

WATER PERMIT NO. 7275-3

Name of Applicant: Trevor Anderson

Address: 46640 242nd St, Dell Rapids SD 57022

Phone: 605 270-3597

Amount of Water Claimed: no add'l

Total Acres: 60

Source of Water Supply: groundwater (3 existing wells)

Water to be used for: irrigation

County: Moody

Type of Waste Disposal System:

Location: 20 miles southwest of Flandreau

PRIORITY

Date Received: 10-14-11

Application/License Fee: \$700

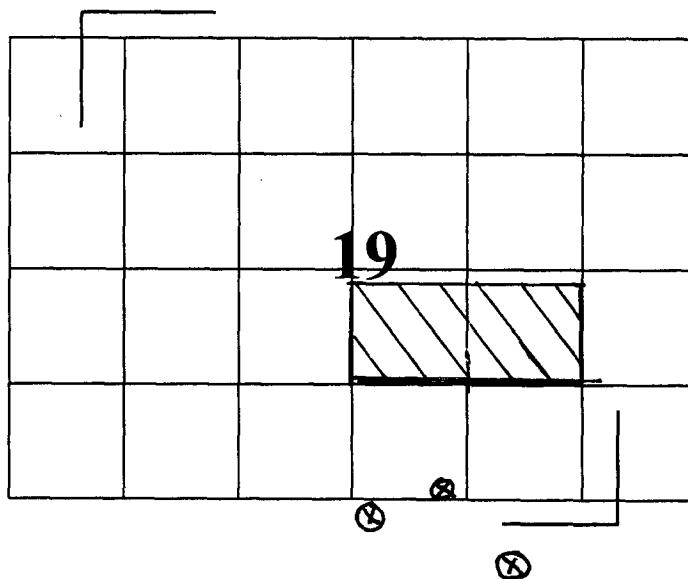
Corrected Application Received:

Period of Annual Use: May 1 – September 30

Remarks: Proposes to utilize the 3 existing wells authorized by Water Right No. 3072-3

Diversion Point: NE ¼ NE ¼ Sec 30 and SW ¼ SE ¼ Sec 19; all in T105N-R50W

Land to be Irrigated: N ½ SE ¼ Sec 19-T105N-R50W



Depth of Well: 55, 26 and 68 feet deep

Well Driller: Grimshaw Drilling

Remarks:

Type of Map: aerial

Prepared by: Craig Olsen, NRCS

Reviewed and the Number Assigned on: 10-18-11

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>7275-3</u> Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Moody County Enterprise P.O. Box 71</u> <u>605-997-3725</u> <u>Flandreau 57028</u>

RECEIVED
OCT 14 2011
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 3072-3
(Use predates Mar 2, 1955)

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

Lester is grandfather

1. Name of Applicant Trevor Anderson Phone 605 270-3597
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 46640 242nd St Dell Rapids State SD 57022
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed No add'l *CFS or add'l **GPM ***AF Total Acreage 60
(*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) County Moody

5. County or counties where water will be used Moody
6. Annual period during which water is to be used May - Sept
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 of SE 1/4 Sec 19 105N 50W	30		
NE 1/4 of SE 1/4 Sec 19 105N 50W	30		

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

Getting a permit for the N half of Sec 19 of SE 1/4 105N 50W
No additional water.

STATE OF SOUTH DAKOTA)
County of Moody SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Trevor Anderson, 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 Trevor Anderson

Subscribed and sworn to before me this 12 day of October 20 11

PATRICIA HAMMAN
Notary Public
SEAL
South Dakota

Patricia Hamman
Notary Public signature

My commission expires: March 21, 2017

SOUTH DAKOTA
TEMPORARY USE WATER PERMIT NO. 7275-3

Date of first receipt of application October 14, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Temporary Use Water Permit No. 7275-3 to Trevor Anderson, 46640 242nd St, Dell Rapids SD 57022 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. Temporary Use Water Permit No. 7275-3 authorizes the irrigation of an additional 60 acres. Water Right No. 3072-3 appropriates 3.85 cubic feet of water per second from three wells completed into the Big Sioux:Northern Skunk Creek Aquifer (55, 26 and 68 feet deep) located in NE 1/4 NE 1/4 Section 30 and SW 1/4 SE 1/4 Section 19 for irrigation of 270 acres located in the NW 1/4 SW 1/4, S 1/2 SW 1/4, S 1/2 SE 1/4 Section 19 and N 1/2 NW 1/4, NE 1/4 Section 30; all in T105N-R50W. This permit authorizes irrigation of 60 additional acres located in the N 1/2 SE 1/4 Section 19-T105N-R50W from the existing wells. This permit does not authorize any increase in the developed diversion rate.
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 October 14, 2011.
4. The date of approval of Permit No. 7275-3 is January 16, 2012.
5. One-fifth of the construction is to be completed on or before July 16, 2014.
6. All construction is to be completed on or before January 16, 2017.
7. Water is to be put to beneficial use on or before January 16, 2021.
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 city of Madison, Kingbrook Rural Water System and Big Sioux Community Water have priority right to this water under future use withdrawal permits. This permit is issued as a temporary use permit pursuant to SDCL 46-5-39 and is subject to these prior rights if or when the future use permit holders fully develop their reserve water supply. This permit may be subject to cancellation when the water reserved under these future use permits is put to beneficial use. The Chief Engineer must provide the permit holder six month notice prior to cancellation of this temporary use permit.
2. The wells approved under Water Right No. 3072-3 and Water Permit No. 7275-3 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.
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 02 2012
date





1:7,902

May 17, 2007



USDA - Farm Service Agency

Moody County, SD

19-105N-50W

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OCT 14 2011

Legend

- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- Rangeland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

USDA FSA maps are for FSA Program administration only. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability. FSA MAPS DO NOT REPRESENT A LEGAL SURVEY. The user accepts the data 'as is' and assumes all risks associated with its use. Wetland points reflect records available with NRCS and may or may not constitute a full inventory of the property. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data. Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: 1/4 NE 1/4 NE Section 30 Township 105N Range 50W
 Well owner LESTER ANDERSON Chester SD
 Date well drilling completed WELL #1 4-19-77 Purpose of well IRRIGATION
 (domestic, irrigation, municipal, industrial, other)
 WELL LOG #2/4 28-77

WELL LOG #4 20-77

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	ft.
0-3	top SOIL	12'	
3-12	SAND GRAVEL	12'	
12-40	GRAY GRAVEL	Name of producing aquifer (if known)	SKUNK Creek
40-42	CLAY	Total depth of drill hole	55'
42-55	GRAY SAND	Depth to bottom of casing	55'
Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.			
13 GA 16" PLASTIC 30'			
#3 40' 3 GA 16" PLASTIC			
Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.			
JOHNSON WELL SCREEN 16"			
25' JOHNSON 80 SLOT			
#3 30' JOHN W 40			
60 BOT-10'			
If a flowing well, flow of completed well _____ G.P.M.			
GRIMSHAW DRILLING CO.			
Name of Drilling Contractor			

(2) PUMP INSTALLATION

Company name and size of pump Pump NOT INSTALLED
 Type of pump _____ Capacity of installed pump _____ G.P.M.
 Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required. See Section 46.408 of Chapter 46.6, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____

Name of Pump Installation Contractor _____

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/14, 20 11

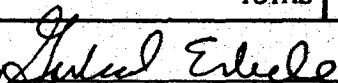
RECEIVED OF Trevor Anderson 46640 242nd St Dell Rapids SD 57022

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

Fee for Application for Permit No. <u>7275-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	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>7275-3</u>	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	700 00

No. **06043**

By


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. 7275-3, Trevor Anderson**

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. 7275-3, Trevor Anderson, 46640 242nd Street, Dell Rapids SD 57022.

The Chief Engineer is recommending APPROVAL of Application No. 7275-3 as a TEMPORARY USE PERMIT because 1) water is available to be appropriated as a temporary use permit until the holders of future use permits develop water reserved from their future use permits, 2) the proposed diversion can be developed as a temporary use permit 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 city of Madison, Kingbrook Rural Water System and Big Sioux Community Water have priority right to this water under future use withdrawal permits. This permit is issued as a temporary use permit pursuant to SDCL 46-5-39 and is subject to these prior rights if or when the future use permit holders fully develop their reserve water supply. This permit may be subject to cancellation when the water reserved under these future use permits is put to beneficial use. The Chief Engineer must provide the permit holder six month notice prior to cancellation of this temporary use permit.
2. The wells approved under Water Right No. 3072-3 and Water Permit No. 7275-3 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.
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
December 16, 2011

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7275-3
TREVOR ANDERSON
NOVEMBER 30, 2011

Water Permit Application No. 7275-3 proposes to irrigate an additional 60 acres using three existing wells that are authorized by Water Right No. 3072-3. Water Right No. 3072-3 appropriates 3.85 cubic feet of water per second from three wells (55, 26 and 68 feet deep respectively) completed into the Northern Skunk Creek management unit of the Big Sioux Aquifer to irrigate 270 acres. Two of these existing wells are located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T105N-R50W and the third well is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, T105N-R50W. The acreage irrigated under Water Right No. 3072-3 is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 19, T105N-R50W and the N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ Section 30, T105N-R50W. Water Permit Application No. 7275-3 proposes to irrigate 60 acres located in the N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 19, T105N-R50W. If approved, Water Permit No. 7275-3 will not authorize any increase in the developed diversion rate.

AQUIFIER: BIG SIOUX: NORTHERN SKUNK CREEK

AQUIFER CHARACTERISTICS:

The Northern Skunk Creek management unit of the Big Sioux aquifer is a surficial aquifer composed of unconsolidated sand and gravel deposited by glacial meltwater. Hedges and others, (1982) estimated that the management unit underlies approximately 25,400 acres of Lake and Moody Counties and contains an estimated 72,400 acre-feet of recoverable water in storage. Hansen, (1986), estimated the areal extent of the management unit at 48 square miles (30,720 acres). The aquifer is mainly under unconfined (water table) conditions although confined conditions do occur locally. The aquifer is hydraulically connected to area lakes and to Skunk Creek.

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address water availability and existing rights issues only since beneficial use and public interest issues are typically determined by the Water Management Board.

WATER AVAILABILITY:

Recharge versus Withdrawals:

The probability of unappropriated water available from the Big Sioux: Northern Skunk Creek aquifer can be evaluated by considering SDCL 46-6-3.1 which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source."

The average annual recharge to the Northern Skunk Creek management unit of the Big Sioux aquifer is estimated to be approximately 3.82 inches per year or 9,779 ac-ft/yr (Buhler, 2009). The total development possible under water rights/permits was estimated to be 9,464.6 ac-ft/yr in 2009 (Buhler, 2009). Since that "total development possible" estimate was made, Water Permit No. 7116-3 and Water Permit No. 7117-3 have been approved. The maximum development that can be expected from Water Permit Nos. 7116-3 and 7117-3 is estimated to be 668 ac-ft/yr (Buhler, 2009). A simple water budget shows that the probable maximum development of current appropriations (10,132.6 ac-ft/yr), exceeds the estimated average annual recharge to the Big Sioux: Northern Skunk Creek aquifer (9,779 ac-ft/yr) by 353.6 ac-ft/yr.

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that "the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge to the aquifer".

The DENR-Water Rights Program monitors seven observation wells completed into the Northern Skunk Creek management unit of the Big Sioux aquifer (Water Rights, 2011a). Hydrographs for the observation wells are shown in figures 1-7.

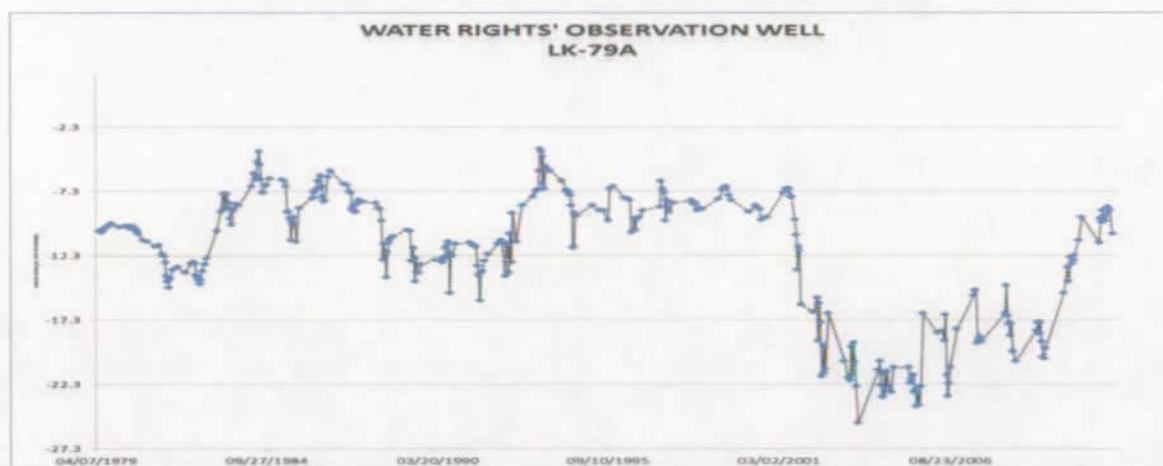


Figure 1. Hydrograph of DENR-Water Rights Program Observation well located in Sec.9, T105N-R51W

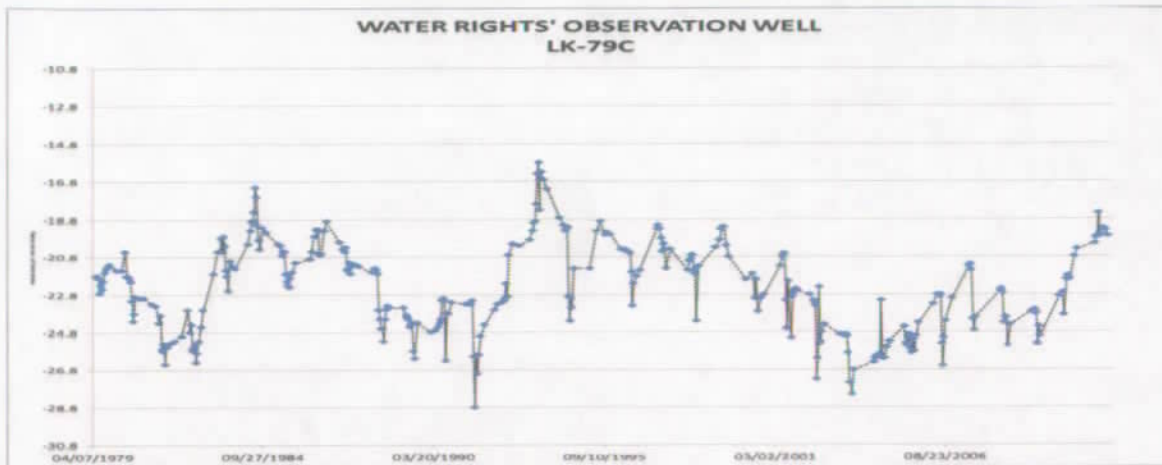


Figure 2. Hydrograph of DENR-Water Rights Program Observation well located in Sec.16, T105N-R51W

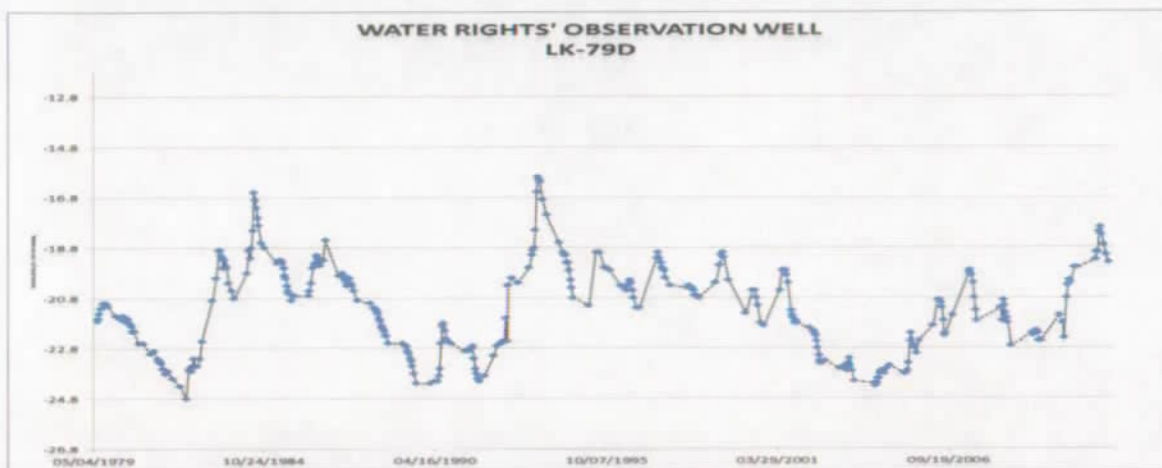


Figure 3. Hydrograph of DENR-Water Rights Program Observation well located in Sec.16, T105N-R51W

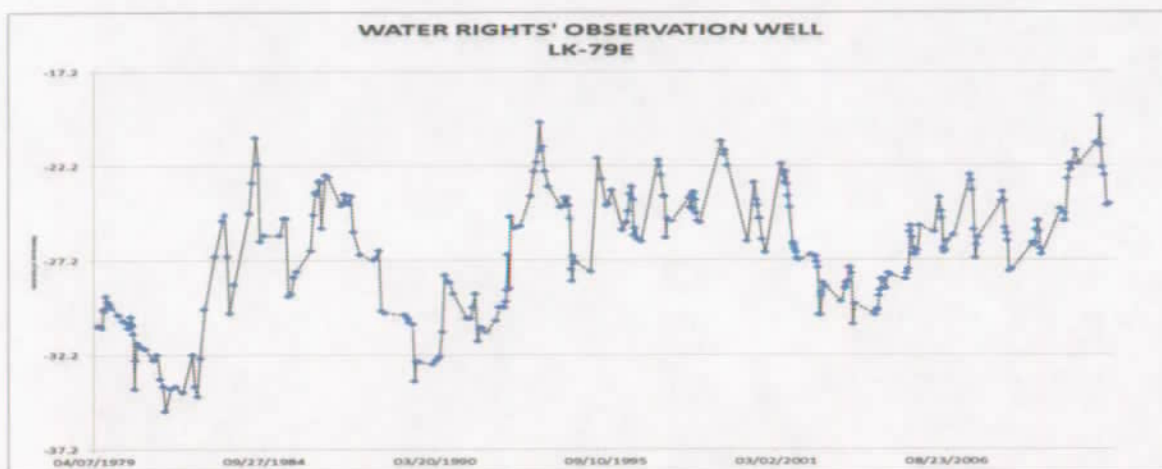


Figure 4. Hydrograph of DENR-Water Rights Program Observation well located in Sec.19, T105N-R51W

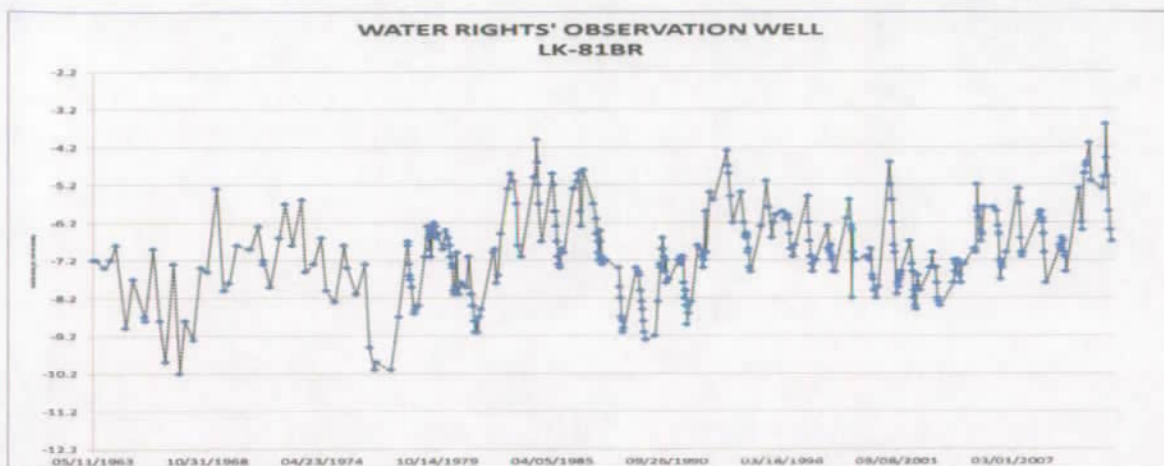


Figure 5. Hydrograph of DENR-Water Rights Program Observation well located in Sec.23, T105N-R51W

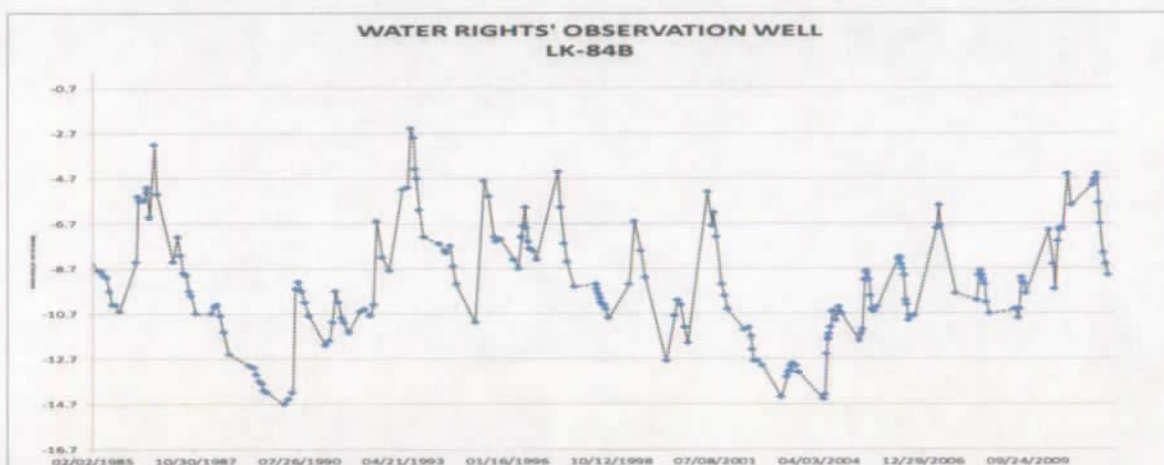


Figure 6. Hydrograph of DENR-Water Rights Program Observation well located in Sec.8, T106N-R52W

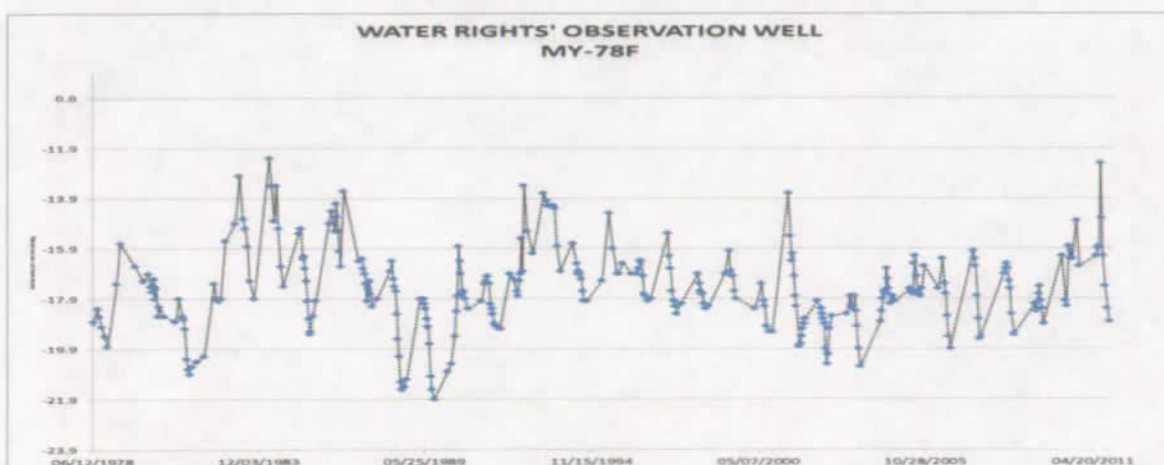


Figure 7. Hydrograph of DENR-Water Rights Program Observation well located in Sec.29, T105N-R50W

The downward trending water levels documented in Figures 1-3 can be attributed to the observation wells' proximity to high capacity wells, (i.e. well interference from nearby production wells). The observation well data documents that in general, the amount of water in storage in the aquifer has remained fairly stable therefore, at the current level of development withdrawals from the aquifer do not exceed recharge to the aquifer.

EXISTING WATER RIGHTS:

This application does not propose an increased diversion rate from the existing wells that are to be used. However, the increased water use from the wells will result in a longer duration of pumping and therefore increase the average diversion rate from the wells. Based on the average application rate for irrigation Water Rights/Permits appropriating water from the Northern Skunk Creek aquifer (7.89 in/acre/yr 78.03% of the time) (Buhler, 2009), this appropriation can be expected use 30.78 acre-feet/yr. Since the irrigation season is only 152 days, from May 1 thru Sept 30 annually, this increased appropriation will be equivalent to an increased diversion rate of 0.10 cfs.

Water Right No. 611-3 is the nearest existing water right to the wells to be used by this appropriation (Water Rights, 2011b). Since the water right is located approximately 2.5 miles west-northwest of this well site, a diversion of 0.10 cfs is expected to have an insignificant affect to the water right.

SDCL 46-5-39

SDCL 46-5-39 allows the Water Management Board to authorize a temporary appropriation of the water from the unused portion of a future use permit; however, SDCL 46-5-40 states that the temporary use permit would be effective only until such time as the future use holder wants to use the water covered by the temporary permit. The temporary use permit holder would then be given six months notice and his permit would be canceled at the end of six months.

The idea behind temporary use permits is to place water that is reserved by future use permits to beneficial use until the future use permit holder develops.

The last irrigation appropriation approved from the Northern Skunk Creek management unit (No. 7131-3 was approved as a temporary use permit pursuant to SDCL 46-5-6.

There are four future use permits appropriating water from the Northern Skunk Creek management unit. The permits and the amount of water remaining reserved are shown in table 1.

FUTURE USE NO.	NAME	RESERVATION (AC-FT/YR)
747-3	City of Madison	1,033
5689-3	Big Sioux Community Water	360
6834-3	Big Sioux Community Water	600
5643-3	Kingbrook RWS	425
TOTAL		2,418

Table 1. Future Use Reservations from the Northern Skunk Creek management unit

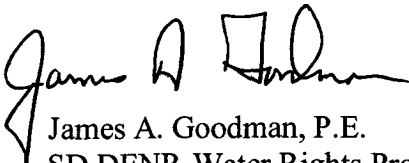
Until the future use permits are developed, water is available for these as a temporary use permit.

CONCLUSIONS:

1. The average annual recharge to the Northern Skunk Creek management unit of the Big Sioux aquifer is estimated to be 9,779 acre-feet per year.
2. The average annual probable maximum withdrawal from the Northern Skunk Creek management unit of the Big Sioux aquifer if existing rights/permits are not abandoned and existing future use permits are fully developed is 10,132.6 acre-feet per year.
3. It is not reasonably probable that unappropriated water is available from the Northern Skunk Creek management unit of the Big Sioux aquifer to satisfy this proposed appropriation.
4. SDCL 46-6-39 allows for the approval of a temporary use permit to allow water reserved by future use permits to be put to beneficial use until the future use holders develop from the reserved water.
5. The last irrigation appropriation made from the Northern Skunk Creek management unit (No. 7131-3) was in the form of a temporary use permit.
6. The Northern Skunk Creek management unit of the Big Sioux aquifer should be considered fully appropriated if it is likely that withdrawals will total 9,779 acre-feet per year.
7. This is an appropriation of 120 acre-feet per year but will likely use around 30 ac-ft/yr.



Ken Buhler
SD DENR-Water Rights Program
Approved by



James A. Goodman, P.E.
SD DENR-Water Rights Program

REFERENCES:

Buhler, K.A., 2009, Future Use Permit Application No. 7136-3, Big Sioux Community Water System, Inc., SD DENR

Hansen, D.S., 1986, Water Resources of Lake and Moody Counties, South Dakota: US Geological Survey Water Resources Investigations Report 84-4209, 51 p.

Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Tasks 1-4: prepared for U.S. Army Corps of Engineers, contract DACW 45-80-C-0185

Water Rights, 2011a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2011b, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

RECEIVED

JAN - 5 2012

Form 8

WATER RIGHTS
PROGRAM

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:

Dec. 28, 2011

Jan. 4, 2012

Cost of Printing * 52.22

Angela Nibbelink
(Signature)

Forbes M. Pinner
(Title)

1-4-2012
(Date Signed)

NOTICE OF APPLICATION NO.

7275-3 to Appropriate Water

Notice is given that Trevor Anderson, 48840 242nd St, Dell Rapids SD 57832 has filed an application for a water permit to irrigate an additional 60 acres. Water Right No. 3072-3 appropriates 3.85 cubic feet of water per second from three wells completed into the Big Sioux: Northern Skunk Creek Aquifer (55, 26 and 68 feet deep) located in NE 1/4 NE 1/4 Section 30 and SW 1/4 SE 1/4 Section 19 for irrigation of 270 acres located in the NW 1/4 SW 1/4, S 1/2 SW 1/4, S 1/2 SE 1/4 Section 19 and N 1/2 NW 1/4, NE 1/4 Section 30; all in T105N-R50W.

This application is to irrigate 60 additional acres located in the N 1/2 SE 1/4 Section 19-T105N-R50W from the existing wells. 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. 7275-3 as a TEMPORARY USE PERMIT because 1) water is available to be appropriated as a temporary permit until the holders of future use permits develop water reserved from their future use permits, 2) the proposed diversion can be developed as a temporary use permit without unlawful impairment of existing rights, 3) the proposed use is a beneficial use 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 January 16, 2012.

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.

Forbes M. Pinner, Secretary,
Department of Environment
and Natural Resources.

Published twice at the total approximate cost of \$50.



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 19, 2011

Moody County Enterprise
PO Box 71
Flandreau SD 57028

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7275-3 to Appropriate Water to be published twice. Please publish the first notice on December 28, 2011 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 Trevor Anderson, 46640 242nd St. Dell Rapids SD 57022 (Ph # 605-270-3597).

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. 7275-3

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

Date _____

We are in receipt of your letter of December 19, 2011 enclosing Notice to Appropriate Water by Application No. 7275-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

December 19, 2011

Trevor Anderson
46640 242nd St
Dell Rapids SD 57022

Dear Mr. Anderson:

Water Permit Application No. 7275-3 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.

Please note the Chief Engineer's recommendation is to issue as a temporary use permit. This allows you to place water to beneficial use that is reserved by existing future use permits held by a municipality and two rural water systems. This temporary use permit can be cancelled in the future if the future use permits are developed. Prior to cancellation you will be given at least six months notice.

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 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 December 28, 2011 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 NO. 7275-3 to Appropriate Water

Notice is given that Trevor Anderson, 46640 242nd St, Dell Rapids SD 57022 has filed an application for a water permit to irrigate an additional 60 acres. Water Right No. 3072-3 appropriates 3.85 cubic feet of water per second from three wells completed into the Big Sioux:Northern Skunk Creek Aquifer (55, 26 and 68 feet deep) located in NE ¼ NE ¼ Section 30 and SW ¼ SE ¼ Section 19 for irrigation of 270 acres located in the NW ¼ SW ¼, S ½ SW ¼, S ½ SE ¼ Section 19 and N ½ NW ¼, NE ¼ Section 30; all in T105N-R50W. This application is to irrigate 60 additional acres located in the N ½ SE ¼ Section 19-T105N-R50W from the existing wells. 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. 7275-3 as a TEMPORARY USE PERMIT because 1) water is available to be appropriated as a temporary permit until the holders of future use permits develop water reserved from their future use permits, 2) the proposed diversion can be developed as a temporary use permit without unlawful impairment of existing rights, 3) the proposed use is a beneficial use 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 January 16, 2012.

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.

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
denr.sd.gov

MAY 02 2012

Trevor Anderson
46640 242nd St
Dell Rapids SD 57022

Dear Mr. Anderson:

Enclosed is Temporary Water Permit No. 7275-3 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

RECEIVED

JUL - 9 2012

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 6-20-12TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Trevor Anderson

(name)

46640 242nd st

(address)

Dell Rapids SD 57022

(city, state, zip)

605-489-2348

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 7275-3 states that the water use system is to be constructed by1-16-2017

(date)

, and water is to be put to beneficial use by 1-16-2021

(date)

The water use system was completed on 6-20-2012

(date)

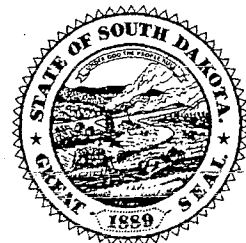
Applying the water to beneficial use was completed on 6-20-2012

(date)

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

Trevor Anderson

(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

July 9, 2012

7275-3

Trevor Anderson
46640 242nd St
Dell Rapids SD 57022

Dear Mr. Anderson:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

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

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

Report of Examination of Works and/or Application of Water to Beneficial Use For Temporary Use Water Permit No. 7275-3

I have this day, 27 October 2015, made a thorough examination of the water use system constructed by Trevor Anderson, 46640 242nd Street, Dell Rapids, SD 57022 of Temporary Use Water Permit No. 7275-3, bearing the priority of 14 October 2011 authorizing the diversion of waters of the Big Sioux: Northern Skunk Creek aquifer for irrigation purposes, in Moody County.

Inspection contact & relationship **Trevor Anderson**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Grimshaw Drilling Co.
- 2) No. of Wells one
- 3) Depth(s) 68 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 16 inches
- 2) Length 40 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 30 feet
- 3) Static water level 12 feet (28 April 1977)

Pump:

- 1) Make Western Land Roller
- 2) Capacity 800 GPM

Motor:

- 1) Make Nidec Motor
- 2) Horsepower rating 60 hp

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 1200 feet

Comments: **8-inch buried line from well to center pivot**

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Overall length 1460 feet
- 3) Number of towers 8 including corner system
- 4) End gun Yes
- 5) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate no

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes

If no, describe: na

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

List any extended period of nonuse: na

- 3) Exceptions to compliance are: na

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: 80 feet north and 1545 feet west of the south east corner of Sec. 19, T105N-R50W (Lat./Lon.: 43.87762/-96.87472).
2. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

NW¼SE¼ Sec. 19, T105N-R50W: 29acres

NE¼SE¼ Sec. 19, T105N-R50W: 31acres

SW¼SE¼ Sec. 19, T105N-R50W: 34acres

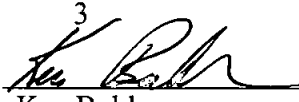
SE¼SE¼ Sec. 19, T105N-R50W: 39acres

comprising a total of 133 acres of land.

3. All structures, wells and lands on map Yes

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

One well is used to supply a center pivot located in the SE quarter of Sec. 19, T105N-R50W. A total 133 acres are irrigated with the pivot. Irrigation of 60 acres in the north ½ of the quarter is authorized under this temporary permit ~~3072-3~~³. The south ½ of the quarter is irrigated under the authority of Water Right No. 3072-~~3~~¹²⁷⁵⁻³.



Ken Buhler

DENR, Water Rights Program

Date report completed: **10 January 2016**

7275-3

Legend

-  7275-3_well
-  8-inch PVC
-  7275_acres
-  Quarter-Quarters

NW SE
29 acres

NE SE
31 acres

SW SE
34 acres

SE SE
39 acres

SE corner
Sec.19, T105N-R50W

1545'

660

330

660 Feet

80'



kb
21 Nov. 2015

Tom Daulton

Base Layer: FSA-2012-Statewide
Bureau of Land Management and U.S. Forest Service



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

7275-3

APR 14 2016

Trevor Anderson
46640 242nd St
Dell Rapids SD 57022

Dear Mr. Anderson:

Enclosed is Reissued Temporary Water Use Permit No. 7275-3. This temporary water use permit was issued to reflect the system as developed. The reissued permit is based on an October 27, 2015 investigation done by Ken Buhler, a staff engineer with our program. A copy of his map is included showing the location of the irrigation project.

For your information SDCL 46-6-27 requires that if the owner of an existing well 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.

The Reissued Temporary Water Use Permit is subject to the qualifications listed in the permit. If you have any questions, please contact our office.

Sincerely,

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

enclosures

**REISSUED
SOUTH DAKOTA
TEMPORARY WATER USE PERMIT NO. 7275-3
AS DEVELOPED**

On January 16, 2012, the Chief Engineer, on behalf of the Water Management Board, issued Temporary Water Use Permit No. 7275-3 to Trevor Anderson, 46640 242nd St, Dell Rapids SD 57022 authorizing construction of the water use system and placement of water to beneficial use.

1. On October 27, 2015, an investigation was conducted of the water use system described in Temporary Water Use Permit No. 7275-3. The investigation found the system had been developed as follows: A 68 feet deep well (authorized by Water Right No. 3072-3) completed into the Big Sioux:Northern Skunk Creek Aquifer located 80 feet north and 1,545 feet west of the SE corner of Section 19-T105N-R50W (SW 1/4 SE 1/4) diverts 1.78 cubic feet of water per second for irrigation of 133 acres.

Section 19-T105N-R50W	NW 1/4 SE 1/4	29 acres	October 14, 2011 priority date
	NE 1/4 SE 1/4	31 acres	October 14, 2011 priority date
	SW 1/4 SE 1/4	34 acres	October 12, 1976 priority date *
	SE 1/4 SE 1/4	39 acres	October 12, 1976 priority date *

** Water Right No. 3072-3 authorizes the well, diversion authority and irrigation of 73 acres located in the S 1/2 SE 1/4 Section 19.*

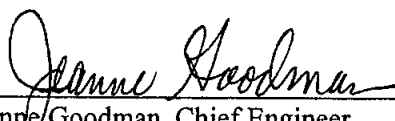
Temporary Permit No. 7275-3 authorizes irrigation of 60 acres located in the N 1/2 SE 1/4 Section 19.

2. 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 October 14, 2011.
4. 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 city of Madison, Kingbrook Rural Water System and Big Sioux Community Water have priority right to this water under future use withdrawal permits. This permit is issued as a temporary use permit pursuant to SDCL 46-5-39 and is subject to these prior rights if or when the future use permit holders fully develop their reserve water supply. This permit may be subject to cancellation when the water reserved under these future use permits is put to beneficial use. The Chief Engineer must provide the permit holder six month notice prior to cancellation of this temporary use permit.
2. The wells approved under Water Right No. 3072-3 and Water Permit No. 7275-3 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.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

APR 14 2016
date

