

WATER PERMIT NO. 6421-3

Name of Applicant: Keith Ebbers

Address: 46243 189th St, Castlewood SD 57223

Phone: 605 873-2737

Amount of Water Claimed: 1.79 cfs Total Acres: 125

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Hamlin

Type of Waste Disposal System:

Location: 5 miles northwest of Estelline

PRIORITY Date Received: 5-29-03

Application/License Fee: \$300

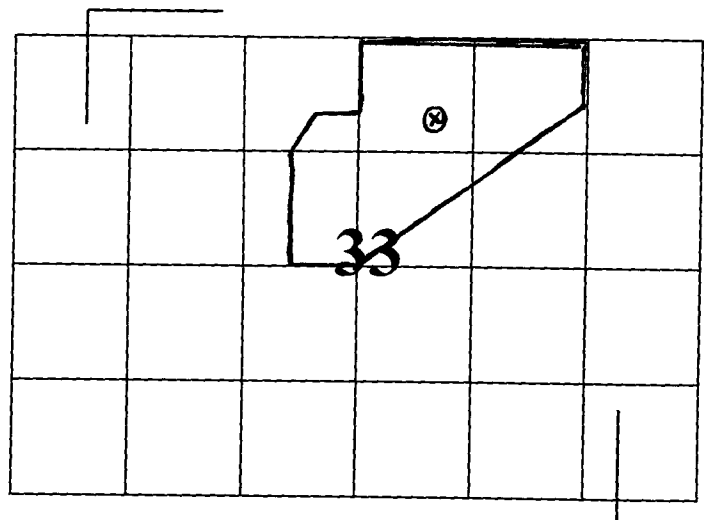
Corrected Application Received:

Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: NW ¼ NE ¼ Section 33-T114N-
R51W

Land to be Irrigated: NE ¼, E ½ NW ¼ Section
33-T114N-R51W



Depth of Well: 70 feet

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: C Howard Wiesner, NRCS

Reviewed and the Number Assigned on: 5-29-03

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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>6421-3</u> (office use only)
	Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Hamlin Co. Republican, Castlewood</u>

RECEIVED
MAY 29 2003
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 Keith Ebbers & Ruth Ebbers Phone 605-873-2737
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 46243 189th St, Castlewood, State SD 57223
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.79 *CFS or **GPM ***AF Total Acreage 125
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply groundwater
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) NW 1/4 NE 1/4 Section 33-T114N-R51W
County Hamlin
5. County or counties where water will be used Hamlin
6. Annual period during which water is to be used April 1 - October 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 NE 1/4 Sec 33-T114N-R51W	40	NE 1/4 NW 1/4 Sec 33-T114N-R51W	20
NE 1/4 NE 1/4	35	SE 1/4 NW 1/4	5
SW 1/4 NE 1/4	20		
SE 1/4 NE 1/4	5		

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

Traveling gun system

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, Keith 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 Keith Ebbers

Subscribed and sworn to before me this 28th day of MAY 2003

[Signature]
Notary Public signature
MY COMMISSION EXPIRES DEC. 3, 2007

**SOUTH DAKOTA
WATER PERMIT NO. 6421-3**

Date of first receipt of application May 29, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6421-3 to Keith Ebbers, 46243 189th St, 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. 6421-3 appropriates 1.79 cubic feet of water per second from one well (Big Sioux Brookings Aquifer) 70 feet deep located in the NW 1/4 NE 1/4 Section 33 to irrigate 125 acres located in the NE 1/4, E 1/2 NW 1/4 Section 33; all in T114N-R51W.
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 May 29, 2003.
4. The date of approval of Permit No. 6421-3 is July 14, 2003.
5. One-fifth of the construction is to be completed on or before January 14, 2006.
6. All construction is to be completed on or before July 14, 2008.
7. Water is to be put to beneficial use on or before July 14, 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. 6421-3 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.
4. The approval of Permit No. 6421-3 cancels Water Permit No. 5401A-3.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

JUN 23 2003

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 26 Depth 70'
- b) Casing Type PVC Diameter 16" Thickness 1/2"
- c) Screen Type Stainless Diameter 16" Thickness 3/8"
- d) Gravel Pack Thickness 5" Length of Gravel Pack 20'
- e) Depth to Top of Water Bearing Material 40'
- f) Depth to Water (ground surface to water level) 17'
- g) Distance to nearest existing domestic well:
- On applicants property 1300 On property owned by others 1300

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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 _____

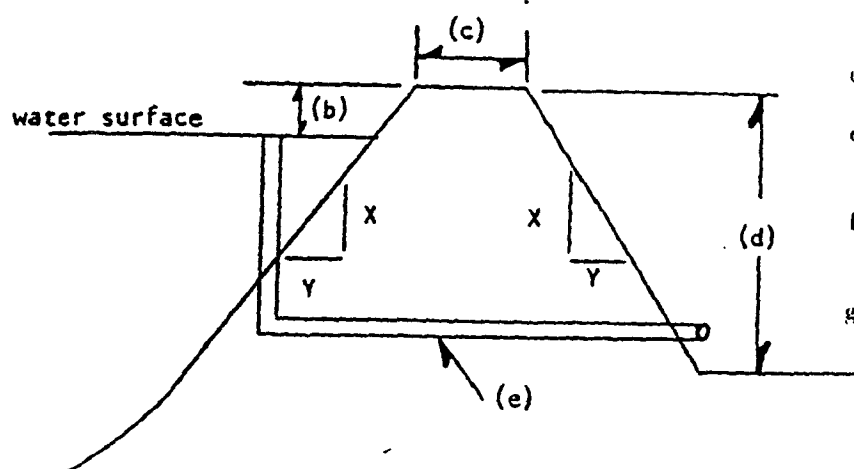
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Paul Ebbert
 Signature of Applicant

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 29, 2003

RECEIVED OF Keith Ebbers, 46423 189th St., Castlewood SD 57223

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

Fee for Application for Permit No. <u>60421-3</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>60421-3</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.

By

Darland Ebbels
Chief Engineer gm

Kelly

Appl

845

C. Howard
Sail Scientist
Hayti, S.D.

9.0

114-51

Appl

6421-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 27, 2003

Keith Ebbers
46243 189th Street
Castlewood SD 57223

Dear Mr. Ebbers:

Please find enclosed a partially completed form to apply for a water right permit. The time to complete construction on reinstated Water Permit No. 5401A-3 expired on May 18, 2003. The water permit had been reinstated in 1998 for failure to complete the project during the original construction period. Upon review of the law after our telephone conversation, a permit may only be reinstated once. This application form that I have drafted will be considered a new application. However, you will be able to use the map and well information from your original application, assuming the well and irrigated acreage are at the same location. I have enclosed a copy of the original map and well information.

Check over the information on the application carefully and if correct sign the application in the presence of a notary public. The application filing fee for irrigation of 125 acres is \$300. I have included a copy of the originally submitted map showing the location of the well and outlining the irrigated acreage.

Please feel free to contact me if you have any further questions.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
(605) 773-3352

enclosure

Schlaak, Karen

From: Gronlund, Eric
Sent: Tuesday, May 27, 2003 3:38 PM
To: Schlaak, Karen
Subject: Keith Ebbers

I am sending partially completed application forms to Mr. Ebbers from Castlewood. His time to complete construction on reinstated WP No. 5401A-3 was up on May 18th. He now wants to develop his irrigation. However, statutes do not allow you to reinstate a permit that has already been reinstated. So he will have to apply for a new permit. His map, well info, etc. are still okay assuming nothing has changed. He should just have to submit the signed application and the fee.

The permit file has been imaged so the map and well info can be pulled off of the computer when the application comes in. I have put the letter I sent him under "E" in the pending drawer. This is one that he wants ASAP.

5/29/2003

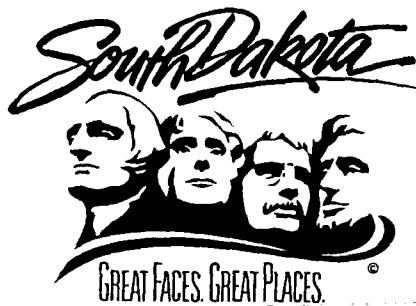
PULLMAN DRILLING — DRILLERS LOG

Phone: 1-800-451-4884

Paul Ebbers JOB NAME		114-51 Sec 33 N 1/4 Hamilton LOCATION County	1-24-1990 DATE	RIG NO. 11	Raynie P. FOREMAN
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J1 No.	DEPTH	TIME	REMARKS
1	20		0-5 gravel 5-20 Yellow Clay
2	40		20-25 Yellow Clay 25-40 Yellow Coarse to Med gravel
3	60		40-60 Yellow Coarse to Med. gravel
4	80		60-70 Grayish Whitish gravel 70-80 Yellow Clay
5			
6			
7			
8			T.D. 70'
9			20' 3" screen
10			50' 3" Blank
11			Water head 17'
12			Pumped with air
13			at 70' 100 G.P.M.
14			
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17			
18			NE 1/4
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20			Raynie Pullman
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REMARKS:



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

www.state.sd.us/denr

May 28, 2003

Keith Ebbers
46243 189th St.
Castlewood, SD 57223

Dear Mr. Ebbers:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well prior to approval of a water permit. The test well is to be completed in the NE¼ Section 33, T114N-R51W. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

A SD Water Permit must be obtained before water from this well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for GARLAND ERBELE, Chief Engineer
Water Rights Program
(605) 773-3352

May 28, 2003

Department of Environment and Natural Resources
Water Rights Department
523 E Capitol
Pierre, SD 57701

RE: Request to drill irrigation test well

Dear Sirs or Madam:

Please let this letter serve as my request to have a irrigation test well drilled on the NE1/4 of Section 33, Twp 114N, Range 51W of Hamlin County, South Dakota.

Should you have any additional questions, please feel free to let me know.

Sincerely,



Keith Ebbers
46243 189th St
Castlewood, SD 57223

605/873-2261 or 605/881-9563

10-85

Date 2-2-90

REPORT ON WATER PERMIT NO. 6421-3

For Keith Ebbers

June 5, 2003

Application No. 6421-3 proposes to appropriate 1.79 cfs (803 gpm) from one well approximately 70 feet deep located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 33 to irrigate 125 acres located in the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ section 33; all in T114N R51W in Hamlin County.

AQUIFER – BIG SIOUX BROOKINGS (BS-B)

The Big Sioux Brookings is a predominantly surficial outwash (sand and gravel) that is under water table conditions, however, at this site, the aquifer appears to be under slight artesian conditions. The aquifer underlies 88,500 acres and contains an estimated 331,880 acre-feet of recoverable water in storage in Hamlin County (Hedges, 1982). USGS (Kume, 1985) estimated the area underlain by the Big Sioux aquifer as 113,920 acres and containing an estimated 480,000 acre-feet of water in storage. The aquifer extends into Brookings County to the south, blends into the Big Sioux North aquifer to the north and is also hydraulically connected to the Big Sioux River. Ground water movement is from northeast to southwest and toward the Big Sioux River in the area of this application (Kume, 1985). Recharge to the aquifer has been estimated to approach 6.57 inches per year or about 62,000 acre-feet per year (Koch, 1980).

A test well log filed with the application indicates clay from about five feet to a depth of about 25 feet below land surface, followed by clay and medium to coarse gravel from 25 to 60 feet and grayish white gravel from 60 to 70 feet all below land surface. The test well had a static water level of 17 feet below land surface and was capable of producing 50 gpm using air to develop.

The Water Rights Program monitors two observation wells HN-77E and HN-77F located within one mile of this application. Water levels for these two observation wells indicate good correlation with climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2003). Hydrographs for these two observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing water right No. 2841-3 with a well located about one-half mile east of the proposed well for this application. Interference is not a concern. Drawdown created by pumping is not significant in this area. This is shown by the nearby observation well hydrographs. These same lands have been covered by two different water permits which have been cancelled previously because of failure to develop those permits.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer.
2. The aquifer is under slightly confined conditions at this site. Even so, drawdown is not expected to be significant nor is interference a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



 James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

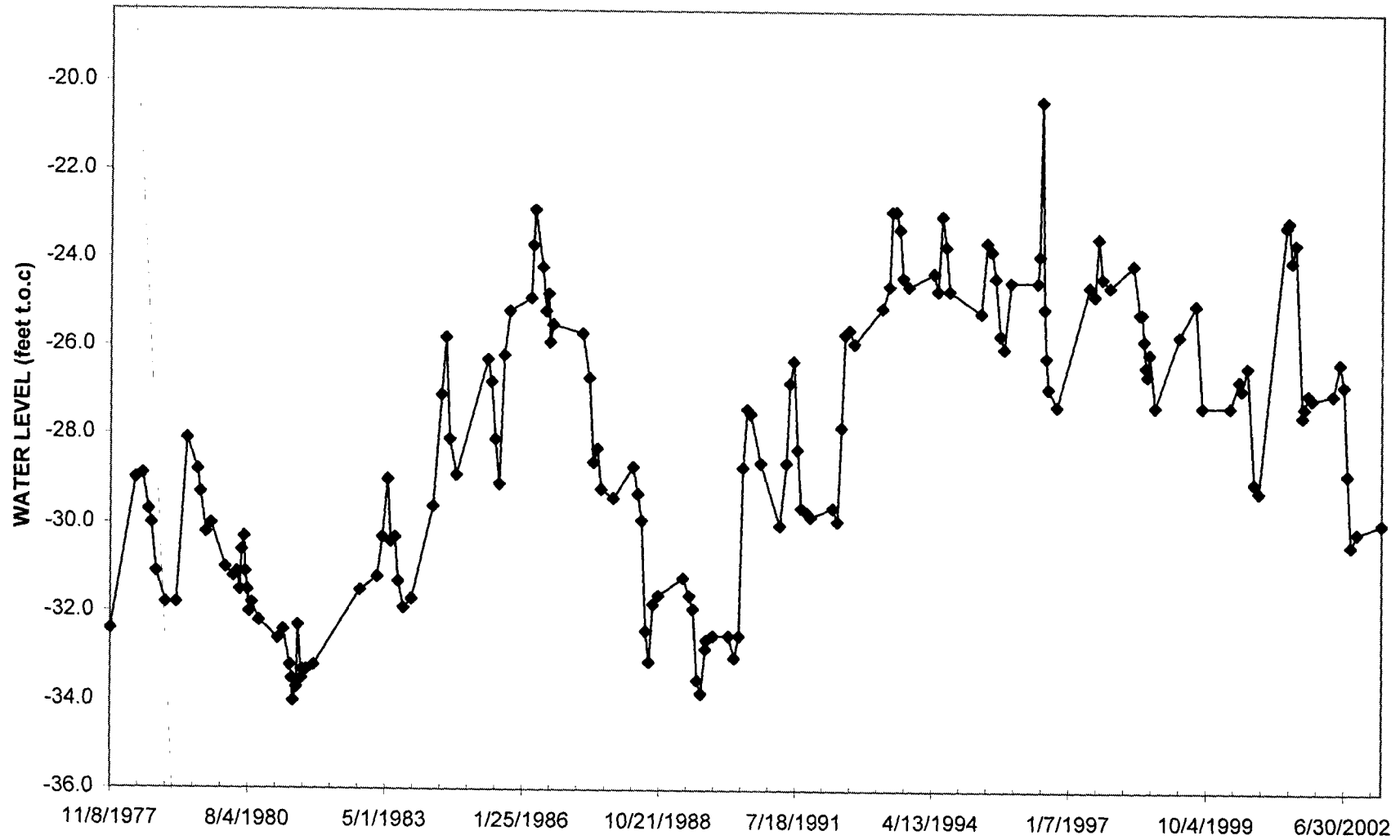
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Koch, N.C., 1980, Appraisal of the Water Resources of the Big Sioux Aquifer, Brookings, Deuel, and Hamlin Counties, South Dakota, Water Resources Investigations 80-100, USGS, Huron, SD, 57350.

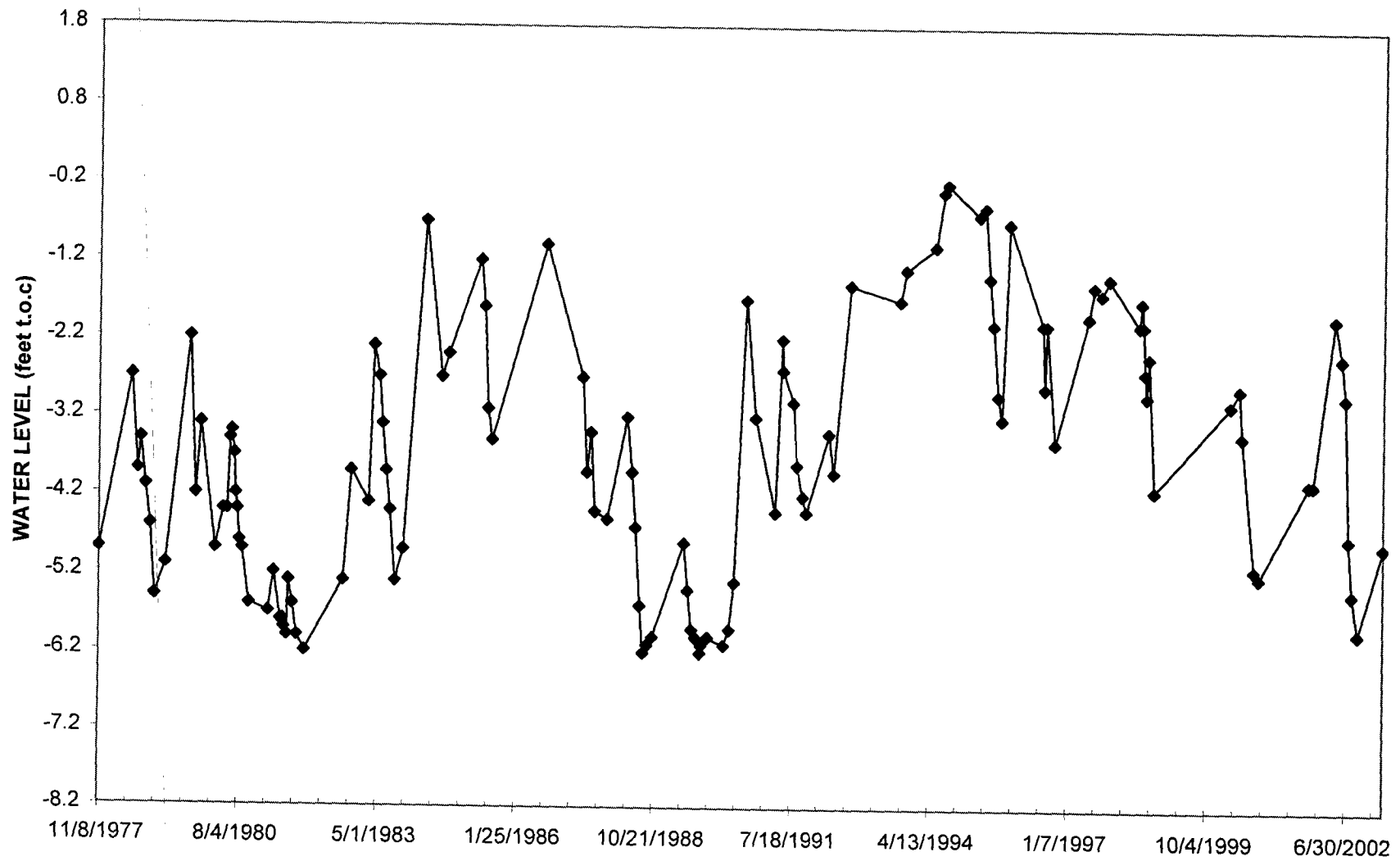
Kume, J., 1985, Water Resources of Deuel and Hamlin Counties, Water-Resources Investigations Report 84-4069, USGS, Huron, SD, 57350.

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

WATER RIGHTS' OBSERVATION WELL
HN-77F



**WATER RIGHTS' OBSERVATION WELL
HN-77E**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6421-3, Keith 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. 6421-3, Keith Ebbers, 46243 189th Street, Castlewood SD 57223.

The Chief Engineer is recommending APPROVAL of Application No. 6421-3 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. 6421-3 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.
4. The approval of Permit No. 6421-3 cancels Water Permit No. 5401A-3.

See report on application for additional information.

Garland Erbele, Chief Engineer
June 17, 2003



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 17, 2003

Hamlin Co Republican
PO Box 50
Castlewood SD 57223-0050

ATTENTION: Legal Public Notice

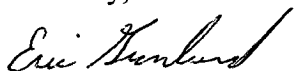
Enclosed is a Notice of Hearing on Application No. 6421-3 to Appropriate Water to be published twice. Please publish the first notice on June 25, 2003 with the second publication 7 days later.

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 Keith Ebbers, 46243 189th St., Castlewood SD 57223 (Ph # 605-873-2737).

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-----

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

No. 6421-3

Date _____

We are in receipt of your letter of June 17, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6421-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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.**

June 17, 2003

Keith Ebbers
46243 189th St
Castlewood SD 57223

Dear Mr. Ebbers:

Water Permit Application No. 6421-3 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 Hamlin Co. Republican printed at Castlewood, SD (Ph # 605-793-2293). 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.

Instruction to Newspaper - Publish first Notice on June 25, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6421-3 to Appropriate Water

Notice is given that Keith Ebberts, 46243 189th St, Castlewood SD 57223 has filed an application for a water permit to appropriate 1.79 cubic feet of water per second from one well (Big Sioux Brookings Aquifer) 70 feet deep located in the NW ¼ NE ¼ Section 33 to irrigate 125 acres located in the NE ¼, E ½ NW ¼ Section 33; all in T114N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6421-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 14, 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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SSI, Leanne Archer

certify that the attached printed Notice was taken

from the Hamlin Co.
Republicanprinted and published in CastlewoodCounty of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 25, 2003July 2, 2003Cost of Printing \$36.36Leanne Archer
(Signature)Owner
(Title)7/2/03
(Date Signed)

NOTICE OF APPLICATION NO. 6421-3 TO APPROPRIATE WATER

Notice is given that Keith Ebberts, 46243 189th St., Castlewood, SD 57223 has filed an application for a water permit to appropriate 1.79 cubic feet of water per second from one well (Big Sioux Brookings Aquifer) 70 feet deep located in the NW 1/4 NE 1/4 Section 33 to irrigate 125 acres located in the NE 1/4, E 1/2NW 1/4 Section 33, all in T114N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6421-3 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 recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. No-

lice 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 East Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 14, 2003.

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Steven M. Pinner, Secretary
DENR

RECEIVED

JUL - 3 2003

WATER RIGHTS
PROGRAM



JUN 23 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

Keith Ebbers
46243 189th St
Castlewood SD 57223

Dear Mr. Ebbers:

Enclosed is Water Permit No. 6421-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The approval of Permit No. 6421-3 cancels Water Permit No. 5401A-3.

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

6421-3

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

Date July 31 2003

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

RECEIVED

AUG - 1 2003

WATER RIGHTS
PROGRAMFROM: Keith Ebberts
(name)9102413 187th
(address)Sioux Falls SD 57105
(city, state, zip)605 873-2137
(phone) 605 881-9565

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.

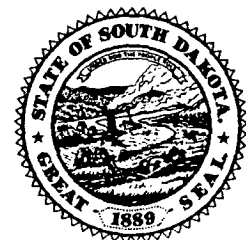
Water Permit No. 6421-3 states that the water use system is to be constructed by July 14 2003, and water is to be put to beneficial use by July 14 2012.
(date) (date)

The water use system was completed on July 25 2003.
(date)

Applying the water to beneficial use was completed on July 28 2003.
(date)

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

Keith Ebberts
(signature)



SOUTH DAKOTA WATER WELL COMPLETION REPORT

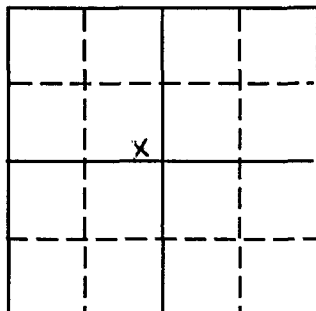
11-02

Location SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 33 Twp 114 Rg 51

County

Hamlin

North



Please mark well location with an "X"

Well Completion Date

6/9/2003

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? _____ ft. from _____ (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	48.0 FT	24.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Cement	30 SS	Lb/gal	0.0 Ft	20.0 Ft
	1 CB 6/10/04	Lb/gal	Ft	Ft

Describe grouting procedure
Line

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 20.0 FeetMaterial Stainless SteelSlot Size .057 Set From 48.0 Feet to 68.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No
If so, what material? Pea Rock

Describe packer(s) and location

Pea Rock @ 25

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Pellets
☐ No, Why Not?
Lab sample sent to for
water quality analysisWell Owner: Keith Ebbers

Business Name: _____

Address: 46243 189thCity, State, Zip: Castlewood SD 57233

WELL LOG:

DEPTH

FORMATION	FROM	TO
Gravel	0	5
Yellow Clay	5	25
Yellow Coarse to Med Gravel	25	60
Gray sand & gravel	60	68
Yellow Clay	68	

STATIC WATER LEVEL

17 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: w/ Air
☐ Bailed

☐ Other

Pumping Level Below Land Surface

28.0 Ft. After 6.0 Hrs. pumped 800.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

JAN 14 2004

WATER RIGHTS
440 PROGRAM

This well was drilled under license # _____

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

Permit No. 6421-3
Big 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, **August 26, 2004**, made a thorough examination of the water use system constructed by **Keith Ebbers** of **46243 189th St., Castlewood, SD 57223** holder of Permit No. **6421-3**, bearing the priority of **May 29, 2003** authorizing the diversion of **1.79 cfs (803 gpm)** of the waters of **groundwater** for **irrigation** purposes, in **Hamlin** County.

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

A. Works used to divert the water:

50 Hp High Thrust US Electric motor, Model R 6232-04-385, with a Western Land Roller Turbine pump, 500 gpm capacity at 90 psi

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

Approximately 4000 feet of 6 inch aluminum pipe

C. Works used to apply water to beneficial use:

Boss Big Gun traveling gun, serial number 7526 with Big Boss self propelled sprinkler

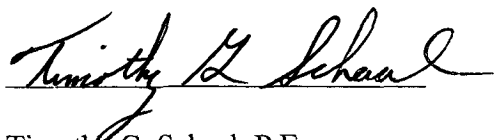
The system is in the following condition **good**. The point of diversion is located **800 ft. south and 1650 ft. west of the NE corner of Sec. 33-T114N-R51W (NW ¼ NE ¼) (Lat. 44.64282, Long. -96.95223)**. The works are capable of diverting and conveying to the place of use **1.11 cfs (500 gpm)** of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

NW ¼ NE ¼ Sec. 33-T114N-R51W – 40 acres	NE ¼ NW ¼ Sec. 33-T114N-R51W -- 5 acres
NE ¼ NE ¼ “ “ -- 35	SE ¼ NW ¼ “ “ 20
SW ¼ NE ¼ “ “ -- 20	
SE ¼ NE ¼ “ “ -- 5	

comprising a total of **125** acres of land and the license should be issued for **1.11 cfs (500 gpm)**.

Applicable permit qualifications have been complied with: Yes **X**

Exceptions to compliance are: **none** Date Report Completed: **January 21, 2005**



Timothy G. Schaal, P.E.
 Natural Resources Engineer Specialist
 DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 6421-3

DATE OF INSPECTION: August 26, 2004

NAME & ADDRESS OF INSPECTION CONTACT/ Keith Ebbers

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Keith Ebbers, 46243 189th St., Castlewood, SD 57223

DIVERSION POINT LEGAL LOCATION: 800 ft. south & 1650 ft. west of the NE corner of Sec. 33-T114N-R51W (NW ¼ NE ¼) (Lat. 44.64282, Long. -96.95223).

WELL INFORMATION:

1) Well Drilling Firm: Pullman Well Drilling, Inc.

2) No. of Wells 1

3) Depth(s) 70 feet

4) Well log is available yes

Casing:

1) Diameter 16 inches

2) Length 48 feet

3) Type plastic

Screen:

1) Type manufactured-stainless steel

2) Length 20 feet

3) Static water level 17 feet

DISTRIBUTION LINES OR CANALS:

1) Type aluminum 2) Size 6 inches 3) Length approximately 4000 feet

Gun:

1) Make Boss Big Gun

2) Nozzle size XX inches

3) Capacity 500 gpm @ 90 psi

4) Hose size XX inches

PERMIT QUALIFICATIONS AND REGULATIONS:

1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A

2) Special qualifications to permit being abided by yes

3) All structures, wells and lands on map yes

4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

Pump:

1) Make Western Land Roller

2) Model XXXX

3) Size 5 or 6 bowls

4) Capacity 500 GPM

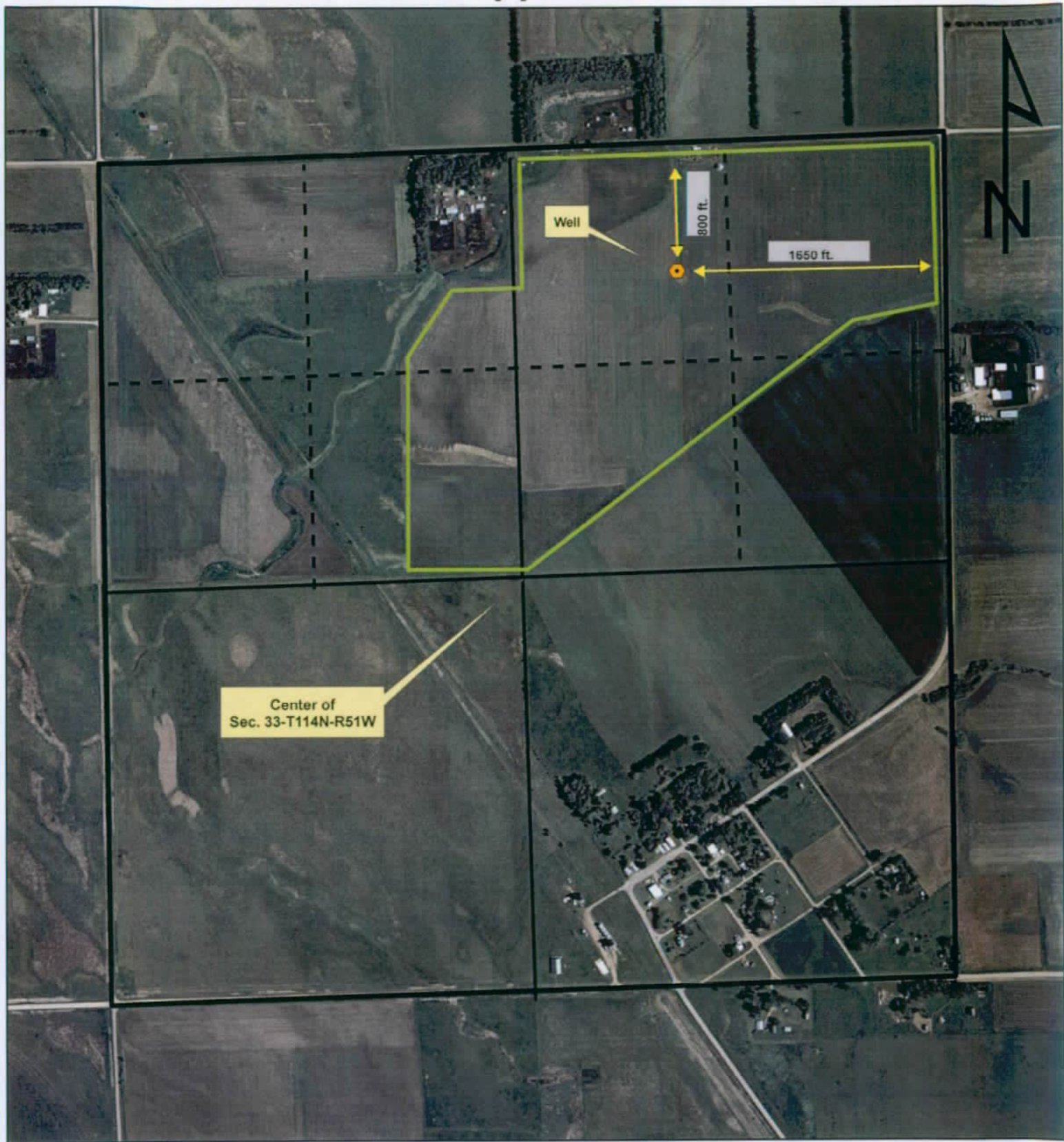
Motor:

1) Make US Electric

2) Model No. R 6232-04-385

3) Horsepower rating 50 hp

Water Permit Application No. 6421-3



0 0.25 0.5 1 Miles



Timothy G. Schaal

Timothy G. Schaal, P.E.
Natural Resources Engineer Specialist
DENR, Water Rights Program

1/21/05

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6421-3

(1) Keith Ebbers, 46243 189th St, Castlewood SD 57223 made Application No. 6421-3, May 29, 2003 for a water permit to divert 1.79 cubic feet of water per second from groundwater (one well), Hamlin County, South Dakota for irrigation purposes. Permit No. 6421-3, with a priority date of May 29, 2003 was approved July 14, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 14, 2008 and for the application to beneficial use of water on or before July 14, 2012.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on August 1, 2003. The *Notice* stated the diversion system was completed on July 25, 2003 and the water placed to beneficial use on July 28, 2003.

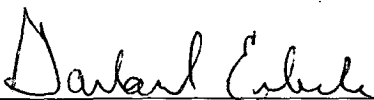
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6421-3 is issued a license, bearing a priority date of May 29, 2003 to appropriate 1.11 cubic feet of water per second from groundwater (one well) to irrigate 125 acres.

The diversion point is located: 800 feet south and 1,650 feet west of the northeast corner of Section 33-T114N-R51W (NW ¼ NE ¼). The acres authorized for irrigation are as follows:

Section 33-T114N-R51W			
NW ¼ NE ¼	40 acres	NE ¼ NW ¼	5 acres
NE ¼ NE ¼	35 acres	SE ¼ NW ¼	20 acres
SW ¼ NE ¼	20 acres		
SE ¼ NE ¼	5 acres		
Total 125 acres			

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6421-3 including the following now applicable 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. 6421-3 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.
4. The approval of Permit No. 6421-3 cancels Water Permit No. 5401A-3.



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

APR 19 2005

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

APR 19 2005

6421-3

Keith Ebbers
46243 189th St
Castlewood SD 57223

Dear Mr. Ebbers:

Enclosed is Water License No. 6421-3. This is the final water right document completing your process of obtaining a Water Right.

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.

Sincerely,

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

enclosures