

WATER PERMIT NO. 6379-3

Name of Applicant: Leon Vanderlei

Address: 40846 312th St, Springfield SD 57062

Phone: 605 369-2610

Amount of Water Claimed: 2.0 cfs

Total Acres: 160

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Bon Homme

Type of Waste Disposal System:

Location: 5 miles northwest of Springfield

PRIORITY

Date Received: 1-2-03

Application/License Fee: \$300

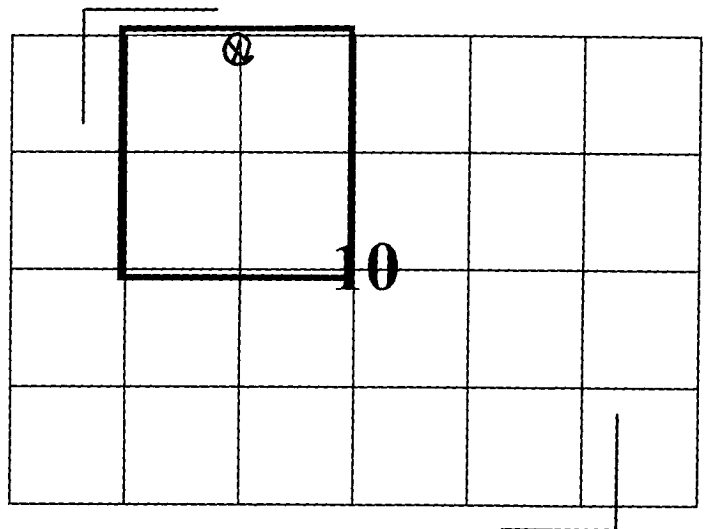
Corrected Application Received: 1-7-03

Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: N ½ NW ¼ Sec 10-T93N-R61W

Land to be Irrigated: NW ¼ Sec 10-T93N-R61W



Depth of Well: 160 feet deep

Well Driller: : Well Doctor & Repair

Remarks:

Type of Map: aerial

Prepared by: Ernie R. Burren, NRCS

Reviewed and the Number Assigned on: 1-7-03

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 6379-3

Date of first receipt of application January 2, 2003.

Date of return to applicant for corrections, amendments or changes January 2, 2003.

Date of receipt of corrected application January 7, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6379-3 to Leon Vanderlei, 40846 312th St, Springfield SD 57062 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. 6379-3 appropriates 2.0 cubic feet of water per second from one well (Niobrara Formation) 169+ feet deep located in the N ½ NW ¼ Section 10 to irrigate 160 acres located in the NW ¼ Section 10; all in T93N-R61W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is January 2, 2003.
4. The date of approval of Permit No. 6379-3 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. The well authorized by Permit No. 6379-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

MAR 13 2003

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	No. <u>6379-3</u>	(office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Tyndall Tribune & Register, Tyndall</u>	

RECEIVED
JAN 02 2003
WATER RIGHTS
PROGRAM

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.)

- Name of Applicant Leon Vanderlei Phone 605 369 2610
(check one) Owner Tenant/lessee
- Mailing Address 40846 31/2th St Springfield S.D State 57062
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.0 *CFS or 900 **GPM ***AF Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well
NE 1/4 NW 1/4 - 10-93-61
- County Bon Homme
- County or counties where water will be used Bon Homme
- Annual period during which water is to be used April 1 - Oct. 31
- 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
NW 1/4 - NW 1/4 - 10-93-61	40		
SW 1/4 - NW 1/4 - 10-93-61	40		
NE 1/4 - NW 1/4 - 10-93-61	40		
SE 1/4 - NW 1/4 - 10-93-61	40		

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

To place a center pivot on 10-93-61 for the purpose of watering corn soybeans & alfalfa.

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, Leon Vanderlei, 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 Leon Vanderlei

Subscribed and sworn to before me this 30th day of December 2002

(Seal)

Paul D. Borchert

Notary Public signature

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 16 Depth 169 ft
- b) Casing Type plastic Diameter 12 Thickness 1/2"
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 169 ft
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others 100'

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 _____

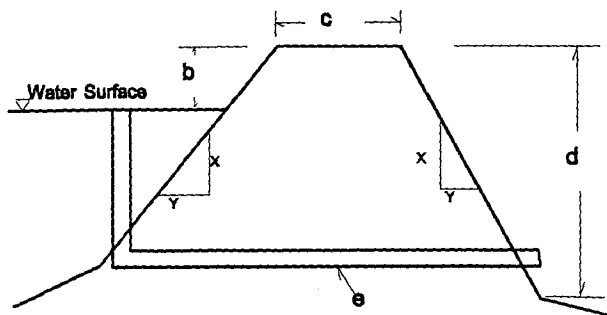
3. Dugout Information

- 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:



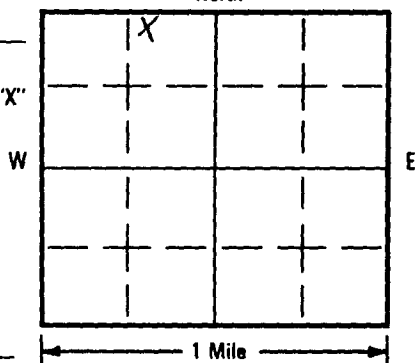
- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NE 1/4 NW 1/4 Sec 10 Twp 93 Rg 61County Bon Homme

Please mark well location with an "X"

TEST HOLE
Well Completion Date12-28-02

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1350 ft. from WELL (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

FORWARD MUD ROTARY

CASING DATA:

☐ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	<u>0</u> FT	<u>20</u> FT	<u>12 1/2</u> IN
____ LB/FT	____ IN	<u>20</u> FT	<u>169</u> FT	<u>4 5/8</u> IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
____	____	____ lb./gal	____ ft.	____ ft.
____	____	____ lb./gal	____ ft.	____ ft.

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ 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?

____ YES, How: _____

____ NO, Why Not? _____

Laboratory sent to for water
quality analysis _____Well Owner: LEON VANDERLIE

Business Name: _____

Address: 40846 312th ST
SPRINGFIELD SD 57062

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	3
YELLOW CLAY SOME SMALL ROCK	3	38
SHALE CLAY	38	62
GRAVEL / ROCK	62	76
SMOOTH GREY CLAY	76	129
CHALK	129	169
OPEN FLOW CHALK	169	
DRAINS HOLE IMMEDIATELY		

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch 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

____ ft. After _____ Hrs. pumped _____ GPM

____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

THIS TEST HOLE SHOWS OPEN
FLOW CHALK @ 169'. WELL WOULD
HAVE TO BE SOME DEEPER TO
PENETRATE FURTHER INTO FLOW.

This well was drilled under license # 590

And this report is true and accurate.

Drilling firm WELL DOCTOR - REPAIR

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 12-28-02

RECEIVED

JAN 02 2003

WATER RIGHTS
PROGRAM

Pen R Bunn
RED

RED



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date JANUARY 2, 20 03

RECEIVED OF Leon Vanderlei, 40846 312th St., Springfield SD 57062

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

Fee for Application for Permit No. <u>1277-3</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>1277-3</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.

000488

By

Darland Eide
Chief Engineer
gmw



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 2, 2003

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JAN 07 2003

WATER RIGHTS
PROGRAM

Leon Vanderlei
40846 312th St
Springfield SD 57062

Dear Mr. Vanderlei:

Thank you for submitting the *Application for a Permit to Appropriate Water for Irrigation*.

In order to complete the application, a map showing the location of the well in relation to a government section corner or quarter corner by direction and distance is required. On the map, please outline the acreage you intend to irrigate. The map 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. aerial photos from local NRCS office).

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

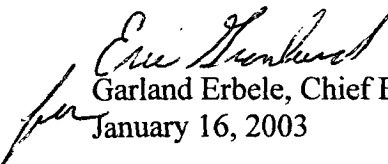
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6379-3, Leon Vanderlei**

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. 6379-3, Leon Vanderlei, 40846 312th Street, Springfield SD 57062-.

The Chief Engineer is recommending APPROVAL of Application No. 6379-3 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. 6379-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


Garland Erbele, Chief Engineer
January 16, 2003

NOTE: The applicant should investigate drilling the production well near the center of the NW ¼ of Section 10 in order to minimize any potential impacts of pumping on existing rights. (see report)

REPORT ON WATER PERMIT NO. 6379-3

For Leon Vanderlei

January 8, 2003

Application No. 6379-3 proposes to appropriate 2.00 cfs (900 gpm) from one well approximately 169 feet deep located in the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of section 10 to irrigate 160 acres located in the NW $\frac{1}{4}$ of section 10; all in T93N R61W in Bon Homme County.

AQUIFER – NIOBRARA FORMATION (NBRR)

The Niobrara Formation consists of nearly horizontal layers of calcareous shale, chalk and chalky limestone (Jorgensen, 1971). Ground water movement is from north to south across this area. The Niobrara aquifer is probably hydraulically connected to the overlying Choteau West aquifer in this immediate area even though Jorgensen stated “that there is little or no water movement between these aquifers (Choteau, Niobrara and Codell aquifers) within Bon Homme County”. The aquifer underlies 470 square miles of Bon Homme County with no estimate of water in storage available (Hedges, 1982). The overlying Choteau West aquifer underlies 20,500 acres and contains an estimated 121,480 acre-feet of recoverable water in storage in Bon Homme County (Hedges, 1982). The area where this irrigation well is to be drilled is in a buried valley which is partially filled with sand and gravel (Choteau aquifer) covered with till and underlain and abutted by the Niobrara aquifer in the subsurface. It is likely that the sand and gravel provide a reservoir for recharge water to the Niobrara aquifer. Fractures and solution openings in the rock dominate ground water movement in the Niobrara aquifer. This is noted on the driller’s logs for this area.

The Water Rights Program monitors three observation wells within two miles of this application. Two of these wells, BH-82D and BH-78D, are completed into sand and gravel (Choteau West aquifer) lying directly upon the Niobrara aquifer and water levels for these wells should be representative of the area. Observation well BH-82D is located about one-quarter mile northwest of the proposed well for this application. Hydrographs for these two wells are included with this report. The water level record indicates that water is available from the aquifer.

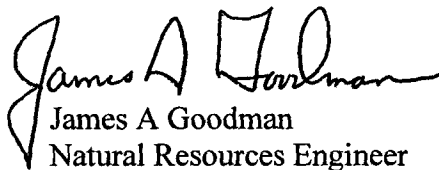
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing irrigation wells within one mile of this application. The well for Water Right No. 4132-3 is located about one-quarter mile northwest of the well for this application and the well for Water Right No. 2320A-3 is located about one-mile northeast of the well for this application. Both of these wells are obtaining water from the Niobrara aquifer. Also, there is another permit application with a well to be located about three-quarters of a mile north of this application. Both of the existing wells have been used for many years with no apparent problems. The aquifer is under confined conditions but appears to behave as if under water table conditions. The observation well hydrographs show this phenomena. Test drilling should be done in the center of the NW $\frac{1}{4}$ of section 10 to determine if the production well could be placed there. This would provide

additional distance between production wells to minimize any potential impacts of overlapping drawdown. This should also save on installation costs.

CONCLUSIONS

1. Water is available from the Niobrara aquifer.
2. The aquifer is under slightly artesian or confined conditions. Also the aquifer appears to be hydraulically connected to the overlying Choteau West aquifer. The water levels appear to fluctuate slightly to area irrigation pumping and correlate with climatic conditions. Interference is not expected to be a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Although not mandatory, the applicant should investigate drilling the production well near the center of the NW ¼ of section 10 to minimize any potential impacts of pumping on existing rights. This would provide more distance between production wells. Also the production well will be completed to a greater depth than the 169 feet indicated by the test hole. As long as the production well remains completed into the Niobrara aquifer the total depth is not a problem.



James A Goodman
Natural Resources Engineer

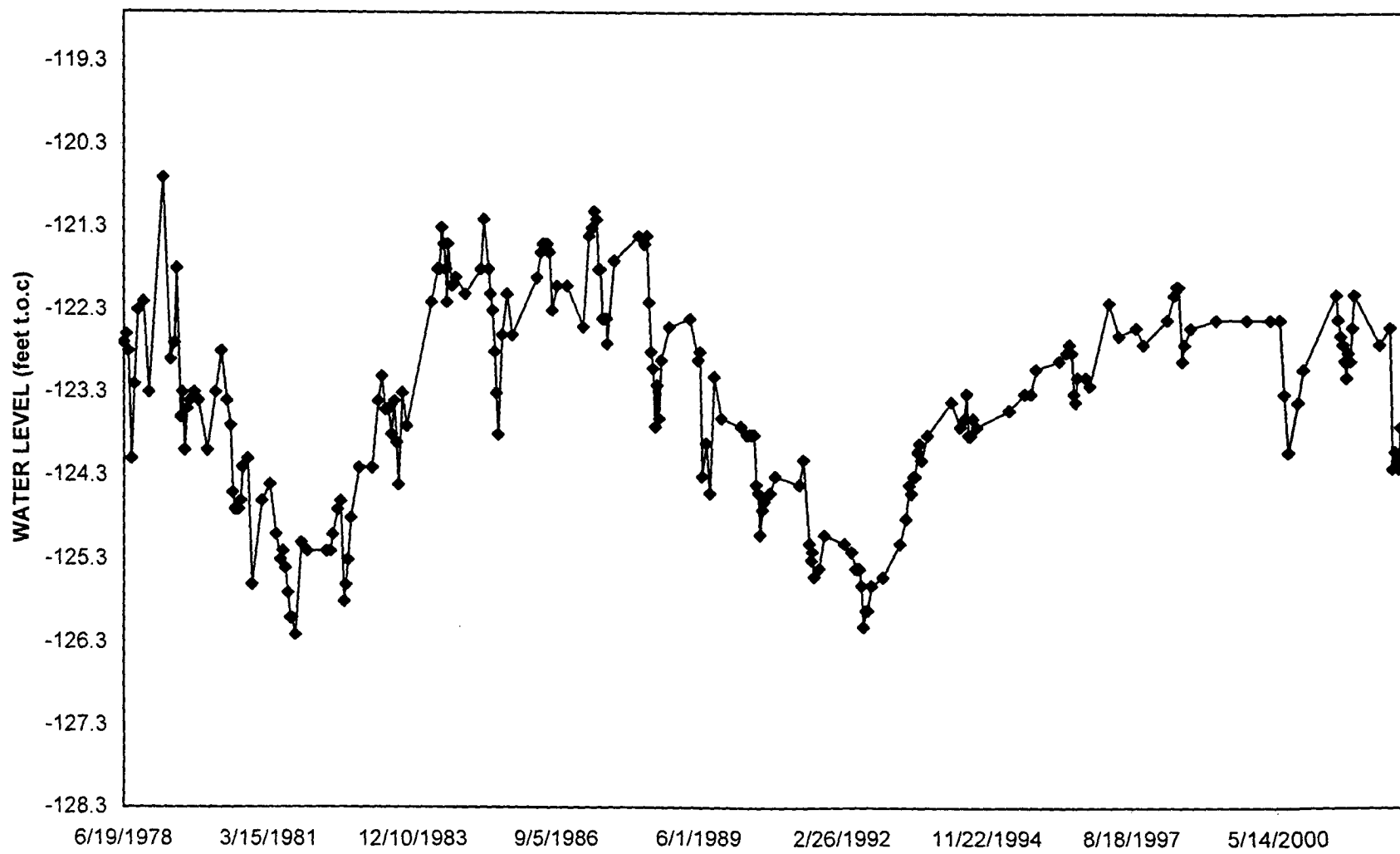
BIBLIOGRAPHY

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.

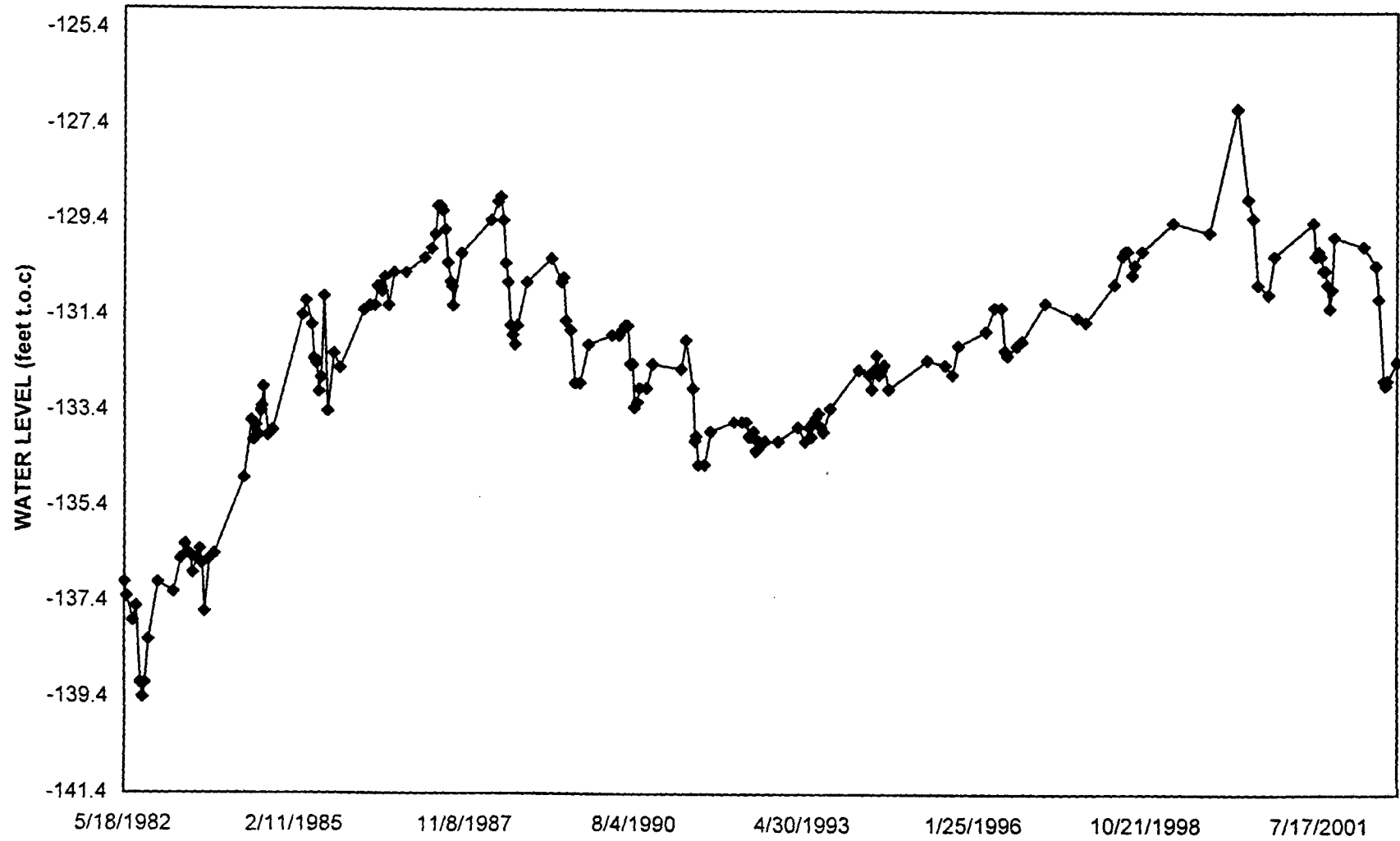
Jurgensen, D.J., 1971, Geology and Water Resources of Bon Homme County South Dakota, Bulletin 21, SD DENR, SDGS, Vermillion, SD, 57069.

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-78D



WATER RIGHTS' OBSERVATION WELL
BH-82D



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 official 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 deponent is the publisher in charge of the advertising department of said newspaper; that the advertisement headed

Notice of Application
53 c 34.5 + 809.01

a printed copy of which is hereto attached, was printed and published in said newspaper for two 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 publication of said notice, \$32.92....., 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
Leggys D. Kalske
Notary Public, South Dakota

My commission expires Oct. 24, 2003

RECEIVED

FEB - 7 2003

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION

NO. 6379-3 to Appropriate Water

Notice is given that Leon Vanderlei, 40846 312th St., Springfield, SD 57062 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well (Niobrara Formation) 169+ feet deep located in the N1/2 NW1/4 Section 10 to irrigate 160 acres located in the NW1/4 Section 10: all in T93N-R61W.

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. 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. 6379-3 to Appropriate Water

Notice is given that Leon Vanderlei, 40846 312th St, Springfield SD 57062 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well (Niobrara Formation) 169+ feet deep located in the N ½ NW ¼ Section 10 to irrigate 160 acres located in the NW ¼ Section 10; all in T93N-R61W.

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. 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 17, 2003

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6379-3 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 Leon Vanderlei, 40846 312th St., Springfield SD 57062 (Ph # 605-369-2610).

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. 6379-3

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

Date _____

We are in receipt of your letter of January 17, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6379-3 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 17, 2003

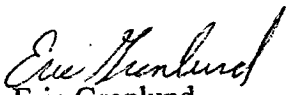
Leon Vanderlei
40846 312th St.
Springfield SD 57062

Dear Mr. Vanderlei:

Water Permit Application No. 6379-3 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

Leon Vanderlei
40846 312th St.
Springfield SD 57062

Dear Mr. Vanderlei:

Enclosed is Water Permit No. 6379-3 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

6379-3

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

Date 9-29-03

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

FROM:

Leon Vanderlei
(name)40846 312th st
(address)Springfield S.D. 57062
(city, state, zip)605-369-2610
(phone)

RECEIVED
OCT - 1 2003
WATER RIGHTS
PROGRAM

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

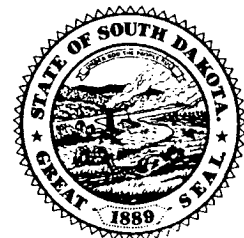
Water Permit No. 6379-3 states that the water use system is to be constructed by 2-18-08, and water is to be put to beneficial use by 2-18-12.
(date) (date)

The water use system was completed on 7-2-03.
(date)

Applying the water to beneficial use was completed on 7-2-03.
(date)

You may schedule an investigation so that the water license may be issued.

Leon Vanderlei
(signature)



SOUTH DAKOTA WATER WELL COMPLETION REPORT

6379-3

07-92

Location NW 1/4 NW 1/4 Sec 10 Twp 93 N Rg 61

County

Bon Homme

Please mark well location with an "X"

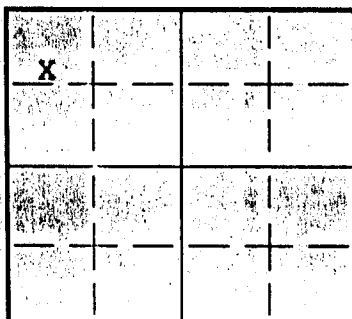
W

E

Well Completion Date

07/17/03

1 Mile



Well Owner: Leom Vanderlei

Business Name:

Address: 40846 312th Street

Springfield, SD 57062

WELL LOG:

DEPTH

FORMATION

FROM

TO

Topsoil

0

2

Yellow Clay

2

15

Yellow Gravel

15

30

Blue Clay

30

205

Coarse Gravel

205

220

Chalk

220

234

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
#40 LB/FT	12 IN	0 FT	200 FT	20 IN
#40 LB/FT	8 IN	200 FT	234 FT	12 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
Portland	230	_____ lb./gal	0 ft	200 ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Tremie pipe

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 8 IN Length 34 FEET

Material PVC

Slot Size .50 Set From 200 Feet to 234 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☒ YES ☐ NO

If so, what material? Bentonite

Describe packer(s) and location? 194' - 200'

DISINFECTION: Was well disinfected upon completion?

YES, How:

☒ NO, Why Not?

Laboratory sent to for water quality analysis

irrigation well

STATIC WATER LEVEL 120 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

Describe: Submersible pump

☐ Bailed☐ Other

Pumping Level Below Land Surface

165 ft. After 12 Hrs. pumped 700 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 94

And this report is true and accurate.

Drilling firm Huron Drilling Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 07/17/03

RECEIVED

JAN 08 2004

WATER RIGHTS PROGRAM

Permit No. 6379-3
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, July 12, 2006, made a thorough examination of the water use system constructed by Leon Vanderlei of 40846 312th St, Springfield SD 57062 holder of Permit No. 6379-3, bearing the priority of January 2, 2003 authorizing the diversion of 2.00 cu. ft. per second of the waters of ground water (Niobrara Formation) for irrigation purposes, in Bon Homme County.

Inspection contact & relationship to permit holder, if applicable: **Leon and Craig Vanderlei**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Huron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 234 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 12 & 8 inches
- 2) Length 200 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 34 feet
- 3) Static water level 120 feet

Pump:

- 1) Make Peerless
- 2) Serial No. G10 5918

Motor:

- 1) Make General Electric
- 2) Model No. 5K6267XH1A
- 3) Horsepower rating 100 hp

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 1,260 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make T&L
- 2) Number of towers 7
- 3) End gun Y
- 4) High pressure
- 5) Capacity 750 GPM

Chemigation Equipment:

- 1) Does chemigate Y
- 2) Main line check valve Y
- 3) Inspection port/air relief Y
- 4) Low pressure drain Y

Report of Examination of Works

Permit No. 6379-3

- 5) Discharge is 20' from source Y with use of hose
- 6) Interlock type electrical
- 7) Injection pump type piston
- 8) Injection check valve Y
- 9) Injection line check valve or positive displacement pump Y
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y

D. 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 Completed within construction period
- 3) Exceptions to compliance are: none

The system is in good condition with the point of diversion located as follows: Well: 1,300 feet S and 60 feet E from the NW corner of section 10-T93N-R61W (Latitude 42.89102, Longitude -98.04978 -- NW¼NW¼). The works are capable of diverting and conveying to the place of use 1.67 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: all in section 10-T93N-R61W

NE¼NW¼	34 acres
NW¼NW¼	34 acres

SW¼NW¼	34 acres
SE¼NW¼	34 acres

comprising a total of 136 acres of land and the license should be issued for 1.67 cfs.

All structures, wells and lands on map Y

| Comments or other permit(s) associated with the project: none



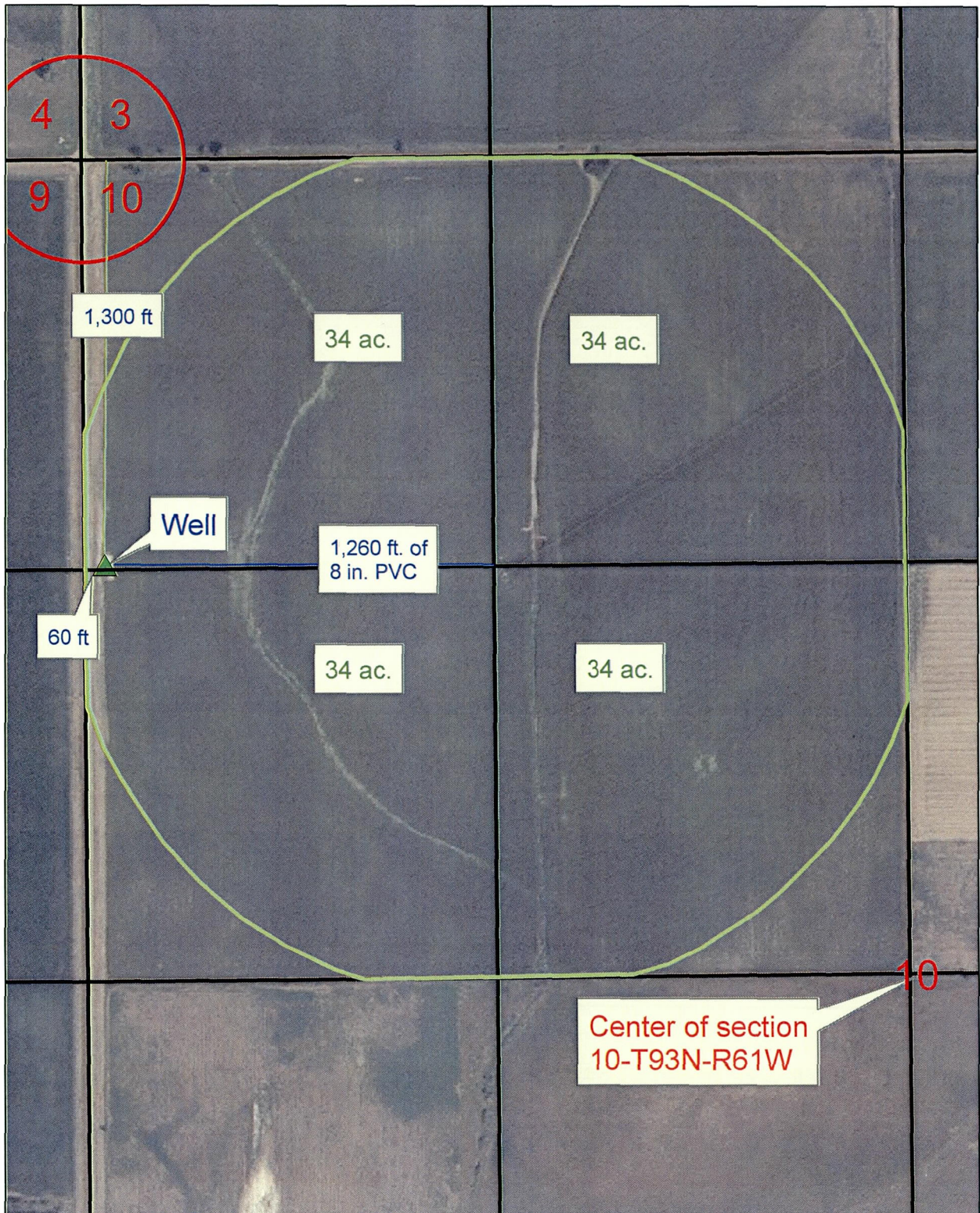
Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: September 19, 2006

Scale: 1 inch equals 482 feet

675

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:

Ron Duvall, Natural Resources Engineer
Water Rights Program

Diversion point(s) located using GeoExplorer II GPS

Date: Sept. 19, 2006

Water Right No. 6379-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 01 2008

6379-3
6487-3

Leon Vanderlei
40846 312th St
Springfield SD 57062-6217

Dear Mr. Vanderlei:

Enclosed are your Water License Nos. 6379-3 and 6487-3. These are the final water right documents completing your process of obtaining water rights. Also included are maps prepared by the staff engineer who conducted the field investigations. You may keep these for your records.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 6379-3 and 6487-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water Licenses, 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. 6379-3

(1) Leon Vanderlei, 40846 312th St, Springfield SD 57062 made Application No. 6379-3, January 2, 2003 for a water permit to divert 2.00 cubic feet of water per second from ground water (one well – Niobrara Formation), Bon Homme County, South Dakota for irrigation purposes. Permit No. 6379-3, with a priority date of January 2, 2003 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 for the application to beneficial use of said water on or before February 18, 2012. The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on October 1, 2003. The "*Notice*" stated the water use system was completed and the water placed to beneficial use on July 2, 2003.

(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 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is 1,300 feet S and 60 feet E of the NW corner of Section 10, T93N, R61W (NW 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 10, T93N, R61W	NE ¼ NW ¼	34 acres	SW ¼ NW ¼	34 acres
	NW ¼ NW ¼	34 acres	SE ¼ NW ¼	34 acres
Total of 136 acres				

(4) Pursuant to South Dakota Water Law 46-5-30.1 Leon Vanderlei, 40846 312th St, Springfield SD 57062 the holder and/or owner of Water Right No. 6379-3 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from ground water (one well – Niobrara Formation) with a priority date of January 2, 2003 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 Water Right No. 6379-3 and subject to the following qualifications:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same source. 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.
- The well authorized by Water Right No. 6379-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the 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 (*constructed and meets standards*).
- This water right is approved subject to the water use questionnaire being submitted each year.

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

NOV 01 2006
date

