

WATER PERMIT NO. 7460-3

Name of Applicant: Martin Weeks and Patti Bancroft

Address: 31551 SD Hwy 19, Vermillion SD 57069 Phone: 605 670-9799

Amount of Water Claimed: 3.11 cfs Total Acres: 264

Source of Water Supply: groundwater (two wells)

Water to be used for: irrigation County: Clay

Type of Waste Disposal System:

Location: 2 miles northwest of Vermillion

PRIORITY Date Received: 10-9-12 Application/License Fee: \$1250

Corrected Application Received: 10/15/12 Period of Annual Use: May 1 – October 31

Remarks:

Diversion Point: centers of SW 1/4 Sec and SE 1/4
Sec 4; all in T92N-R52W

Land to be Irrigated: SW 1/4 Sec 3 and SE 1/4 Sec
4; all in T92N-R52W

Depth of Well: 100 feet deep

Well Driller:

Remarks:

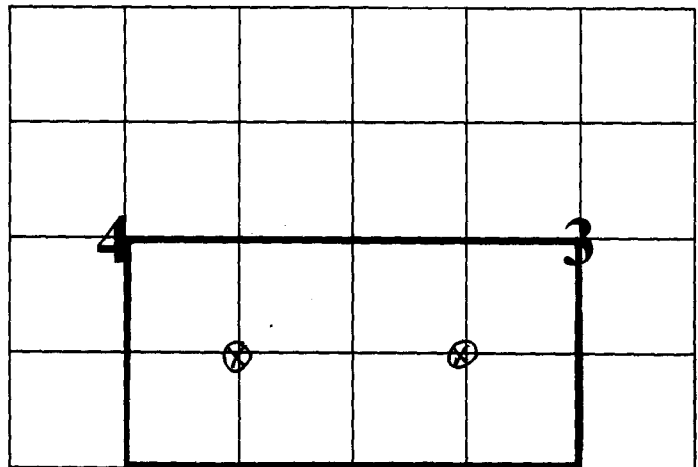
Type of Map: aerial

Prepared by: Kelly Anderson, Clay Co FSA

Reviewed and the Number Assigned on: 10-15-12

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7460-3</u> (office use only) Hydrologic Unit <u>10170102</u> Basin <u>Vermillion River</u> <u>605-624-2695</u> Newspaper <u>Plain Talk 201 W Cherry St. Vermillion 57069</u> <u>Press & Dakotan 319 Walnut Parkton 57078-605-665-7811</u>
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RECEIVED
OCT - 9 2012
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☐ Amendment/Correction to Permit No. RECEIVED

(Use predates Mar 2, 1955)

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

OCT 15 2012

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1. Name of Applicant Martin Weeks and Patti Baneroff Phone (605) 670-9799
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 31551 S.D. Hwy 19 Vermillion S.D. 57069
(Address) (City) (State) (Zip Code)
2. Amount of water claimed 3.11*CFS or 700 each well **GPM ***AF Total Acreage 858 264
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply ground
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Clay
SW 1/4 Sect. 3 T-92N R 52W
SE 1/4 Sect. 4 T-92N R 52W (approximate center of each)
5. County or counties where water will be used Clay
6. Annual period during which water is to be used May 1 to October 31
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
NE 1/4 of SW 1/4 Sect 3 T92N R52W	32	NE 1/4 of SE 1/4 Sect. 4 T92N R 52 W	34
NW 1/4 of SW 1/4 Sect. 3 T92N R52W	32	NW 1/4 of SE 1/4 Sect. 4 T92N R 52 W	34
SE 1/4 of SW 1/4 Sect 3 T92N R52W	32	SE 1/4 of SE 1/4 Sect 4 T92N R 52 W	34
SW 1/4 of SW 1/4 Sect 3 T92N R52W	32	SW 1/4 of SE 1/4 Sect. 4 T92N R 52 W	34

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

agriculture irrigation

STATE OF SOUTH DAKOTA)

County of Clay) SS

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

I, Patti Baneroff, 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 Patti Baneroff, Martin Weeks

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

Our Signatures:

Patti Baneroff

Oct. 12

Martin Weeks

Oct. 12

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7460-3**

Date of first receipt of application October 9, 2012.

Date of return to applicant for corrections, amendments or changes October 10, 2012.

Date of receipt of corrected application October 15, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7460-3 to Martin Weeks and Patti Bancroft, 31551 SD Hwy 19, Vermillion SD 57069 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. 7460-3 appropriates 3.11 cubic feet of water per second from two wells to be completed into the Missouri:Elk Point Aquifer (100 feet deep) located in the centers of the SW 1/4 Section 3 and SE 1/4 Section 4 for irrigation of 264 acres located in the SW 1/4 Section 3 and SE 1/4 Section 4; all in T92N-R52W.
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 9, 2012.
4. The date of approval of Permit No. 7460-3 is December 31, 2012.
5. One-fifth of the construction is to be completed on or before June 30, 2015.
6. All construction is to be completed on or before December 31, 2017.
7. Water is to be put to beneficial use on or before December 31, 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 7460-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

JAN 25 2013

date



Supplemental Information

(type or print in ink)

Section 4 well

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 30" Depth 100
- b) Casing Type PVC Diameter 16" Thickness SOR 26
- c) Screen Type PVC Diameter 16" Thickness SOR 26
- d) Gravel Pack ROAD Length of Gravel Pack 90'
- e) Depth to Top of Water Bearing Material 50'
- f) Depth to Water (ground surface to water level) 30'
- g) Distance to nearest existing domestic well:
- On applicant's property NONE On property owned by others NONE

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

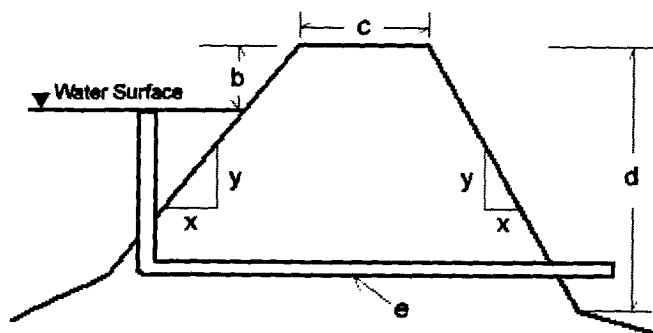
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

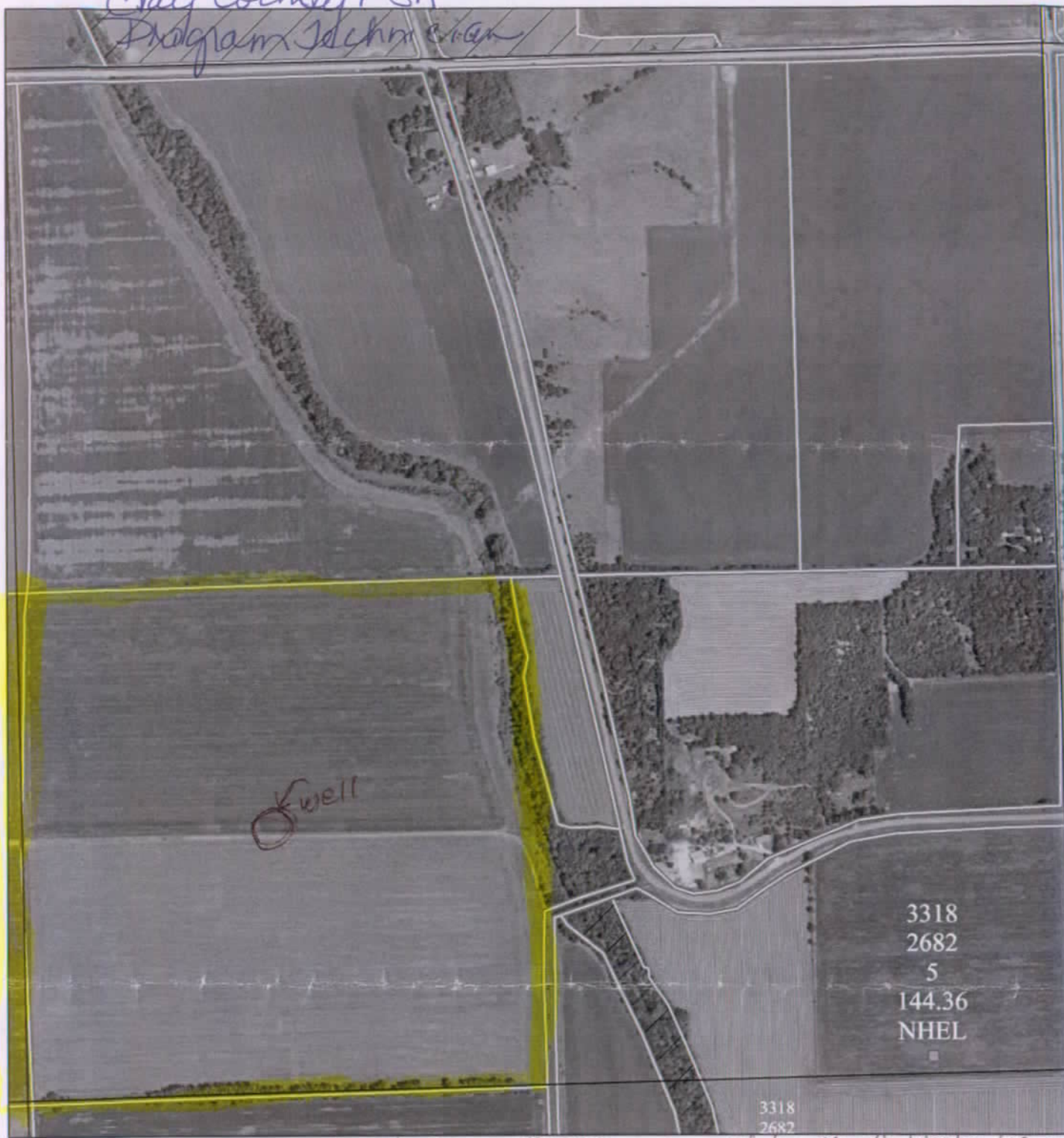
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- 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 (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

© Kelly Andersen
Clay County FSA
Program Technician



United States Department of Agriculture
Farm Service Agency

PLSS: 3_92N_52W
Farm: 3318

Clay County, SD
1:8,269



Wetland Determination Identifiers
 ● Restricted Use
 ▼ Limited Restrictions
 ■ Exempt from Conservation Compliance Provisions

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.

2008 Ortho-Photography - Not to Scale

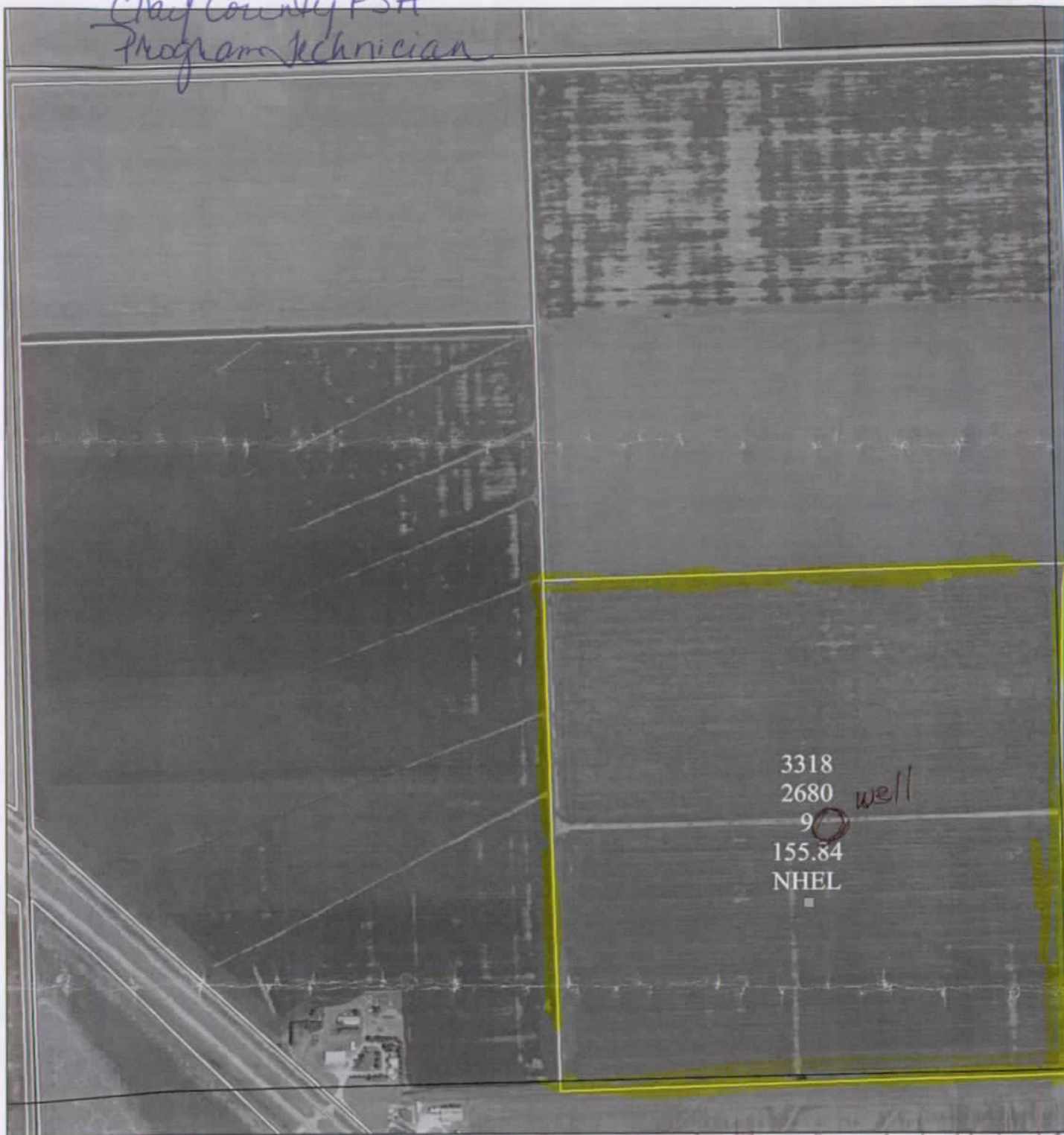
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Common Land Units

OCT - 9 2012

**WATER RIGHTS
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3 W to Sec 3 T92N R52 owned by Martin Weeks - life estate
+ Patti Bancroft - remainder map
March 11, 2010 after Martins death.

*Kelly Andersen
Clay County FSA
Program Technician*



United States Department of Agriculture
Farm Service Agency

PLSS: 4_92N_52W
Farm: 3318

Clay County, SD

1:8,277

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WATER RIGHTS
PROGRAM



*owned by Martin Weeks - life estate
March 11, 2010
and
Patricia Baneroff - own
after Martin's death
(remainderman)*

Wetland Determination Identifiers

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

Common Land Units

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.

2008 Ortho-Photography - Not to Scale

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/9, 20 12

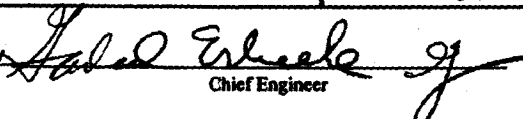
RECEIVED OF Martin Weeks Trust 31551 SD Hwy 19 Vermillion SD 57069

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

Fee for Application for Permit No. <u>71460-3</u> to Appropriate Water, to construct and to put water to beneficial use	1050	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>71460-3</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	1250 00

No. **05608**

By


Chief Engineer

Water Rights Program - File Documentation

NAME: Patti Bancroft

ADDRESS: 31551 SD Hwy 19, Vermillion SD

DATE: 10-9-12 **COUNTY:** Clay **TELEPHONE:** 605 670-9799

RE: Pending application

COMMENTS:

I called Patti Bancroft to clarify the amount of water claimed on their application.

Ms. Bancroft indicated they are requesting **700 gpm from each well.**

She also clarified the land is owned by her and her 95 year old father Martin Weeks.



Karen Schlaak
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

October 10, 2012

Martin Weeks and Patti Bancroft
31551 SD Hwy 19
Vermillion SD 57069

Dear Ms. Bancroft:

Enclosed is your *Application for a Permit to Appropriate Water* for irrigation in Clay County. You are correct that the application does not need to be notarized, but the applicant's signature is still required.

Please sign the application and return it to us in the enclosed postage prepaid envelope. Upon receipt of the signed application, further processing of the application will continue.

If you have questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7460-3, Martin Weeks and Patti Bancroft**

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. 7460-3, Martin Weeks and Patti Bancroft, 31551 SD Hwy 19, Vermillion SD 57069.

The Chief Engineer is recommending APPROVAL of Application No. 7460-3 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 7460-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
December 12, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7460-3
MARTIN WEEKS & PATTI BANCROFT
DECEMBER 7, 2012

Water Permit Application No. 7460-3 proposes to appropriate 528 acre-feet per year (ac-ft/yr) at a maximum diversion rate of 3.11 cubic feet of water per second (cfs) from two wells to be completed into the Missouri: Elk Point aquifer. The wells are expected to be approximately 100 feet deep and are to be located in the approximate centers of the SW¼ of Section 3 and SE¼ of Section 4, all in T92N-R52W. This permit application proposes to irrigate 264 acres located in the SW¼ of Section 3 and SE¼ of Section 4, all in T92N-R52W in Clay County.

AQUIFER: Elk Point management unit of the Missouri aquifer (M: EP)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The proposed well sites are located in south central Clay County, approximately three and a half miles north of the Missouri River and immediately southwest of a local bluff containing till, which is the defining characteristic differentiating the Missouri: Elk Point and Lower Vermillion-Missouri aquifers.

The Missouri: Elk Point is an alluvium mantled outwash consisting of clay and silt with sand and gravel that could be under artesian conditions in the area of the proposed well sites (Jenson, 2000; Water Rights, 2012c). The Missouri: Elk Point aquifer extends from Clay County east into Union County and West into Yankton County. In total, the Missouri: Elk Point aquifer is estimated to underlie 219,100 acres and contain 3,287,100 acre-feet (ac-ft) of recoverable water in storage. In Clay County alone, the aquifer is estimated to underlie 74,500 acres and contain 1,117,000 ac-ft of recoverable water in storage (Hedges and others, 1982). The aquifer connects to the Lower Vermillion-Missouri aquifer to the northeast, overlies the Dakota aquifer in portions of Clay County, and is hydraulically connected to the Vermillion River to the southeast and Missouri River to the south. Water in the aquifer generally moves from the northwest to the southeast and towards the Missouri River (Stephens, 1967).

Well completion reports were not submitted with this application; however, sufficient information is available from area water rights/permits and well completion reports to evaluate the aquifer at the proposed well sites. In this area, aquifer materials range from 50 to 120 feet below ground surface, and the static water level ranges from 12 to 21 feet below ground surface (Water Rights, 2012b; Water Rights, 2012c).

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a 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 the availability of unappropriated water and existing rights from the aquifer and pertinent to this application.

WATER AVAILABILITY:

This application proposes to appropriate 528 ac-ft/yr from the Missouri: Elk Point aquifer. If this application is approved, the actual water use will likely be less than the appropriation. The probability of unappropriated water available from an 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 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."

HYDROLOGIC BUDGET:*Recharge:*

Recharge to the Missouri: Elk Point aquifer is due to infiltration of precipitation in areas where the aquifer is near land surface, inflow from the Lower Vermillion-Missouri aquifer at the Missouri: Elk Point aquifer's northern boundary, inflow from the Missouri and Vermilion Rivers during periods of high flow, inflow from the aquifer in surrounding counties, and leakage from the underlying Dakota aquifer.

Hedges and others (1985) estimated recharge, based on observation well data, of the Missouri: Elk Point aquifer to be 3.8 inches per year. Using this recharge rate and the area of the aquifer, the recharge for the Missouri: Elk Point aquifer in Clay County estimated to equal 23,600 ac-ft/yr. Also consider that Stephens (1967) indicated that additional discharge by wells would induce additional recharge from the Missouri River.

Discharge:

Discharge from the Missouri: Elk Point aquifer occurs due to evapotranspiration in areas where the aquifer is near land surface, outflow to the Missouri and Vermilion Rivers during periods of low flow, outflow from the aquifer to surrounding counties, and well withdrawals from domestic use, commercial use, industrial use, fish and wildlife propagation, municipal use, recreational use, rural water systems, suburban housing development, and irrigation. Currently there are a total of 112 water rights/permits appropriating water from the Missouri: Elk Point aquifer in Clay County (Water Rights, 2012b).

From the Missouri: Elk Point aquifer in Clay County, water rights/permits for non-irrigation use that are limited only by diversion rate currently appropriate a total of 5,242 cfs. Water rights/permits for non-irrigation use that are limited by an annual volume currently appropriate a total of 33,326 ac-ft/yr (Water Rights, 2012b). Future use permits reserve a total of 14,900 ac-ft/yr (Water Rights, 2012b).

The amount of water than can be expected to be withdrawn by the non-irrigation use water rights/permits at the current appropriation amount can be estimated by assuming: 1) water rights/permits limited by an annual volume will pump the entire volume appropriated annually, 2) water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate at 60 percent of the time, and 3) future use permits can be fully developed. At the current appropriation amount, the total annual withdrawal from the Missouri: Elk Point aquifer in Clay County by non-irrigation use is expected to total less than 50,503 ac-ft/yr (Water Rights, 2012b).

Figure 1 shows the Missouri: Elk Point aquifer's historic irrigation data for Clay County. The development of this aquifer has been steadily increasing over the last decade. The number of permits and the amount of appropriations for irrigation in Clay County has approximately doubled in this time period. In 2011, the annual volume of water appropriated totaled 32,722 ac-ft/yr. The annual withdrawal due to irrigation use fluctuates greatly, which seems to be more dependent on yearly climatic conditions than on the increase in amount of appropriation. The average pumpage reported equals 2,706 ac-ft/yr. The maximum pumpage reported was in 2007 for 7,085 ac-ft/yr (Water Rights, 1979-2012).

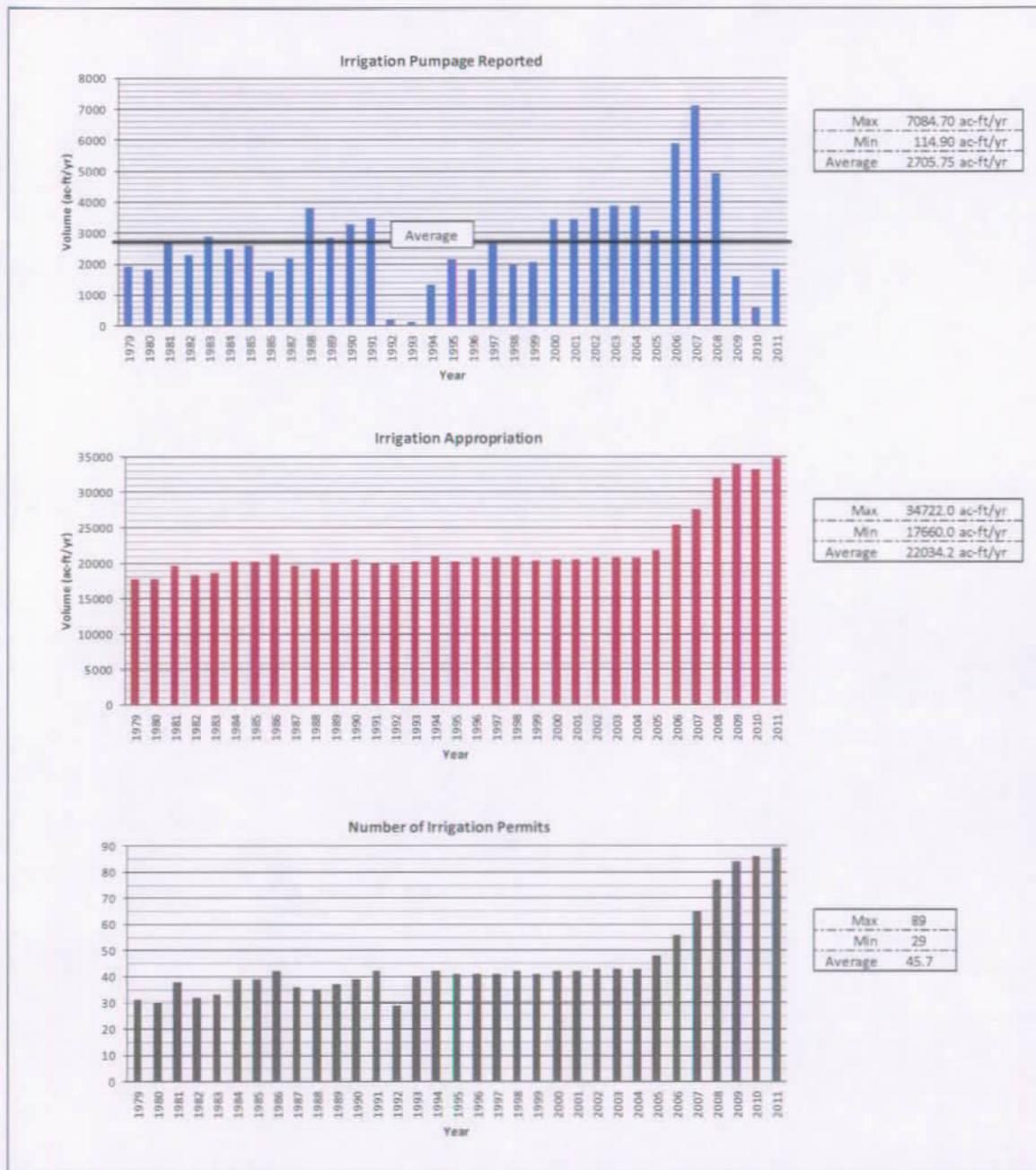


Figure 1: Historic irrigation water use from the Missouri: Elk Point aquifer in Clay County (Water Rights, 1979-2011)

In addition, there are many completion reports on file with the SD DENR-Water Rights Program in Clay and Yankton Counties for domestic wells that appear to be completed into the Missouri: Elk Point aquifer (Water Rights, 2012c). The annual withdrawal due to domestic use is not significant to the hydrologic budget of the aquifer.

Lewis and Clark RWS's expected water use is a significant portion of the annual volume of water anticipated to be used under current appropriations. In Clay County, the Lewis and Clark RWS currently have two permits appropriating a total of 32,165 ac-ft/yr and four future use permits reserving a total of 13,000 ac-ft/yr, all from the Missouri: Elk Point aquifer (Water Rights, 2012b). Recognizing that due to the proximity of the wells to the Missouri River and the design of the wells, most of the water that will be withdrawn from the Lewis and Clark RWS wells will be induced from the Missouri River.

Hydrologic Budget:

Recognizing that Lewis and Clark RWS withdraw water from the Missouri: Elk Point aquifer that is induced from the Missouri River and considering the remaining hydrologic budget, there is a reasonable probability that unappropriated groundwater is available from the Missouri: Elk Point aquifer for the proposed appropriation of 528 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 of the aquifer."

The DENR-Water Rights Program monitors five observation wells completed into the Missouri: Elk Point aquifer in Clay County. The nearest of these wells, CL-80A and CL-80B, are located approximately five and a half miles northwest and six miles south southwest of the proposed well sites, respectively. CL-80A is under artesian conditions and CL-80B is under water table conditions (Water Rights, 2012a). The area of the proposed well sites will likely be under artesian conditions (Water Rights, 2012b; Water Rights, 2012c). Hydrographs of these observation wells are shown in Figures 2 and 3.

The observation well data documents cyclic conditions of water levels, recharging during wet years and declining during dry years. Water levels may also be influenced by the aquifer's connection to the Missouri River. For example, high flows in the Missouri River during the summer of 2011 and the current drought conditions are evident in the hydrograph of observation well CL-80B, which is located approximately one mile from the Missouri River. The hydrographs also show the effects of nearby pumping on the aquifer. Observation well data indicates that temporal well withdrawal is masked by climatic conditions. Therefore, recharge to and natural discharge from the Missouri: Elk Point aquifer greatly exceeds well withdrawal.

The hydrograph of the observation well CL-80B shows a slight decline of the Missouri: Elk Point aquifer's water table, as indicated by the trend line. This gradual decline has been attributed to entrenching the Missouri River (Goodman, 2007) or controlling the flow of the Missouri River by the Gavins Point Dam, which no longer allows inundating of the floodplain

(Stephens, 1967). Regardless of cause, the declining water table levels demonstrate the hydraulic connection between the aquifer and the Missouri River. Pumping from the aquifer will induce recharge supplied by the Missouri River or capture discharge before outflowing to the river (Stephens, 1967).

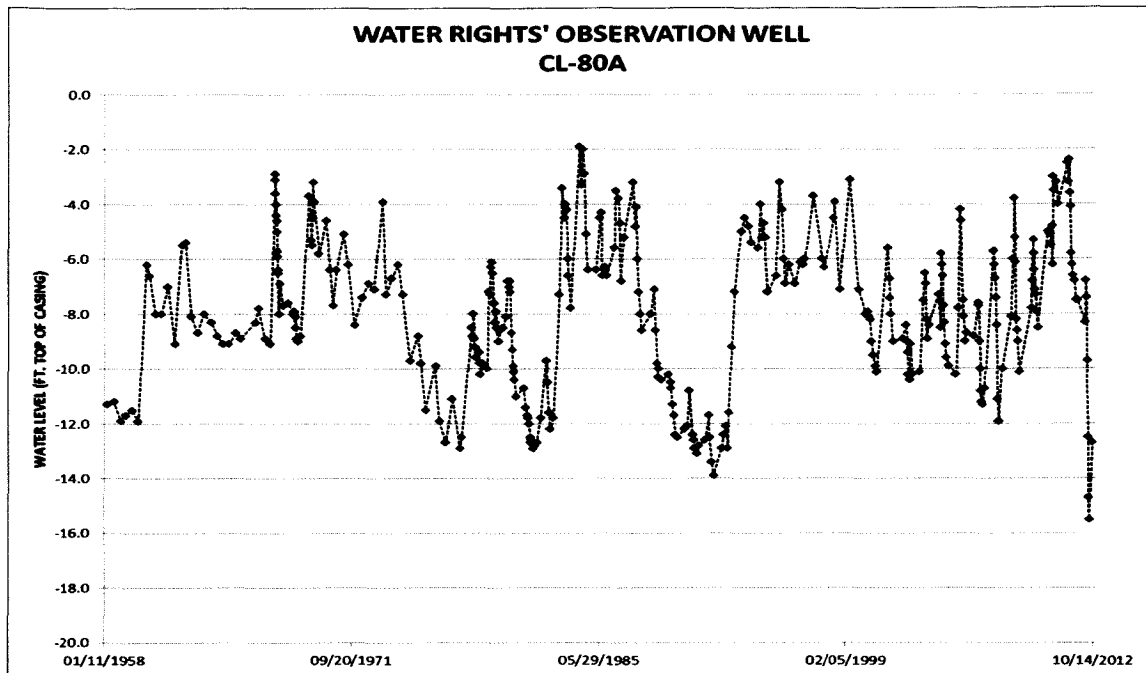


Figure 2: Hydrograph for DENR-Water Rights' observation well CL-80A (Water Rights, 2012a)

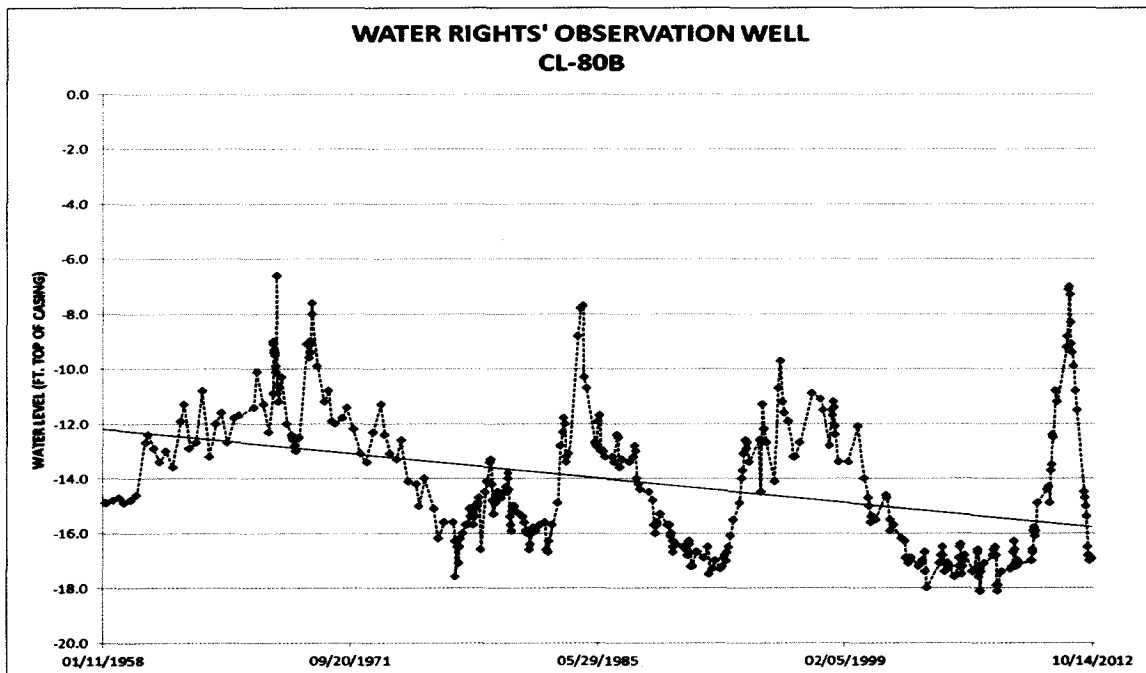


Figure 3: Hydrograph for DENR-Water Rights' observation well CL-80B (Water Rights, 2012a)

EXISTING WATER RIGHTS:

There are 112 water rights/permits appropriating water from the Missouri: Elk Point aquifer in Clay County. There are nine water rights/permits and two domestic wells within two miles of the proposed well site, which are shown in table 1. Water Right No. 6923-3 is the only well within one mile of the proposed well sites (Water Rights, 2012b; Water Rights, 2012c).

Table 1: Water rights/permits and domestic wells completed into the Missouri: Elk Point aquifer within two miles of the proposed well sites (Water Rights, 2012b; Water Rights, 2012c)

PERMIT NO.	NAME	STATUS	TYPE	CFS	ACRES
6643-3	Gary J & Amy Freeburg	LC	IRR	4.68 (2 wells)	555
6768-3	Gary J & Amy Freeburg	LC	IRR	2.67	194.5
6895-3	Gary J or Amy Freeburg	PE	IRR	1.56	140
6898-3	Bottolfson Bros.	PE	IRR	5.79	405
6923-3	Karl M Schenk	PE	IRR	1.56	206
6940-3	Ken Less	PE	IRR	1.11	52
6941-3	Ken Less	PE	IRR	0.89	146
7083-3	Bottolfson Bros.	PE	IRR	1.56	103.5
7297-3	Francis Heine	PE	IRR	1.11	80
	Duane Olson		DOM		
	Kirk Sorenson		DOM		

LC = Water right, PE = Water permit, IRR = Irrigation

Well interference has not been a problem with the Missouri: Elk Point aquifer. At the distances involved between the proposed well sites and wells of existing water rights/permits and domestic users, interference is not expected to be a concern.

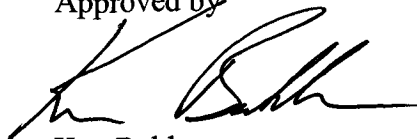
CONCLUSIONS:

1. The application proposes to appropriate 528 ac-ft/yr for irrigation.
2. Most of the water that will be withdrawn from the Lewis and Clark RWS wells will be induced from the Missouri River.
3. There is a reasonable probability that unappropriated water is available from the Missouri: Elk Point aquifer to supply the proposed appropriation.
4. There is a reasonable probability that this proposed well will not cause interference in existing nearby wells.



Joseph R Stonesifer
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Goodman, J.A. 2007. Report on Water Permit Application No. 6869-3 for Lewis and Clark RWS: SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- 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, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Hedges, L.S., Allen, J., and Holly, D.E. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 7: Ground Water Recharge. South Dakota DENR-Geological Survey, Vermillion, SD.
- Jensen, A.R. 2000. Aquifer Materials Map 1. South Dakota DENR-Geological Survey, Vermillion, SD.
- Stephens, J.C. 1967. Geology and Hydrogeology of Clay County, South Dakota, Part II: Water Resources. South Dakota DENR-Geological Survey Bulletin 19, 62 p.
- Water Rights. 1979-2012. "Annual Irrigation Summary by Aquifer": SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012c. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

RECEIVED

DEC 31 2012

AFFIDAVIT OF PUBLICATION
WATER RIGHTS PROGRAM

PLAIN TALK

DENR
Division of Environmental Services
Air Quality Program
Joe Foss Building, 523 East Capitol
Pierre, SD 57501

STATE OF SOUTH DAKOTA
COUNTY OF CLAY

TERA SCHMIDT BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT SHE IS THE CLASSIFIED MANAGER OF YANKTON
MEDIA INC., A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
PLAIN TALK, A LEGAL WEEKLY NEWSPAPER PUBLISHED AND CIRCULATED
IN THE CITY OF VERMILLION, SAID COUNTY AND STATE, AND ONE OF THE
OFFICIAL NEWSPAPERS OF THE SAID COUNTY OF FACTS STATED IN THIS
AFFIDAVIT; THAT THE ANNEXED
NOTICE OF APPLICATION FOR AIR QUALITY CONSTRUCTION PERMIT

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 21 DAY OF DECEMBER 2012
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$28.33 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 12/21/12

FILED ON: 12/21/12

SUBSCRIBED AND SWORN TO BEFORE ME THIS

DAY OF

NOTARY PUBLIC/SOUTH DAKOTA
MY COMMISSION EXPIRES

8/19/2015

NOTICE OF APPLICATION

NO. 7460-3 to

Appropriate Water

Notice is given that Martin Weeks and Patti Bancroft, 31551 SD Hwy 19, Vermillion SD 57069 have filed an application for a water permit to appropriate 3.11 cubic feet of water per second from two wells to be completed into the Missouri:Elk Point Aquifer (100 feet deep) located in the centers of the SW 1/4 Section 3 and SE 1/4 Section 4 for irrigation of 264 acres located in the SW 1/4 Section 3 and SE 1/4 Section 4; all in T92N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7460-3 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 December 31, 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 once at the total approximate cost of \$28.33

Published: December 21, 2012

RECEIVED

DEC 26 2012

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

Department of Environment and Natural Resources
PMB 2020
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE MANAGING EDITOR OF, YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY
AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID
COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED
Notice of Application No. 7460-3 to Appropriate Water

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 21st DAY OF December 2012
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$27.14 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 12/21/2012

FILED ON: 12/21/2012

SUBSCRIBED AND SWORN TO BEFORE ME THIS 21st DAY OF December

2012

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

6/11/2013

Notice is given that Martin Weeks and Patti Bancroft, 31551 SD Hwy 19, Vermillion SD 57069 have filed an application for a water permit to appropriate 3.11 cubic feet of water per second from two wells to be completed into the Missouri:Elk Point Aquifer (100 feet deep) located in the centers of the SW 1/4 Section 3 and SE 1/4 Section 4 for irrigation of 264 acres located in the SW 1/4 Section 3 and SE 1/4 Section 4; all in T92N-R52W.

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Published once at the total approximate cost of \$28.33
Estimated publishing cost per published copy \$27.14.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 13, 2012

Daily Press & Dakotan
319 Walnut
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7460-3 to Appropriate Water. Please publish the notice once on December 21, 2012. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANTS are Martin Weeks & Patti Bancroft, 31551 SD Hwy 19, Vermillion SD 57069 (Ph # 605-670-9799).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 13, 2012

Plain Talk
201 W Cherry St
Vermillion SD 57069

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.

December 13, 2012

Martin Weeks & Patti Bancroft
31551 SD Hwy 19
Vermillion SD 57069

Dear Mr. Weeks & Ms. Bancroft:

Water Permit Application No. 7460-3 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 Plain Talk printed at Vermillion SD (Ph # 605-624-2695) and the Daily Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper(s) 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish the Notice on December 21, 2012. 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. 7460-3 to Appropriate Water

Notice is given that Martin Weeks and Patti Bancroft, 31551 SD Hwy 19, Vermillion SD 57069 have filed an application for a water permit to appropriate 3.11 cubic feet of water per second from two wells to be completed into the Missouri:Elk Point Aquifer (100 feet deep) located in the centers of the SW 1/4 Section 3 and SE 1/4 Section 4 for irrigation of 264 acres located in the SW 1/4 Section 3 and SE 1/4 Section 4; all in T92N-R52W.

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Published once 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

JAN 25 2013

Martin Weeks & Patti Bancroft
31551 SD Hwy 19
Vermillion SD 57069

Dear Mr. Weeks & Ms. Bancroft:

Enclosed is Water Permit No. 7460-3 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,

A handwritten signature in black ink, appearing to read "Garland Erbele".

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

enclosures

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

RECEIVED

MAR - 4 2013

WATER RIGHTS
PROGRAMDate 2-11-13

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

FROM: Patti Baneroff + Martin Weeks
(name)

31551 S.D. Hwy 19
(address)

Vermillion, S.D. 57069 (605) 670-9199
(city, state, zip) (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. 7460-3 states that the water use system is to be constructed by

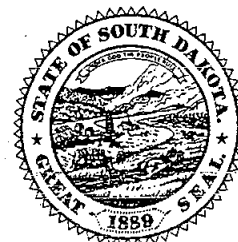
December 31, 2017, and water is to be put to beneficial use by December 31, 2021
(date) (date)

The water use system was completed on February 11, 2013
(date)

Applying the water to beneficial use was completed on February 11, 2013
(date)

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

Martin Weeks
Patti Baneroff
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 3, 2013

7460-3

Martin Weeks
& Patti Bancroft
31551 SD Hwy 19
Vermillion SD 57069

Dear Mr. Weeks and Ms. Bancroft:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know you are completed with the irrigation system authorized under Water Permit No. 7460-3.

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.

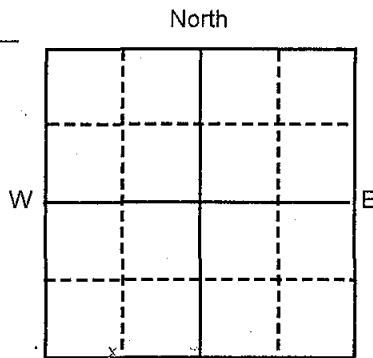
Sincerely,

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

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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW 1/4 SW 1/4 Sec 3 Twp 92N Rg 52WCounty ClayPlease mark well
location with an "X"

Well Completion Date

December 10, 2012

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
1,970.0 ft. from Septic Tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

reverse Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>16.00</u> IN	<u>0.0</u> FT	<u>40.0</u> FT	<u>28.00</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	<u>15</u>	<u>9.5</u> Lb/gal	<u>0.0</u> Ft	<u>35.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Tremie Method

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 60.0 Feet
Material PVC
Slot Size .08 Set From 40.0 Feet to 80.0 FeetOther information: .05 Set from 80.0 Ft. to 100.0 Ft.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?Lab to which water ☒ No, Why Not? Not Required
quality sample sent for analysisWell Owner: Martin Weeks

Business Name:

Address: 31557 SD Hwy 19City, State, Zip: Vermillion SD 57069

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	12
Silty Brown Clay	12	32
Blue Clay	32	57
Coarse Gravel w/ Rocks	57	73
Sand	73	75
Fine to Med Gravel	75	78
Coarse Gravel w/ rocks	78	90
Sand	90	96
Gravel w/ Rocks	96	100

STATIC WATER LEVEL 18.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

28.0 Ft. After 3.0 Hrs. pumped 700.0 GPM40.0 Ft. After 7.0 Hrs. pumped 1,200.0 GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

FEB - 1 2013

WATER RIGHTS
PROGRAMThis well was drilled under license # 666 and this report is true and accurate.Drilling firm: Hammond Wetmore Drilling, LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 1-29-13

7460-3

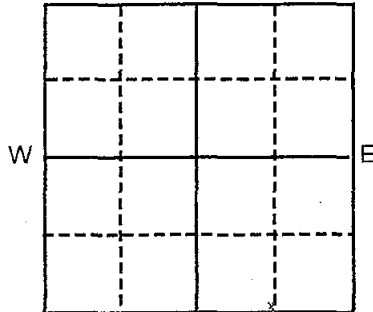
SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW 1/4 SE 1/4 Sec 4 Twp 92N Rg 52WWell Owner: Martin WeeksCounty Clay

North

Please mark well
location with an "X"

Well Completion Date

December 12, 2012

1 Mile

 Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
2,400.0 ft. from Septic Tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	40.0 FT	28.00 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	15	9.5 Lb/gal	0.0 Ft	35.0 Ft
		Lb/gal	Ft	Ft

 Describe grouting procedure
 Tremie Method

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 60.0 FeetMaterial PVCSlot Size .08 Set From 40.0 Feet to 80.0 FeetOther information .05 Set from 80.0 Ft. to 100.0 Ft.

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? Not Required

 Lab to which water
 quality sample sent for analysis

Business Name:

Address: 31557 SD Hwy 19City, State, Zip: Vermillion SD 57069

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	12
Brown Clay	12	30
Blue Clay	30	50
Med Sand	50	76
Med Gravel w/ Rocks	76	100

STATIC WATER LEVEL

16.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

27.0 Ft. After 3.0 Hrs. pumped 700.0 GPM38.0 Ft. After 7.0 Hrs. pumped 1,200.0 GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

FEB - 1 2013

WATER RIGHTS
PROGRAMThis well was drilled under license # 666 and this report is true and accurate.Drilling firm: Hammond Wetmore Drilling, LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 1-29-13



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 5, 2013

No. 7460-3

Patti Bancroft
31551 SD Hwy 19
Vermillion SD 57069

Dear Ms. Bancroft:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Permit No. 7460-3. The water permit is currently listed in the names of Martin Weeks and Patti Bancroft.

The transfer form should be checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$50.00.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

DEC 16 2013

WATER RIGHTS
PROGRAM

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 7460-3

Date: Dec. 9, 2013

I/We request that Water Permit No. 7460-3

formerly owned by: Martin Weeks & Patti Bancroft

be transferred to: (name & address) Patti Bancroft, 31551 SD Hwy 19, Vermillion SD 57069

Telephone No. 605 670-9799

Title to the following described land(s)/property has been transferred as described above:

264 acres located in the SW 1/4 Section 3 and SE 1/4 Section 4; all in T92N-R52W

I/We understand that the validity of Water Permit No. 7460-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Patti Bancroft, the new owner, certify that the above information is true and correct.

Patti Bancroft
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/16, 20 13

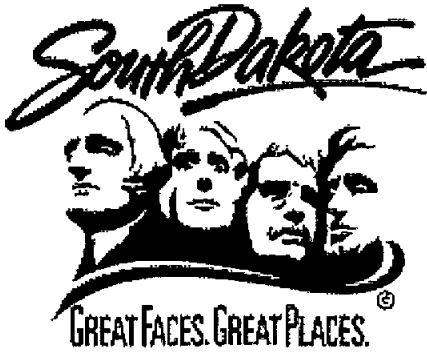
RECEIVED OF Patti Mancroft 104 S Harvard St Vermillion SD 57069

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	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 <u>7460-3</u>		
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. 06533

By Jeanne Hodgson
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 18, 2013

7460-3

Patti Bancroft
31551 SD Hwy 19
Vermillion SD 57069

Dear Ms. Bancroft:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Permit No. 7460-3.

The ownership change has been completed. Water Permit No. 7460-3, formerly listed in both your name and Martin Weeks is now listed only in your name.

Enclosed for your records is Receipt No. 06533 in the amount of \$50. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure

7460-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 26, 2016

6509-3
7460-3

Patti Bancroft
PO Box 461261
Leeds UT 84746 1261

Dear Ms. Bancroft:

Enclosed is a "Notice" dated October 21, 2016 concerning the 2016 irrigation questionnaire.

The notice was originally mailed to 31551 SD Hwy 19, Vermillion SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures

7460-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

November 28, 2016

7460-3

Corey Lewison
624 S Crawford Rd
Vermillion SD 57069

Dear Mr. Lewison:

I am writing in follow-up to our phone conversation concerning the irrigation questionnaires for Patti Bancroft. I completed questionnaires for you based on our phone conversation.

I have included a copy of Water Permit No. 7460-3 which covers irrigation of the SW ¼ Section 3 and the SE ¼ Section 4, T92N, R52W. The entire file can be found at the following link under the tab of "databases": <http://denr.sd.gov/des/wr/wr.aspx>

As you requested, the annual irrigation questionnaire for Water Permit No. 7460-3 will be sent to your attention next year. The questionnaire for Ms. Bancroft's other water right (for the garden area) will continue to be directed to her attention.

If you have any questions, please let me know.

Sincerely,

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

enclosures

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7460-3

I have this day, **October 25, 2016**, made a thorough examination of the water use system constructed by **Patti Bancroft, 31551 SD Hwy 19, Vermillion SD 57069** of Permit No. **7460-3**, bearing the priority of **October 9, 2012** authorizing the diversion of **3.11** cu. ft. per second from two wells of the waters of **Missouri:Elk Point Aquifer** for **irrigation** purposes, of **264** acres, in **Clay** County.

Inspection contact & relationship **Corey Lewison, tenant**
to permit holder, if applicable:

A. Works used to divert the water:

Well #1 Information (SE ¼ Sec 4-T92N-R52W):

- 1) Well Drilling Firm: **Hammond-Wetmore Drilling, LLC**
- 2) No. of Wells **1**
- 3) Depth(s) **100** feet
- 4) Well log is available **Yes**

Casing:

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

Screen:

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

Pump:

- 1) Make **Grundfos Submersible**
- 2) Model **625S300-2aa**
- 3) Capacity **700** GPM

Motor:

- 1) Make **Grundfos**
- 2) Model No. **Submersible**
- 3) Horsepower rating **30** hp

Well #2 Information (SW ¼ Sec 3-T92N-R52W):

- 1) Well Drilling Firm: Hammond-Wetmore Drilling, LLC
- 2) No. of Wells 1
- 3) Depth(s) 100 feet
- 4) Well log is available Yes

Casing:

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

Screen:

- 1) Type PVC Manufactured
- 2) Length 60 feet
- 3) Static water level 18 feet

Pump:

- 1) Make Grundfos Submersible
- 2) Model 625S300-2aa
- 3) Capacity 700 GPM

Motor:

- 1) Make Grundfos
- 2) Model No. Submersible
- 3) Horsepower rating 30 hp

C. Works used to apply water to beneficial use:

Center pivot #1 (SE ¼ Sec 4-T92N-R52W):

- 1) Make Valley 8000
- 2) Overall length 1297 feet
- 3) Number of towers 7
- 4) End gun Yes
- 5) Capacity 700 GPM

Center pivot #2 (SW ¼ Sec 3-T92N-R52W):

- 1) Make Valley
- 2) Overall length 1223 feet
- 3) Number of towers 7
- 4) End gun Yes
- 5) Capacity 700 GPM

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes, began irrigating in 2013.
List any extended period of nonuse: None
- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: Well #1-West 1300', North 1340' from SE Corner of Sec 4-T92N-R52W; Lat 42.81186/Long -96.98797; approximate center of SE ¼ Sec 4-T92N-R52W;
Well #2-East 1260', North 1320' from SW Corner of Sec 3-T92N-R52W; Lat 42.81183/
Long -96.97844; approximate center of SW ¼ Sec 3-T92N-R52W.

2. The works are capable of diverting and conveying to the place of use 3.12 cfs or 1400 gpm of water from two wells which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Sec 4-T92N-R52W
NW ¼ SE ¼ - 35 ac
NE ¼ SE ¼ - 35 ac
SE ¼ SE ¼ - 34 ac
SW ¼ SE ¼ - 34 ac

Sec 3-T92N-R52W
NW ¼ SW ¼ - 33 ac
NE ¼ SW ¼ - 28 ac
SE ¼ SW ¼ - 29 ac
SW ¼ SW ¼ - 33 ac

comprising a total of 261 acres of land and the license should be issued for 3.12 cfs or 1400 gpm from two wells.

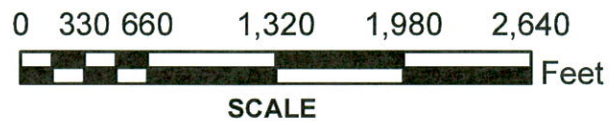
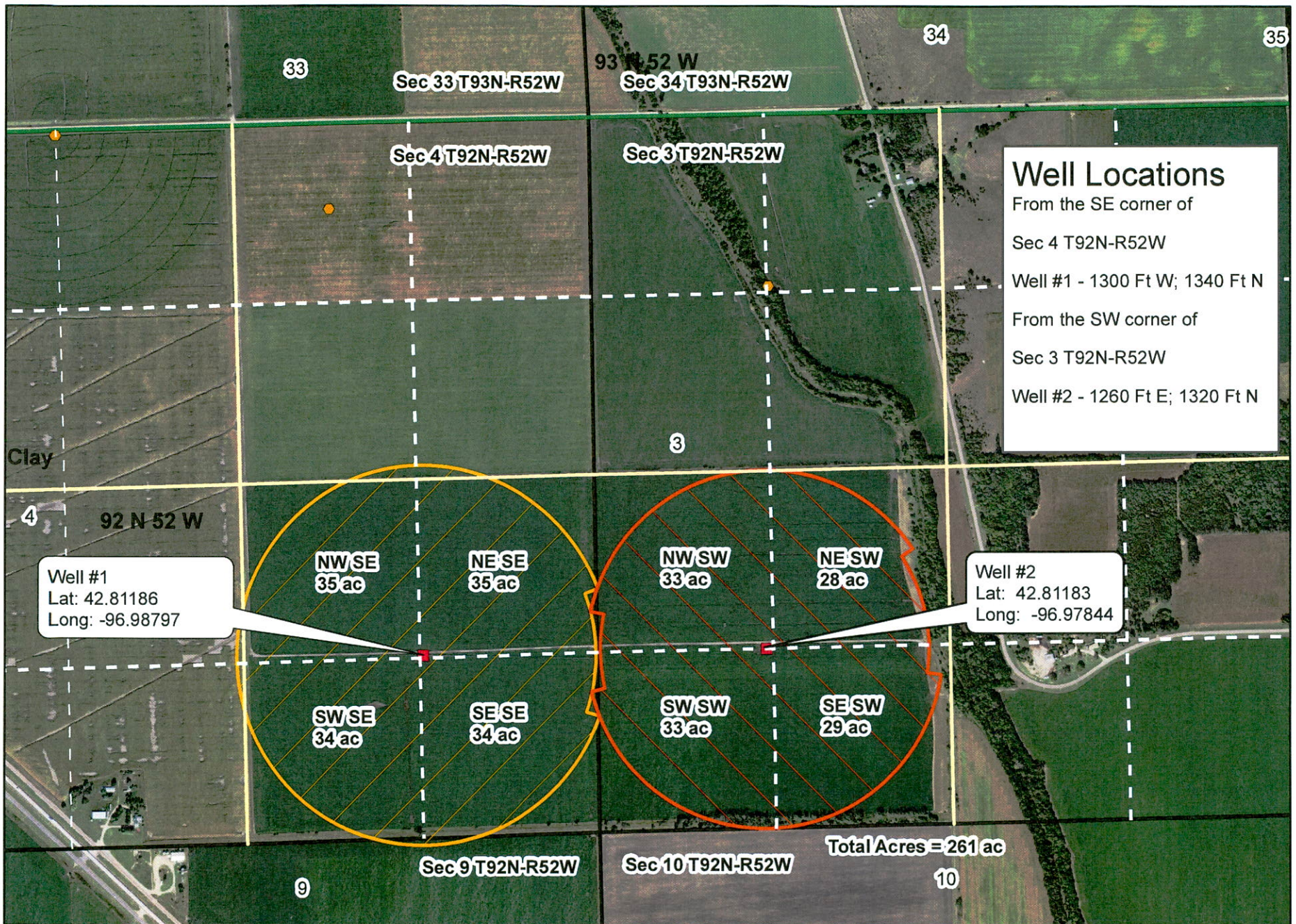
3. All structures, wells and lands on map Yes

Harold Holoch

Harold Holoch, PE
Staff Engineer
DENR, Water Rights Program

Date report completed: November 7, 2017

7460-3



Harold Holoch
 Harold Holoch, PE
 Staff Engineer
 June 20, 2017



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

DEC 15 2017

7460-3

Patti Bancroft
PO Box 461261
Leeds UT 84746-1261

Dear Ms. Bancroft:

Enclosed is Water License No. 7460-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, 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.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7460-3

(1) Martin Weeks and Patti Bancroft made Application No. 7460-3, October 9, 2012 for a water permit to divert 3.11 cubic feet of water per second from ground water, two wells (Missouri Elk Point Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 7460-3, with a priority date of October 9, 2012 was approved December 31, 2012 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before December 31, 2017 and for the application to beneficial use of water on or before December 31, 2021.

A "Notice of Completion of Works and Application of Water to Beneficial Use" was submitted on March 4, 2013. The "Notice" stated the water use system was completed and the water placed to beneficial use on February 11, 2013.

On December 16, 2013, Water Permit No. 7460-3 was transferred from Martin Weeks and Patti Bancroft to Patti Bancroft.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.11 cubic feet of water per second for beneficial use. The location of the diversion points are:

- **Well #1:** 1300'W & 1340'N of the SE Corner of Section 4, T92N, R52W (approximate center of SE ¼ Section 4) Lat 42.81186 Long -96.98797
- **Well #2:** 1260'E & 1320'N of the SW Corner of Section 3, T92N, R52W (approximate center of SW ¼ Section 3) Lat 42.81183 Long -96.97844

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

Section 4, T92N, R52W		Section 3, T92N, R52W	
NW ¼ SE ¼	35 acres	NW ¼ SW ¼	33 acres
NE ¼ SE ¼	35 acres	NE ¼ SW ¼	28 acres
SE ¼ SE ¼	34 acres	SE ¼ SW ¼	29 acres
SW ¼ SE ¼	34 acres	SW ¼ SW ¼	33 acres

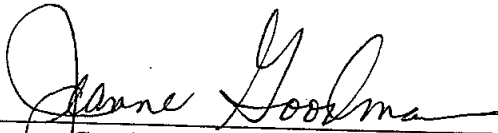
Total 261 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Patti Bancroft, PO Box 461261, Leeds UT 84746-1261 the holder and/or owner of Water Right No. 7460-3 is issued a license to appropriate water, the right to use 3.11 cubic feet of water per second from ground water, two wells (Missouri Elk Point Aquifer) with a priority date of October 9, 2012 from the locations specified in (2) of this license for irrigation purposes.

continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7460-3 and subject to the following qualifications:

- The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The wells authorized by Permit No. 7460-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *Both wells were drilled by Hammond Wetmore Drilling LLC in December, 2012. Copies of the well completion reports are on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

DEC 15 2017

date





7460-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 22, 2019

6509-3
7460-3

Patti Bancroft
31551 SD Hwy 19
Vermillion SD 57069-6954

Dear Ms. Bancroft:

Enclosed is a "Notice" dated October 18, 2019 concerning the 2019 irrigation questionnaire for Water Right No. 6509-3.

The notice was originally mailed to PO Box 461261, Leeds UT. The post office notified us that your address has changed and I will update our records accordingly.

The questionnaire for Water Right No. 7460-3 was directed to the renter we had on record (Corey Lewison). If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures