WATER PERMIT NO. 7222-3

Name of Applicant: **Mike Chicoine**

Address: **508 E Clay St, Elk Point SD 57025** Phone: **605 356-3748**

Amount of Water Claimed: **2.01 cfs** Total Acres: **141**

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

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

Type of Waste Disposal System: **NA**

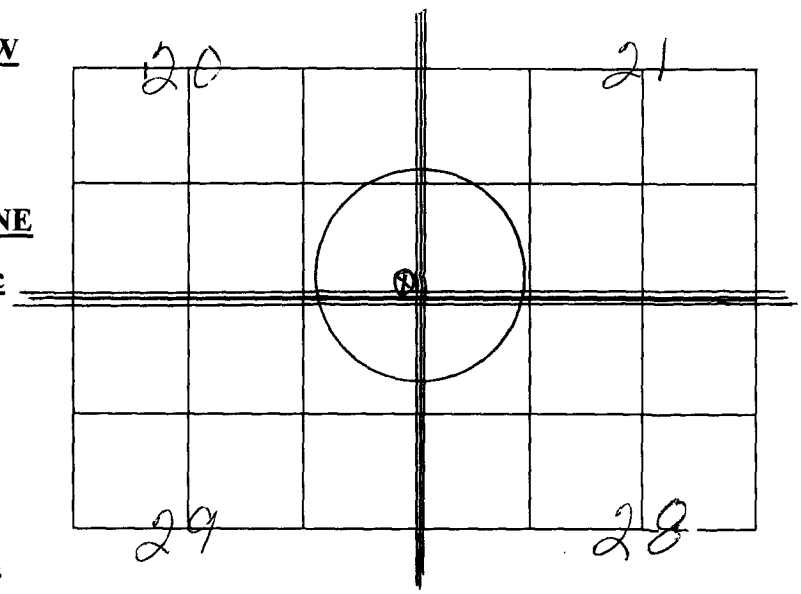
Location: **5 miles west of Elk Point**

PRIORITY Date Received: **11-28-2010** Application/License Fee: **$1050.00**

Corrected Application Received: **11-8-2010** Period of Annual Use: **May 1 – October 31**

Remarks:

Diversion Point: **SE ¼ SE ¼ Sec 20-T91N-R50W**



Land to be Irrigated: **E ½ NE ¼ Sec 20, NE ¼ NE ¼ Sec 29, W ½ SW ¼ Sec 21, NW ¼ NW ¼ Sec 28; all in T91N-R50W**

Depth of Well: **132 feet deep**

Well Driller: **Dakota Drilling & Backhoe, Inc.**

Remarks:

Type of Map: **aerial**

Prepared by: **Larry D Wilcox, Union Co FSA**

Reviewed and the Number Assigned on: **11-8-2010** By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

#1

Mail to: Water Rights Program, Joe Foss Building, 523 E. Capitol, Pierre, SD 57501-3181, (605) 773-3352	(office use only) No. 7222-3 Hydrologic Unit 10170101 Basin Missouri River Newspaper Leader-Courier Elk Point

RECEIVED
OCT 28 2010
WATER RIGHTS PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ✓ **New** ____ **Vested Right** (Use predates Mar 2, 1955) ____ **Amendment/Correction to Permit No.** ____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) ____

1. Name of Applicant Mike Chicoine (check one) ____ Owner ____ Tenant/lessee Phone 605-356-3748
   Mailing Address 508 E. Clay St. Elk Point (Street, RR, or Box and City) State SD 57025 (Zip Code)
2. Amount of water claimed 2.01 *CFS or ____ **GPM ____ ***AF Total Acreage 141
   (*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
   SE1/4 SE1/4 Sec20 T91N R50W
   County Union
5. County or counties where water will be used Union
6. Annual period during which water is to be used May 1 - Oct. 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
   Middle pivot (Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
	141	SE1/4 SE1/4 Sec20 all in T91N R50W	36
		NE1/4 SE1/4 Sec20	3
		NE1/4 NE1/4 Sec29	35
		SW1/4 SW1/4 Sec21	32
		NW1/4 SW1/4 Sec21	3
		NW1/4 NW1/4 Sec28	32

8. Give a description of the project. (Attach sheet

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, Mike Chicoine, 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 Mike Chicoine

Subscribed and sworn to before me this 26th day of October 20 10

PATRICIA L. KOSE
SEAL NOTARY PUBLIC SOUTH DAKOTA SEAL
My Commission Expires 10/8/2015

Patricia L. Kose
Notary Public signature

4-2000

SOUTH DAKOTA
WATER PERMIT NO. 7222-3

Date of first receipt of application October 28, 2010.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7222-3 to Mike Chicoine, 508 E Clay St, 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. 7222-3 appropriates 2.01 cubic feet of water per second from one well completed into the Missouri:Elk Point Aquifer (132 feet deep) located in the SE 1/4 SE 1/4 Section 20 to irrigate 141 acres located in the E 1/2 SE 1/4 Section 20, NE 1/4 NE 1/4 Section 29, W 1/2 SW 1/4 Section 21 and NW 1/4 NW 1/4 Section 28; all in T91N-R50W.

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- October 31.

3. The date from which applicant may claim right is October 28, 2010.

4. The date of approval of Permit No. 7222-3 is January 3, 2011.

5. One-fifth of the construction is to be completed on or before July 3, 2013.

6. All construction is to be completed on or before January 3, 2016.

7. Water is to be put to beneficial use on or before January 3, 2020.

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 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 1 0 2011
date

Form 2A
(Complete applicable portions only)

Supplemental Information

#1

(type or print in ink)

1. Well Information - Proposed Construction

a) Drill Hole Diameter 15" Depth 132'

b) Casing Type SCH 40 PVC Diameter 12" Thickness

c) Screen Type PVC Diameter 12" Thickness

d) Gravel Pack Akron well Pack Length of Gravel Pack 102'

e) Depth to Top of Water Bearing Material 92'

f) Depth to Water (ground surface to water level) 24'

g) Distance to nearest existing domestic well:

On applicants property None On property owned by others

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

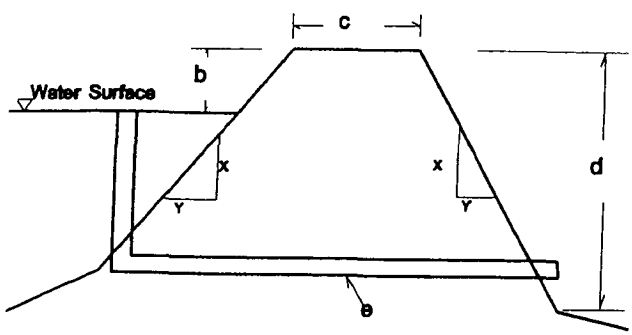
a) Surface Dimensions Depth

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

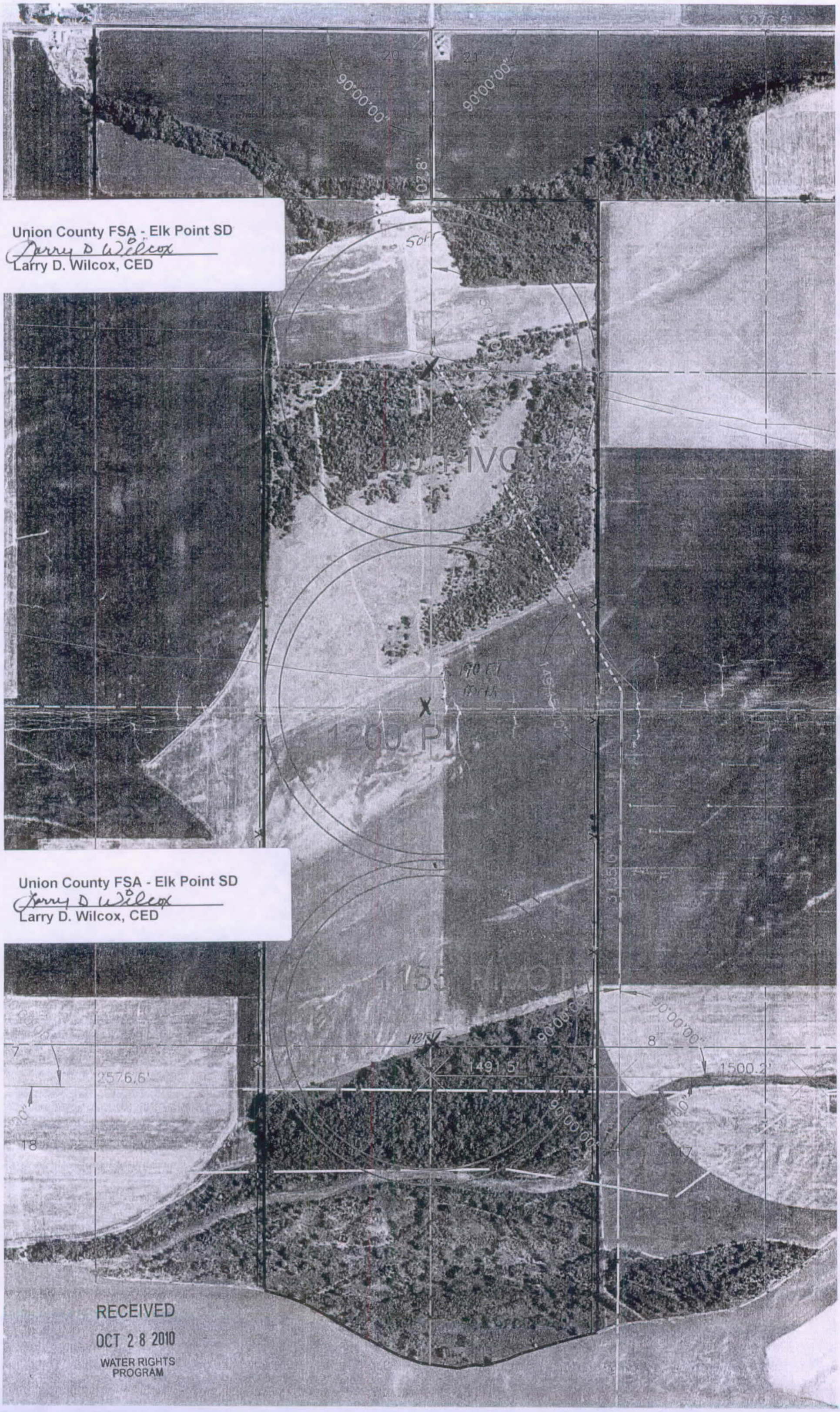
Upstream

Downstream

h) Surface Area of Impoundment

i) Storage Acre Feet

j) Drainage Area Above Dam Acres


Union County FSA - Elk Point SD
Larry D. Wilcox, CED
20
21
90°00'00"
90°00'00"
50 ft
1200 Pl
190 ft
North
Union County FSA - Elk Point SD
Larry D. Wilcox, CED
1155 Pl
7
8
2576.6'
1491.5'
1500.2'
18
17
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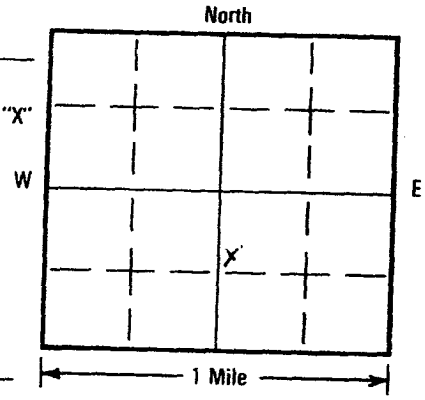
SOUTH DAKOTA WATER WELL COMPLETION REPORT #1 [redacted] 07-92

Location NW ¼ SE ¼ Sec 21 Twp 91N Rg 50W

County: Union

Please mark well location with an "X"



Well Completion Date: 7-15-09

Well Owner: Mike Chrouine

Business Name:

Address: 508 E. Clay
Elk Point SD 57025

WELL LOG:

FORMATION	DEPTH FROM	DEPTH TO
Top Soil	0	2
Sand	2	44
Gravel	44	48
Clay	48	69
Sand	69	92
Coarse gravel	92	130
Shale	130	132

LOCATION:
Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1/4 mi 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
SCH 40 LB/FT	12 IN	0 FT	131 FT	15 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite		lb./gal	30 ft.	10 ft.
		lb./gal	ft.	ft.

Describe grouting procedure: Pumped in.

SCREEN: ☒ Perforated pipe ☐ Manufactured
Diameter 12 IN Length 40 FEET
Material PVC
Slot Size 50 Set From 91 Feet to 131 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:
✓ NO, Why Not? irrigation

Laboratory sent to for water quality analysis

STATIC WATER LEVEL 24 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
59 ft. After 1 Hrs. pumped 900 GPM
ft. After Hrs. pumped GPM
If pump installed, pump rate 800 GPM

REMARKS

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JAN 21 2010
WATER RIGHTS PROGRAM

This well was drilled under license # 667
And this report is true and accurate.
Drilling firm Dakota Drilling + Backhoe, Inc
Signature of License Representative: Herman E Walter

Signature of Well Owner or Equitable Property Holder:

Date:

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/28, 20 10

RECEIVED OF Michael Chicoine 508 E Clay Elk Point SD 57025

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

Fee for Application for Permit No. 7222-3 to Appropriate Water, to construct and to put water to beneficial use	850	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. 7222-3	200	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	1050	00

No. 04656

By Gerald Erickle Jr
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 29, 2010

Mike Chicoine
508 E. Clay Street
Elk Point SD 57025

Dear Mr. Chicoine:

The Water Rights Program received the four applications you submitted to appropriate water for irrigation. We have questions regarding the legal descriptions on the three applications west of Elk Point.

Two of the applications have all the acreage to be irrigated in Section 20 and the third application indicates all the acreage is in Section 29. The actual pivot locations appear to straddle the north –south line Sections 20, 21, 28 and 29.

I have enclosed the FSA 2008 aerial map with the well and pivot locations from your submitted map transposed on to it. Also attached are the well locations and acreage breakdown by quarter-quarter section for each pivot. Please review and let us know if you concur.

Using the computer mapping function to determine the acreage of each center pivot, it appears that 141 acres is generous for the area to be irrigated. Each of these appears to be a 132 to 136 acre pivot. However, it is fine to request this larger size but be aware that if less than 141 acres is developed the water right will ultimately be limited to the number of acres that are developed.

Please let me know if you concur with the breakdown of acres on the attached sheets and feel free to contact me if you have any questions.

Sincerely,

Copy

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

enclosures

Mike Chicoine's Water Permit Applications

North Pivot

Well location – SE ¼ NE ¼ Section 20, T91N, R50W

Acreage Estimate: Total 141 acres

All in T91N, R50W

SE ¼ NE ¼ Sec. 20	35 acres	SW ¼ NW ¼ Sec. 21	35 acres
NE ¼ SE ¼ Sec. 20	35 acres	NW ¼ SW ¼ Sec. 21	36 acres

Middle Pivot

Well location – SE ¼ SE ¼ Section 20, T91N, R50W

Acreage Estimate: Total 141 acres

All in T91N, R50W

SE ¼ SE ¼ Sec. 20	36 acres	SW ¼ SW ¼ Sec. 21	32 acres
NE ¼ SE ¼ Sec. 20	3 acres	NW ¼ SW ¼ Sec. 21	3 acres
NE ¼ NE ¼ Sec. 29	35 acres	NW ¼ NW ¼ Sec. 28	32 acres

South Pivot

Well location – SE ¼ NE ¼ Section 29, T91N, R50W

Acreage Estimate: Total 141 acres

All in T91N, R50W

NE ¼ NE ¼ Sec. 29	5 acres	NW ¼ NW ¼ Sec. 28	5 acres
SE ¼ NE ¼ Sec. 29	40 acres	SW ¼ NW ¼ Sec. 28	40 acres
NE ¼ SE ¼ Sec. 29	26 acres	NW ¼ SW ¼ Sec. 28	25 acres

Gronlund, Eric

From: Jana Foltz [ucrod@iw.net]
Sent: Monday, November 08, 2010 12:19 PM
To: Gronlund, Eric
Subject: Re: Legal description assistance for pending water permit applications for Mike Chicoine

I hope this may help you.

Jana Foltz,Union County Register of Deeds

----- Original Message -----
From: Eric.Gronlund@state.sd.us
To: ucrod@iw.net
Sent: Monday, November 08, 2010 11:19 AM
Subject: Legal description assistance for pending water permit applications for Mike Chicoine

The Department of Environment and Natural Resources is requesting assistance in legal descriptions on the deed for lands to be irrigated in Union County west of Elk Point. Mr. Mike Chicoine has filed applications for land very near the Missouri River. Normal South Dakota survey designation would have the land described in portions of the Sections 20, 21, 28 and 29 of T91N, R50W. The attached map (hopefully it's not too large of file) shows the outline of the pivot locations and the standard quarter-quarter lines. However, due to the proximity to the river, some of it may be accretion lands and the actual legal description for the southern most pivot and the south half of the middle pivot may listed on the deed as being in Section 7, T31N, R6E (Nebraska survey). Any help the Union County Register of Deeds can provide is appreciated.

DENR wants to make sure that when the applications are public noticed, the proper legal descriptions are used. Thanks.

Eric Gronlund
Water Rights Program, DENR
Phone: (605) 773-3352
Fax: (605) 773-4068
Email: eric.gronlund@state.sd.us
Web: www.denr.sd.gov

PARCEL NUMBER / DIST / TYPE / SCHOOL DIST	NAME / ADDRESS	CLASS	ASSESSED VALUE	LOCAL BOARD	COUNTY BOARD	STATE VALUE	EQUALIZED VALUE	EXEMPT F2N BASE	ACRES	UNITS
15.00.20.5000										
15617E DEED	CHICOINE, MICHAEL	AGA	75,927	75,927	75,927	75,927	75,927		40.22	
61-7	508 E CLAY ST	20-91-50 SE1/4NE1/4 SOIL SURVEY								
	ELK POINT SD 57025									
15.00.20.5010										
15617E DEED	CHICOINE, MICHAEL	AGA	166,575	166,575	166,575	166,575	166,575		80.42	
		AGA1	5,170	5,170	5,170	5,170	5,170			1.00
61-7	508 E CLAY ST	NAA1	31,005	31,005	31,005	31,005	31,005			1
	ELK POINT SD 57025			BP						
		20-91-50 N1/2NE1/4 SOIL SURVEY								
32427 472 AVE		BUILT IN 1938; 1,216 SQ FT; ONE STORY; WALL FURNACE; SIDING; 8 FIX; COMP SHINGLE; 448 SQ FT BASEMENT; 128 SQ FT KNEE WALL ENC PORCH; BARN; THREE SHEDS; ONE 9,000 BUSHEL BIN; TWO 6,000 BUSHEL BINS BP# 161 - BIN								
15.00.20.8000										
15617E DEED	CHICOINE, MICHAEL	AGA	138,128	138,128	138,128	138,128	138,128		80.30	
61-7	508 E CLAY ST	20-91-50 E1/2SE1/4 SOIL SURVEY								
	ELK POINT SD 57025									
15.00.21.6000										
15617E DEED	CHICOINE, MICHAEL	AGA	71,279	71,279	71,279	71,279	71,279		40.00	
61-7	508 E CLAY ST	21-91-50 SW1/4NW1/4 KNOWN AS LOT 4 SOIL SURVEY								
	ELK POINT SD 57025									
15.00.21.7000										
15617E DEED	CHICOINE, MICHAEL	AGA	148,452	148,452	148,452	148,452	148,452		80.00	
61-7	508 E CLAY ST	21-91-50 W1/2SW1/4 SOIL SURVEY								
	ELK POINT SD 57025									
15.00.28.6000										
15617E DEED	CHICOINE, MICHAEL	AGA	219,200	219,200	219,200	219,200	219,200		160.00	
61-7	508 E CLAY ST	28-91-50 W1/2NW1/4 & W1/2SW1/4 SOIL SURVEY								
	ELK POINT SD 57025									
15.00.29.5000										
15617E DEED	CHICOINE, MICHAEL	AGA	236,159	236,159	236,159	236,159	236,159		160.57	
61-7	508 E CLAY ST	29-91-50 E1/2NE1/4 & E1/2SE1/4 SOIL SURVEY								
	ELK POINT SD 57025									

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Mike Chicoine's WP Applications

ADDRESS: COUNTY: Union

DATE: November 8, 2010 TELEPHONE712 898-9173

RE: Phone call with Mr. Chicoine regarding his application

Mr. Chicoine called regarding my October 29th letter. He had taken the map and acreage breakdown to his local FSA office that they concur with the legal description I provided.

It appears that some of the lands may be accretion land or actual legal description be in Section 7, T31N, R6E under the Nebraska survey designation. I have emailed the Union County Register of Deeds and will await a response.

North Pivot

Well location – SE ¼ NE ¼ Section 20, T91N, R50W

Acreage Estimate: Total 141 acres

All in T91N, R50W

SE ¼ NE ¼ Sec. 20	35 acres	SW ¼ NW ¼ Sec. 21	35 acres
NE ¼ SE ¼ Sec. 20	35 acres	NW ¼ SW ¼ Sec. 21	36 acres

continued

Middle Pivot

Well location – SE ¼ SE ¼ Section 20, T91N, R50W

Acreage Estimate: Total 141 acres

All in T91N, R50W

SE ¼ SE ¼ Sec. 20	36 acres	SW ¼ SW ¼ Sec. 21	32 acres
NE ¼ SE ¼ Sec. 20	3 acres	NW ¼ SW ¼ Sec. 21	3 acres
NE ¼ NE ¼ Sec. 29	35 acres	NW ¼ NW ¼ Sec. 28	32 acres

South Pivot

Well location – SE ¼ NE ¼ Section 29, T91N, R50W

Acreage Estimate: Total 141 acres

All in T91N, R50W

NE ¼ NE ¼ Sec. 29	5 acres	NW ¼ NW ¼ Sec. 28	5 acres
SE ¼ NE ¼ Sec. 29	40 acres	SW ¼ NW ¼ Sec. 28	40 acres
NE ¼ SE ¼ Sec. 29	26 acres	NW ¼ SW ¼ Sec. 28	25 acres

NAME: Eric Turnbull

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. 7222-3, Mike and Brad Chicoine

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. 7222-3, Mike and Brad Chicoine, 508 E Clay Street, Elk Point SD 57025.

The Chief Engineer is recommending APPROVAL of Application No. 7222-3 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 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
December 3, 2010

Report on Water Permit Application No. 7221-3, No. 7222-3, No. 7223-3
for Mike Chicoine
November 12, 2010

Application No. 7221-3 proposes to appropriate 800 gallons per minute (2.01 cfs) from one well approximately 108 feet deep located in the SE ¼ NE ¼ of Section 20, T91N R50W in Union County. The water is to be used to irrigate approximately 141 acres located in the SE ¼ NE ¼, NE ¼ SE ¼, Section 20, SW ¼ NW ¼, NW ¼ SW ¼, Section 21; all in T91N R50W.

Application No. 7222-3 proposes to appropriate 800 gallons per minute (2.01 cfs) from one well approximately 132 feet deep located in the SE ¼ SE ¼ of Section 20, T91N R50W in Union County. The water is to be used to irrigate approximately 141 acres located in the E ½ SE ¼ Section 20, NE ¼ NE ¼ Section 29, W ½ SW ¼ Section 21, and NW ¼ NW ¼, Section 28; all in T91N R50W.

Application No. 7223-3 proposes to appropriate 800 gallons per minute (2.01 cfs) from one well approximately 142 feet deep located in the SE ¼ NE ¼ of Section 29, T90N R49W in Union County. The water is to be used to irrigate approximately 141 acres located in the E ½ NE ¼, NE ¼ SE ¼ Section 29, W ½ NW ¼, NW ¼ SW ¼, Section 28; all in T91N R50W.

The annual period during which water will be used is May 1 through October 31.

AQUIFER: Missouri Elk Point

This report will address the availability of unappropriated water from the Elk Point management unit of the Missouri aquifer.

WATER AVAILABILITY
Aquifer Characteristics:

The Missouri Elk Point is a buried outwash (sand and gravel) that is under water table conditions in the area of this application. The aquifer underlies 115,200 acres and contains an estimated 1.5 million acre feet of recoverable water in storage in Union County (Niehus, 1994). The aquifer underlies the flood plains of the Missouri and Big Sioux Rivers in southern Union County (Niehus, 1994). Groundwater movement is basically from northwest to southeast in the area of this application (Niehus, 1994).

Well completion reports have been submitted with this application. The wells appear to be completed according to South Dakota Well Completion Standards.

Observation Well Data:

The Water Rights Program monitors an observation well, UN-77L, located within three miles of the application location for 7222-3, which is located in the middle of the permit locations on a north-south line. 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 due to natural discharge and to pumping. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2010). A hydrograph for this observation well is included with this report.

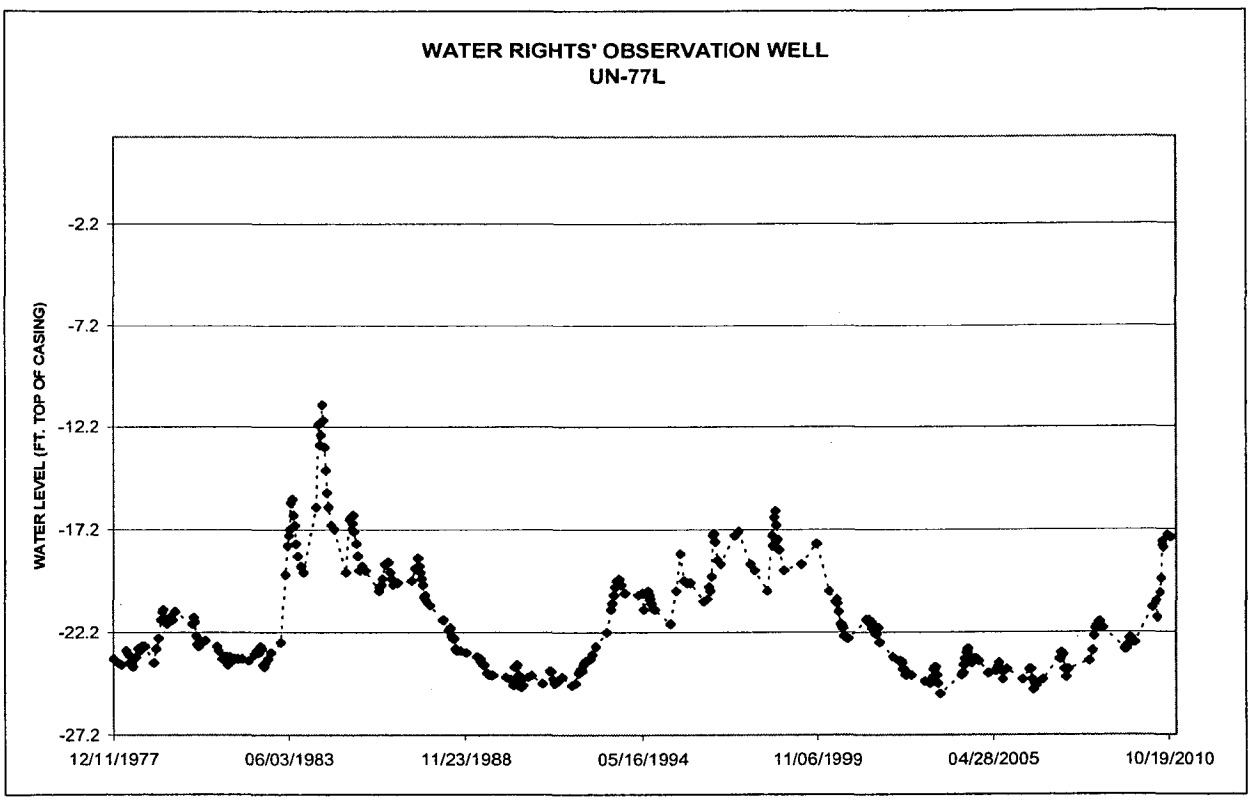

Figure 1. Hydrograph for Water Rights Observation Well UN-77L, completed into the Elk Point management unit of the Missouri Aquifer within one and a half miles of 7222-3

In general, the hydrograph shows that over the period of record, withdrawals have not exceeded recharge.

Review of Existing Water Permits/Rights/Water Use:

Records of irrigation use from the Missouri aquifer, which includes the Peoria management unit, the Pierre management unit, the Greenwood management unit and the Elk Point management unit date back to 1979. The Elk Point management unit typically includes the majority of irrigators; irrigators in the other management units typically total less than ten.

Table 1 shows the number of appropriations, the total amount of water appropriated, and the reported amount of water pumped each year. The average number of appropriations is just over 304, with the average appropriation being nearly 128,000 acre-feet and the average pumpage reported at over 17,000 acre-feet.

IRRIGATION USE (ac-ft/yr) M:EP			
Year	Number of Appropriations	Appropriation (ac-ft/yr)	Pumpage Reported (ac-ft/yr)
2008	396	151130.4	16261.88
2007	368	140746.6	31052.03
2006	355	137411.6	28874.29
2005	337	130966.6	24176.62
2004	323	127635.8	24515.85
2003	315	126059.8	27161.56
2002	316	126235.8	24105.36
2001	314	126217.4	19451.93
2000	310	125532.2	27070.99
1999	308	125225.6	14748.02
1998	313	127862.6	11127.24
1997	305	126518.2	17182
1996	296	124606.2	9412.78
1995	292	121644.25	18320.24
1994	297	123656.75	10323.94
1993	299	125656.3	1475.2
1992	296	125336.68	1881.95
1991	301	126551.68	18798.6
1990	299	128458.33	19694.5
1989	294	126847.33	25941.9
1988	283	124014.13	28756.35
1987	282	124104.33	13439.7
1986	288	125842.47	6451.6
1985	284	125068.47	13983.5
1984	283	126743.35	9194.3
1983	274	121895.73	10834.04
1982	272	123559.28	18822.35
1981	302	136318	14233
1980	267	126362	15205
1979	265	124828	10377
AVERAGE	**304.47**	**127767.86**	**17095.79**
MAXIMUM	**396**	**151130.4**	**31052.03**
MINIMUM	**265**	**121644.25**	**1475.2**

Table 1. Irrigation usage from the Missouri aquifer (Water Rights, 1979-2008).

There are six existing water permits/rights for irrigation located within one mile of this application and many more in the surrounding area. Water levels do fluctuate as a result of area pumping but this does not affect the availability of water from the aquifer.

Recharge:

The Missouri aquifer is recharged from several sources. Recharge to the Missouri aquifer occurs through infiltration and subsequent percolation of precipitation in areas where the aquifer is near land surface (Niehus, 1994). Recharge to the aquifer also occurs from the Lower Vermillion-Missouri aquifer at the northern boundary and from the Big Sioux aquifer at the extreme northeastern boundary of the Missouri aquifer (Niehus, 1994). The aquifer is also recharged from the underlying Dakota aquifer and some recharge also is from the Missouri River during periods of high flow and stage (Niehus, 1994).

Conclusions:

1. Water is available from the Elk Point management unit of the Missouri aquifer.

2. The aquifer is under water table conditions at this location. Drawdown will result from pumping. Interference is not expected to be a problem.

3. If the wells covered by these Permits deplete the domestic supplies or interfere with prior water rights, restrictions or other arrangements may be required to protect these water supplies.

4. These wells appear to be constructed in accordance with SD Well Construction Standards.

Hayes Haas
Natural Resources Engineer

Bibliography:

Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, USGS WRI Report 93-44195, United States Geological Survey, Rapid City, SD 57702

Water Rights, 2010, Unpublished Observation Well Records for Union County, SD DENR, Division of Water Rights, Pierre, SD, 57501

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Union)

I, Susan Odson

certify that the attached printed Notice was taken

from the Southern Union County Leader-Courier

printed and published in Elk Point

County of Union and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

December 16, 2010

December 23, 2010

Cost of Printing $61.60

(Signature)

Affidavits Coordinator
(Title)

December 23, 2010
(Date Signed)

NOTICE OF APPLICATION NOS. 7221-3, 7222-3, 7223-3 TO APPROPRIATE WATER

Notice is given that Mike Chicoine, 508 E Clay St, Elk Point SD 57025 has filed the following applications for a water permit.

Application No. 7221-3 proposes to appropriate 2.01 cubic feet of water per second (cfs) from one well completed into the Missouri:Elk Point Aquifer (108 feet deep) located in SE 1/4 NE 1/4 Section 20 for irrigation of 141 acres located in the SE 1/4 NE 1/4, NE 1/4 SE 1/4 Section 20, SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 21; all in T91N-R50W.

Application No. 7222-3 proposes to appropriate 2.01 cfs from one well completed into the Missouri:Elk Point Aquifer (132 feet deep) located in the SE 1/4 SE 1/4 Section 20 to irrigate 141 acres located in the E 1/2 SE 1/4 Section 20, NE 1/4 NE 1/4 Section 29, W 1/2 SW 1/4 Section 21 and NW 1/4 NW 1/4 Section 28; all in T91N-R50W.

Application No. 7223-3 proposes to appropriate 2.01 cfs from one well completed into the Missouri:Elk Point Aquifer (142 feet deep) located in the SE 1/4 NE 1/4 Section 29 to irrigate 141 acres located in the E 1/2 NE 1/4, NE 1/4 SE 1/4 Section 29; W 1/2 NW 1/4, NW 1/4 SW 1/4 Section 28; all in T91N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7221-3, 7222-3 & 7223-2 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 these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 January 3, 2011.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.
Publish December 16 and 23, 2010
Published twice at the total approximate cost of $61.60
50-9-92

RECEIVED
DEC 27 2010
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

December 7, 2010

Southern Union County Leader-Courier
PO Box 310
Elk Point SD 57025

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7221-3, 7222-3 & 7223-3 to Appropriate Water to be published twice. Please publish the first notice on December 16, 2010 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 Mike Chicoine, 508 E Clay St, Elk Point SD 57025 (Ph # 605-356-3748).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

----------CUT HERE----------

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

Nos. 7221-3 7222-3, 7223-2

Date_____

We are in receipt of your letter of December 7, 2010 enclosing Notice to Appropriate Water by Application Nos. 7221-3 7222-3 & 7223-2 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

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

December 7, 2010

Mike Chicoine
508 E Clay St
Elk Point SD 57025

Dear Mr. Chicoine:

Water Permit Application Nos. 7221-3, 7222-3 & 7223-2 for irrigation use have 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 Southern Union Co. Leader-Courier printed at Elk Point SD (Ph # 605-356-3626). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports 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
eric.gronlund@state.sd.us

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, 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 applications.

Instruction to Newspaper - Publish first Notice on December 16, 2010 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NOS. 7221-3, 7222-3, 7223-3 to Appropriate Water

Notice is given that Mike Chicoine, 508 E Clay St, Elk Point SD 57025 has filed the following applications for a water permit.
Application No. 7221-3 proposes to appropriate 2.01 cubic feet of water per second (cfs) from one well completed into the Missouri:Elk Point Aquifer (108 feet deep) located in SE ¼ NE ¼ Section 20 for irrigation of 141 acres located in the SE ¼ NE ¼, NE ¼ SE ¼, Section 20, SW ¼ NW ¼, NW ¼ SW ¼ Section 21; all in T91N-R50W.

Application No. 7222-3 proposes to appropriate 2.01 cfs from one well completed into the Missouri:Elk Point Aquifer (132 feet deep) located in the SE ¼ SE ¼ Section 20 to irrigate 141 acres located in the E ½ SE ¼ Section 20, NE ¼ NE ¼ Section 29, W ½ SW ¼ Section 21 and NW ¼ NW ¼ Section 28; all in T91N-R50W.

Application No. 7223-3 proposes to appropriate 2.01 cfs from one well completed into the Missouri:Elk Point Aquifer (142 feet deep) located in the SE ¼ NE ¼ Section 29 to irrigate 141 acres located in the E ½ NE ¼, NE ¼ SE ¼ Section 29; W ½ NW ¼, NW ¼ SW ¼ Section 28; all in T91N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7221-3, 7222-3 & 7223-2 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 these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 January 3, 2011.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications.
Steven M. Pirner, Secretary, Department of Environment and Natural Resources.
Published twice at the total approximate cost of_____.

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 1 0 2011

Mike & Brad Chicoine
508 E Clay St
Elk Point SD 57025

Dear Mssrs. Chicoine:

Enclosed are Water Permit Nos. 7218-3, 7221-3, 7222-3 & 7223-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10's, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses 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

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

October 20, 2025

8474-3, 8475-3, 8476-3, 1096-3
2620-3, 2621-3, 3451A-3, 4558-3
6557-3, 7218-3, 7221-3, 7222-3
7223-3, 7711-3, 7713-3

Michael Chicoine
32427 472nd Ave
Elk Point SD 57025

Dear Mr. Chicoine:

Enclosed is a "Notice" dated October 8, 2025, concerning the 2025 Irrigation Questionnaires.

The notice was originally mailed to you at 32926 482nd Ave, Jefferson SD 570383. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaire or submit your report online at *https://danr.sd.gov/iq/* using this password **GSPMVA**.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

10/14/25

CHIC926 570382006-1425
RETURN TO SENDER
CHICOINE'MICHAEL JAMES
32427 472ND AVE
ELK POINT SD 57025-6712

RETURN TO SENDER