

WATER PERMIT NO. 6788-3

Name of Applicant: **Chuck Donnelly**

Address: **32184 472 Ave, Elk Point SD 57025** Phone: **605 356-3167**

Amount of Water Claimed: **1.67 cfs** Total Acres: **120 acres**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **irrigation** County: **Clay**

Type of Waste Disposal System:

Location: **5 miles southeast of Vermillion**

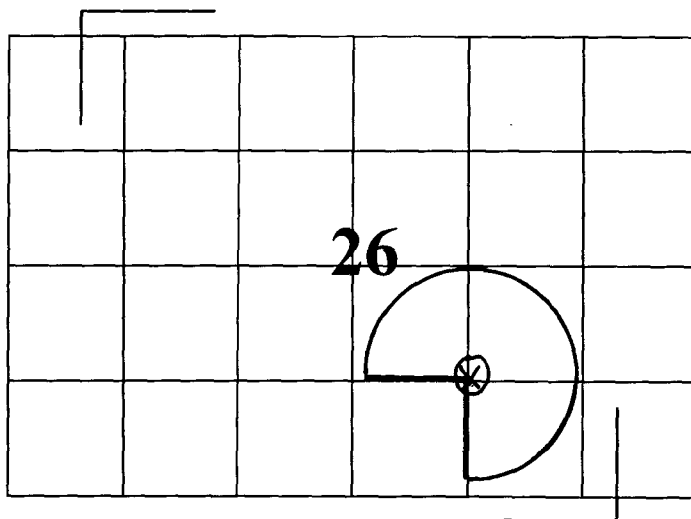
PRIORITY Date Received: **1-5-07** Application/License Fee: **\$275**

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

Remarks:

Diversion Point: **center SE ¼ Sec 26-T92N-R51W**

Land to be Irrigated: **N ½ SE ¼, SE ¼ SE ¼, Sec 26-T92N-R51W**



Depth of Well: **175 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Rachael Kirkebak, Clay Co NRCS**

Reviewed and the Number Assigned on: **1-5-07**

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>6788-3</u> (office use only)	Hydrologic Unit <u>10120101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Plain Talk</u>	<u>Vermillion</u>
	<u>605-624-2695</u>	<u>5052069</u>

RECEIVED
JAN - 5 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.) _____

- Name of Applicant Chuck Donnelly Phone 605-356-3167
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 32184 472 Ave Elk Point, SD State 57025
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.67*CFS or 150**GPM ***AF Total Acreage 120
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply SAND & GRAVEL
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 well N1/2 SE1/4 & SE1/4 SE1/4 in 26-92-51
(Approximate center SE1/4) County Clay
- County or counties where water will be used Clay
- Annual period during which water is to be used May - Sept 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
SE1/4 SE1/4 26-92-51	40		
NE1/4 SE1/4 26-92-51	40		
NW1/4 SE1/4 26-92-51	40		

- Give a description of the project. (Attach sheet if more space is needed)
Irrigation well to feed a low pressure irrigation system.

STATE OF SOUTH DAKOTA) SS

County of Union

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, Chuck Donnelly, 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 Chuck Donnelly

Subscribed and sworn to before me this 3 day of Jan 20 07

PATRICIA L. KJOSE

NOTARY PUBLIC
SOUTH DAKOTA

My Commission Expires 10/8/2009

Notary Public signature Patricia L. Kiose

**SOUTH DAKOTA
WATER PERMIT NO. 6788-3**

Date of first receipt of application January 5, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6788-3 to Chuck Donnelly, 32184 472 Ave, Elk Point SD 57025 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. 6788-3 appropriates 1.67 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 175 feet deep) located in the center of the SE 1/4 Section 26 to irrigate 120 acres located in the N 1/2 SE 1/4, SE 1/4 SE 1/4 Section 26; all in T92N-R51W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is January 5, 2007.
4. The date of approval of Permit No. 6788-3 is March 5, 2007.
5. One-fifth of the construction is to be completed on or before July 5, 2009.
6. All construction is to be completed on or before March 5, 2012.
7. Water is to be put to beneficial use on or before March 5, 2016.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6788-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

MAY 10 2007

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 16" Depth 175'
- b) Casing Type PVC Diameter 12" Thickness SCH 40
- c) Screen Type PVC Diameter 12" Thickness SCH 40
- d) Gravel Pack Yes Pear Gravel Length of Gravel Pack 140'
- e) Depth to Top of Water Bearing Material 95'
- f) Depth to Water (ground surface to water level) 21'
- g) Distance to nearest existing domestic well:
- On applicants property NONE On property owned by others more THAN 1/4 mi.

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 _____

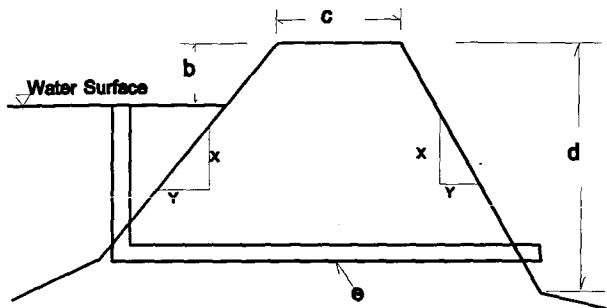
3. Dugout Information

- 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

T 178

Beans W
5-26-03

78.3

NHEL

T 2239

2238

35.3

26.1

15.1

NHEL

T 219

4-26-03

Cor W

T 2170

2003

Well

Rachel
Kinsler
Progeny
Jackson
1-3-07

92-51

N14

U 109.5

NHEL
W

T 171

130.2

NHEL

41.5

10.0

NHEL
NW

T 175

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 5, 20 07

RECEIVED OF Chuck Dornelly Farms Inc., 32184 472 Ave., Elk Point SD 57025

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

Fee for Application for Permit No. <u>16788-3</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>16788-3</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.

02765

By

Darlene E. Ebel
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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6788-3, Chuck Donnelly**

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. 6788-3, Chuck Donnelly, 32184 472nd Avenue, Elk Point SD 57025.

The Chief Engineer is recommending APPROVAL of Application No. 6788-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 6788-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 6, 2007

REPORT ON WATER PERMIT APPLICATION NO. 6788-3

For Chuck Donnelly

January 26, 2007

Application No. 6788-3 proposes to appropriate 1.67 cfs (750 gpm) from one well approximately 175 feet deep located in the center of the SE $\frac{1}{4}$ of section 26 to irrigate 120 acres located in the N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 26; all in T92N R51W in Clay County.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 74,500 acres and contains an estimated 1.117 million acre-feet of water in storage in Clay County (Hedges, 1982). The aquifer extends into Union County to the east, into Yankton County to the west, and blends into the Upper Vermillion Missouri aquifer to the north. The aquifer is hydraulically connected to the Missouri and Vermillion Rivers. Ground water movement is from northwest to southeast in this area and towards the Missouri River (Stephens, 1967).

No test holes were drilled for this application. The applicant indicates that the irrigation well will be 175 feet deep. This is probably much too deep. The Stephens study (Clay County Study) indicates that the aquifer would be between 100 and 125 feet thick in this area. Also of the irrigation wells within two miles of this application all are about 100 feet deep. There is sufficient information available from the county study, observation well drilling, existing domestic and irrigation wells to evaluate water availability for this application.

The Water Rights Program monitors two observation wells within two miles of this application. These are CL-80D (located about two miles west of this application) and CL-80E (located about one mile northeast of this application). 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 water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2007). Note that observation well CL-80D appears to show an overall decline of about four feet since 1957. This appears to be due to the entrenching of the Missouri River which in turn would lower ground water levels near to the river. This phenomena also shows up in water level records in Yankton and Union County for observation wells located near enough to the river.

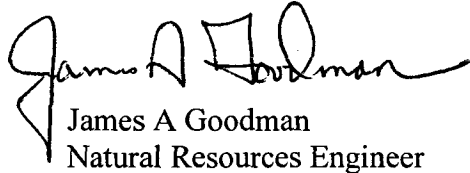
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing irrigation well is located about one half mile to the west. Interference is not expected to be a concern. The aquifer is under water table conditions and drawdown created by pumping is not significant at this distance. This aquifer is very

prolific and the distance between existing wells is sufficient to minimize any potential impacts. The observation well hydrographs confirm this conclusion.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is under water table conditions at this site. Drawdown created by pumping is not expected to be significant. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

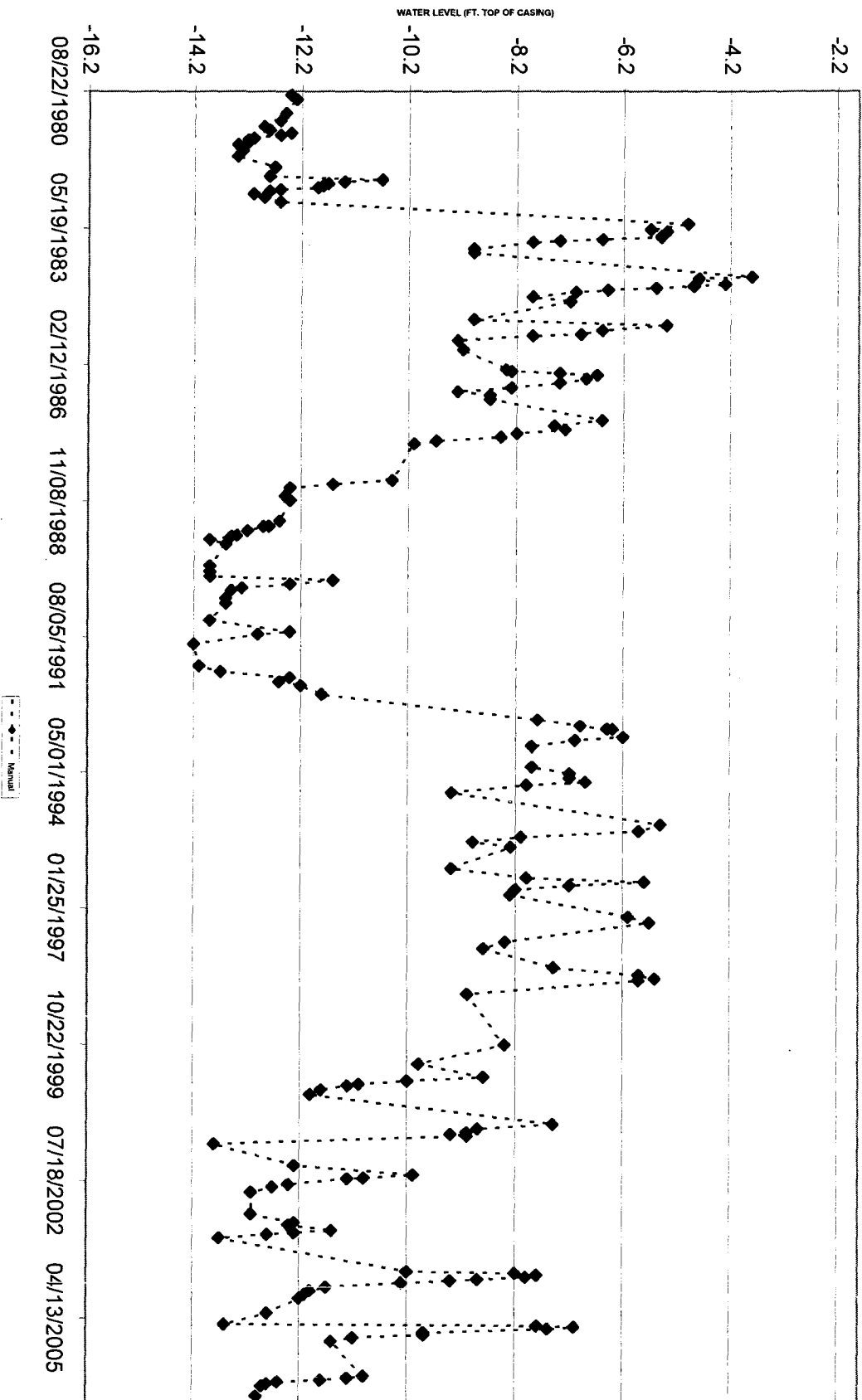
BIBLIOGRAPHY

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

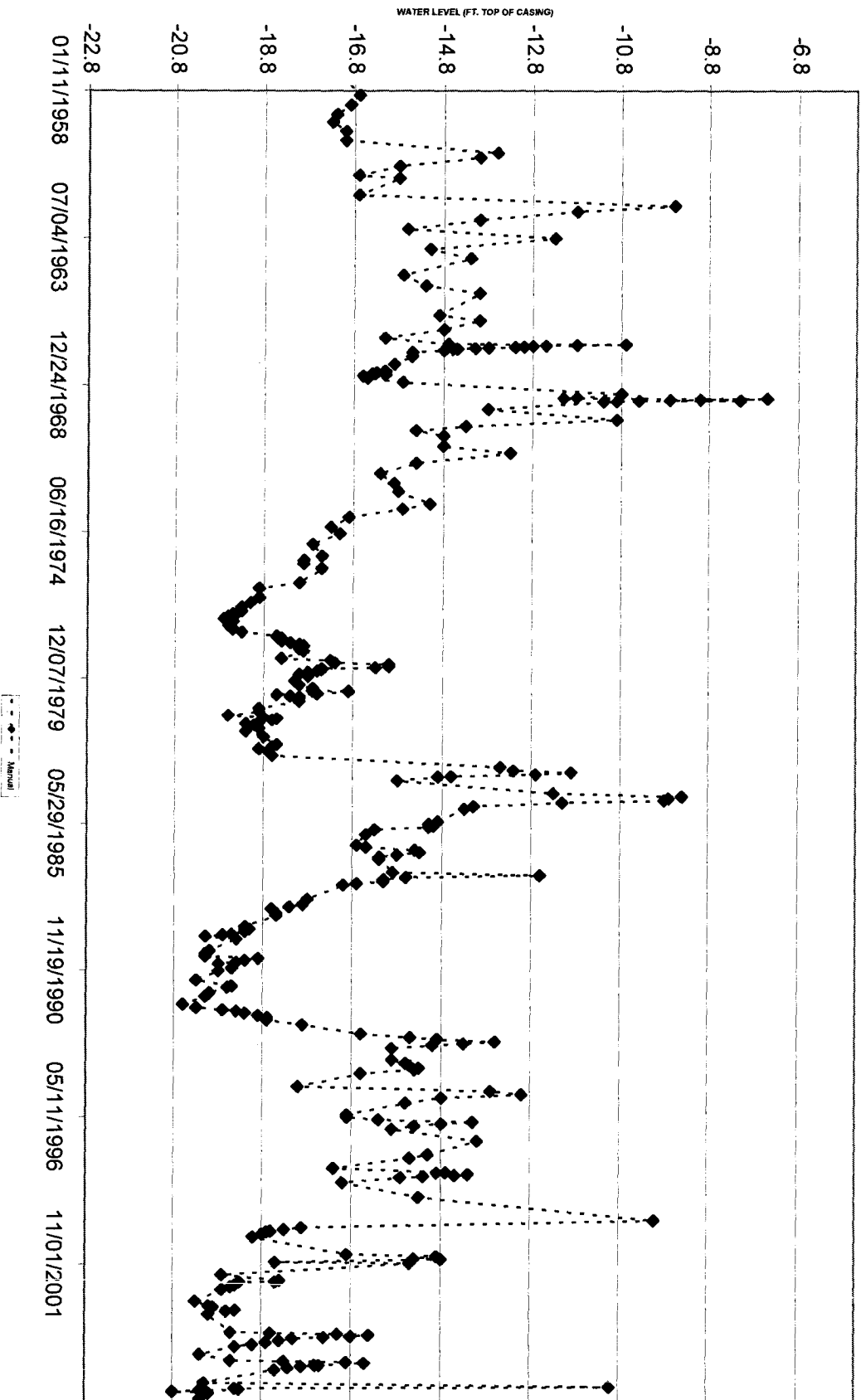
Stephens, J.C., C.M. Christensen, 1967, Geology and Hydrology of Clay County, South Dakota, Part II Water Resources, Bulletin 19, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2007, Unpublished Observation Well Data for Clay County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
CL-80E



WATER RIGHTS' OBSERVATION WELL CL-80D



AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Penny Tucker

Being first duly sworn, deposes and says: That he/she is a resident of the County of Clay and State of South Dakota; that

THE PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Broadcaster Press, Inc., and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit; and that the notice and advertisement headed:

NOTICE OF APPLICATION NO. 6788-3

TO APPROPRIATE WATER

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as aforesaid

was on Friday, the 16th day of February, 20 07, and that the succeeding publications were severally

on Friday, the 23rd day of February, 20 07,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforesaid were

Twenty-five dollars and 84 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me

this 23 day of February, 20 07

JOAN E. WILLROTH



NOTARY PUBLIC
SOUTH DAKOTA



Notary Public

My Commission Expires 04/17/2011

RECEIVED
FEB 28 2007
WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION NO. 6788-3 to Appropriate Water

Notice is given that Chuck Donnelly, 32184 472 Ave., Elk Point, SD 57025 has filed an application for a water permit to appropriate 1.67 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 175 feet deep) located in the center of the SE 1/4 Section 26 to irrigate 120 acres located in the N 1/2 SE 1/4, SE 1/4 SE 1/4 Section 26; all in T92N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6788-3 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 March 5, 2007.

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: February 16 & 23, 2007



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 6, 2007

Plain Talk
PO Box 256
Vermillion SD 57069-0256

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6788-3 to Appropriate Water to be published twice. Please publish the first notice on February 16, 2007 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 Chuck Donnelly, 32184 472nd Ave, Elk Point SD 57025 (Ph # 605 356-3167).

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. 6788-3

Date _____

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

We are in receipt of your letter of February 6, 2007 enclosing Notice to Appropriate Water by Application No. 6788-3 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

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

www.state.sd.us/denr

February 6, 2007

Chuck Donnelly
32184 472nd Ave
Elk Point SD 57025

Dear Mr. Donnelly:

Water Permit Application No. 6788-3 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 Plain Talk printed at Vermillion, SD (Ph # 605 624-2695). 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.

Instruction to Newspaper - Publish first Notice on February 16, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6788-3 to Appropriate Water

Notice is given that Chuck Donnelly, 32184 472 Ave, Elk Point SD 57025 has filed an application for a water permit to appropriate 1.67 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 175 feet deep) located in the center of the SE ¼ Section 26 to irrigate 120 acres located in the N ½ SE ¼, SE ¼ SE ¼ Section 26; all in T92N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6788-3 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 March 5, 2007.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 10 2007

CHUCK DONNELLY
32184 472ND AVE
ELK POINT SD 57025

Dear Mr. Donnelly:

Enclosed is Water Permit No. 6788-3 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 SE 1/4 Sec 26 Twp 92 Rg 51
County Clay

Please mark well location with an "X"

W

X

E

North

Well Completion Date 7-3-2006

1 Mile

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1320 ft. from Any (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>54 40</u> LB/FT	<u>12</u> IN	<u>0</u> FT	<u>95</u> FT	<u>12</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Bentonite No. of Sacks _____ Grout Weight _____ lb./gal From 30 ft To 0 ft

Describe grouting procedure Pumped in

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 12 IN Length 80 FEET

Material PVC

Slot Size 50 Set From 95 Feet to 175 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

X YES, How: Water from Tanker

NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Chuck Donnelly
Business Name: Donnelly Farms
Address: 32184 472nd Ave.
Elk Point, SD 57025

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top soil</u>	<u>0</u>	<u>2</u>
<u>Yellow clay</u>	<u>26</u>	
<u>Silt</u>	<u>6</u>	<u>35</u>
<u>Sand</u>	<u>35</u>	<u>58</u>
<u>Clay</u>	<u>58</u>	<u>72</u>
<u>Fine to med. sand</u>	<u>72</u>	<u>180</u>

STATIC WATER LEVEL 19 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: Pumped with irrigation pump @ 800 GPM
☐ Bailed
☐ Other

Pumping Level Below Land Surface

41 ft. After 3 Hrs. pumped 800 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 150 GPM

REMARKS

RECEIVED

JAN 25 2007

WATER RIGHTS
PROGRAM

This well was drilled under license # 667

And this report is true and accurate.

Drilling firm Dakota Drilling & Buckhoe, Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

1-30-07

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6788-3

I have this day, **October 19, 2016**, made a thorough examination of the water use system constructed by **Chuck Donnelly, 32184 472nd Ave, Elk Point SD 57025** of Permit No. **6788-3**, bearing the priority of **January 5, 2007** authorizing the diversion of **1.67** cu. ft. per second of the waters of **Missouri:Elk Point Aquifer** for **irrigation** purposes, of **120** acres, in **Clay** County.

Inspection contact & relationship to permit holder, if applicable: **Chuck Donnelly, permit holder**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Dakota Drilling & Backhoe, Inc.**
- 2) No. of Wells **1**
- 3) Depth(s) **175** feet
- 4) Well log is available **Yes**

Comments: **Well Driller is retired and has moved from the area.**

Casing:

- 1) Diameter **12** inches
- 2) Length **95** feet
- 3) Type **PVC**

Screen:

- 1) Type **PVC Perforated**
- 2) Length **80** feet
- 3) Static water level **19** feet

Pump:

- 1) Make **Unknown**
- 2) Model **Submersible**
- 3) Capacity **750** GPM

Motor:

- 1) Make **Unknown**
- 2) Model No. **Submersible**
- 3) Horsepower rating **40** hp

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Overall length 1285 feet
- 3) Number of towers 10
- 4) End gun Yes
- 5) Capacity 750 GPM

Comments: **Center Pivot diversion rate exceeds statutory limit as it irrigates only 3/4ths of a quarter section.**

Chemigation Equipment:

- 1) Does chemigate **No**

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, began irrigating in 2007.**

List any extended period of nonuse: **Did not use in 2010 due to adequate rainfall.**

- 3) Exceptions to compliance are: **Diversion rate exceeds statutory limit.**

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: West 1310', North 1340' from SE Corner of Sec 26-T92N-R51W; Lat 42.75373/Long -96.83109; approximate center of SE ¼ Sec 26-T92N-R51W.
2. The works are capable of diverting and conveying to the place of use 1.67 cfs or 750 gpm of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:
All land is located in Sec 26-T92N-R51W.
NW ¼ SE ¼ - 33 ac
SE ¼ SE ¼ - 33 ac
NE ¼ SE ¼ - 33 ac

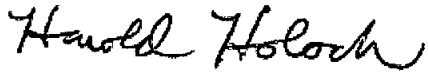
comprising a total of 99 acres of land and the license should be issued for 1.41 cfs or 635 gpm which is the statutory limit of 1 cfs per 70 acres irrigated.

3. All structures, wells and lands on map **Yes**

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

Provide detailed explanation when multiple permits are involved or any discrepancy between what the permit was issued for and what was developed.

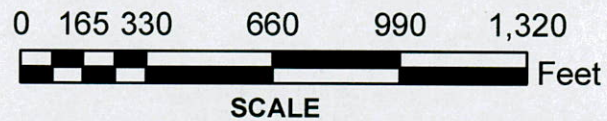
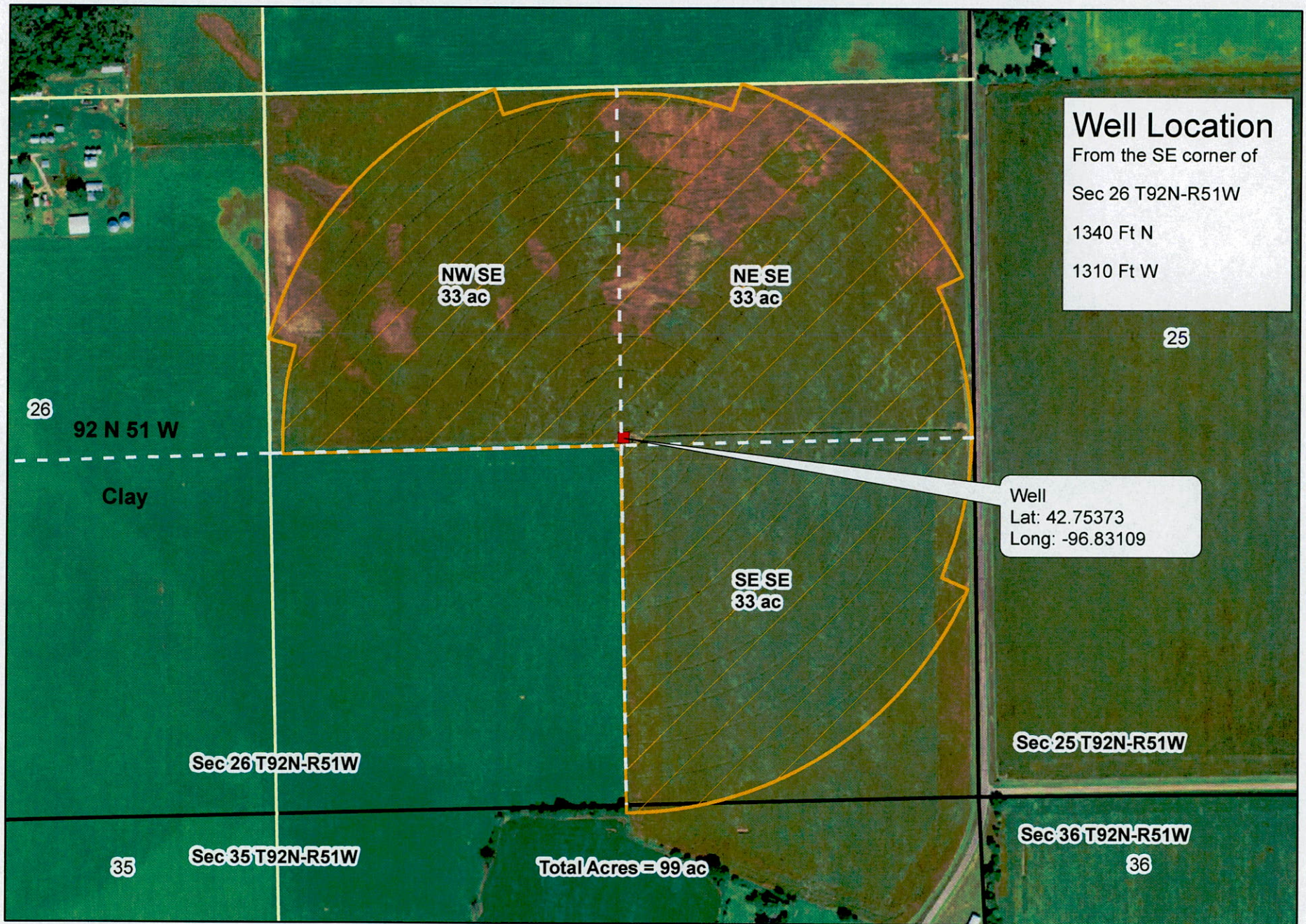
The diversion rate of Water Permit No. 6788-3 is greater than the statutory limit of 1 cfs per 70 acres irrigated.



Harold Holoch, PE
Staff Engineer
DENR, Water Rights Program

Date report completed: April 26, 2017

6788-3



Harold Holoch
Harold Holoch, PE
Staff Engineer
April 21, 2017



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 21 2017

6788-3

Chuck Donnelly
32184 472nd Ave
Elk Point SD 57025

Dear Mr. Donnelly:

Enclosed is Water License No. 6788-3. 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. 6788-3, 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,

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

enclosures

NOTE: The investigation found your irrigation system is capable of diverting 1.67 cubic feet of water per second (cfs) which is equivalent to approximately 750 gallons per minute. The statutory limit for 99 acres is 1.41 cfs (equivalent to approximately 635 gpm). Diversion of water under this water license is limited to 1.41 cfs.

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6788-3**

(1) Chuck Donnelly, 32184 472nd Ave., Elk Point SD 57025 made Application No. 6788-3, January 5, 2007 for a water permit to divert 1.67 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 6788-3, with a priority date of January 5, 2007 was approved March 5, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 5, 2012 and for the application to beneficial use of said water on or before March 5, 2016.

(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 1.41 cubic feet of water per second for beneficial use. The location of the diversion point is 1,310 feet west and 1,340 feet north of the SE corner of Section 26, T92N, R51W (approximate center of the SE ¼ Section 26).

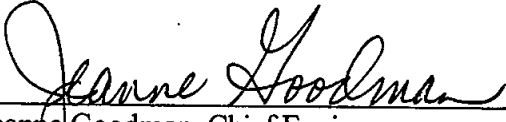
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 26, T92N, R51W	NW ¼ SE ¼	33 acres
	SE ¼ SE ¼	33 acres
	NE ¼ SE ¼	<u>33 acres</u>
	Total	99 acres

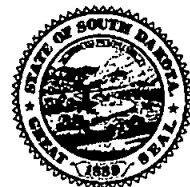
4) Pursuant to South Dakota Water Law 46-5-30.1 Chuck Donnelly, 32184 472nd Ave., Elk Point SD 57025 the holder and/or owner of Water Right No. 6788-3 is issued a license to appropriate water, the right to use 1.41 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer) with a priority date of January 5, 2007 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. 6788-3 and subject to the following qualifications:

- 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.
- The well authorized by Permit No. 6788-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *The well was drilled in July, 2006, by Dakota Drilling & Backhoe, Inc. A copy of the well completion report is on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.


Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 21 2017
date

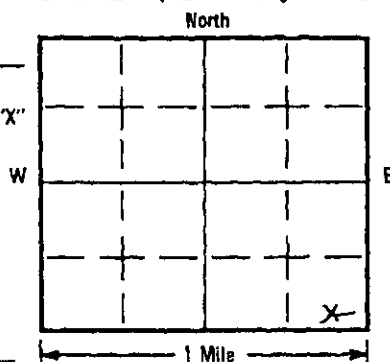


SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 SE 1/4 Sec 26 Twp 92 Rg 51
County Clay

Please mark well location with an "X"



Well Completion Date

7-3-2006Well Owner: Chuck Donnelly
Business Name: Donnelly Farms
Address: 32184 472nd Ave
Elk Point, SD 57025

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top soil</u>		<u>0 2</u>
<u>Yellow clay</u>		<u>2 6</u>
<u>Silt</u>		<u>6 35</u>
<u>Sand</u>		<u>35 58</u>
<u>Clay</u>		<u>58 72</u>
<u>Fine to med. sand</u>		<u>72 180</u>

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1320 ft. from Any (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>54 40 LB/FT</u>	<u>12 IN</u>	<u>0 FT</u>	<u>95 FT</u>	<u>17 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	_____	_____ lb./gal	<u>30 ft</u>	<u>0 ft</u>
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Pumped inSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 12 IN Length 80 FEETMaterial PVCSlot Size 50 Set From 95 Feet to 175 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Water from_____ NO, Why Not? tanker

Laboratory sent to for water quality analysis _____

STATIC WATER LEVEL _____ 19 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: pumped with irrigation
☐ Bailed pump @ 800 GPM
☐ Other _____

Pumping Level Below Land Surface

_____ 41 ft. After 3 Hrs. pumped _____ 800 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ 750 GPM

REMARKS

RECEIVED

JAN 25 2007

WATER RIGHTS
PROGRAMThis well was drilled under license # 667

And this report is true and accurate.

Drilling firm Dakota Drilling & Backhoe, Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____