

WATER PERMIT NO. 6487-3

Name of Applicant: Leon Vanderlei

Address: 40846 312th St, Springfield SD 57062-6217

Phone: 605 369-2610

Amount of Water Claimed: 3.56 Total Acres: 480

Source of Water Supply: groundwater (two wells)

Water to be used for: irrigation County: Bon Homme

Type of Waste Disposal System:

Location: 5 miles west of Springfield

PRIORITY Date Received: 3-12-04

Application/License Fee: \$425.00

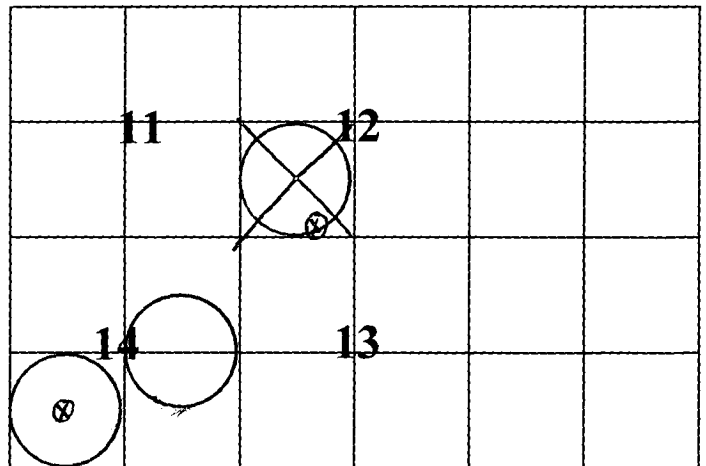
Corrected Application Received: 3-26-04

Period of Annual Use: May 1 – November 1

Remarks:

Diversion Point: center SW ¼ Sec 14 and SE ¼
SW ¼ Sec 12; all in T93N-R61W

Land to be Irrigated: SW ¼, S ½ NE ¼, N ½ SE ¼
Sec 14 and SW ¼ Sec 12; all in T93N-R61W



Depth of Well: 300 feet

Well Driller:

Remarks:

Type of Map: aerial photo

Prepared by: Gary LaCompte, Dist. Conserv.

Reviewed and the Number Assigned on: 3-26-04

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>6487.3</u>	(office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Springfield Times</u>	

RECEIVED
MAR 12 2004
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 Leon Vanderlei Phone 605-369-2610
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 4084/6 312th St Springfield State SD 57062-6217
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.89 *CFS or 1600 **GPM 850 ***AF Total Acreage 320
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply 2 wells
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Bon Homme
1 well in SW1/4-12-93-61
1 well in SW1/4-14-93-61 (center)
5. County or counties where water will be used Bon Homme
6. Annual period during which water is to be used May 1 - Nov 1
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>SW1/4-14-93-61</u>	<u>160</u>		
<u>S1/2-NE1/4-14-93-61</u>	<u>80</u>		
<u>N1/2-SE1/4-14-93-61</u>	<u>80</u>		
<u>SW1/4-12-93-61</u>	<u>160</u>		

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

Center Pivots (2)

STATE OF SOUTH DAKOTA
County of Bon Homme SS

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 9th day of March 2004

[Signature]
Notary Public signature

Comm. exp. 9-2-09

SOUTH DAKOTA
WATER PERMIT NO. 6487-3

Date of first receipt of application March 12, 2004.

Date of return to applicant for corrections, amendments or changes March 12, 2004.

Date of receipt of corrected application March 26, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6487-3 to Leon Vanderlei, 40846 312th St, Springfield SD 57062-6217 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. 6487-3 appropriates 1.89 cubic feet of water per second from one well (Choteau West Aquifer) 300 feet deep located in the center of SW $\frac{1}{4}$ Section 14 to irrigate 320 acres located in the SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 14; 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: May 1 - November 1.
3. The date from which applicant may claim right is March 12, 2004.
4. The date of approval of Permit No. 6487-3 is May 17, 2004.
5. One-fifth of the construction is to be completed on or before November 17, 2006.
6. All construction is to be completed on or before May 17, 2009.
7. Water is to be put to beneficial use on or before May 17, 2013.
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. 6487-3 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) from the producing formation to the surface 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

MAY 24 2004

date



Supplemental Information

(type or print in ink)

RECEIVED

MAR 26 2004

WATER RIGHTS
PROGRAM

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 28" Depth 300
- b) Casing Type PVC Diameter 16" Thickness 750
- c) Screen Type PVC Diameter 16" Thickness 750
- d) Gravel Pack 200-300 Length of Gravel Pack 100' Real Gravel
- e) Depth to Top of Water Bearing Material 178'
- f) Depth to Water (ground surface to water level) 140'
- g) Distance to nearest existing domestic well:
On applicants property 1000' On property owned by others 2000'

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 _____

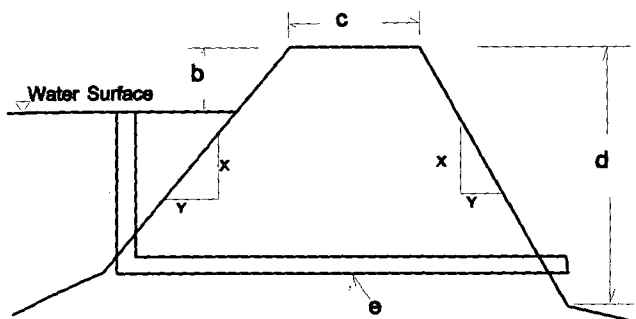
3. Dugout Information

- 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 26, 20 04

RECEIVED OF Leon Vanderlei, 40846 312th St, Springfield SD 57062-6217

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

Fee for Application for Permit No. <u>6487-3</u> to Appropriate Water, to construct and to put water to beneficial use	375	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>6487-3</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	425.00

No.

001235

By

Darland Erbe

Chief Engineer

gm

PAYMENT REQUEST FORM

PAYEE: Leon Vanderlei
40846 312th St
Springfield SD 57062-6217

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund of \$50.00 for overpayment of application fee.

AMOUNT: \$50.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Barbault E. Chiles

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



6487-3

#35 12-93-61

HpB

EoD

HpB

EpC

EmE

EpC

EoD

EpC

HmA

EpC

EmE

12

w

HmA

HnB

EmE

EoD

HmA

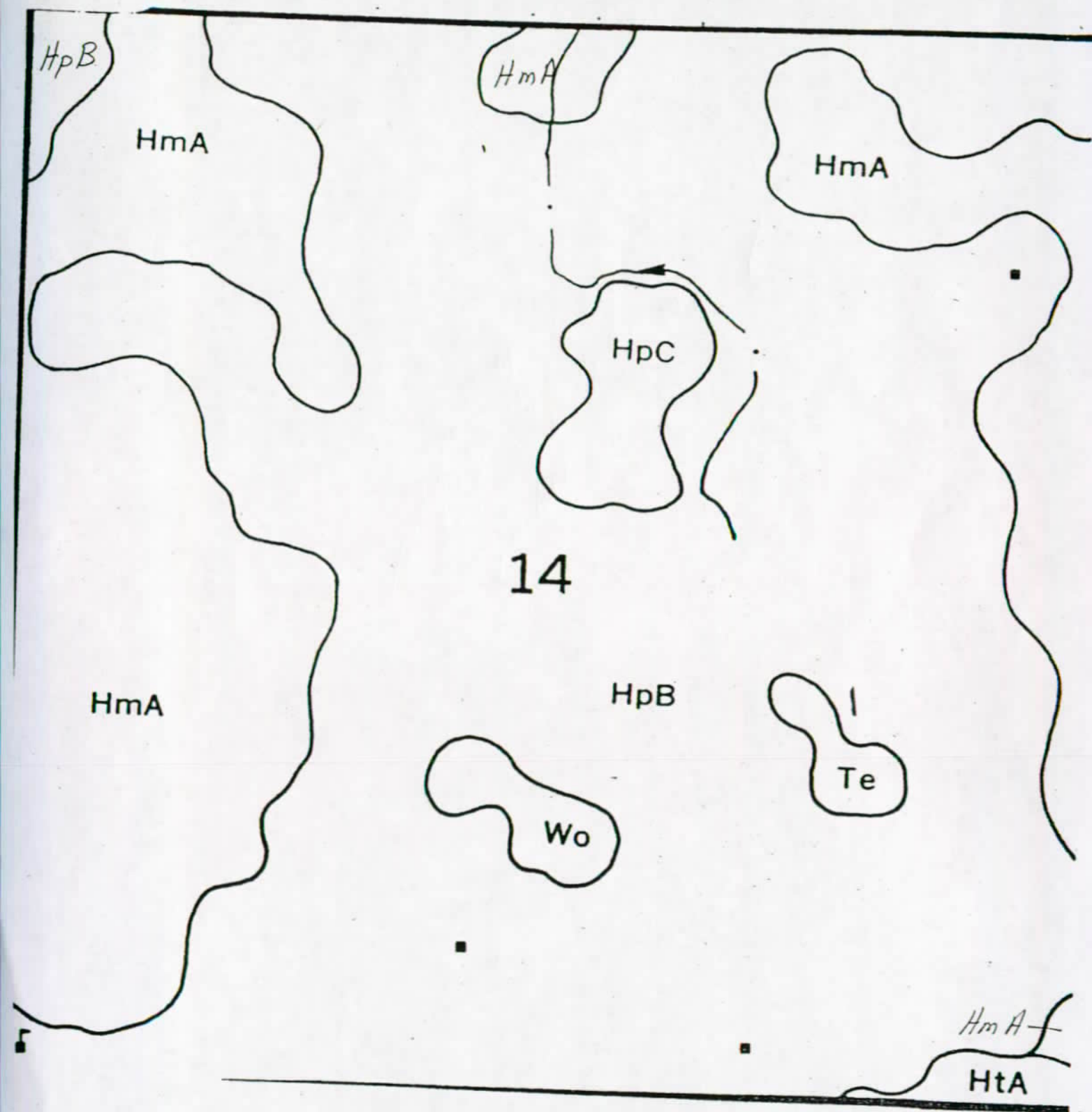
HpB

HpB

HnB

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#35 14-93-61



105-773- 4068



March 12, 2004

**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 57062-6217

Dear Mr. Vanderlei:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Bon Homme County. In order to complete the application the following is required:

- Please complete Item No. 1, Well Information – Proposed Construction on the Supplemental Information form.
- Enclosed is your check for \$475.00. The correct application/license fee for irrigation of 480 acres will be \$425.00.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

April 1, 2004

Leon Vanderlei
40846 312th Street
Springfield SD 57062-6217

Dear Mr. Vanderlei:

I am writing in reference to the test hole logs for your proposed irrigation in Bon Homme County. You indicated on the phone that the test holes had been drilled and the logs were mailed to the Water Rights Program. We have not received the test hole logs yet. The logs are necessary to evaluate the formation you intend to use as a source and process your water permit application.

The water permit application can not be processed until we receive these logs. Please forward us a copy of the logs by mail or fax (605 773-4068) or let us know who the driller is so we may contact them directly.

I attempted to contact you on the telephone but was unsuccessful, therefore, I sent this letter.

Sincerely,

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

Water Rights Program - File Documentation

NAME: Leon Vanderlei

ADDRESS: 40846 312th St, Springfield SD 57062-6217

DATE: 4-8-04 **COUNTY:** BH **TELEPHONE:** 605 369-2610

RE: Pending Application

COMMENTS:

Based on a phone conversation with Eric Gronlund, Leon Vanderlei indicated he wanted to amend his pending application by deleting the well and irrigation of 160 acres located in the SW ¼ Section 12-T93N-R61W.

Based on the test hole located in the center of the SW ¼ Section 14, Mr. Vanderlei stated he would like to request a diversion rate of 850 gallons per minute or 1.89 cfs from one well located in the center of the SW ¼ Section 14 irrigate 320 acres located in the SW ¼, S ½ NE ¼, N ½ SE ¼ Section 14; all in T93N-R61W.


Karen Schlaak
Environmental Scientist

REPORT ON WATER PERMIT NO. 6487-3

For Leon Vanderlei

April 9, 2004

Application No. 6487-3 proposes to appropriate 1.89 cfs (850 gpm) from one well approximately 246 feet deep located in the center of the SW $\frac{1}{4}$ of section 14 to irrigate 320 acres located in the SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ of section 14, T93N R61W in Bon Homme County.

AQUIFER – CHOTEAU WEST (CH-W)

The Choteau West is a buried outwash (sand and gravel) that is under artesian conditions at this site. Even so, the aquifer behaves as if it is under water table conditions. The observation well hydrographs for the area substantiate this conclusion. The 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 aquifer extends into Charles Mix County to the west and is likely hydraulically connected to the Niobrara aquifer in this immediate area. Ground water movement is probably from north to south across the area of this application (Jorgensen, 1971). The Choteau aquifer lies in the ancient Ponca Creek valley which has been incised into the Niobrara marl and Pierre shale bedrock surface (Christensen, 1974) and is cut completely into the underlying Carlile shale.

The test hole report filed with the application indicates the aquifer top at about 178 feet and described as follows, 178 to 205 feet (fine sand), 205 to 225 feet (coarse sand with clay), 225 to 243 feet (fine to medium gravel with shale chunks and rocks), 243 to 246 feet (clay) and at 246 feet (coarse gravel and rocks). No water level or test pumping data was provided with the driller's log.

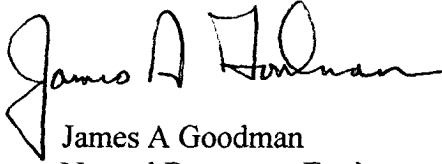
The Water Rights Program monitors two observation wells completed into the Choteau West aquifer in the area. BH-82D is located about one mile west and two miles north and observation well BH-78D is located about one mile east and two miles north of this application, respectively. Water levels for these two wells show good response to 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, 2004). Hydrographs for these two wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are four permitted irrigation wells about two miles to the north of this application. All of these wells are completed into the Niobrara Formation. With the apparent hydraulic connection between the Choteau and the Niobrara in this area the observation well record should be meaningful. Drawdown is not significant, the aquifer behaves as if under water table conditions and interference should not be a concern.

CONCLUSIONS

1. Water is available from the Choteau aquifer.
2. The aquifer is under artesian conditions but apparently behaves as if under water table conditions. Drawdown is not expected to be significant and interference should not be 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

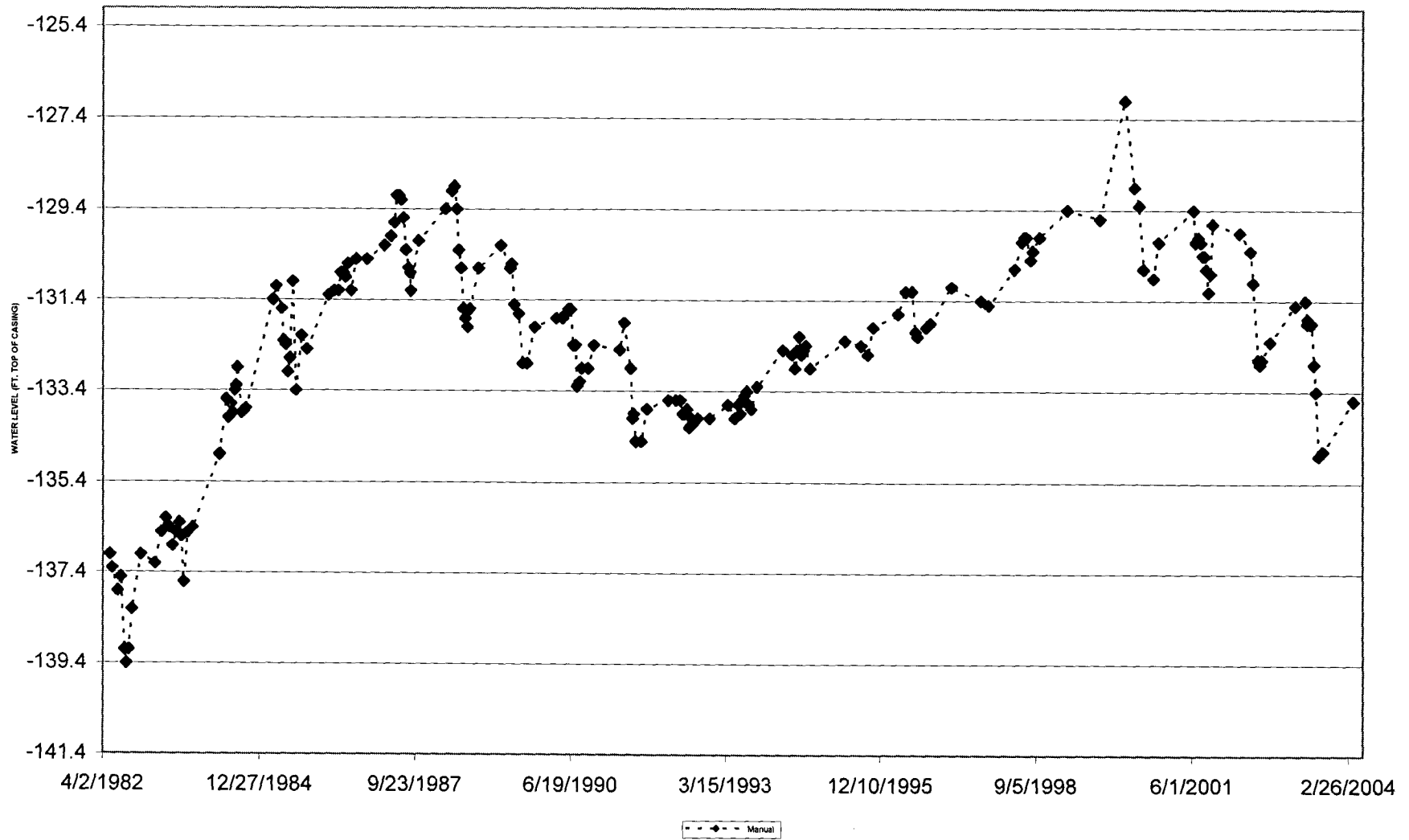
Christensen, C.M., 1974, Geology and Water Resources of Bon Homme County, South Dakota, Part I Geology, Bulletin 21, SD DENR, SDGS, Vermillion, SD, 57069.

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, 57501.

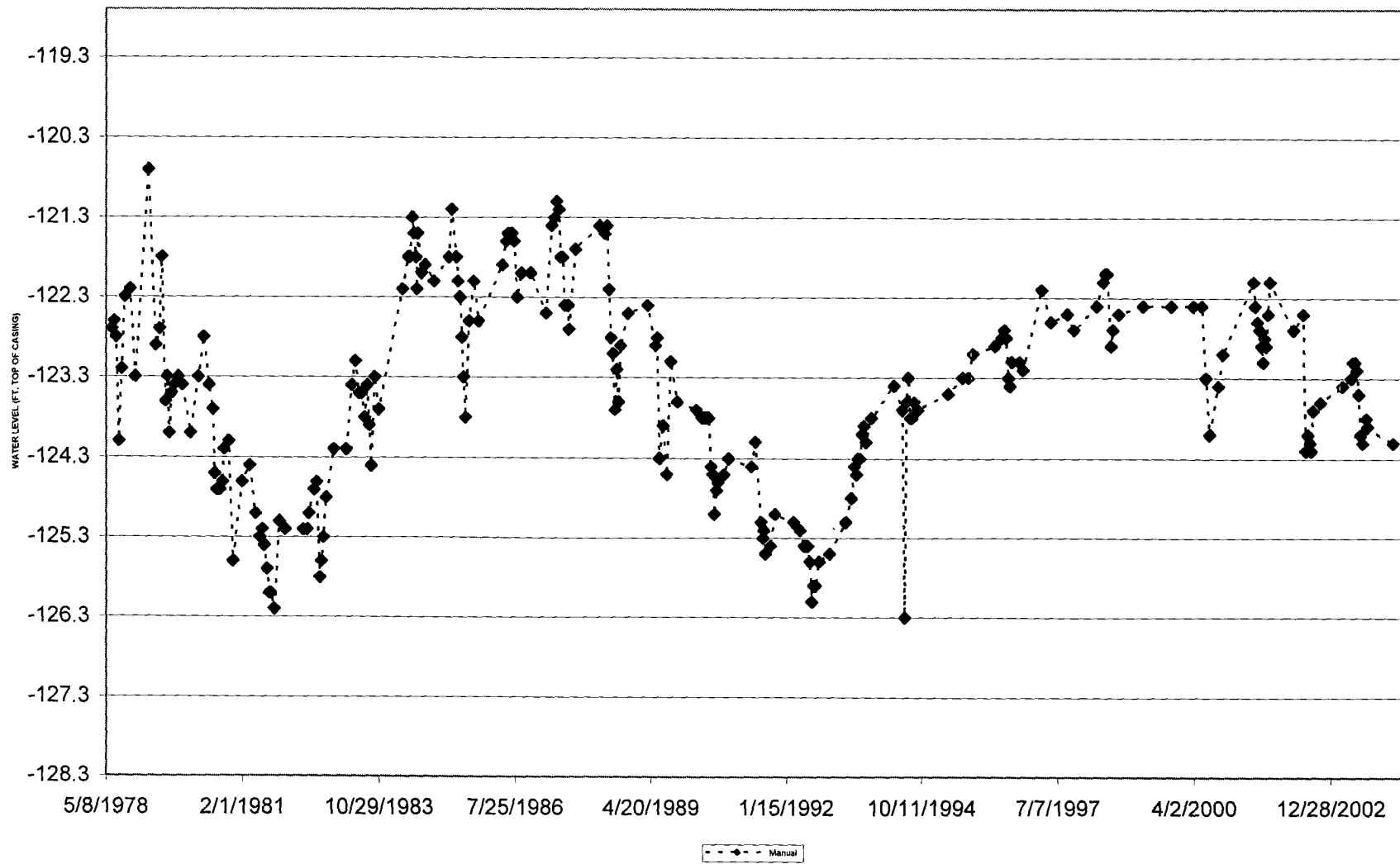
Jorgensen, D.J., 1971, Geology and Water Resources of Bon Homme County, South Dakota, Part II Water Resources, Bulletin 21, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2004, Unpublished Observation Well Data for Bon Homme County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
BH-82D**



**WATER RIGHTS' OBSERVATION WELL
BH-78D**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6487-3, 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. 6487-3, Leon Vanderlei, 40846 312th Street, Springfield SD 57062-6217.

The Chief Engineer is recommending APPROVAL of Application No. 6487-3 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. 6487-3 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) from the producing formation to the surface 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
April 19, 2004

Affidavit of Publication

State of South Dakota }
County of Bon Homme } SS

Rebecca Tyce.....Being first duly sworn
says that the **Springfield Times** is a legal weekly news-
paper 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 pub-
lished in English language in the City of Springfield, 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 publi-
cation of the notice herein mentioned, and that it is
printed in an office maintained at the place of publica-
tion at Springfield, South Dakota, and that deponent is
the publisher in charge of the advertising department of
said newspaper; that the advertisement headed

Notice of Application - 6487-3
62 @ 34.5 + 80% x 1

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

April 28 200420.....
May 5 200420.....
.....20.....20.....
.....20.....20.....

That the full amount of the fee charged for the publica-
tion of said notice, \$ 38.50....., 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 Tyce, publisher

Subscribed and sworn to before me this

5th day of May 2004
Leggy Schelske
Notary Public, South Dakota

My Commission expires Oct. 24, 2009

RECEIVED

MAY 11 2004

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION NO. 6487-3

to Appropriate Water

Notice is hereby given that Leon Vanderlei, 40846 312th St, Springfield SD 57062-6217 has filed an application for a water permit to appropriate 1.89 cubic feet of water per second from one well (Choteau West Aquifer) 300 feet deep located in the center of SW 1/4 Section 14 to irrigate 320 acres located in the SW 1/4, S 1/2 NE 1/4, N 1/2 SE 1/4 Section 14; all in T93N-R61W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6487-3 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 May 17, 2004.

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.

(April 28 & May 5)



**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.**

April 19, 2004

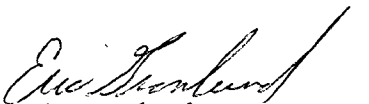
Leon Vanderlei
40846 312th St
Springfield SD 57062

Dear Mr. Vanderlei:

Water Permit Application No. 6487-3 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 Springfield Times printed at Springfield, SD (Ph # 605-639-2441). 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 19, 2004

Springfield Times
PO Box 465
Springfield SD 57062-6217

ATTENTION: Legal Public Notice

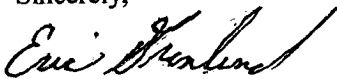
Enclosed is a Notice of Hearing on Application No. 6487-3 to Appropriate Water to be published twice. Please publish the first notice on April 28, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 (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-----

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

No. 6487-3

Date _____

We are in receipt of your letter of April 19, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 6487-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on April 28, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6487-3 to Appropriate Water

Notice is given that Leon Vanderlei, 40846 312th St, Springfield SD 57062-6217 has filed an application for a water permit to appropriate 1.89 cubic feet of water per second from one well (Choteau West Aquifer) 300 feet deep located in the center of SW ¼ Section 14 to irrigate 320 acres located in the SW ¼, S ½ NE ¼, N ½ SE ¼ Section 14; all in T93N-R61W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6487-3 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 May 17, 2004.

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.



**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 24 2004

Leon Vanderlei
40846 312th St
Springfield SD 57062-6217

Dear Mr. Vanderlei:

Enclosed is Water Permit No. 6487-3 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.

At the time of application, a fee of \$425 was submitted. The application was amended and the number of acres to be irrigated reduced, therefore reducing the required application fee. You will be receiving a refund check for \$50 within the next couple of weeks.

Sincerely,

A handwritten signature in black ink that reads "Garland Erbele".

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

enclosures

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

Date 5-29-04

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

RECEIVED

JUN 04 2004

WATER RIGHTS
PROGRAM

FROM:

Leon Vanderlei
(name)

40846 312th St
(address)

Springfield SD, 57062 605-369-2610
(city, state, zip) (phone)

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.

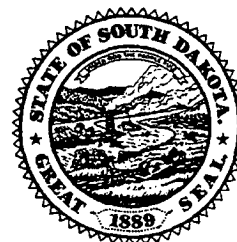
Water Permit No. 6487-3 states that the water use system is to be constructed by May 17 2009, and water is to be put to beneficial use by May 17 2013.
(date) (date)

The water use system was completed on May 19-04.
(date)

Applying the water to beneficial use was completed on May 19-04.
(date)

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

Leon Vanderlei
(signature)





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 4, 2004

6487-3

Leon Vanderlei
40846 312th St
Springfield SD 57062

Dear Mr. Vanderlei:

Thank you for sending in the "*Notice of Completion of Works and Application of Water to Beneficial Use*" form letting us know that your system is complete and ready for inspection.

We will add your permit to the list ready for inspection and when one of our staff is in your area they will contact you. You have met the requirements to date and the intervening time between your notification to us and the actual inspection of your system has no bearing on your water permit.

I am returning your copy of Water Permit No. 6487-3. You may keep this for your records. 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

enclosure

SOUTH DAKOTA WATER WELL COMPLETION REPORT

6487-3

07-92

Location $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 14 Twp 93 Rg 61WCounty Bon Homme

North

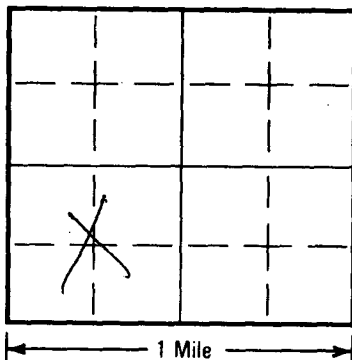
Please mark well location with an "X"

W

E

Well Completion Date

3-30-04



LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1200 ft. from septic tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
SDR 26 16 0 240 28
LB/FT IN FT FT IN
LB/FT IN FT FT IN

GROUTING DATA

Grout Type No. of Sacks Grout Weight From To
Cement _____ lb./gal 0 ft. 20 ft.
Penzance _____ lb./gal 20 ft. 150 ft.

Describe grouting procedure _____

SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 16 IN Length 40 FEETMaterial POCSlot Size .085 Set From 200 Feet to 240 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: Chlorine☐ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Leon Vanderlei

Business Name: _____

Address: 40846, 317
Springfield, IA 57062

WELL LOG:

DEPTH

FORMATION	FROM	TO
top silty brown clay	0	24
blue clay	24	73
ROCK	73	74
blue clay	74	178
fine sand	178	215
med gravel w/ shale chunks	215	240
ROCKS into shale	240	243

STATIC WATER LEVEL

156

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:

☒ PumpedDescribe: tested w/ turbine☐ Bailed☐ Other

Pumping Level Below Land Surface

184 ft. After 1 Hrs. pumped 850 GPM168 ft. After 2 Hrs. pumped 850 GPMIf pump installed, pump rate 850 GPM

REMARKS

This well was drilled under license # 444

And this report is true and accurate.

Drilling firm Christensen Well & DrillingSignature of License Representative: Andy W. ChristensenSignature of Well Owner or Equitable Property Holder: JAN - 3 2005WATER RIGHTS
PROGRAM

Date: _____

Permit No. 6487-3
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. 6487-3, bearing the priority of March 12, 2004 authorizing the diversion of 1.89 cu. ft. per second of the waters of ground water (Choteau West aquifer) 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: Christensen Well
- 2) No. of Wells 1
- 3) Depth(s) 240 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 16 inches
- 2) Length 200 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 40 feet
- 3) Static water level 156 feet

Pump:

- 1) Make Western Land Roller

Motor:

- 1) Make US Electrical
- 2) Horsepower rating 100 hp

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 2,975 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make T&L (2)
- 2) Number of towers 8
- 3) End gun Y
- 4) High pressure 80 psi
- 5) Capacity 1,100 GPM

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

Report of Examination of Works

Permit No. 6487-3

The system is in good condition with the point of diversion located as follows: Well: 1,320 feet N and 1,320 feet E from the SW corner of section 14-T93N-R61W (Latitude 42.86933*, Longitude -98.02547* – center of SW¼). The works are capable of diverting and conveying to the place of use 2.44 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 14-T93N-R61W

NE¼SW¼	34 acres	SW¼NE¼	34 acres
NW¼SW¼	34 acres	SE¼NE¼	34 acres
SW¼SW¼	34 acres	NW¼SE¼	34 acres
SE¼SW¼	25 acres	NE¼SE¼	34 acres

comprising a total of 263 acres of land and the license should be issued for 1.89 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project: none
*Latitude and Longitude coordinates have been approximated from inspection map – onsite GPS position was not taken.



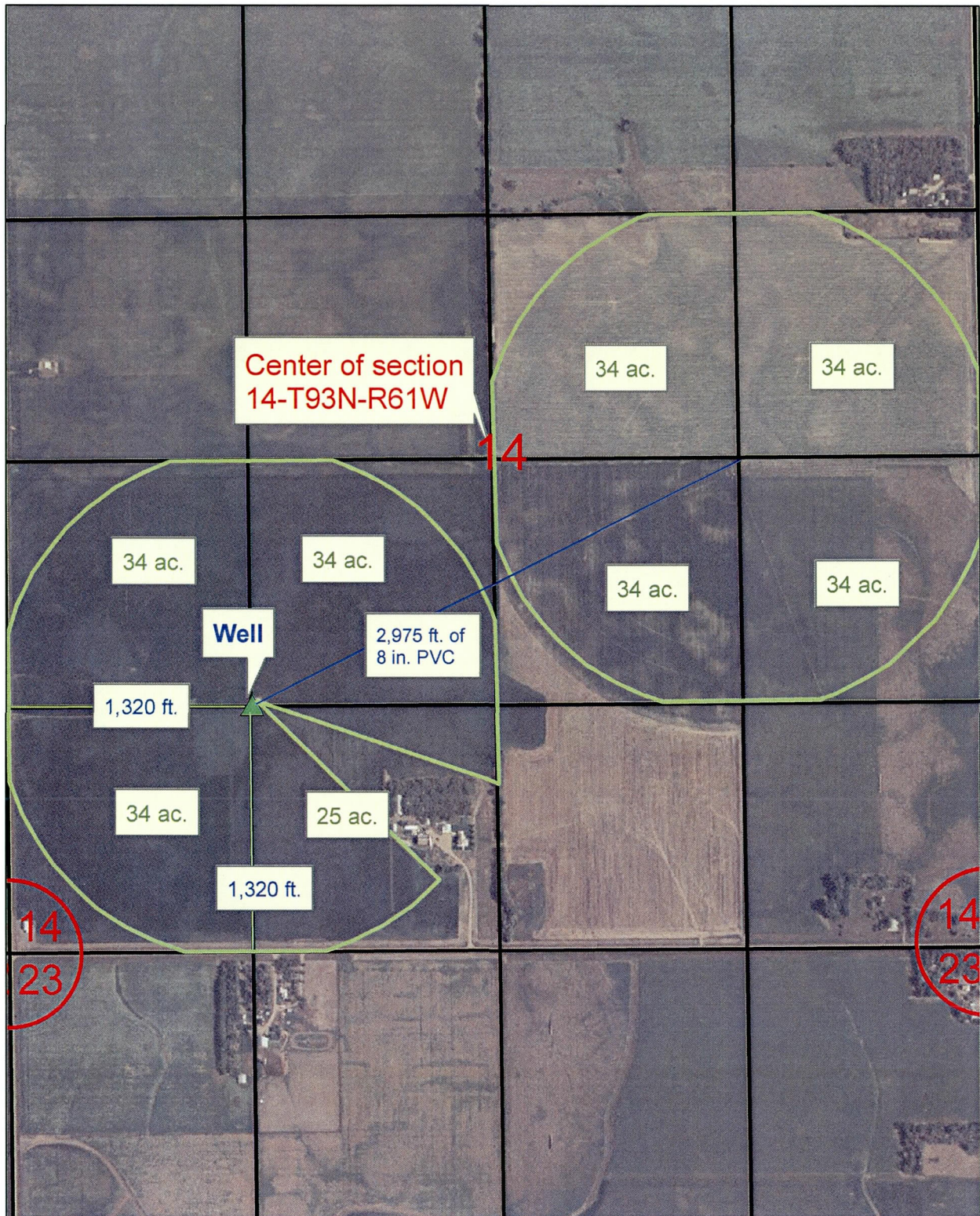
Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: September 22, 2006

Scale: 1 inch equals 808 feet

1,200

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:

Ron Duvall
Ron Duvall, Natural Resources Engineer
Water Rights Program

Date: Sept. 22, 2006

Water Right No. 6487-3



**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. 6487-3**

(1) Leon Vanderlei, 40846 312th St, Springfield SD 57062-6217 made Application No. 6487-3, March 12, 2004 for a water permit to divert 1.89 cubic feet of water per second from ground water (one well – Choteau West Aquifer), Bon Homme County, South Dakota for irrigation purposes. Permit No. 6487-3, with a priority date of March 12, 2004 was approved May 17, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 17, 2009 and for the application to beneficial use of said water on or before May 17, 2013.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on June 4, 2004. The "*Notice*" stated the water use system was completed and the water placed to beneficial use on May 19, 2004.

(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 1.89 cubic feet of water per second (850 gallons per minute) for beneficial use. The location of the diversion point is 1,320 feet N and 1,320 feet E of the SW corner of Section 14, T93N, R61W (center of the SW ¼).

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

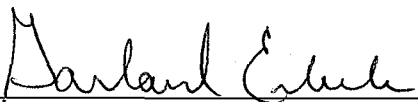
Section 14, T93N, R61W			
NE ¼ SW ¼	34 acres	SW ¼ NE ¼	34 acres
NW ¼ SW ¼	34 acres	SE ¼ NE ¼	34 acres
SW ¼ SW ¼	34 acres	NW ¼ SE ¼	34 acres
SE ¼ SW ¼	25 acres	NE ¼ SE ¼	34 acres

Total: 263 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Leon Vanderlei, 40846 312th St, Springfield SD 57062-6217 the holder and/or owner of Water Right No. 6487-3 is issued a license to appropriate water, the right to use 1.89 cubic feet of water per second from ground water (one well – Choteau West aquifer) with a priority date of March 12, 2004 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. 6487-3 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. 6487-3 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, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 01 2008

date



SOUTH DAKOTA WATER WELL COMPLETION REPORT

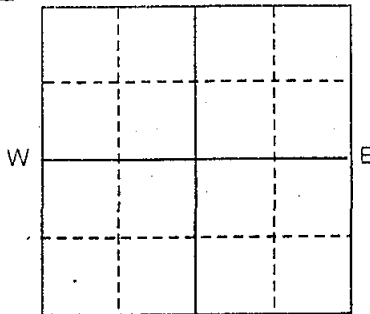
11-02

Location SW ¼ SW ¼ Sec 13 Twp 93N Rg 61W

Well Owner: Leon Vanderlei

County Bon Homme

North

Please mark well
location with an "X"

Well Completion Date

July 31, 2012

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
50.0 ft. from septic (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
LB/FT	12.00 IN	0.0 FT	210.0 FT	15.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	48	Lb/gal	0.0 Ft	195.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
remie piped

SCREEN:

☒ Perforated pipe ☒ Manufactured
 Diameter 12.00 Inches Length 20.0/20' Feet
 Material PVC slotted pipe and stainless steel
 Slot Size .040 Set From 210.0 Feet to 250.0 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? chlorinated

☐ No, Why Not?
Lab to which water
quality sample sent for analysis
owner to obtain

Business Name:

Address: 40846 312th St

City, State, Zip: Springfield SD 57062

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top soil	0	1
Yellow clay w/sand seams	1	40
Blue clay	40	176
Tight dirty sand	176	182
Clay w/sand	182	187
Blue clay	187	209
Fine to Med sand	209	245
Med to coarse sand	245	247

continued on next page

STATIC WATER LEVEL 153.0 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:☐ Bailed☐ Other

Pumping Level Below Land Surface

153.6 Ft. After 2.0 Hrs. pumped 1,200.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

RECEIVED

DEC 17 2012

WATER RIGHTS

This well was drilled under license # 475 PROGRAM and this report is true and accurate.

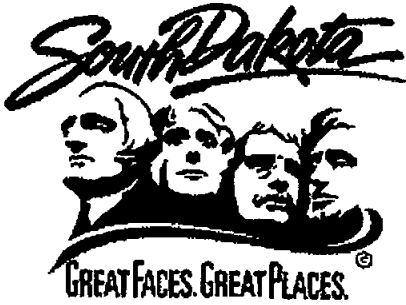
Drilling firm: Thein Well Co., Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 12-10-2012

6487-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

JUN 04 2018

6487-3
8271-3

Leon Vanderlei
40846 312th St
Springfield SD 57062

Dear Mr. Vanderlei:

Enclosed is Water License No. 8271-3. 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 in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Right No. 6487-3 were incorporated into Water License No. 8271-3.