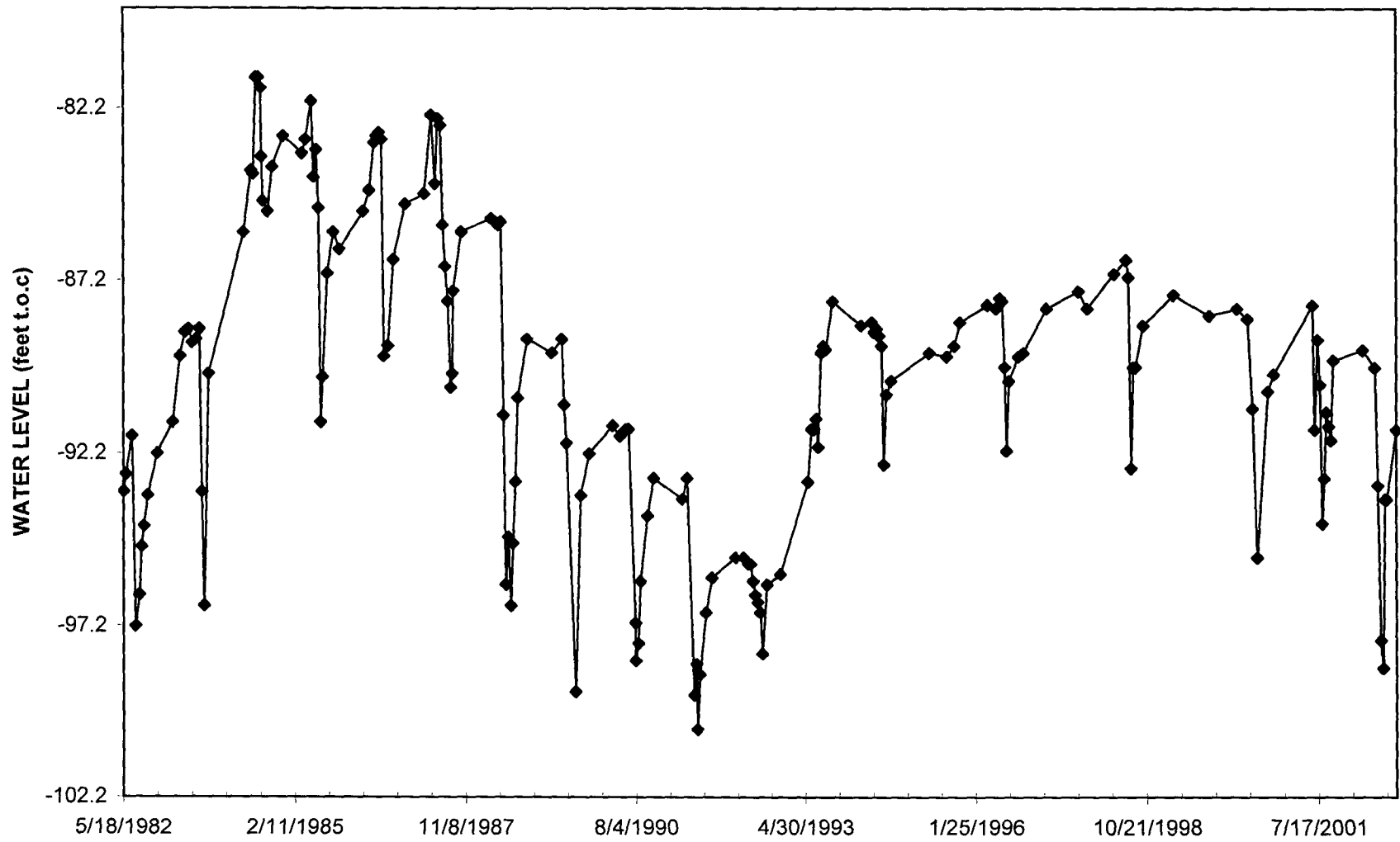
BIBLIOGRAPHY

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

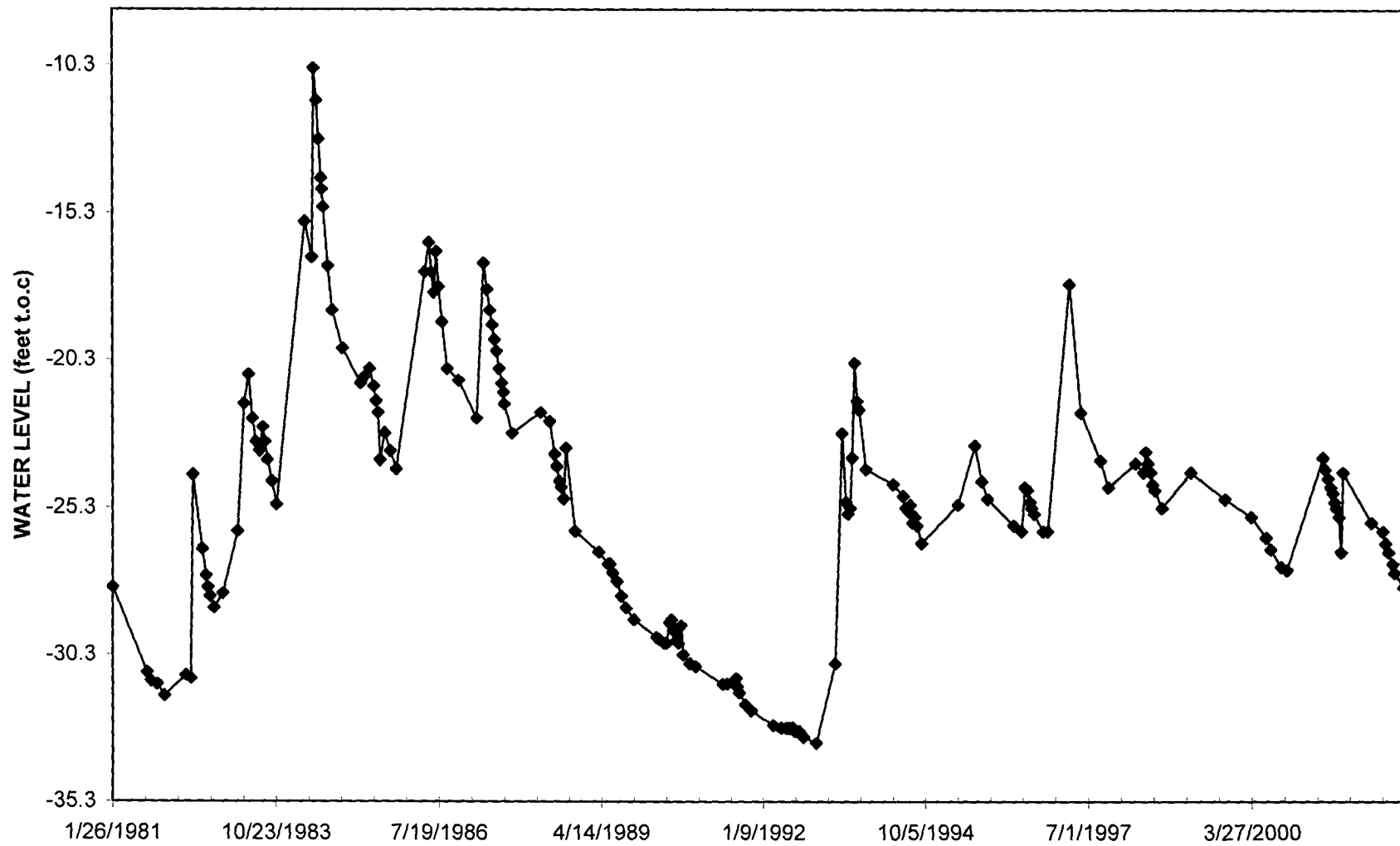
Jorgensen, D.G., 1971, Geology and Water Resources of Bon Homme County, South Dakota, Bulletin 21, Part II : Water Resources, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2003, Unpublished Observation Well Data for Bon Homme County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

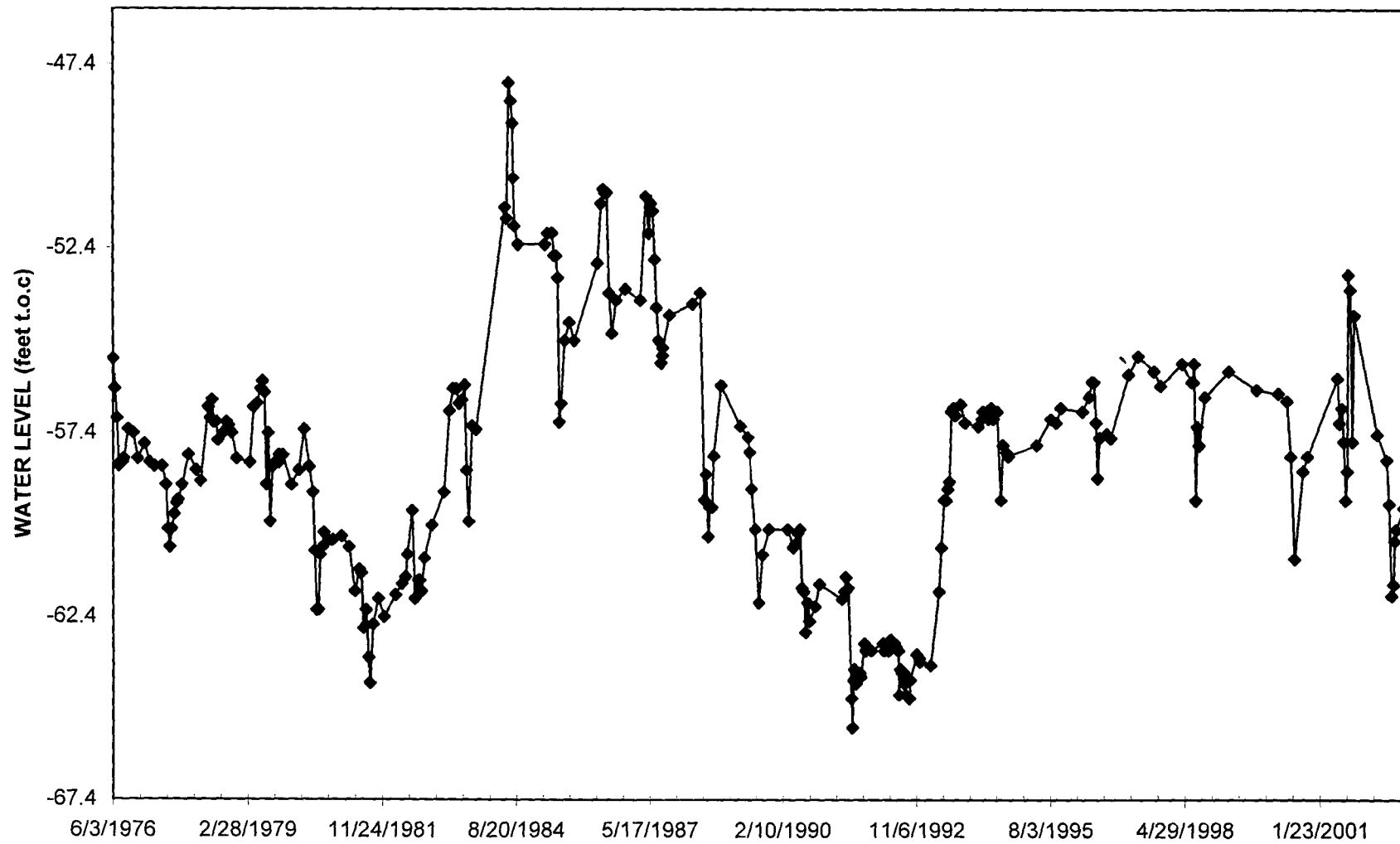
WATER RIGHTS' OBSERVATION WELL
BH-82B



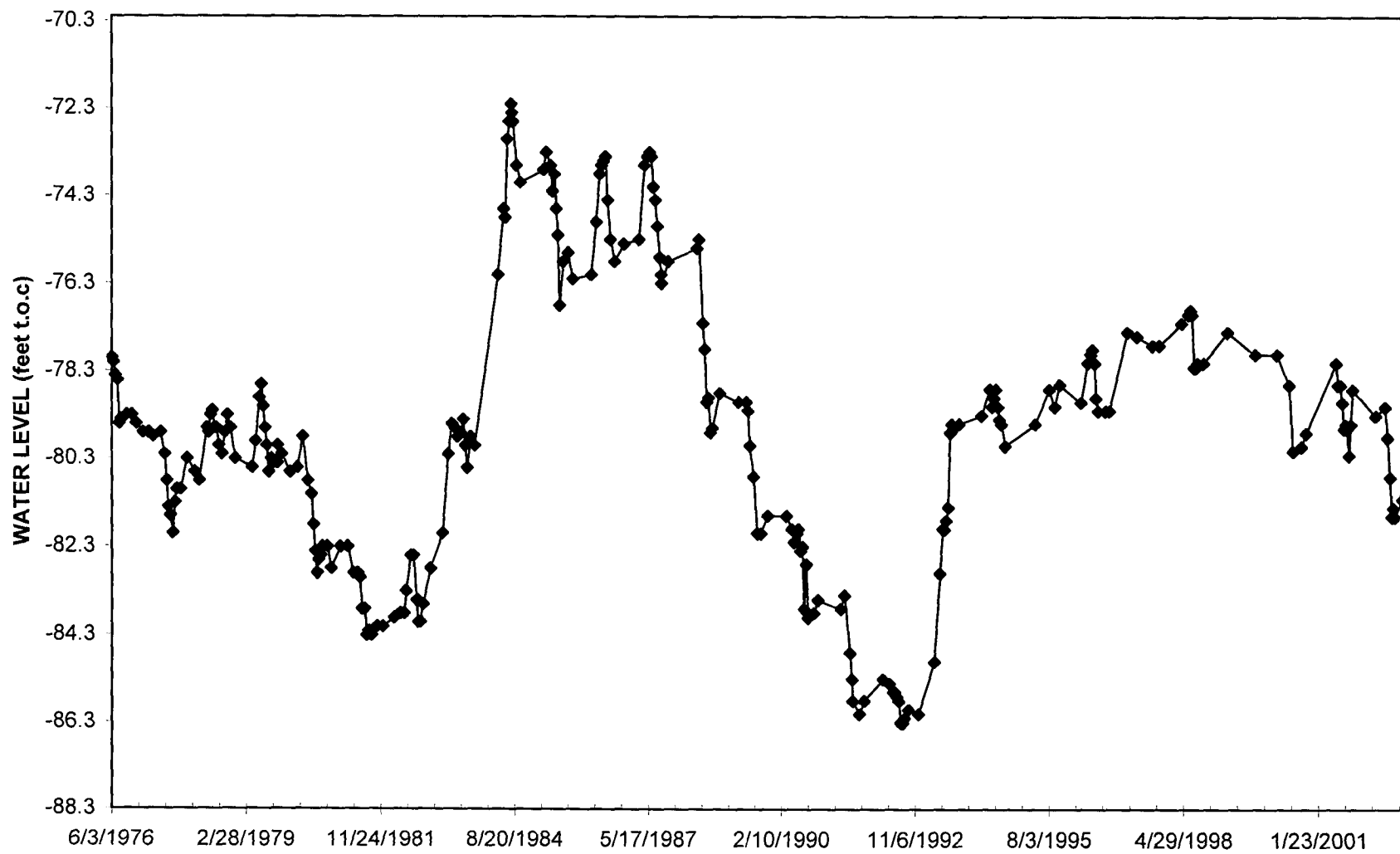
WATER RIGHTS' OBSERVATION WELL
BH-71C



WATER RIGHTS' OBSERVATION WELL
BH-76B



WATER RIGHTS' OBSERVATION WELL
BH-76C



Affidavit of Publication

State of South Dakota }
County of Bon Homme } SS

Rebecca Tycz.....Being first duly sworn
says that the **Tyndall Tribune & Register** is a legal
weekly newspaper for publication of legal and other offi-
cial notices as required by Chapter 298 of the Session
Laws of South Dakota, 1939; that it has bona fide paid
circulation of more than two hundred copies weekly;
that it is published in English language in the City of
Tyndall, Bon Homme County, South Dakota, and has
been admitted to the United States mail under second
class mailing privilege for more than one year prior to
the first publication of the notice herein mentioned, and
that it is printed in an office maintained at the place of
publication at Tyndall, South Dakota, and that depo-
nent is the publisher in charge of the advertising depart-
ment of said newspaper; that the advertisement headed

Notice of Application
66-34.5+8090 X 1

a printed copy of which is hereto attached was printed
and published in said newspaper for.....successive
weeks, upon the following dates:

<u>Jan 29</u>20 <u>03</u>	20.....
<u>Feb 5</u>20 <u>03</u>	20.....
.....20.....	20.....
.....20.....	20.....

That the full amount of the fee charged for the publica-
tion of said notice, 1140.99....., inures to the benefit
of the publisher of said newspaper, that no agreement or
understanding for the division thereof has been made
with any other person, and that no part has been agreed
to be paid to any person whomsoever.

Rebecca Tycz, publisher

Subscribed and sworn to before me this
Feb 2003

Leggy Schelske
Notary Public, South Dakota

RECEIVED
FEB - 7 2003

WATER RIGHTS
PROGRAM

My commission expires Oct. 24, 2003

NOTICE OF APPLICATION

NO. 6372-3 to Appropriate Water

Notice is given that Virgil Tjeerdsma, 30628 414th Ave., Tyndall, SD 57066 has filed an application for a water permit to irrigate 123 additional acres. Water Right No. 4727-3 appropriates 1.78 cubic feet of water per second from one well (Choteau-Tyndall Aquifer) 237 feet deep located in the NE1/4 NW1/4 Section 23 to irrigate 130 acres located in the NW1/4, W1/2 NE1/4 Section 23; all in T94N-R60W. This application proposes to irrigate an additional 123 acres located in the NE1/4 Section 22-T94N-R60W. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6379-3 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 February 18, 2003.

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
(Jan. 29 & Feb. 5)

Instruction to Newspaper - Publish first Notice on January 29, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6372-3 to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6327-3 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 57501-3182
www.state.sd.us/denr

January 21, 2003

Tyndall Tribune & Register
PO Box 520
Tyndall SD 57066-0520

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6372-3 to Appropriate Water to be published twice. Please publish the first notice on January 29, 2003 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 Virgil Tjeerdsma, 30628 414th Ave, Tyndall SD 57066 (Ph # 605-589-4162).

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

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

No. 6372-3

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

Date _____

We are in receipt of your letter of January 21, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6372-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**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.**

January 21, 2003

Virgil Tjeerdsma
30628 414th Ave
Tyndall SD 57066

Dear Mr. Tjeerdsma:

Water Permit Application No. 6372-3 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 Tyndall Tribune & Register printed at Tyndall, SD (Ph # 605-589-3242). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

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.



MAR 13 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Virgil Tjeerdsma
30628 414th Ave
Tyndall SD 57066

Dear Mr. Tjeerdsma:

Enclosed is Water Permit No. 6372-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures



6372-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: VIRGIL TJEERDSMA, 30628 414TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4727-3, 5424-3, 6372-3 & 6791-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4727-3, 5424-3, 6372-3 & 6791-3 qualification:

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

The hearing will be held at **10:00 am, March 10, 2010** 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) 4727-3, 5424-3, 6372-3 & 6791-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/asp>

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.



6372-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2010

Virgil Tjeerdsma
30628 414th Ave
Tyndall SD 57066

RE: 2009 Irrigation Questionnaires for Water Permit or Right Nos. 4727-3, 5424-3, 6372-3 & 6791-3

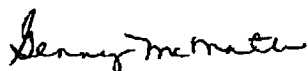
Dear Mr. Tjeerdsma:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 4727-3 and 5424-3 and Water Permit Nos. 6372-3 and 6791-3.

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

If you have any questions, please contact me.

Sincerely,


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

Permit No. 6372-3
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, 7/19/2010, made a thorough examination of the water use system constructed by Virgil Tjeerdsma of 30628 414th Avenue, Tyndall, SD 57066 holder of Permit No. 6372-3, bearing the priority of 12/16/2002 authorizing the diversion of no additional waters of the Choteau-Tyndall aquifer for irrigation purposes, in Bon Homme County.

Inspection contact & relationship **Virgil Tjeerdsma—Permit holder**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Dakota Boring
- 2) No. of Wells 1
- 3) Depth(s) 237 feet
- 4) Well log is available Yes
- 5) Comment: well—log on file

Casing:

- 1) Diameter 16 inches
- 2) Length 197 feet
- 3) Type PVC

Screen:

- 1) Type Stainless Steel
- 2) Length 40 feet
- 3) Static water level 90 feet

Pump:

- 1) Make Valley
- 2) Model 12HMO 3B20 14-11152
- 3) Size 8-inch
- 4) Capacity 800 GPM

Motor:

- 1) Make General Electric
- 2) Model No. 5k6257XX501C
- 3) Horsepower rating 100 hp

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

- 1) Type aluminum
- 2) Size 8 inches
- 3) Length 3700 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley 8000
- 2) Overall length ~1,330 feet
- 3) Number of towers 7
- 4) Distance between towers ~190 feet
- 5) End gun Yes
- 6) High or low pressure Low
- 7) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes
- 3) Exceptions to compliance are: list
- 4)

The system is in good condition with the point of diversion located as follows: 2,060 feet east of the NW corner of Section 23, Township 94 North, Range 60 West, lat/long N 42.95213 W -97.90377. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water of the Choteau Tyndall aquifer which is to be used for crop irrigation. Water has been put to beneficial use to the maximum extent as follows:

NW ¼ NE ¼ 31 acres
NE ¼ NE ¼ 30 acres
SW ¼ NE ¼ 32 acres
SE ¼ NE ¼ 30 acres

Township 94 North, Range 60 West

Total: 123 acres, all in Section 22

comprising a total of **123** acres of land and the license should be issued for **1.78** cfs.

All structures, wells and lands on map **Yes**

Comments or other permit(s) associated with the project: **This permit utilizes the same diversion point as existing License No. 4727-3, which authorizes 1.78 cfs to irrigate 130 acres in Section 23, T94N-R60W. This permit authorizes the irrigation of an additional 123 acres in Section 22, T94N-R60W utilizing the existing diversion point (well) in Section 23. Together, these permits authorize the diversion of 1.78 cfs of water to irrigate 253 acres.**



Hayes Haas
Engineer I
DENR, Water Rights Program

Date report completed: **3/8/2011**



6372-3
Virgil Tjeerdsma



July 2010 *Hayes Haas*
Hayes Haas
Engineer I
Water Rights Program

1,000
Feet



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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<http://denr.sd.gov>

AUG 19 2011

6372-3
4727-3

Virgil Tjeerdsma
30628 414th Ave
Tyndall SD 57066

Dear Mr. Tjeerdsma:

Enclosed is Water License No. 6372-3. This is the final water right document completing your process of obtaining a Water Right. 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. 6372-3, 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.

The applicable portions of Water Right No. 4727-3 were incorporated into Water License No. 6372-3. As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

A handwritten signature in black ink, reading "Garland Erbele". The signature is written in a cursive, flowing style.

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6372-3**

(1) Virgil Tjeerdsma, 30628 414th Ave, Tyndall SD 57066 made Application No. 6372-3, December 16, 2002 for a water permit to irrigate an additional 123 acres with no increase in the diversion rate from ground water (one well – Choteau-Tyndall Aquifer), Bon Homme County, South Dakota. Permit No. 6372-3, with a priority date of December 16, 2002 was approved February 18, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 18, 2008 and the application to beneficial use of water on or before February 18, 2012.

The well utilized for the additional 123 acres is authorized under Water Right No. 4727-3. No. 4727-3, with a priority date of March 27, 1981, authorizes diversion of 1.78 cubic feet of water per second to irrigate 130 acres. The applicable portions of Water Right No. 4727-3 have been incorporated into this water license.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 2,060 feet east of the NW corner of Section 23, T94N, R60W (NE ¼ NW 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 23, T94N, R60W (priority date of March 27, 1981)		Section 22, T94N, R60W (priority date of December 16, 2002)	
NW ¼ NE ¼	35 acres	NW ¼ NE ¼	31 acres
SW ¼ NE ¼	6 acres	NE ¼ NE ¼	30 acres
NE ¼ NW ¼	39 acres	SW ¼ NE ¼	32 acres
NW ¼ NW ¼	33 acres	SE ¼ NE ¼	30 acres
SW ¼ NW ¼	5 acres		
SE ¼ NW ¼	12 acres	Total	253 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Virgil Tjeerdsma, 30628 414th Ave, Tyndall SD 57066 the holder and/or owner of Incorporated Water Right No. 6372-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well – Choteau-Tyndall Aquifer) with priority dates of March 27, 1981 (1.78 cfs and land in Section 23) and December 16, 2002 (land in Section 22) from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 6372-3 and subject to the following qualification:

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


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

AUG 19 2011

date





6372-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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January 15, 2016

NOTICE

TO: VIRGIL TJEERDSMA, 30628 414ST AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5424-3, 6372-3 & 6791-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5424-3, 6372-3 & 6791-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 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) 5424-3, 6372-3 & 6791-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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 ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 3, 2016

5424-3
6372-3
6791-3

Virgil Tjeerdsma
30628 414th Ave
Tyndall SD 57066

Dear Mr. Tjeerdsma:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Permit No. 6791-3 and Water Right Nos. 5424-3 and 6372-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



6372-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
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www.state.sd.us/denr

January 26, 2018

NOTICE

TO: VIRGIL TJEERDSMA, 30628 414TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaires

Our records indicate your 2017 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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) 3811-3 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) 5424-3, 6372-3, 6791-3 & 8267-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 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) 5424-3, 6372-3, 6791-3 & 8267-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3811-3 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 7, 2018** 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



6372-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 5, 2018

Virgil Tjeerdsma
30628 414th Ave
Tyndall SD 57066

RE: Water Permit/Right Nos. 3811-3, 5424-3, 6372-3, 6791-3 & 8267-3

Dear Mr. Tjeerdsma:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Permit/Right Nos. 3811-3, 5424-3, 6372-3, 6791-3 & 8267-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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