

WATER PERMIT NO. 6577-3

Name of Applicant: **Douglas Bochman**

Address: **41101 307 St, Tyndall SD 57066** Phone: **605 584-3408**

Amount of Water Claimed: **1.78 cfs** Total Acres: **81.5 acres**

Source of Water Supply: **groundwater (1 existing well)**

Water to be used for: **irrigation** County: **Bon Homme**

Type of Waste Disposal System:

Location: **5 miles southwest of Tyndall**

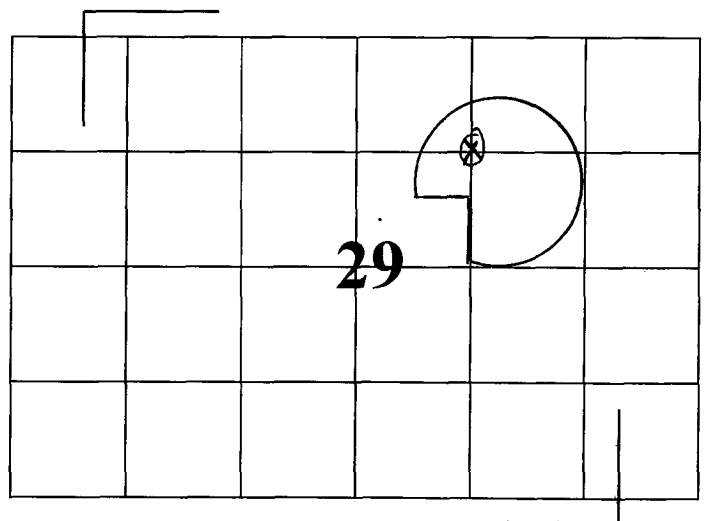
PRIORITY Date Received: **1-24-05** Application/License Fee: **\$275**

Corrected Application Received: Period of Annual Use: **April 1 – October 31**

Remarks: **land were previously irrigated by cancelled Water Right No. 3583A-3**

Diversion Point: **center of NE ¼ Sec 29-T94N-R60W**

Land to be Irrigated: **NE ¼ Sec 29-T94N-R60W**



Depth of Well: **192 feet deep**

Well Driller: : **Pullman Well Drilling**

Remarks:

Type of Map: **aerial**

Prepared by: **Nina Reiff, BH Co. FSA**

Reviewed and the Number Assigned on: **1-25-05**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6577-3</u> (office use only) <u>10170101</u>
	Basin <u>Missouri River</u>
	Newspaper <u>Tyndall Tribune + Register, Tyndall</u>

RECEIVED
JAN 24 2005
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.) _____

- Name of Applicant Douglas Bochman Phone 605-589-3408
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 41101 307th str. Tyndall State SD 57066
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.16 *CFS or 800 **GPM ***AF Total Acreage 8081.5
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Existing Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
Approximate Center of NE 1/4 section 29, T94N, R60W
County Ben Homme
- County or counties where water will be used Ben Homme
- Annual period during which water is to be used April 1 - October 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
<u>NE 1/4 NE 1/4</u>	<u>19</u>		
<u>NW 1/4 NE 1/4</u>	<u>10</u>		
<u>SE 1/4 NE 1/4</u>	<u>36</u>	<u>ALL IN 29-94-60</u>	
<u>SW 1/4 N 1/4</u>	<u>16.5</u>		

8. Give a description of the project. (Attach sheet if more space is needed)
I am requesting greater than statutory limit on account of doing a windshield wipe.

STATE OF SOUTH DAKOTA) SS
County of Ben 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, Douglas Bochman, 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 Douglas Bochman

Subscribed and sworn to before me this 21st day of JAN 2005

[Signature]
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 6577-3

Date of first receipt of application January 24, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6577-3 to Douglas Bochman, 41101 307th St, Tyndall SD 57066 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6577-3 appropriates 1.16 cubic feet of water per second from one existing well completed into the Niobrara Aquifer (approximately 192 feet deep) located in the center of the NE ¼ Section 29 to irrigate 81.5 acres located in the NE ¼ Section 29; all in T94N-R60W.
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 24, 2005.
4. The date of approval of Permit No. 6577-3 is March 28, 2004.
5. One-fifth of the construction is to be completed on or before September 28, 2007.
6. All construction is to be completed on or before March 28, 2010.
7. Water is to be put to beneficial use on or before March 28, 2014.
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. Pursuant to SDCL 46-5-6, Permit No. 6577-3 authorizes a maximum diversion rate of 1.16 cubic feet of water per second (523 gallons per minute) to irrigate 81.5 acres and the volume of water diverted for use may not exceed 2 acre feet per acre delivered on the land each year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

APR 01 2005

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction - Existing Well - See Water Well Completion Report

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property 1320' On property owned by others 1500'

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 _____

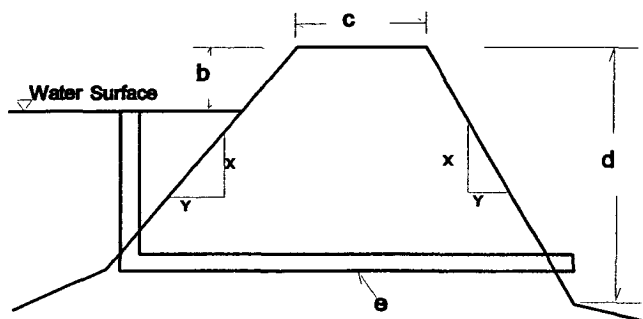
3. Dugout Information

- 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 January 25, 20 05

RECEIVED OF Douglas A Boehmer, 41101 307th St., Tyndall SD 57066

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

Fee for Application for Permit No. <u>6577-3</u> to Appropriate Water, to construct and to put water to beneficial use	225	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>6577-3</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	275.00

No.

000003

By

Darland Eide
Chief Engineer

NORTH

10

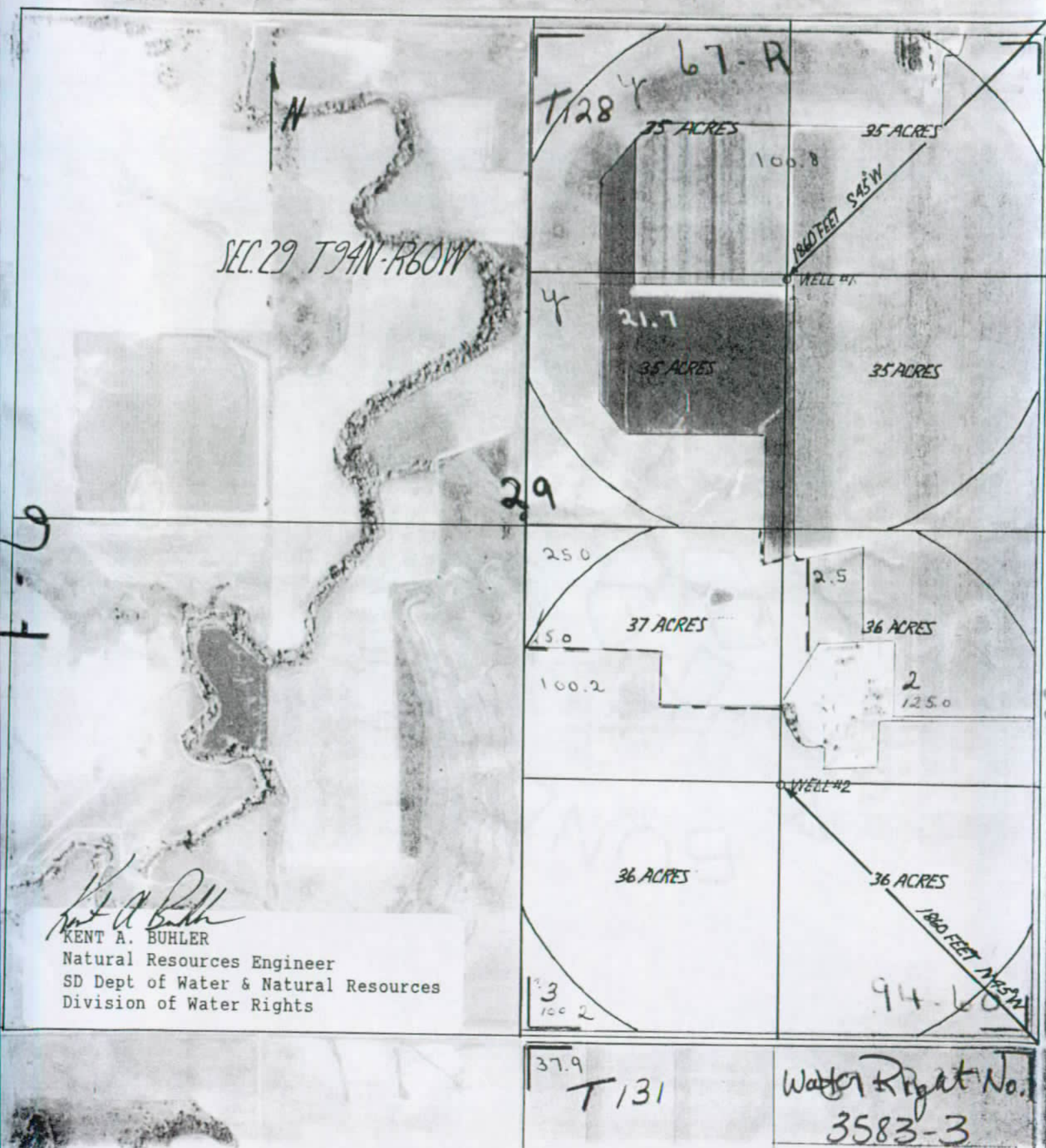
19

16.5

36

Gene Ruff
Bon Homme Co. SIDA - P.T.

NOT TO SCALE

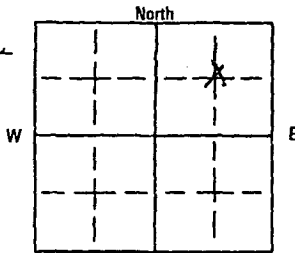


SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location N 1/4 Sec 29 Twp 94 N Rg 60 W

County Ben Homme

Please mark well location with an "X"



Well Completion Date 6-24-88

PROPOSED USE:

- ☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Reverse

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NO

To what depth? 20 FEET

What is grouting material? Best Cement

If cement, number of sacks? 50

Describe grouting procedure line

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 16 IN Length 20 FEET

Material Stainless Steel

Slot Size 16 Set From 172 Feet To 192 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

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? _____

Was well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name Merlon Bachman

Address RR 1, Box 103, Lyncell, SD

Well Log:

Depth 192

Formation

Formation	From	To
<u>Yellow Clay</u>	<u>0</u>	<u>40</u>
<u>Brown Clay</u>	<u>40</u>	<u>80</u>
<u>Br. gravel & clay</u>	<u>80</u>	<u>85</u>
<u>med sand & gravel</u>	<u>85</u>	<u>100</u>
<u>fine sand</u>	<u>100</u>	<u>170</u>
<u>Chalk</u>	<u>170</u>	<u>192</u>

STATIC WATER LEVEL 90 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped 800 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm Pullman well drilling

Signature of License Representative:

Ralph Pullman

Signature of Well Owner:

Date 2-10-89

2/24/89

REPORT ON WATER PERMIT APPLICATION NO. 6577-3

For Douglas Bochman

February 10, 2005

Application No. 6577-3 proposes to appropriate 1.78 cfs (800 gpm) from one existing well approximately 192 feet deep located in the center of the NE ¼ of section 29 to irrigate 81.5 acres located in the NE ¼ of section 29; all in T94N R60W in Bon Homme County. The applicant is requesting a diversion rate greater than the statutory limit of one cfs per 70 acres.

AQUIFER – NIOBRARA FORMATION (NBRR)

The Niobrara aquifer consists of nearly horizontal layers of calcareous shale, chalk and chalky limestone (Jorgensen, 1971). Ground water is obtained from fractures and other secondary permeability zones within the chalk. At this site the aquifer is buried, directly overlain by the Choteau Tyndall aquifer and under confined conditions. However, the overlying Choteau Tyndall aquifer is under water table conditions and is also the probably source of much of the water from the chalk at this site. The Niobrara chalk underlies 470 square miles of Bon Homme County but there is no estimate available for the amount of water in storage (Hedges, 1982). However, there is an estimate for the overlying Choteau Tyndall aquifer of 140,850 acre-feet of recoverable water in storage (Hedges, 1982). Ground water movement is from north to south across the area of this application (Jorgensen, 1971).

The driller's log filed with the application indicates medium sand and gravel from 85 feet to 100 feet, fine sand from 100 feet to 170 feet, and chalk from 170 feet to 192 feet all below land surface. The completed well had a static water level of 90 feet below land surface and was capable of producing 800 gpm. This well is screened completely in the chalk (20 feet of 60 slot stainless steel set from 172 feet to 192 feet). No test pumping data or drawdown information is provided with this log.

The Water Right Program monitors four observation wells completed into the Choteau Tyndall aquifer and within a two mile radius of this application. These are observation wells BH-78B (located about one mile west), BH-71C (located about ¾ miles north), BH-76C (located about 1 ¼ miles east), and BH-76D (located about 1 ¼ miles south). Water levels for these 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 effects of area pumping are also apparent especially on the wells with some artesian head pressure. In general the observation well data indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2005). Hydrographs for these four observation wells area included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing right is No. 3583B-3. The well for this right is located about one-half mile south of the well for this application. Interference is not expected to be a

concern. Drawdown created by pumping is apparently not significant as shown by the observation well data.

CONCLUSIONS

1. Water is available from the Niobrara Formation. Actually the water source is probably the Choteau Tyndall aquifer at this site.
2. The aquifer is buried and under confined conditions at this site but probably behaves like a water table situation because of the overlying Choteau Tyndall aquifer.
3. This is an existing well but has not been used for many years. The original water right No. 3583A-3 that allowed irrigation at this site was cancelled in December of 2002 for abandonment. The well appears to have been constructed in accordance with SD Well Construction Standards.
4. The applicant requests a diversion rate greater than the one cfs for 70 acre statutory limit. This request does not make sense looking at the map provided. There are 81.5 acres under permit which would allow a diversion rate of 1.16 cfs rather than the requested 1.78 cfs. The justification of a windshield wipe system does not appear to be reasonable.


for James A Goodman
Natural Resources Engineer

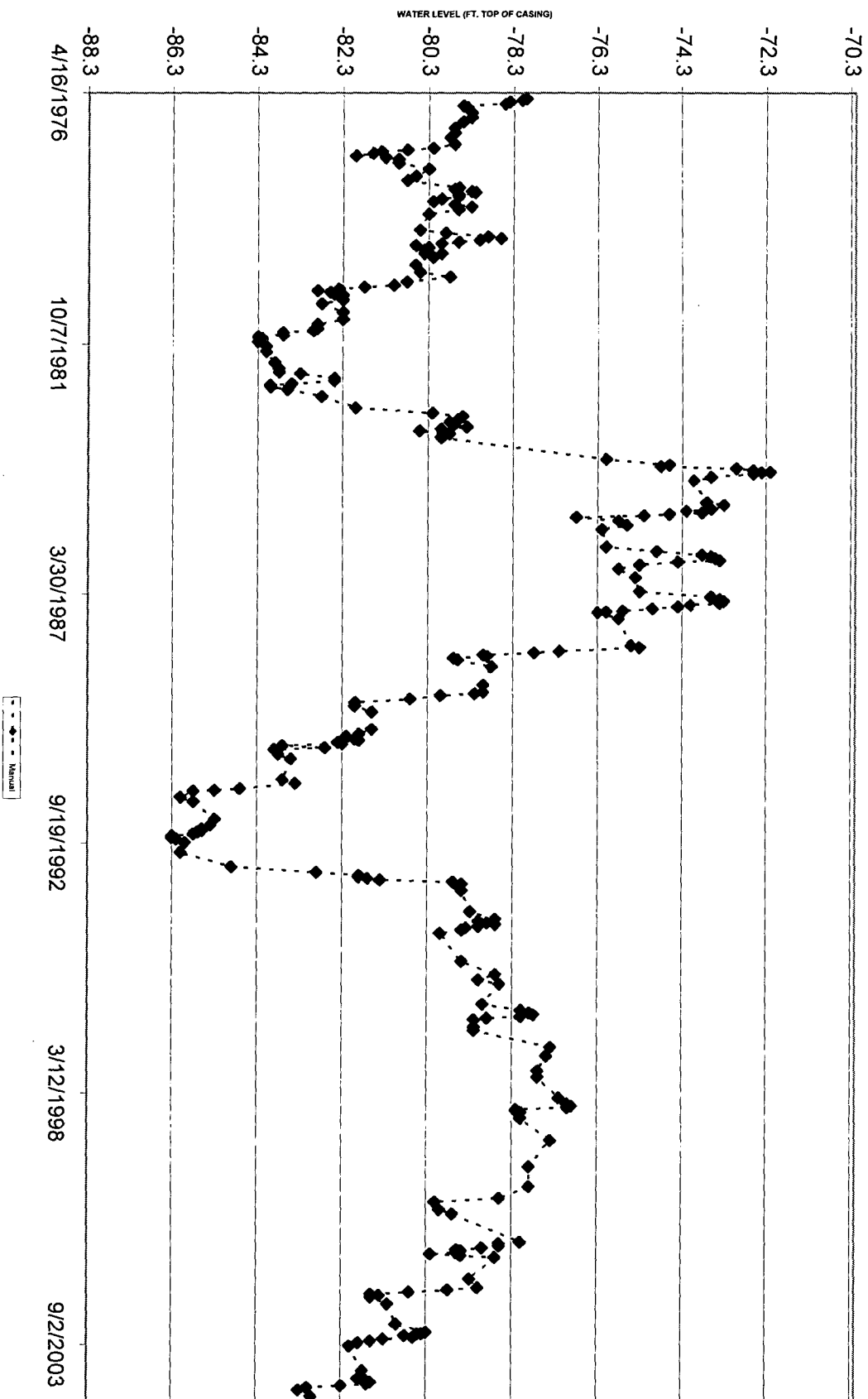
BIBLIOGRAPHY

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.

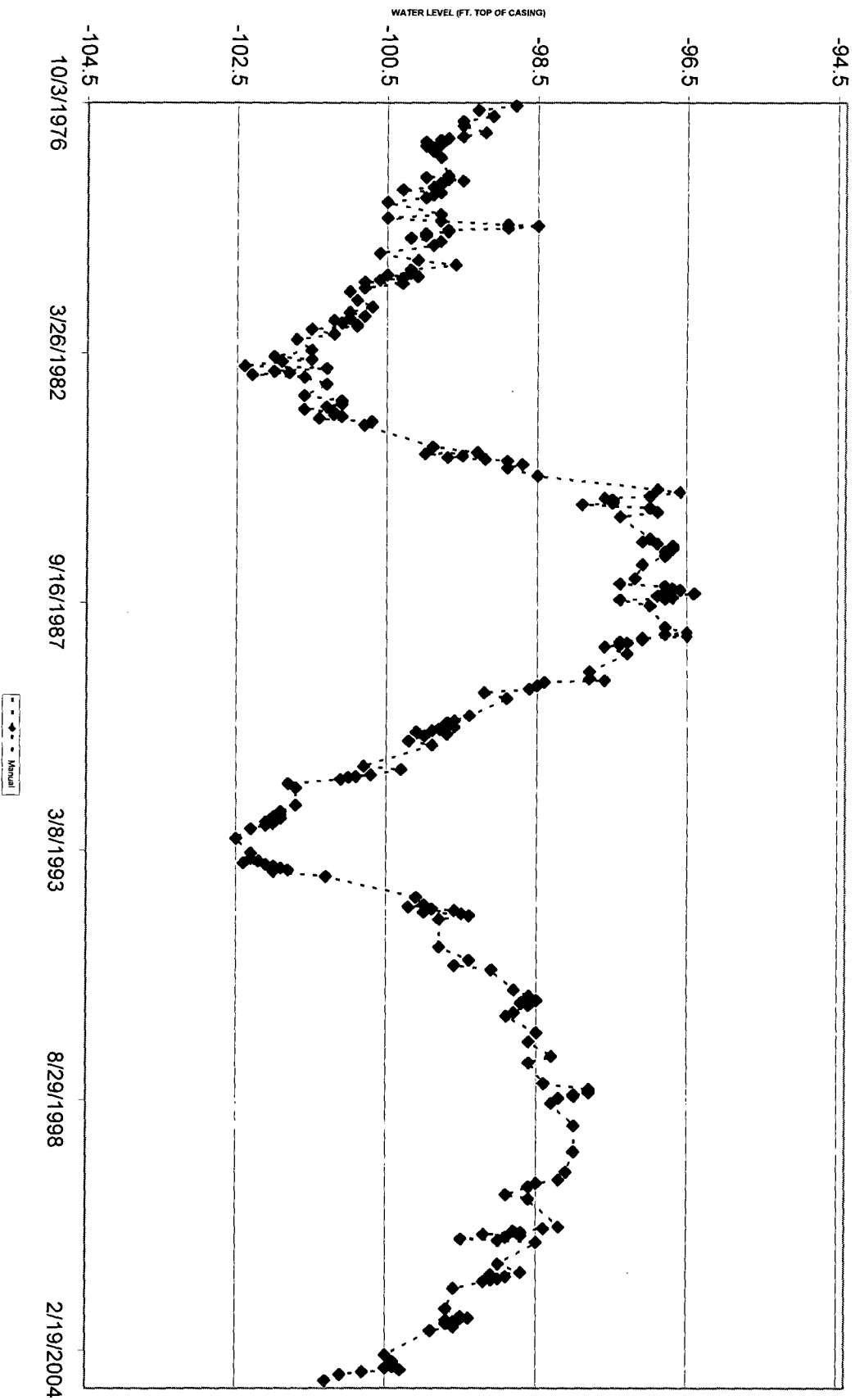
Jorgensen, D.G., 1971, Geology and Water Resources of Bon Homme County, South Dakota, Bulletin 21, Part II: Water Resources, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2005, Unpublished Observation Well Records for Bon Homme County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

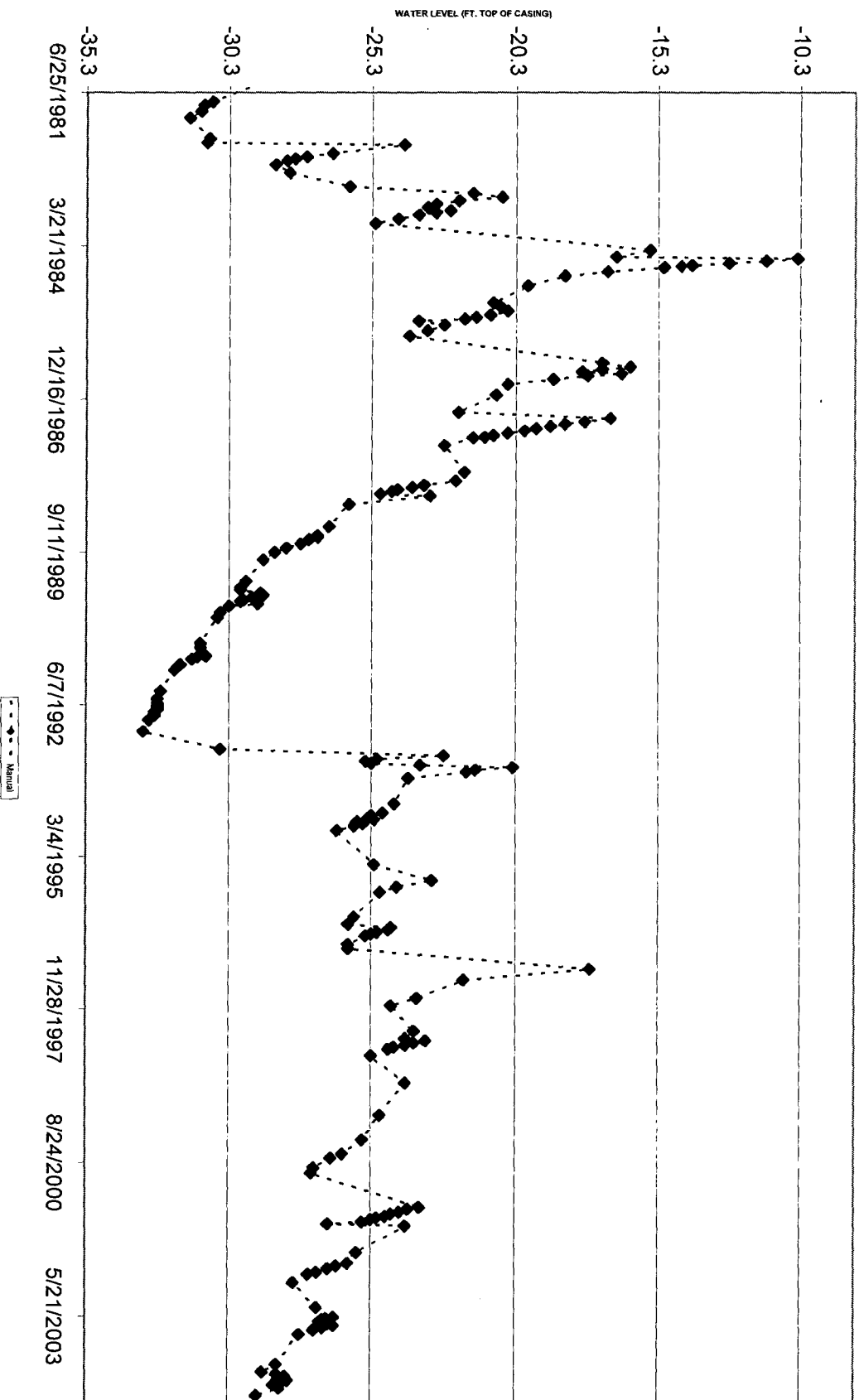
WATER RIGHTS' OBSERVATION WELL
BH-76C



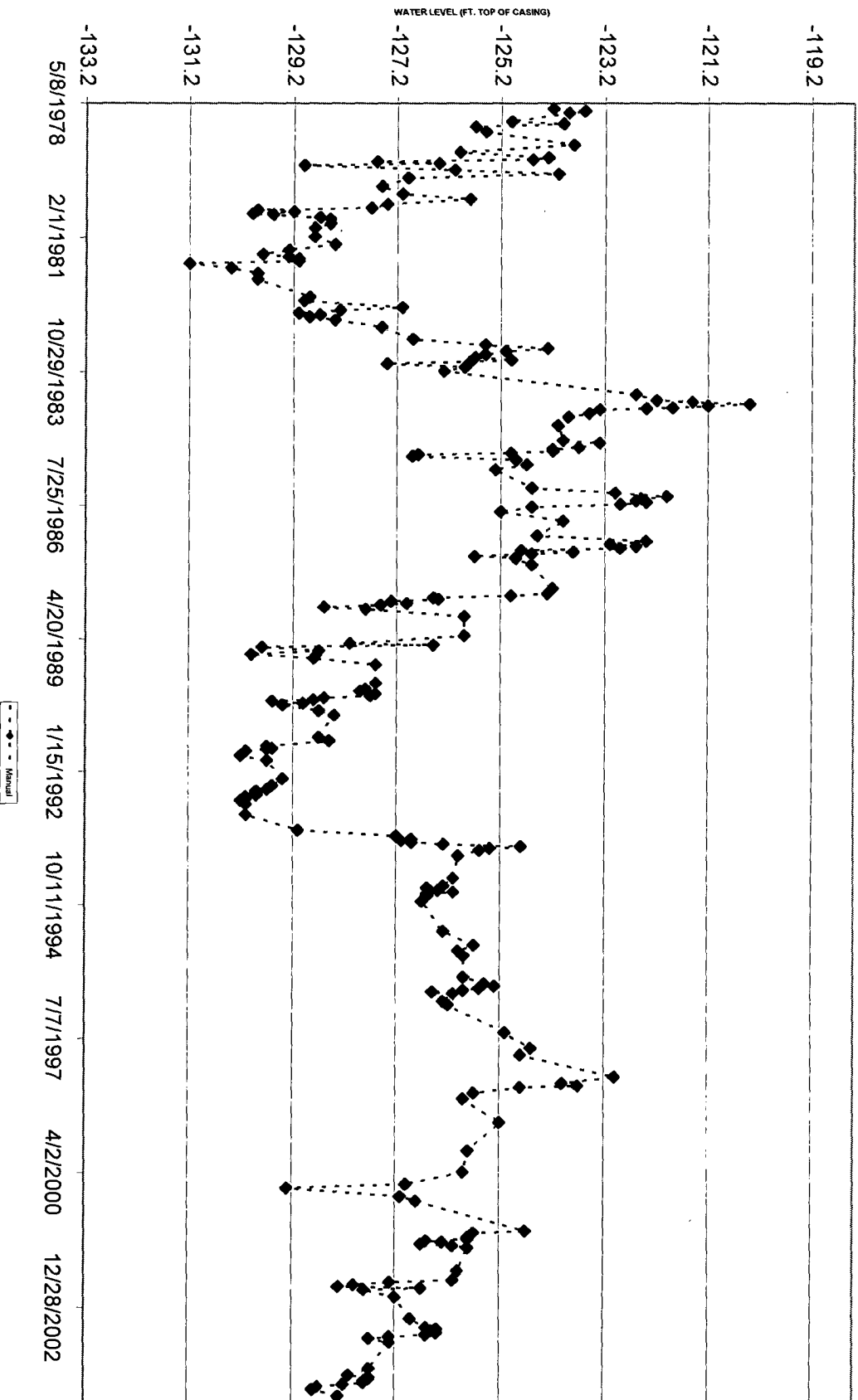
WATER RIGHTS' OBSERVATION WELL
BH-76D



WATER RIGHTS' OBSERVATION WELL BH-71C



WATER RIGHTS' OBSERVATION WELL BH-78B





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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. 6577-3, Douglas Bochman**

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. 6577-3, Douglas Bochman, 41101 307th Street, Tyndall SD 57066.

The Chief Engineer is recommending APPROVAL of Application No. 6577-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Pursuant to SDCL 46-5-6, Permit No. 6577-3 authorizes a maximum diversion rate of 1.16 cubic feet of water per second (523 gallons per minute) to irrigate 81.5 acres and the volume of water diverted for use may not exceed 2 acre feet per acre delivered on the land each year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 23, 2005

Affidavit of Publication

State of South Dakota }
County of Bon Homme } SS

Rebecca Tyck.....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 - No. 6577-3

63 e 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:

March 920*05*.....20.....

March 1620*05*.....20.....

.....20.....20.....

.....20.....20.....

That the full amount of the fee charged for the publication of said notice, *\$39.13*....., 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 Tyck

Subscribed and sworn to before me this

16th day of *March* 20*05*

PEGGY SCHELSKE

Notary Public, South Dakota

My Commission Expires 10-24-2009

RECEIVED

MAR 18 2005

WATER RIGHTS PROGRAM

NOTICE OF APPLICATION

NO. 6577-3 to Appropriate Water

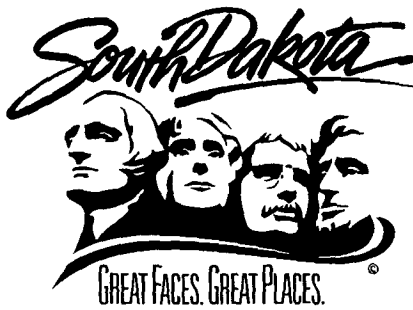
Notice is given that Douglas Bochman, 41101 307th St., Tyndall, SD 57066 had filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one existing well completed into the Niobrara Aquifer (approximately 192 feet deep) located in the center of the NE1/4 Section 29 to irrigate 81.5 acres located in the NE1/4 Section 29; all in T94N-R60W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6577-3 for 1.16 cubic feet of water per second 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 March 28, 2005.

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 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.

(March 9 & 16)



**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.

February 23, 2005

Douglas Bochman
41101 307th Street
Tyndall SD 57066

Dear Mr. Bochman:

Water Permit Application No. 6577-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice 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 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. 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

February 23, 2005

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

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6577-3 to Appropriate Water to be published twice. Please publish the first notice on March 2, 2005 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 Douglas Bochman, 41101 307th Street, Tyndall SD 57066 (605 584-3408)).

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. 6577-3

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

Date _____

We are in receipt of your letter of February 23, 2005 enclosing Notice to Appropriate Water by Application No. 6577-3 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 March 2, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6577-3 to Appropriate Water

Notice is given that Douglas Bochman, 41101 307th St, Tyndall SD 57066 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one existing well completed into the Niobrara Aquifer (approximately 192 feet deep) located in the center of the NE ¼ Section 29 to irrigate 81.5 acres located in the NE ¼ Section 29; all in T94N-R60W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6577-3 for 1.16 cubic feet of water per second 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 March 21, 2005.

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.



APR 01 2005

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Douglas Bochman
41101 307th St
Tyndall SD 57066

Dear Mr. Bochman:

Enclosed is Water Permit No. 6577-3 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

6577-3

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

Date 6-15-05

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

FROM: Douglas Boehman
(name)

41101 207th Str.
(address)

Tyndall SD 57066 605-589-3408
(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. 6577-3 states that the water use system is to be constructed by
March 28 - 2010, and water is to be put to beneficial use by March 28 2014.
(date) (date)

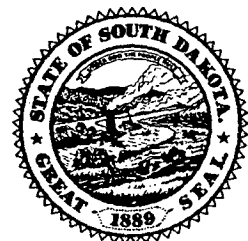
The water use system was completed on 6-13-05.
(date)

Applying the water to beneficial use was completed on 6-13-05.
(date)

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

Douglas Boehman
(signature)

RECEIVED
JUN 27 2005
WATER RIGHTS
PROGRAM



Permit No. 6577-3
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 19, 2010, made a thorough examination of the water use system constructed by Douglas Bochman of 41101 307th Street, Tyndall, SD 57066 holder of Permit No. 6577-3, bearing the priority of January 24, 2005 authorizing the diversion of 1.78 cu. ft. per second of the waters of the Niobrara aquifer for irrigation purposes, in Bon Homme County.

Inspection contact & relationship to permit holder, if applicable: **Doug Bochman—Permit Holder**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 192 feet
- 4) Well log is available YES-
- 5) Comment: see permit file for well log

Casing:

- 1) Diameter 25 inches
- 2) Length 172 feet
- 3) Type Plastic

Screen:

- 1) Type Manufactured-Stainless steel
- 2) Length 20 feet
- 3) Static water level 90 feet

Pump:

- 1) Make US Motors
- 2) Model Unknown
- 3) Size 75 HP
- 4) Capacity 750 GPM

Motor:

- 1) Make US Motors
- 2) Model No. R-2842-05-H-563 -500 4871
- 3) Horsepower rating 75 hp

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 300 feet

C. Works used to apply water to beneficial use:**Center pivot:**

- 1) Make Zimmatic
- 2) Overall length 1,160 feet
- 3) Number of towers 6
- 4) Distance between towers 180 feet
- 5) End gun Yes
- 6) Low pressure 35 psi
- 7) Capacity 750 GPM

Chemigation Equipment: N/A

D. Compliance with Permit Requirements:

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

The system is in good condition with the point of diversion located as follows: 1,340 feet ^{west} east and 1,370 feet south of the NE corner of Section 29, Township 94 North, Range 60 West, lat/long N 42.93375 W -97.95599.

The works are capable of diverting and conveying to the place of use 1.671 cu. ft. per second of water of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

legal description/acreage

NE $\frac{1}{4}$ NE $\frac{1}{4}$ ---19ac

NW $\frac{1}{4}$ NE $\frac{1}{4}$ ---10ac

SE $\frac{1}{4}$ NE $\frac{1}{4}$ ---36ac

SW $\frac{1}{4}$ NE $\frac{1}{4}$ ---11ac

Total: 76 acres

Section 29, T94N- R60W.

and the license should be issued for 1.671 cfs. ^{*} 1.08 cfs

All structures, wells and lands on map Yes

Comments or other permit(s) associated with the project: Permit 6577-3 applied for 1.78cfs or 800 gallons per minute to irrigate 81.5 acres, based on a wind-shield wipe or center pivot irrigation system which would not make a full-circle rotation. The permit for 6577-3 authorized a diversion rate of 1.16 cfs or 520 gallons per minute.



Hayes Haas

Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 3/28/2011

*License can not exceed permitted diversion rate and will be issued for the statutory limit of 1cfs per 70 acres

Genny

6577-3
Doug Bochman



July 2010
Hayes Haas
Natural Resources Engineer
Water Rights Program

1,500

Feet





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 27 2011

6577-3

Douglas Bochman
41101 307th St
Tyndall SD 57066

Dear Mr. Bochman:

Enclosed is Water License No. 6577-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6577-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6577-3**

(1) Douglas Bochman, 41101 307th St, Tyndall SD 57066 made Application No. 6577-3, January 24, 2005 for a water permit to divert 1.16 cubic feet of water per second (cfs) from ground water (one well – Niobrara Aquifer), Bon Homme County, South Dakota for irrigation purposes. Permit No. 6577-3, with a priority date of January 24, 2005 was approved March 28, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 28, 2010 and for the application to beneficial use of said water on or before March 28, 2014.

(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 1.08 cubic feet of water per second for beneficial use.

The location of the diversion point is 1,340 feet west and 1,370 feet south of the NE corner of Section 29, T94N, R60W (SW ¼ NE ¼).

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

Section 29, T94N, R60W	NE ¼ NE ¼	19 acres
	NW ¼ NE ¼	10 acres
	SE ¼ NE ¼	36 acres
	SW ¼ NE ¼	11 acres
	Total	76 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Douglas Bochman, 41101 307th St, Tyndall SD 57066 the holder and/or owner of Water Right No. 6577-3 is issued a license to appropriate water, the right to use 1.08 cubic feet of water per second from ground water (one well – Niobrara Aquifer) with a priority date of January 24, 2005 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6577-3 and subject to the following qualification:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- Pursuant to SDCL 46-5-6, No. 6577-3 authorizes a maximum diversion rate of 1.08 cubic feet of water per second (*1 cfs per 70 acres based on developed acres*) to irrigate 76 acres (*developed acres*) and the volume of water diverted for use may not exceed 2 acre feet per acre delivered on the land each year.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

APR 27 2011

date

