

WATER PERMIT NO. 6680-3

Name of Applicant: SD Parks and Wildlife Foundation

Address: 523 E Capitol, Pierre SD Phone: 605 773-4503

Amount of Water Claimed: 0.71 Total Acres: 50

Source of Water Supply: groundwater

Water to be used for: irrigation County: Union

Type of Waste Disposal System:

Location: approximately 1 mile west of McCook Lake

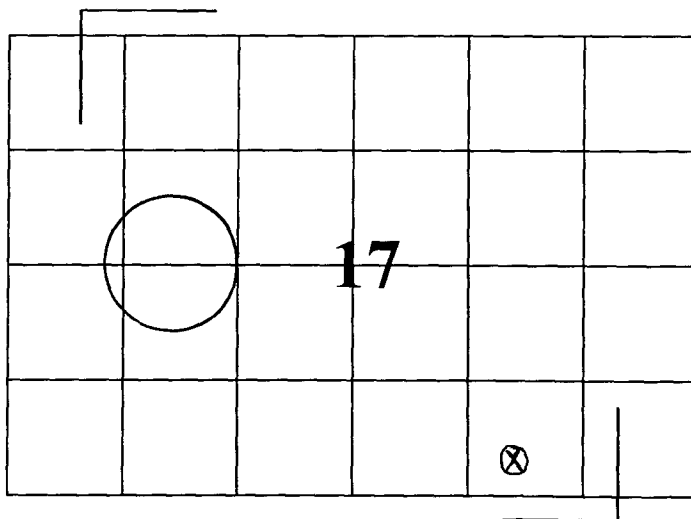
PRIORITY Date Received: 12-29-2005 Application/License Fee: \$NA

Corrected Application Received: Period of Annual Use: April 1 – September 30

Remarks: adds 50 acres to the acres authorized by Water Right No. 5988-3

Diversion Point: NE ¼ SE ¼ Sec 17-T89N-R48W

Land to be Irrigated: SW ¼ NW ¼, NW ¼ SW ¼,
Sec 17 and SE ¼ NE ¼, NE ¼ SE ¼ Sec 18; all in
T89N-R48W



Depth of Well: 115 feet deep

Well Driller: : Wetmore Drilling

Remarks:

Type of Map: aerial

Prepared by: Ron Duvall

Reviewed and the Number Assigned on: 12-29-05

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>6680-3</u> (office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>
	Newspaper <u>Leader-Courier, Elk Point</u>

RECEIVED
DEC 29 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.)

1. Name of Applicant SD Parks and Wildlife Foundation Phone (605) 773-4503
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 523 E Capitol Pierre State SD 57501
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.710 *CFS or **GPM ***AF Total Acreage 50
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply ground water -- Missouri Elk Point aquifer (1 existing well)
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Union
NE1/4SE1/4 section 17-T89N-R48W (Latitude 42.52211, Longitude -96.52936)
5. County or counties where water will be used Union
6. Annual period during which water is to be used Apr 1 - Sep 30
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
SW1/4NW1/4 sec 17-T89N-R48W	23	SE1/4NE1/4 sec 18-T89N-R48W	2
NW1/4SW1/4 sec 17-T89N-R48W	23	NE1/4SE1/4 sec 18-T89N-R48W	2

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

This application is to add 50 acres to the 265 acres authorized for irrigation under Water Right No. 5988-3. The diversion point is the same well used to irrigate the acreage covered by No. 5988-3.

STATE OF SOUTH DAKOTA) SS
County of HUGHES

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, WAYNE WINTER, 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 Wayne Winter

Subscribed and sworn to before me this 28th day of December 20 05

Christal Wright
Notary Public Signature

**SOUTH DAKOTA
WATER PERMIT NO. 6680-3**

Date of first receipt of application December 29, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6680-3 to SD Parks and Wildlife Foundation, 523 E Capitol Avenue, Pierre SD 57501 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. 6680-3 appropriates 0.71 cubic feet of water per second (cfs) from one existing well completed into the Missouri:Elk Point Aquifer (115 feet deep) located in the NE ¼ SE ¼ Section 17-T89N-R48W to irrigate an additional 50 acres located in the SW ¼ NW ¼, NW ¼ SW ¼ Section 17 and SE ¼ NE ¼, NE ¼ SE ¼ Section 18; all in T89N-R48W. Water Right No. 5988-3 appropriates 2.44 cfs from this same well to irrigate 265 acres.
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 – September 30.
3. The date from which applicant may claim right is December 29, 2005.
4. The date of approval of Permit No. 6680-3 is February 13, 2006.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

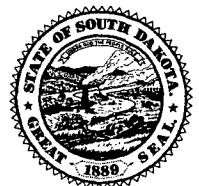
1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells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

WATER MANAGEMENT BOARD

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

FEB 21 2006

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type log attached 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 N/A

On property owned by others APPROXIMATELY 1/2 MILE

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

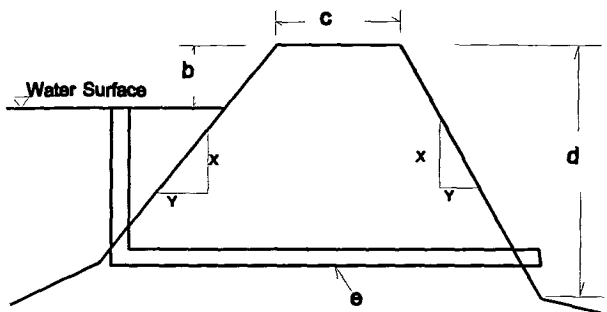
3. Dugout Information

- 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:

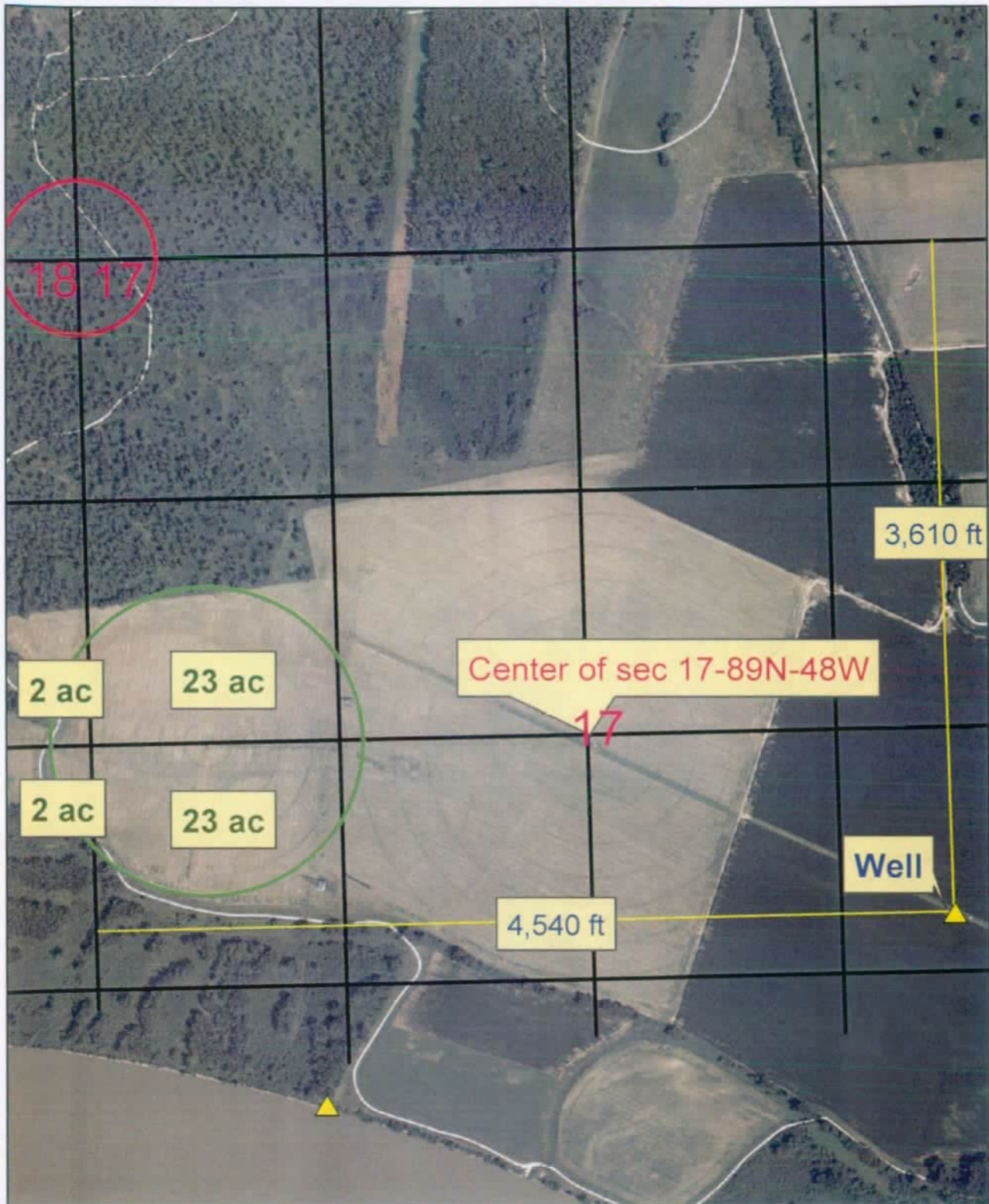


- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage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

Scale: 1 inch equals 801 feet

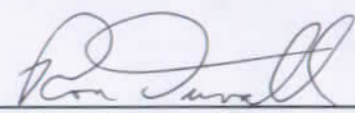
1,100

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:


Ron Duvall, Natural Resources Engineer
Water Rights Program

Diversion point(s) located using GeoExplorer II GPS

Date: Dec 14, 2005

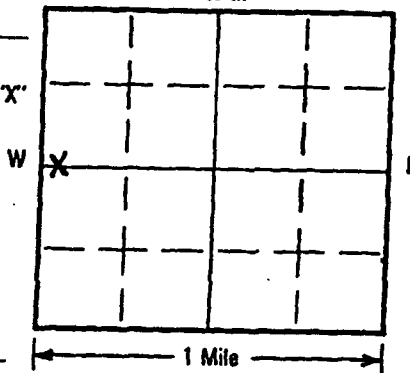
Application No.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location W 1/2 1/4 W 1/2 1/4 Sec 16 Twp 89 Rg 48
County Chron

Please mark well location with an "X"



Well Completion Date

6-7-97

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) > 3000 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
<u>2 1/2</u> LB/FT	<u>16</u> IN	<u>55</u> FT	<u>0</u> FT	<u>22</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>bent</u>	<u>25</u>	_____ lb./gal	<u>55</u> ft	<u>20</u> ft
<u>cmf</u>	<u>30</u>	<u>15.5</u> lb./gal	<u>20</u> ft	<u>0</u> ft

Describe grouting procedure Tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 16 IN Length 60 FEET

Material PVC

Set Size 50 Set From 115 Feet to 55 Feet

Other information _____

AS A PACKER OR SEAL USED?

☐ YES ☒ NO

so, what material? _____

Describe packer(s) and location? _____

DISINFECTION:

Was well disinfected upon completion? YES, How. ce

Water sample sent to for water quality analysis _____

Well Owner: SD Parks & Wildlife

Business Name: _____

Address: Pierre, SD

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>2</u>
<u>Sand</u>	<u>2</u>	<u>42</u>
<u>Clay</u>	<u>42</u>	<u>49</u>
<u>Sand & Gravel</u>	<u>49</u>	<u>115</u>

STATIC WATER LEVEL

16 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: _____

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

44 ft. After 24 Hrs. pumped 1400 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 1400 GPM

REMARKS

This well was drilled under license # 341

And this report is true and accurate.

Drilling firm Watmore Drilling

Signature of License Representative _____

Signature of Well Owner or Equitable Property Holder: _____



REPORT ON WATER PERMIT APPLICATION NO. 6680-3
For South Dakota Parks and Wildlife Foundation
January 13, 2006

Application No. 6680-3 proposes to appropriate 0.71 cubic feet per second (cfs) from one existing well completed into the Missouri: Elk Point Aquifer (approximately 115 feet deep) located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17 to irrigate an additional 50 acres located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17 and SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18; all in T89N-R48W in Union County. Water Right No. 5988-3 appropriates 2.44 cfs from this same well to irrigate 265 acres.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point aquifer is composed of alluvium and glacial deposits ranging from fine sand to very coarse gravel. The aquifer represents an unconfined condition with water table characteristics in the area of this application. The aquifer underlies 180 square miles and contains an estimated 1.5 million acre feet of water in storage in Union County (Niehus, 1994). The aquifer is hydraulically connected to both the Missouri and Big Sioux Rivers. Also in this portion of Union County (southern) the aquifer directly overlies the Dakota Formation and it may be possible for ground water to move upward into the Missouri Elk Point from the Dakota aquifer. Ground water movement is from northwest to southeast and locally toward the Missouri or Big Sioux Rivers (Niehus, 1994). According to a well completion report submitted with the application the well has a static water level of 16 feet.

The Water Rights Program monitors an observation well (UN-78C) which is completed into the Missouri Elk Point aquifer and located approximately 1.5 miles east of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. Figure 1 illustrates the hydrograph for this observation well and is located below (Water Rights, 2005).

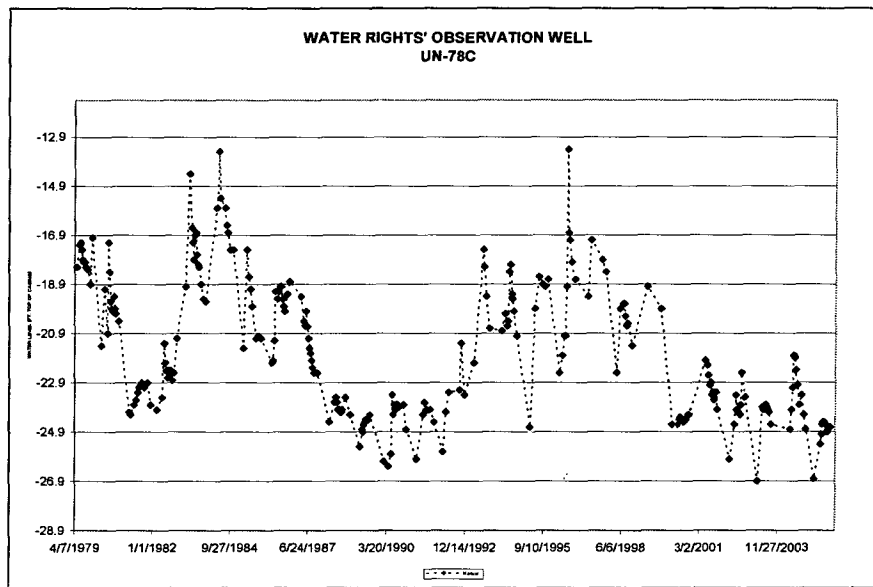


Figure 1. Hydrograph of observation well UN-78C.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

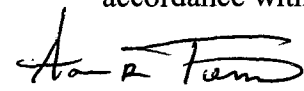
There are several existing Water Rights appropriating ground water within a two mile radius of this application. A list of the permits is included with this report labeled as Table 1. The nearest water right/permit from the Missouri: Elk Point is located approximately one-half mile east of this proposed well. This well is for Water Right No. 6557-3 (1.55 cfs for irrigation of 60 acres). There are numerous irrigation wells in the area and drawdown measured in the observation wells is not significant. Interference is not expected to be a concern.

Table 1. Table identifying water rights within a two mile radius of the application.

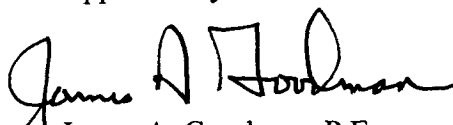
PERMIT NO	LAST NAME	AQUIFER	USE	CFS
1019-3	DAILEY	M: EP	IRR	3.27
4745-3	MCCOOK LAKE IZAAK WALTON LEAGUE	M: EP	IRR	3
5584-3	SANDY MEAD HOMEOWNERS	DKOT	SHD	0.37
5703-3	LONG	DKOT	IRR	0.06
5754-3	RIV-R-LAND ESTATES, INC.	DKOT	SHD	0.4
5837A-3	TAYLOR PROPERTIES, INC.	DKOT	SHD	0.67
5850A-3	TAYLOR PROPERTIES, INC.	M: EP	DOM	3.3
5935-3	WAITT	M: EP	IRR	0.044
5981-3	DEER RUN HOME OWNERS ASSN	DKOT	SHD	1.22
5988-3	PARKS & WILDLIFE FOUNDATION	M: EP	IRR	2.44
5997-3	CLAY RURAL WATER SYSTEM INC	DKOT	SHD	1.11
5997B-3	CLAY RURAL WATER SYSTEM INC	DKOT	RWS	1.11
5998-3	CLAY RURAL WATER SYSTEM INC	M: EP	IRR	2.22
5998A-3	CLAY RURAL WATER SYSTEM INC	M: EP	IRR	2.22
6557-3	CHICOINE	M: EP	IRR	1.55
6580-3	DONAGHU GREENHOUSE LLC	M: EP	COM	0.1

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is unconfined and under water table conditions. The aquifer is highly productive and historically the water levels do not fluctuate significantly in this area.
3. The well authorized for this application is an existing well and is completed in accordance with SD Well Construction Standards.


Aaron R. Tieman
Natural Resources Engineer

Approved by


James A. Goodman, P.E.
Natural Resources Engineering Director

BIBLIOGRAPHY

Niehus, D.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, USGS WRI 93-4195, USGS, Rapid City, SD, 57702.

Water Right, 2005, Unpublished Observation Well Data for the Missouri Elk Point Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.



**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. 6680-3, South Dakota Parks and Wildlife Foundation**

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. 6680-3, South Dakota Parks and Wildlife Foundation, c/o Wayne Winter, 523 E. Capitol Avenue, Pierre SD 57501.

The Chief Engineer is recommending APPROVAL of Application No. 6680-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

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

See report on application for additional information.

Garland Erbele, Chief Engineer
January 19, 2006

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Union) SSI, Susan Odson

certify that the attached printed Notice was taken

from the Leader-Courierprinted and published in Elk PointCounty of Union and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

January 26, 2006February 2, 2006Cost of Printing 41.00Susan Odson
(Signature)Affidavits Coordinator
(Title)2/2/2006
(Date Signed)**NOTICE OF APPLICATION
NO. 6680-3 TO
APPROPRIATE WATER**

Notice is given that the South Dakota Parks and Wildlife Foundation has filed an application to appropriate 0.71 cubic feet of water per second (cfs) from one existing well completed into the Missouri: Elk Point Aquifer (115 feet deep) located in the NE1/4SE1/4 Section 17-T89N-R48W to irrigate an additional 50 acres located in the SW1/4NW1/4, NW1/4SW1/4 Section 17 and SE1/4 NE1/4, NE1/4SE1/4 Section 18; all in T89N-R48W. Water Right No. 5988-3 appropriates 2.44 cfs from this same well to irrigate 265 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6680-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 13, 2006.

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.
Publish January 26 and February 2, 2006
4-8-73

RECEIVED
FEB 06 2006
WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on January 26, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6680-3 to Appropriate Water

Notice is given that the South Dakota Parks and Wildlife Foundation has filed an application for a water permit to appropriate 0.71 cubic feet of water per second (cfs) from one existing well completed into the Missouri:Elk Point Aquifer (115 feet deep) located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17-T89N-R48W to irrigate an additional 50 acres located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17 and SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18; all in T89N-R48W. Water Right No. 5988-3 appropriates 2.44 cfs from this same well to irrigate 265 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6680-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file ~~a~~ written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 13, 2006.

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

January 19, 2006

SD Dept of Parks & Wildlife Foundation
% Wayne Winter
523 E Capitol
Pierre SD 57501

Dear Mr. Winter:

Water Permit Application No. 6680-3 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 Leader-Courier printed at Elk Point, SD (Ph # 605-356-2632). 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

January 19, 2006

Leader-Courier
PO Box 310
Elk Point SD 57025-0310

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6680-3 to Appropriate Water to be published twice. Please publish the first notice on January 26, 2006 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 SD Parks & Wildlife Foundation, % Wayne Winter, 523 E Capitol, Pierre SD (Ph # 605-773-4503).

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. 6680-3

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

Date _____

We are in receipt of your letter of January 19, 2006 enclosing Notice to Appropriate Water by Application No. 6680-3 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

FEB 21 2006

SD Parks & Wildlife Foundation
% Wayne Winter
523 E Capitol Ave
Pierre SD 57501

Dear Mr. Winter:

Enclosed is Water Permit No. 6680-3 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

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

Date FEBRUARY 24, 2006

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

FROM: SD PARKS AND WILDLIFE FOUNDATION
(name)

523 E. CAPITOL
(address)

PIERRE, SD 57105
(city, state, zip)

(605) 773-4503
(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. 6680-3 states that the water use system is to be constructed by

02/13/2011, and water is to be put to beneficial use by 02/13/2011.
(date) (date)

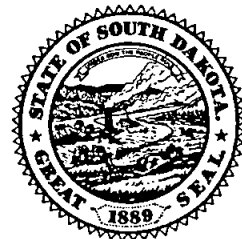
The water use system was completed on COMPLETED PRIOR TO APPLICATION
(date)

Applying the water to beneficial use was completed on PRIOR TO APPLICATION.
(date)

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

Wayne A. Winter
(signature)

RECEIVED
FEB 27 2006
WATER RIGHTS
PROGRAM



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>6680-3</u> (office use only) Hydrologic Unit _____
	Basin _____
	Newspaper _____

RECEIVED
NOV 30 2007
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.)

Apply for additional 1.29 cfs under Permit No. 6680-3

- Name of Applicant South Dakota Parks and Wildlife Foundation Phone (605) 773-4503
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 523 E. Capitol Pierre State SD 57501
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.29 *CFS or 580 **GPM ***AF Total Acreage 50
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Missouri: Elk Point Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Union
4540' E and 3700' S of the NE corner Section 17-T89N-R48W in the NE1/4SE1/4 Section 17
- County or counties where water will be used Union
- Annual period during which water is to be used April 1 - September 30
- 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
SW1/4 NW1/4 Section 17-T89N R48W	19	SE1/4 NE1/4 Section 18-T89N R48W	1
SE1/4 NW1/4	2	NE1/4 SE1/4	1
NE1/4 SW1/4	3		
NW1/4 SW1/4	24		

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

This application is for additional water to Permit No. 6680-3 to operate the center pivot. More than the 1 cfs per 70 acres is required for the method of irrigation.

STATE OF SOUTH DAKOTA)

County of Hughes

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)

~~SOUTH DAKOTA PARKS AND~~
I, WILDLIFE FOUNDATION

, 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

Wayne A. Smith for
South Dakota Parks and Wildlife Fdn.

Subscribed and sworn to before me this 28th day of November 20 07

My Comm Exp. June 5, 2010

(SEAL)

Notary Public signature

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth 115
- b) Casing Type pvc Diameter 16" Thickness Sch.40
- c) Screen Type pvc Diameter 16" Thickness Sch.40
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 49'
- f) Depth to Water (ground surface to water level) 16'
- g) Distance to nearest existing domestic well:
- On applicants property n/a On property owned by others 2640'

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

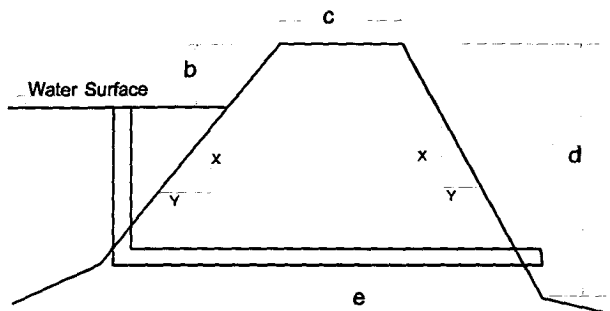
3. Dugout Information

- 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 12/3, 20 07

RECEIVED OF SD Parks & Wildlife Foundation 523 E Capitol Pierre SD 57501

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	175	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. _____	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	225 00

No.

03217

By Gail M. White
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 26, 2007

SD Wildlife Foundation
% Wayne Winter
523 E Capitol
Pierre SD 57501

Dear Mr. Winter:

Enclosed is a partially completed application form and instruction sheet. You will not have to provide a map as stated in item 2.) on the instruction sheet. I have already prepared one. The enclosed copy is yours to keep or to make any corrections/additions and return with the application.

An inspection of Permit No. 6680-3 found additional water use to what is authorized. Permit No. 6680-3 authorizes 0.71 cubic feet per second (cfs) or 320 gallons per minute (gpm) to irrigate 50 acres. The developed irrigation consists of a center pivot which operates at 2.0 cfs (900 gpm) to irrigate 50 acres of land. The additional water use requires a new application.

This application is for an additional 1.29 cfs (580 gpm) above the 0.71 cfs authorized by Permit No. 6680-3. ~~A \$225.00 fee is required for the application of the additional 1.29 cfs. The \$50.00 licensing fee is not applicable as this application, if approved, will be licensed with 6680-3.~~

If you have any questions, please feel free to contact me at (605)773-3352.

Sincerely,

Lynn Beck
Natural Resources Engineer Specialist

*Lynn gave
check back to Wayne
12/3/07*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 4, 2007

South Dakota Parks & Wildlife Foundation
c/o Wayne Winter
523 E Capitol
Pierre SD 57501

Dear Mr. Winter:

On November 30, 2007, you submitted an *Application for Permit to Appropriate Water For Irrigation* based on an inspection of the Foundation's existing Water Permit No. 6680-3 completed by Lynn Beck, a staff engineer with the Water Rights Program.

Upon review of the existing water permit/rights for the Foundation's property in Union County, we have determined the new application is not required. Enclosed is the \$225.00 application fee submitted with the application.

We are in the process of issuing the water license which will incorporate the applicable portions of Water Right No. 5988-3 into No. 6680-3 for irrigation in Union County.

If you have any questions, please contact me.

Sincerely,

Eric Gronlund
Water Rights Program
605 773-3352

enclosure

Permit No. 6680-3 & Water Right No. 5988-3

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, **September 27, 2007**, made a thorough examination of the water use system constructed by **SD Parks and Wildlife Foundation** of **523 E Capitol, Pierre SD 57501** holder of Permit No. **6680-3**, bearing the priority of **December 29, 2005** authorizing the diversion of **0.71** cu. ft. per second of the waters of **Missouri: Elk Point** for **irrigation** purposes, in **Union** County.

See Comments at end of report for incorporating 6680-3 and 5988-3.

Inspection contact & relationship **Dan Grewing – Adams Nature Preserve Director**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Wetmore Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **115** feet
- 4) Well log is available **yes**
- 5) Comment: **well under WR 5988-3**

Casing:

- 1) Diameter **16** inches
- 2) Length **55** feet
- 3) Type **pvc**

Screen:

- 1) Type **pvc**
- 2) Length **60** feet
- 3) Static water level **16** feet

Pump:

- 1) Make **Amarillo**
- 2) Model **S100A 209196**
- 3) Size
- 4) Capacity **1100** GPM

Motor:

- 1) Make **Diesel – 6 cyl**
- 2) Model No. **641054**
- 3) Horsepower rating **100** hp

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

- 1) Type pvc 2) Size 8 inches 3) Length 4140 feet

C. Works used to apply water to beneficial use:

Center pivot: under 6680-3

- 1) Make Zimmatic
2) Overall length 845 feet
3) Number of towers 5
4) End gun yes
5) High or low pressure low
6) Capacity 900 ? GPM

Center Pivot under 5988-3
Zimmatic
7 tower
towable
1100 gpm

Bm

Chemigation Equipment:

- 1) Does chemigate no

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by no
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(s) of diversion located as follows: 4540' E and 3700' S of the NE corner Section 17-T89N-R48W; NE¼ SE¼ Section 17; 42.52211, -96.52936. The works are capable of diverting and conveying to the place of use 2.87 cu. ft. per second of water which is to be used for irrigation.

2.44 (Well Capacity) Bm
Water has been put to beneficial use to the maximum extent as follows:

45
6680-3 50 total acres

All in Section 17-T89N-R48W:

SW¼ NW¼ 19 acres NW¼ SW¼ 24 acres

All in Section 18-T89N-R48W:

SE¼ NE¼ 1 acre

NE¼ SE¼ 1 acre

5988-3 265 total acres – based on inspection done by Ron Duvall on June 18, 2002.

All in Section 16-T89N-R48W:

NW¼ SW¼ 17 acres SW¼ NW¼ 1 acre

SW¼ SW¼ 8 acres

All in Section 17-T89N-R48W:

NW¼ NE¼ 1 acre NE¼ SE¼ 40 acres

SW¼ NE¼ 34 acres NW¼ SE¼ 39 acres

SE¼ NE¼ 11 acres SW¼ SE¼ 11 acres

NE¼ NW¼ 2 acres SE¼ SE¼ 29 acres

SW¼ NW¼ 2 acres NE¼ SW¼ 32 acres

SE¼ NW¼ 37 acres NW¼ SW¼ 1 acres

comprising a total of 45 acres of land and the license should be incorporated with License No. 5988-3 and issued for a combined 2.44 cfs and a combined 310 acres.

All structures, wells and lands on map yes

Report of Examination of Works
Permit No. 6680-3 & Water Right No. 5988-3

Comments or other permit(s) associated with the project:

Water Right 5988-3 authorized 2.44 cfs to irrigate 265 acres. Water Right 6680-3 and 5988-3 should be incorporated for 2.44 cfs and a total of 310 acres. The 45 acres authorized by 6680-3 should retain a priority date of December 29, 2005 and the 265 acres authorized by 5988-3 a priority date of March 26, 1997.


Lynn Beck

Natural Resources Engineer Specialist
DENR, Water Rights Program

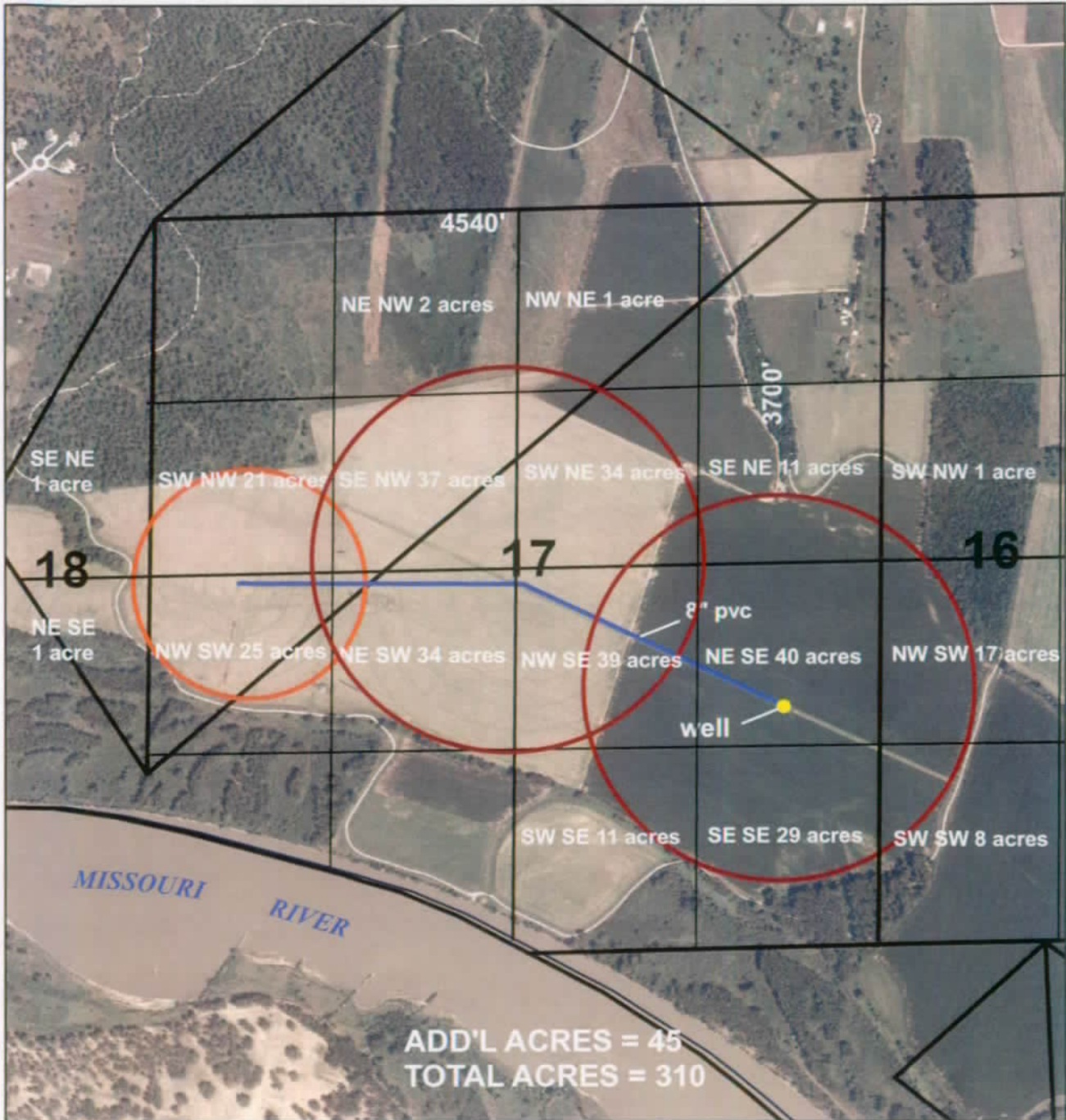
Date report completed: **October 25, 2007**

WATER RIGHT NOS. 6680-3 & 5988-3
SD Parks and Wildlife Foundation
October 25, 2007



R48W

T89N



SCALE

0 330 660 1,320 1,980 2,640 Feet



5988-3



6680-3

Lynn Beck

Lynn Beck
Natural Resources Engineer Specialist
DENR - Water Rights Program





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 22 2009

5988-3
6680-3

Wayne Winter
SD Parks & Wildlife Foundation
523 E Capitol
Pierre SD 57501

Dear Mr. Winter:

Enclosed is Water License No. 6680-3 for the South Dakota Parks and Wildlife Foundation. Included with the license is a map of the area prepared by the staff engineer who conducted the field investigation. Water License No. 6680-3 is the final document which completes the process of obtaining a water right.

Upon licensing, the applicable portions of Water Right No. 5988-3 were incorporated into Water License No. 6680-3. As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6680-3

(1) The South Dakota Parks and Wildlife Foundation, 523 E Capitol, Pierre SD 57501 made Application No. 6680-3, December 29, 2005 for a water permit to divert 0.71 cubic feet of water per second from ground water (one existing well – Missouri Elk Point Aquifer), Union County, South Dakota for irrigation purposes. Permit No. 6680-3, with a priority date of December 29, 2005 was approved February 13, 2006 with construction of the described water supply system and the application to beneficial use of water completed.

The acres developed for irrigation as authorized by Water Permit No. 6680-3 are irrigated using the well described in Water Right No. 5988-3. The applicable portions of Water Right No. 5988-3 are incorporated into this water license.

(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 South Dakota Parks and Wildlife Foundation, 523 E Capitol, Pierre SD 57501 the holders and/or owners of Incorporated Water Right No. 6680-3 are issued a license, bearing priority dates of March 26, 1997 and December 29, 2005 to appropriate 2.44 cubic feet of water per second from ground water (one well – Missouri Elk Point Aquifer) to irrigate the following land:

Legal Description		Acres irrigated*	Priority dates**
Section 16, T89N, R48W	SW ¼ NW ¼	1 acre	March 26, 1997
	NW ¼ SW ¼	17 acres	March 26, 1997
	SW ¼ SW ¼	8 acres	March 26, 1997
Section 17, T89N, R48W	NW ¼ NE ¼	1 acre	March 26, 1997
	SW ¼ NE ¼	34 acres	March 26, 1997
	SE ¼ NE ¼	11 acres	March 26, 1997
	NE ¼ SE ¼	40 acres	March 26, 1997
	NW ¼ SE ¼	39 acres	March 26, 1997
	SW ¼ SE ¼	11 acres	March 26, 1997
	SE ¼ SE ¼	29 acres	March 26, 1997
	NE ¼ NW ¼	2 acres	March 26, 1997
	SW ¼ NW ¼	2 acres	March 26, 1997
		19 acres	December 29, 2005
	SE ¼ NW ¼	37 acres	March 26, 1997
	NE ¼ SW ¼	32 acres	March 26, 1997
Section 18, T89N, R48W	NW ¼ SW ¼	1 acre	March 26, 1997
		24 acres	December 29, 2005
	SE ¼ NE ¼	1 acre	December 29, 2005
	NE ¼ SE ¼	1 acre	December 29, 2005
Total		310 acres	

* Water Right No. 3807-3 authorizes irrigation of portions of the same acreage from the Missouri River

** Priority dates: March 26, 1977 established under Water Right No. 5988-3
December 29, 2005 established under Water Permit No. 6680-3

continued

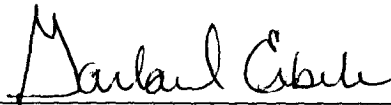
Water License No. 6680-3
SD Parks & Wildlife Foundation
Page 2

The diversion point (well) is located:

- 4,540 east and 3,700 feet south of the NE corner of Section 17, T89N, R48W (NE $\frac{1}{4}$ SE $\frac{1}{4}$)

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit Nos. 5988-3 and 6680-3 including the following qualifications:

- The well approved under *these* permits will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner 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 diversion rate from Water Right No. 3807-3 and Incorporated Water Right No. 6680-3, combined shall not exceed the statutory limit of 1.00 cfs per 70 acres and 2 acre feet of water annually.
- This water right 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

JUL 22 2009

date



6680-3



RECEIVED
DEC - 3 2009
WATER RIGHTS
PROGRAM

December 2, 2009

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

Sirs,

Attached is the completed irrigation questionnaire for Permit Nos. 6680-3 and 3807-3. I just received it from our tenant this morning.

I trust that everything is in order and that the forms are properly filled out. If not, or if you have questions, please give me a call.

Sincerely,

Wayne D. Winter
Executive Director
South Dakota Parks and Wildlife Foundation



6680-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: SD PARKS & WILDLIFE FOUNDATION, SEAN BLANCHETTE, 523 E CAPITOL, PIERRE, SD 57501

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaires

Our records indicate your 2018 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3807-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6680-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6680-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3807-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

6680-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 2019

3807-3
6680-3

Dennis J Chicoine
32703 483rd Ave
Jefferson SD 57038

Dear Mr. Chicoine:

Enclosed are irrigation questionnaires for the water rights held by the SD Parks & Wildlife Foundation. It is my understanding you no longer have the original set.

Please complete and return the forms prior to March 6th. The Water Management Board meets that day to consider suspension of all delinquent questionnaires.

I have included a postage paid envelope for your use in returning the completed questionnaires. If you have any questions or need assistance with them, please let me know.

Sincerely,

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

c: Sean Blanchette, SD Parks & Wildlife Foundation

File No. 3807-3

6680-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Sean Blanchette, SD Parks & Wildlife Foundation

DATE: February 14, 2019

RE: 2018 irrigation questionnaires for Nos. 3807-3 and 6680-3

Dennis Chicoine farms the land for the SD Parks and Wildlife Foundation. At the request of Sean Blanchette, additional copies of the 2018 questionnaires were directed to Dennis Chicoine on January 29th.

On today's date, the forms were received back from Mr. Chicoine. I sent an email to Mr. Blanchette letting him know the forms arrived and everything is taken care of.

During our communication, Mr. Blanchette agreed to us sending the forms directly to Mr. Chicoine in October each year so they could be completed and returned along with the forms the irrigator already fills out for his own irrigation permits. If a timely response is not received, SD Parks and Wildlife Foundation would be notified.



Genny McMath
Water Rights Program



6680-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: DENNIS CHICOINE, OPERATOR, 32703 483RD AVE, JEFFERSON, SD 57038

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 59-3, 1092A-3, 2410-3 & 3807-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 53-3, 5340-3, 6680-3 & 7608-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 53-3, 5340-3, 6680-3 & 7608-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 59-3, 1092A-3, 2410-3 & 3807-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: KCNOLK**

c: LISA WEYER, SD PARKS & WILDLIFE FOUNDATION, 523 E CAPITOL, PIERRE SD

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2020

Dennis Chicoine
32703 483rd Ave
Jefferson SD 57038

RE: Water Right/Permit Nos. 53-3, 59-3, 1092A-3, 2410-3, 3807-3, 5340-3, 6680-3 & 7608-3

Dear Mr. Chicoine:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right/Permit Nos. 53-3, 59-3, 1092A-3, 2410-3, 3807-3, 5340-3, 6680-3 & 7608-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Lisa Weyer, SD Parks & Wildlife Foundation