

WATER PERMIT NO. 7033-3

Name of Applicant: **Flandreau Public Schools**

Address: **600 West Community Dr, Flandreau SD**

Phone: **605 997-3263**

Amount of Water Claimed: **no add'l**

Total Acres: **4.5 add'l acres**

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

Water to be used for: **irrigation**

County: **Moody**

Type of Waste Disposal System:

Location:

PRIORITY

Date Received: **5-14-08**

Application/License Fee: **\$50**

Corrected Application Received:

Period of Annual Use: **June 1 – September 30**

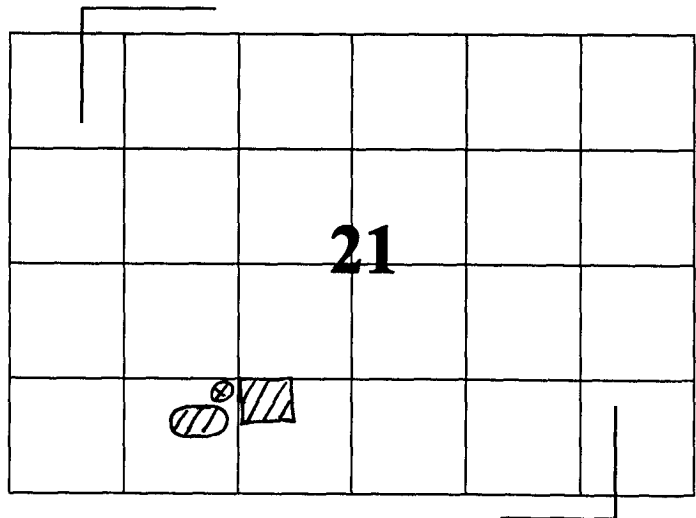
Remarks: **Additional acreage to what was authorized by Water Permit No. 6742-3**

Diversion Point: **SW ¼ SW ¼ Sec 21-T107N-**

R48W

Land to be Irrigated: **S ½ SW ¼ Sec 21-T107N-**

R48W



Depth of Well: **20 feet deep**

Well Driller: : **Lacey Well Drilling**

Remarks:

Type of Map: **topo**

Prepared by: **Mike DeFea**

Reviewed and the Number Assigned on: **5-15-08**

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>7033-3</u>	(office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Moody Co. Enterprise</u>	

RECEIVED
MAY 14 2008
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 Flandreau Public Schools Phone (605) 997-3263
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 600 West Community Dr. Flandreau State SD 57028
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0 *CFS or 0 **GPM 0 ***AF Total Acreage 4.5 ^{add 1} acres
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Big Sioux:Moody Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Moody
One well located approximately 1020 feet north and 1225 feet east of the SW corner of Section (SW1/4SW1/4)
21-T107N-R48W. (N 44.05329, W -96.60289) Same well authorized by Water Permit No. 6742-3
- County or counties where water will be used Moody
- Annual period during which water is to be used June 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
S 1/2 SW 1/4 Section 21-T107N-R48W	4.5		

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

Additional 4.5 acres which were not originally covered under Water Permit No. 6742-3
Irrigation for the school's football and practice fields.
Contact: Rick Weber

STATE OF SOUTH DAKOTA) SS
County of Moody

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, Rick Weber, 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 Rick Weber

Subscribed and sworn to before me this 5th day of May 20 08

Lisa Sanderson
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7033-3**

Date of first receipt of application May 14, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7033-3 to Flandreau Public Schools, 600 W Community Dr, Flandreau SD 57028 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. 7033-3 authorizes irrigation of 4.5 additional acres. Water Permit No. 6742-3 appropriates 0.22 cubic feet of water per second (cfs) from one well completed into the Big Sioux:Moody Aquifer (20 feet deep) located in SW ¼ SW ¼ Section 21 to irrigate 2 acres located in the S ½ SW ¼ Section 21; all in T107N-R48W. This permit authorizes irrigation of 4.5 additional acres of the football and practice fields located as described above from the existing well. This permit does not authorize any increase in the developed diversion rate of 0.09 cfs (40 gallons per minute).
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: June 1 – September 30.
3. The date from which applicant may claim right is May 14, 2008.
4. The date of approval of Permit No. 7033-3 is August 11, 2008.
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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit Nos. 6742-3 and 7033-3 authorizes a maximum diversion rate of 0.09 cfs for the irrigation of 6.5 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

JAN 27 2009
date



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/14, 20 08

RECEIVED OF Flandreau School Dist 50-8 600 W Community Dr Flandreau SD 57028

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

Fee for Application for Permit No. <u>7033-3</u> to Appropriate Water, to construct and to put water to beneficial use	50	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. _____		
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	50 00

No.

03661

By

Chief Engineer

Water Permit No. 6742-3 — 7033-3
Flandreau Public Schools



0 380 760 1,520 Feet

Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
May 20, 2008



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow... Today



**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 2, 2008

Rick Weber
Flandreau Public Schools
300 West Community Drive
Flandreau, SD 57028

Dear Mr. Weber:

I have enclosed two partially completed applications for 4 ½ additional acres for irrigation of the football and practice fields. I have also included an instruction sheet, two maps which show the location of the well, the area which is being irrigated from the well, and a self addressed envelope to return the application to us. Please check the maps to verify the land being irrigated from the well is accurate. You will need to fill out Item 8 on Form 2 and have the application notarized. A fee of \$50.00 is also required to appropriate 0.10 cfs (45 gpm) or less. This is to be included with the application. You should also review and make any corrections on the application before returning it to us.

If you have any questions regarding the application or the application process, you can contact me or Eric Gronlund at 773-3352.

Sincerely,

A handwritten signature in black ink that reads "Mike DeFea".

Mike DeFea
Natural Resources Project Engineer
DENR, Water Rights Program

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7033-3, Flandreau Public Schools**

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. 7033-3, Flandreau Public Schools, c/o Rick Weber, 600 West Community Drive, Flandreau SD 57028.

The Chief Engineer is recommending APPROVAL of Application No. 7033-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit Nos. 6742-3 and 7033-3 authorizes a maximum diversion rate of 0.22 cfs for the irrigation of 6.5 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
July 15, 2008

REPORT ON WATER PERMIT NO. 7033-3
For Flandreau Public Schools
June 24, 2008

Application No. 7033-3 requests an additional 4.5 acres of irrigation. Water Permit No. 6742-3 appropriates 0.22 cfs from one well nineteen feet deep located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 21 to irrigate 2 acres located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of section 21; all in T107N R48W. This application is to irrigate 4.5 additional acres of the football and practice fields located as described about from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

AQUIFER – BIG SIOUX MOODY (BS-M)

The Big Sioux Moody is a surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 33,100 acres and contains an estimated 124,130 acre-feet of recoverable water in storage in Moody County (Hedges, 1982). The aquifer is hydraulically connected to the Big Sioux River and ground water movement is from north to south and locally toward the Big Sioux River (Hansen, 1984). Recharge to the aquifer has been estimated to range from 4.86 to 6.5 inches per year based upon storage coefficients ranging from 0.15 to 0.20 respectively (Hansen, 1988). The aquifer blends into the Big Sioux Brookings aquifer to the north and extends into Minnehaha County to the south where it blends into the Big Sioux - Sioux Falls aquifer.

This is an existing well which is 19 feet deep and was capable of producing 60 gpm with about 6.5 feet of drawdown. This well constructed by Lacey Drilling appears to have been completed in accordance with SD Well Construction Standards.

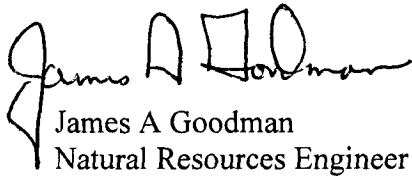
The Water Rights Program monitors and observation well MY-63D located about one mile southwest of this application. Water levels for this well show good response to climatic conditions. Water levels rise during wet periods (recharge) and gradually decline during dry periods. In general the water level record indicates the aquifer is capable of sustaining additional withdrawals (Water Rights, 2008). A hydrograph for this observation well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The City of Flandreau has a Water Right No. 1182-3 and a Future Use Permit No. 3977-3 for water from the Big Sioux Moody aquifer. However, at this time the city of Flandreau is purchasing water from Big Sioux Community Rural Water. These rights/permits may be used in the future if the water is needed. The existing city wells are located about one mile east of this application. The nearest permitted user appears to be Water Permit Nos. 6549-3 and 6495-3 and Water Right No. 2952-3 which are all located about one mile from this application. Interference is not a concern. This application only requests some additional acreage with no increase in diversion rate.

CONCLUSIONS

1. Water is available from the Big Sioux Moody aquifer.
2. The aquifer is under water table conditions in this area. Interference is not a concern.
3. This well appears to have been constructed in accordance with SD Well Construction Standards.
4. No increase in the diversion rate of 0.22 cfs is authorized by this application. Only an increase of irrigated acres of 4.5 acres is authorized by this application if approved.
5. Approval of this application will allow the licensing of this system as built.

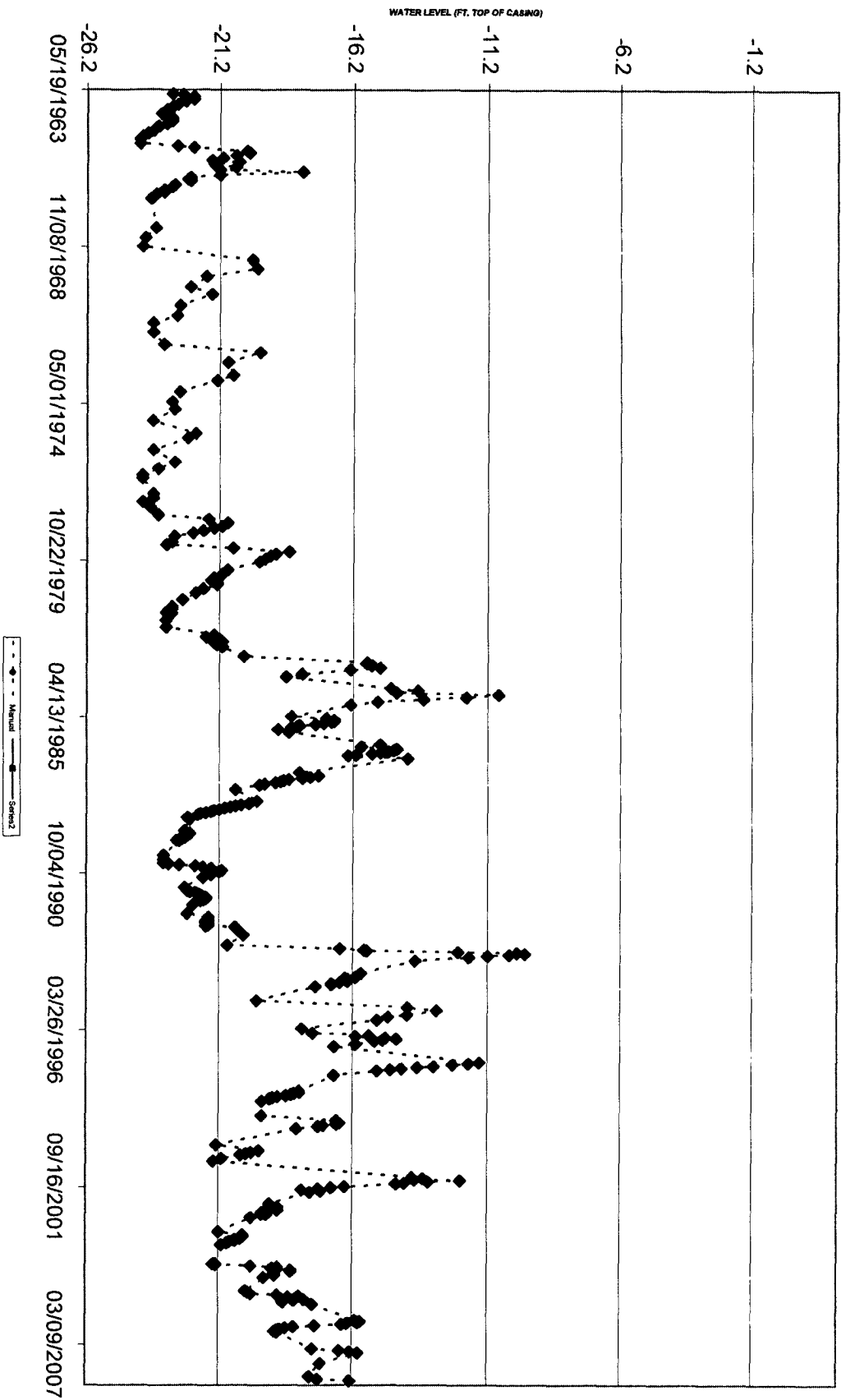


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hansen, D.S., 1984, Water Resources of Lake and Moody Counties, South Dakota, Water Resources Investigation Report 84-4209, USGS, Huron, SD, 57350.
- Hansen, D.S., 1988, Appraisal of the Water Resources of the Big Sioux Aquifer, Moody County, South Dakota, Water-Resources Investigations Report 87-4057, USGS, Huron, SD, 57350.
- Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 2008, Unpublished Observation Well Data for Moody County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
MY-63DR



RECEIVED

AUG - 1 2008

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Moody) SS

I, Angela Nibbelink

certify that the attached printed Notice was
taken

from the Moody County
Enterprise

printed and published in Flandreau

County of Moody and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

July 23, 2008

July 30, 2008

Cost of Printing \$48.98

Angela Nibbelink
(Signature)

Office Manager
(Title)

7-30-08
(Date Signed)

NOTICE OF APPLICATION NO. 7033-3 to Appropriate Water

Notice is given that Flandreau Public Schools, 600 West Community Dr, Flandreau SD 57028 has filed an application for a water permit to irrigate 4.5 additional acres. Water Permit No. 6742-3 appropriates 0.22 cubic feet of water per second from one well completed into the Big Sioux:Moody Aquifer (20 feet deep) located in SW1/4 SW1/4 Section 21 to irrigate 2 acres located in the S1/2 SW1/4 Section 21; all in T107N-R48W. This application is to irrigate 4.5 additional acres of the football and practice fields located as described above from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7033-3 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 this 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 this 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 August 11, 2008.

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

(July 23 & 30, 2008)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 16, 2008

Moody County Enterprise
PO Box 71
Flandreau SD 57028

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7033-3 to Appropriate Water to be published twice. Please publish the first notice on July 23, 2008 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 Flandreau Public Schools, c/o Rick Weber, 600 W Community Dr., Flandreau SD 57028 (Ph # 605-997-3263).

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. 7033-3

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

Date _____

We are in receipt of your letter of July 16, 2008 enclosing Notice to Appropriate Water by Application No. 7033-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on July 23, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 7033-3 to Appropriate Water

Notice is given that Flandreau Public Schools, 600 West Community Dr, Flandreau SD 57028 has filed an application for a water permit to irrigate 4.5 additional acres. Water Permit No. 6742-3 appropriates 0.22 cubic feet of water per second from one well completed into the Big Sioux:Moody Aquifer (20 feet deep) located in SW ¼ SW ¼ Section 21 to irrigate 2 acres located in the S ½ SW ¼ Section 21; all in T107N-R48W. This application is to irrigate 4.5 additional acres of the football and practice fields located as described above from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7033-3 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 this 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 this 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 August 11, 2008.

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**

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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.**

July 16, 2008

Flandreau Public Schools
Rick Weber
600 W Community Dr
Flandreau SD 57028

Dear Mr. Weber:

Water Permit Application No. 7033-3 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 Moody County Enterprise printed at Flandreau SD (Ph # 605-997-3725). 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 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.

Permit No. 7033-3
Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **April 23, 2008**, made a thorough examination of the water use system constructed by **Flandreau Public Schools** of **600 West Community Dr., Flandreau, SD 57028** holder of Permit No. **6742-3**, bearing the priority of **June 14, 2006** authorizing the diversion of **0.22** cu. ft. per second of the waters of the **Big Sioux:Moody Aquifer** for **Irrigation** purposes, in **Moody** County.

Inspection contact & relationship **Rick Weber (605) 997-3263**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Lacey Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **19** feet
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **8** inches
- 2) Length **14** feet
- 3) Type **Plastic**

Screen:

- 1) Type **PVC**
- 2) Length **5** feet
- 3) Static water level **9 ½** feet

Pump:

- 1) Make **Grundfos submersible**
- 2) Model **40S-20-7**
- 3) Size **2 hp**
- 4) Capacity **40** GPM

Chemigation Equipment:

- 1) Does chemigate N

B. Compliance with Permit Requirements:

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

The system is in Good condition with the point(s) of diversion located as follows:

Approximately 1020 feet north and 1225 feet east of the SW corner of Section 21-T107N-R48W.

(N 44.05329, W -96.60289) (S ½ SW ¼)

The works are capable of diverting and conveying to the place of use 0.09 cu. ft. per second of water and which is to be used for **Irrigation of the Football and Practice Fields.** Water has been put to beneficial use to the maximum extent as follows:

Section 21-T107N-R48W

S ½ SW ¼ - 6 ½ acres

comprising a total of 6 ½ acres of land and the license should be issued for 0.09 cfs.

All structures, wells and lands on map Y

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

Water Permit No. 6742-3 authorizes the diversion of 0.22 cfs of water to irrigate 2 acres located in the S ½ SW ¼ Section 21-T107N-R48W. At the time of the inspection, 6 ½ acres of a football and practice field were being irrigated. The applicant will have to apply for a new application to irrigate the additional 4 ½ acres. (Permit No. 7033-3) This permit should be licensed for the 2 acres and 0.09 cfs. When the new application is applied for, and if approved, the additional 4 ½ acres should be incorporated to reflect the total system as developed.



Mike DeFea

Natural Resources Engineer
DENR, Water Rights Program

Date report completed: **May 20, 2008**

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7033-3

(1) Flandreau Public Schools, 600 W Community Dr, Flandreau SD 57028 made Application No. 7033-3, May 14, 2008 irrigation additional acreage from groundwater (one well), Mody County, South Dakota for irrigation purposes. Permit No. 7033-3, with a priority date of May 14, 2008 was approved August 11, 2008 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

Water Permit No. 6742-3 with a priority date of June 14, 2006 authorized diversion of 0.22 cubic feet of water per second (cfs) to irrigate 2 acres. The applicable portions of No. 6742-3 are incorporated into No. 7033-3.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Incorporated Water Right No. 7033-3 is issued a license, bearing priority dates of June 14, 2006 (2 acres) and May 14, 2008 (4.5 acres) to appropriate 0.09 cubic feet of water per second from groundwater (one well) to irrigate 6.5 acres of a football and practice field.

The diversion point is located: approximately 1,020 feet north and 1,225 feet east of the southwest corner of Section 21-T107N-R48W (SW ¼ SW ¼). The acres authorized for irrigation are as follows:

Section 21-T107N-R48W S ½ SW ¼ 6.5 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 7033-3 including the following now applicable 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.
- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit Nos. 6742-3 and 7033-3 authorizes a maximum diversion rate of 0.06 cfs for the irrigation of 6.5 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Garland Erbele

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

JAN 27 2009

date





JAN 27 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

7033-3

Flandreau Public Schools
Rick Weber
600 W Community Dr
Flandreau SD 57028

Dear Mr. Weber:

Enclosed is Water Permit and Water License No. 7033-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the 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. 7033-3, 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,

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

Note: The applicable portions of No. 6742-3 are incorporated into Water License No. 7033-3.

enclosures



7033-3
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: FLANDREAU PUBLIC SCHOOLS, RICK WEBER, 600 W COMMUNITY DRIVE,
FLANDREAU, SD 57028

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7033-3. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 7033-3 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) 7033-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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 questionnaire(s) is (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 questionnaire(s) 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: TXUOKW**

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

7033-3

Rick Weber
Flandreau Public Schools
600 W Community Dr
Flandreau SD 57028

Dear Mr. Weber:

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

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 7033-3. 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,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent.

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

7033-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: FLANDREAU PUBLIC SCHOOLS, RICK WEBER, 600 W COMMUNITY DRIVE,
FLANDREAU, SD 57028

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7033-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 7033-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 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) 7033-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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 questionnaire(s) is (are) received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) 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: IHCHGC**

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.

7033-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2021

7033-3

Rick Weber
Flandreau Public Schools
600 W Community Dr
Flandreau SD 57028

Dear Mr. Weber:

I am writing to acknowledge receipt of your 2020 irrigation questionnaire.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Permit No. 7033-3. 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,

A handwritten signature in blue ink that reads "Genny McMath". The signature is written in a cursive style.

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: FLANDREAU PUBLIC SCHOOLS, RICK WEBER, 600 W COMMUNITY DRIVE,
FLANDREAU, SD 57028

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7033-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 7033-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 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) 7033-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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 questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) 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://danr.sd.gov/iq> using this password: CLWNMX**

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 AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 26, 2023

7033-3

Rick Weber
Flandreau Public Schools
600 W Community Dr
Flandreau SD 57028

Dear Mr. Weber:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 7033-3. 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
Genny.mcmath@state.sd.us