

WATER PERMIT NO. 7489-3

Name of Applicant: **Dale G Williams**

Address: **19151 465th Ave, Estelline SD** Phone: **605 873-9319**

Amount of Water Claimed: **1.78 cfs** Total Acres: **152 acres**

Source of Water Supply: **groundwater (2wells)**

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

Type of Waste Disposal System:

Location: **2 west of Estelline**

PRIORITY Date Received: **10-29-2012** Application/License Fee: **\$ 1050**

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

Remarks:

Diversion Point: **NE 1/4 SE 1/4 Sec 16-T113N-R51W**

Land to be Irrigated: **NE 1/4 Sec 21-T113N-R51W**

Depth of Well: **39-50 feet deep**

Well Driller: **Steffl Drilling & Pump**

Remarks:

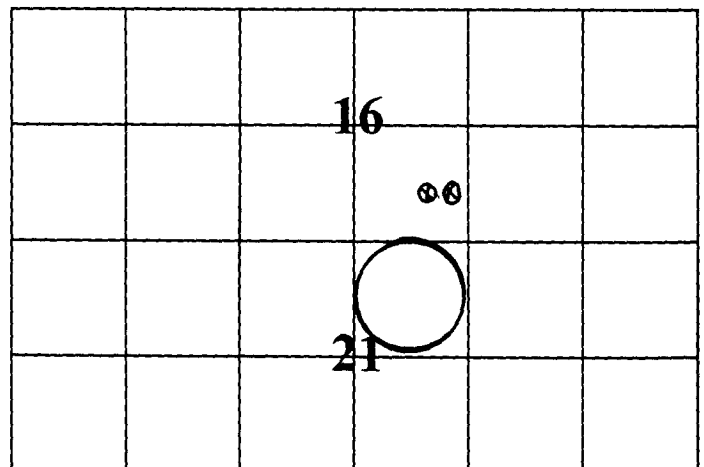
Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **10-30-2012**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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

Mail to:
PMB 2020
DENR - Water Rights
523 E Capitol Ave
Pierre, SD 57501-3182
ph. (605) 773-3352

(office use only)
No. 7489-3 Hydrologic Unit 10170202
Basin Sioux River 605-873-2475
Newspaper Estelline Journal Box 159 Estelline 57234
Brookings Register Box 177 57206 605-692-6271

RECEIVED
OCT 29 2012
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

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

(Use predates Mar 2, 1955)

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

1. Name to Appear on Irrigation Permit Dale G Williams

(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

Mailing Address 19151 465th Ave Estelline SD 57234
(Address) (City) (State) (Zip Code)

Home Phone 605 873-9319 Cell 605 690-9319 Email dmwilliams21@hotmail.com

2. Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 152
(*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 2 wells north side E $\frac{1}{2}$ of the SE $\frac{1}{4}$ Sec 16

(example - 3 wells in SW $\frac{1}{4}$ NE $\frac{1}{4}$ section 12-T104N-R53W)

T113N R51W (NE $\frac{1}{4}$ SE $\frac{1}{4}$) County Hamlin

5. County or counties where water will be used Hamlin

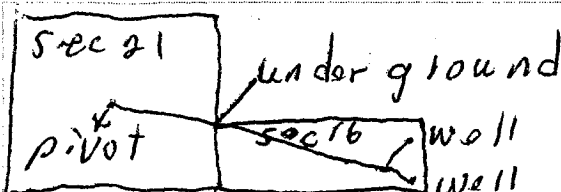
6. Annual period during which water is to be used May 1 - September 30

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 $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec 21 113N 51W	38		
SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec 21 113N 51W	38		
SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec 21 113N 51W	38		
NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec 21 113N 51W	38		

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



I, Dale G. Williams, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

**SOUTH DAKOTA
WATER PERMIT NO. 7489-3**

Date of first receipt of application October 29, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7489-3 to Dale G Williams, 19151 465th Ave, Estelline SD 57234 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. 7489-3 appropriates 1.78 cubic feet of water per second from two wells to be completed into the Big Sioux:Brookings Aquifer (39-50 feet deep) located in NE 1/4 SE 1/4 Section 16 for irrigation of 152 acres located in the NE 1/4 Section 21; all T113N-R51W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is October 29, 2012.
4. The date of approval of Permit No. 7489-3 is January 28, 2013.
5. One-fifth of the construction is to be completed on or before July 28, 2015.
6. All construction is to be completed on or before January 28, 2018.
7. Water is to be put to beneficial use on or before January 28, 2022.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

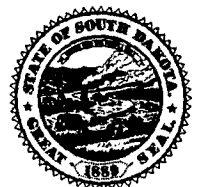
QUALIFICATIONS

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. 7489-3 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 Erbe
Garland Erbe, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 19 2013
date



Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☒ Drilling new well(s) ☐ Using existing well(s)

- a) If new wells, how many 2 Have test holes been drilled ☒ Yes ☐ No Drilled by Steffi Well Drillers
(if yes, please provide copies of logs)
- b) If existing wells, how many Provide copy of log(s), if available. Drilled by Steffi Well Driller
- c) Well Depth 39-50 Depth to Top of Water Bearing Material 29-35 Depth to Water from Surface 15
- d) Distance to nearest existing domestic well:
On applicant's property None On property owned by others Approximately ~~approximately~~ at least one mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) None
- b) System Capacity (gallons) ~~None~~ Year Constructed
- c) Connected to the City of Sanitary System

3. Dugout Information

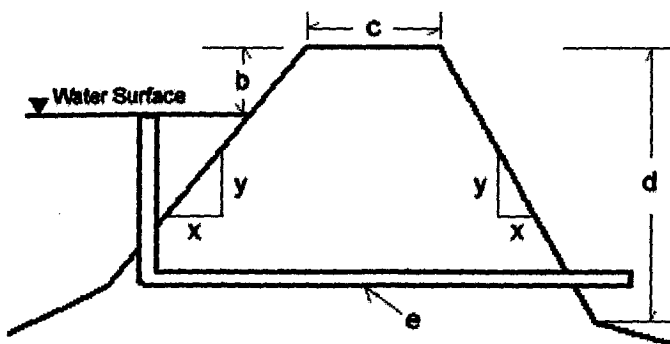
- a) Surface Dimensions None Depth
- b) Depth to water (ground surface to water level)

4. Water Storage Dams None

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



PPLSS: 16_113N_51W
HAMLIN COUNTY, SD



PPLS: 21_113N_51W
HAMLIN COUNTY, SD

Data use subject to license.

© DeLorme. XMap® 7.

www.delorme.com

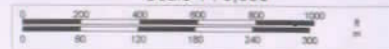
RECEIVED

OCT 29 2012

WATER RIGHTS
PROGRAM



Scale 1 : 8,000



1" = 666.7 ft

Data Zoom 14-6



PPLS: 16_113N_51W
HAMLIN COUNTY, SD

RECEIVED

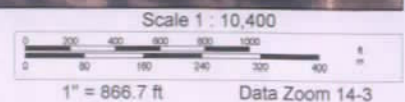
Data use subject to license.

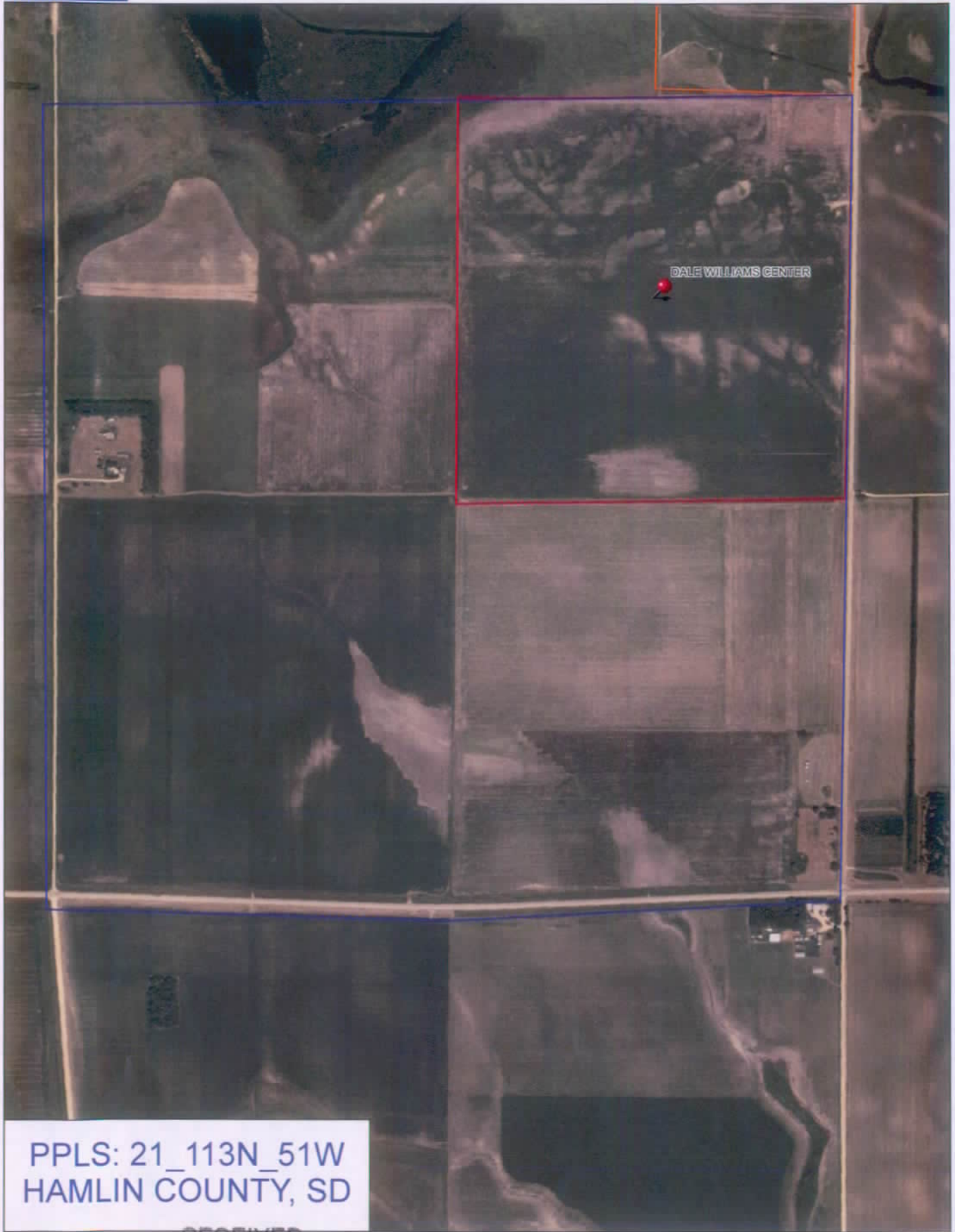
© DeLorme. XMap® 7.

www.delorme.com

OCT 29 2012

WATER RIGHTS
PROGRAM

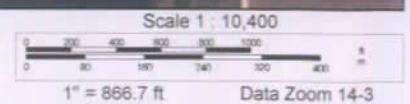


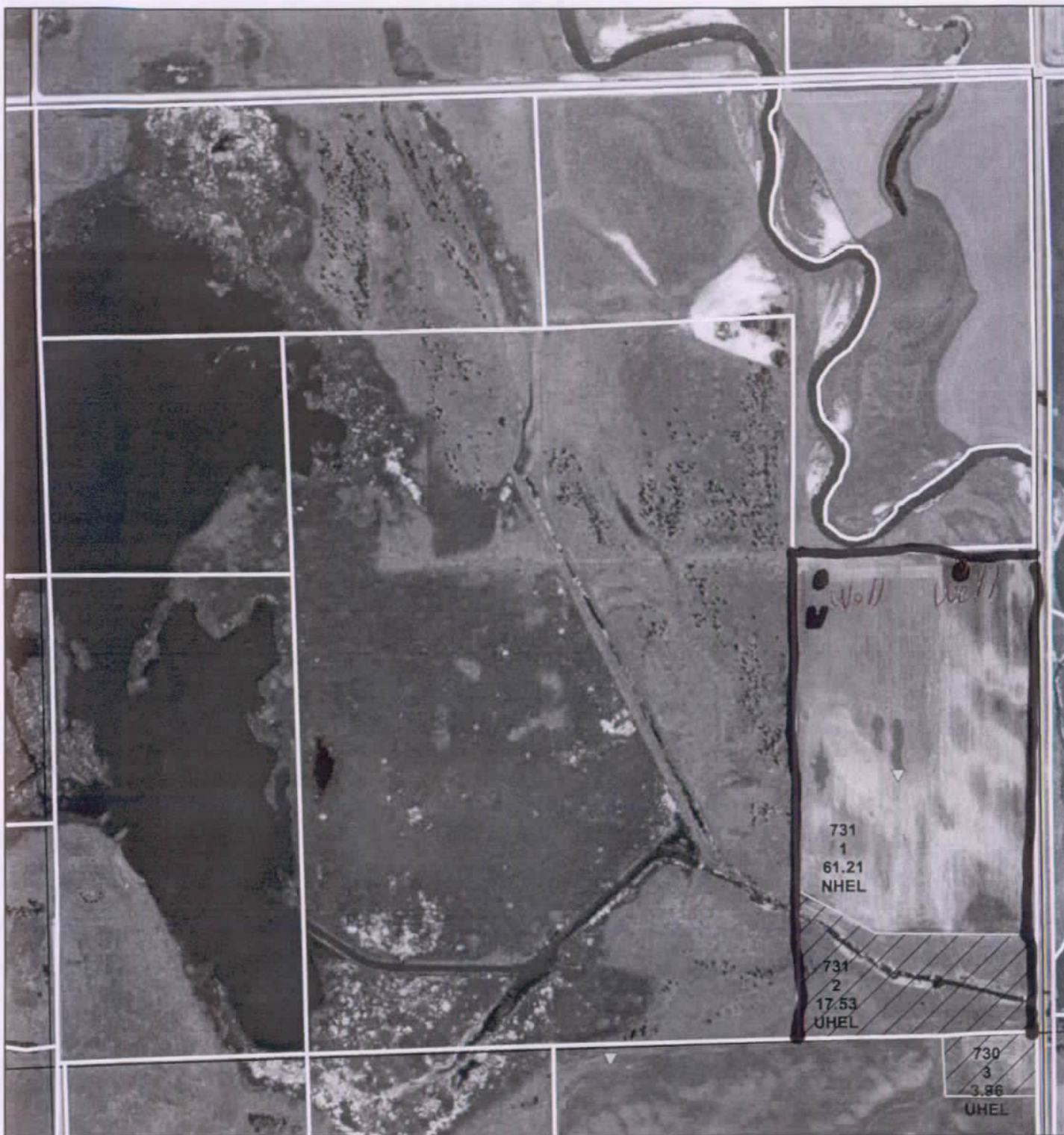


PPLS: 21_113N_51W
HAMLIN COUNTY, SD

Data use subject to license.
© DeLorme. XMap® 7.
www.delorme.com

RECEIVED
OCT 29 2012
WATER RIGHTS
PROGRAM





United States Department of Agriculture
Farm Service Agency

January 23, 2012

PLSS: 16_113N_51W
Farm: 3991

Hamlin County, SD
1:8,848

RECEIVED
OCT 29 2012
WATER RIGHTS
PROGRAM

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.

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

□ Common Land Units
▨ Non Cropland

2010 Ortho-Photography - Not to Scale



United States Department of Agriculture
Farm Service Agency

January 23, 2012

PLSS: 21_113N_51W
Farm: 3991

Hamlin County, SD
1:8,733

RECEIVED
OCT 29 2012

Wetland Determination Identifiers
● Restricted Use
▽ Limited Restrictions
□ Exempt from Conservation Compliance Provisions

WATER RIGHTS
PROGRAM

□ Common Land Units
▨ Non Cropland

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.

2010 Ortho-Photography - Not to Scale

SOUTH DAKOTA WATER WELL COMPLETION REPORT

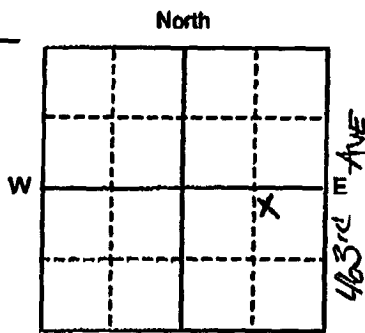
SD EForm - 1621LD V1

11-02

Location NE 1/4 SE 1/4 Sec 16 Twp 113N Rg 51W

County HAMLIN

Please mark well location with an "X"



Well Completion Date

October 17, 2012

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

PROPOSED USE:

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

METHOD OF DRILLING:

mud rotary

CASING DATA:

If other describe ☐ Steel ☐ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Quick Grout	2	Lb/gal	0.0 Ft	50.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

PRESSURE TREMMIE

SCREEN:

☐ Perforated pipe ☐ Manufactured
Diameter _____ Inches Length _____ Feet
Material _____
Slot Size _____ Set From _____ Feet to _____ Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☐ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?

☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner: Dale Williams

Business Name:

Address: 19151 465th AVE

City, State, Zip: Estelline SD 57234

WELL LOG:

		DEPTH	
	FORMATION	FROM	TO
top soil	black	0	4
clay	yellow	4	10
sand	brown	10	15
sand	blue	15	50

STATIC WATER LEVEL

If flowing: closed in pressure _____ FEET

GPM flow _____ through _____ PSI

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

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

Th #7
N44 35' 40.1
96 57 02.9 400-800gpm
Elev 1663 12" IPS

RECEIVED
OCT 29 2012
WATER RIGHTS PROGRAM

This well was drilled under license # 463 and this report is true and accurate.

Drilling firm: Steffl Drilling & Pump Inc

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

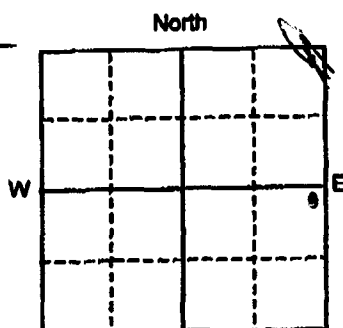
Date:

FILED
10/24/12
100A

SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE 1/4 SE 1/4 Sec 16 Twp 113N Rg 51WCounty HAMLINPlease mark well
location with an "X"

Well Completion Date

October 17, 2012

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
ft. from _____ (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

mud rotary

CASING DATA:

☐ Steel ☐ Plastic ☐ Other
 If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Quick Grout	2	Lb/gal	0.0 Ft	40.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
PRESSURE TREMMIE

SCREEN:

☐ Perforated pipe ☐ Manufactured
 Diameter _____ Inches Length _____ Feet

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED?

☐ Yes ☐ No

If so, what material? _____

Describe packer(s) and location _____

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How? _____
☐ No, Why Not? _____
 Lab to which water quality sample sent for analysis _____
Well Owner: Dale Williams

Business Name: _____

Address: 19151 465th AVECity, State, Zip: Estelline SD 57234

WELL LOG:

	FORMATION	DEPTH	
		FROM	TO
top soil	black	0	2
clay	yellow	2	5
sand	brown	5	10
sand	blue	10	39
clay	blue	39	40

STATIC WATER LEVEL

_____ 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

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

Test Hole #5

N44 35 40.3

96 56 49.2

Elev 1648

400-800gpm

12" IPS

This well was drilled under license # 463 and this report is true and accurate.Drilling firm: Steffl Drilling & Pump Inc

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

FAXED
 10/24/12
 10 AM

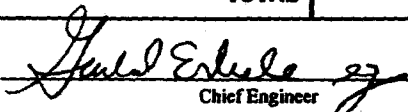
RECEIPT
WATER RIGHTS PROGRAM
South Dakota Department of Environment and Natural Resources

RECEIVED OF Dale G Williams 19151 465th Ave Date 10/30, 20 12
Estelline SD 57234

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

Fee for Application for Permit No. <u>74891-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7489-3</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	1050, 00

No. **05660**

By 
Chief Engineer

RECEIVED

OCT 29 2012

WATER RIGHTS
PROGRAM

Karon

I am sending three diff. maps
look at them will the color maps work
and witch one is better. call

Thank's
Dave

called 10/30/12



**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. 7489-3, Dale G Williams**

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. 7489-3, Dale G Williams, 19151 465th Avenue, Estelline SD 57234.

The Chief Engineer is recommending APPROVAL of Application No. 7489-3 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. 7489-3 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
January 9, 2013

REPORT ON WATER PERMIT APPLICATION NO. 7489-3
DALE G.WILLIAMS
JANUARY 3, 2013

Water Permit Application No. 7489-3, proposes to appropriate 304 acre-feet of water at a diversion rate of 1.78 cubic feet of water per second from two wells to be completed into the Big Sioux:Brookings aquifer (39-50 feet deep) located in NE 1/4 SE 1/4 Section 16 for irrigation of 152 acres located in the NE 1/4 Section 21; all T113N-R51W. This project is located approximately 2.5 miles west of the town of Estelline in southeastern Hamlin County.

AQUIFER: Brookings management unit of the Big Sioux aquifer (BS:B)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Big Sioux aquifer is an alluvium mantled glacial outwash deposit that consists of "well-sorted, very permeable glacial outwash sand and gravel, mostly medium to very coarse sand and very fine to medium gravel" (Hamilton, 1989). The aquifer is located primarily in the flood plain of the Big Sioux River and its tributaries. The Brookings management unit of the Big Sioux aquifer extends from near the center of Hamlin County where it is differentiated from the North management unit, south to northern Moody County where the management unit is distinguished from the Moody management unit. The Brookings management unit underlies parts of Hamlin, Deuel, Brookings, Kingsbury and Moody Counties. The Big Sioux: Brookings underlies approximately 163,000 acres of Brookings and Hamlin Counties alone and contains an estimated 577,730 acre-feet of recoverable water in storage in the two counties (Hedges and others, 1982). The thickness of the aquifer averages 30 feet in Brookings County (Hamilton, 1989). The average hydraulic conductivity of the Big Sioux aquifer, based on four aquifer tests, ranges from 500-1,000 feet per day (ft/d) (Koch, 1980). The test hole well completion reports submitted with this application identifies sand from 5-39 feet and 10 to 50 feet below grade at the proposed well locations.

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 the availability of unappropriated water and existing rights from the Big Sioux: Brookings aquifer.

WATER AVAILABILITY:

This application proposes to appropriate 304 acre-feet annually from the Big Sioux: Brookings aquifer. The actual water use if this application is approved will likely be less than the appropriation. The probability of unappropriated water available from the 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."

Recharge versus Discharge:

Recharge:

Recharge to the Big Sioux: Brookings occurs through infiltration and percolation of precipitation falling on the surface of the outwash. Since the aquifer is hydraulically connected to some area lakes and the Big Sioux River, recharge is also provided to the aquifer during times of high runoff when surface water levels are higher than groundwater levels. Recharge rates calculated for the various management units of the Big Sioux aquifer range from "2.7 to 6.9 in/yr if flow-net analysis is ignored" (Hedges and others, 1985). Given the area of management unit in Brookings and Hamlin Counties, average annual recharge to the aquifer in these two counties alone is estimated to be 36,675-93,725 acre-feet per year.

Discharge:

Discharge from the Big Sioux: Brookings aquifer is by evapotranspiration, discharge to streams and lakes, and withdrawal from wells. There are a number of completion reports on file with the DENR-Water Rights Program for domestic use wells completed into the Big Sioux: Brookings aquifer (Water Rights, 2013b) and there are currently 228 Water Rights/Permits appropriating water from the Big Sioux: Brookings aquifer. In addition, there are nine future use permits reserving water from the aquifer, Table 1.

Water Right/Permit Type	Number
Commercial	8
Industrial	2
Irrigation	189
Municipal	16
Rural Water System	10
Suburban Housing	2
Geothermal	1

Table 1- Distribution of WaterRights/Permits in the Big Sioux: Brookings aquifer (Water Rights, 2013c)

The amount of water that can be expected to be withdrawn through non-irrigation appropriative uses from the Big Sioux: Brookings aquifer can be estimated by assuming: 1) water rights/permits limited by an annual volume will pump the entire volume appropriated, 2) water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time, and 3) future use permits can be fully developed. Under current appropriations, given the assumptions listed above, the well withdrawals are estimated to be less than 18,200 ac-ft/yr. The reported water use from the Big Sioux: Brookings aquifer for irrigation, Figure 1.

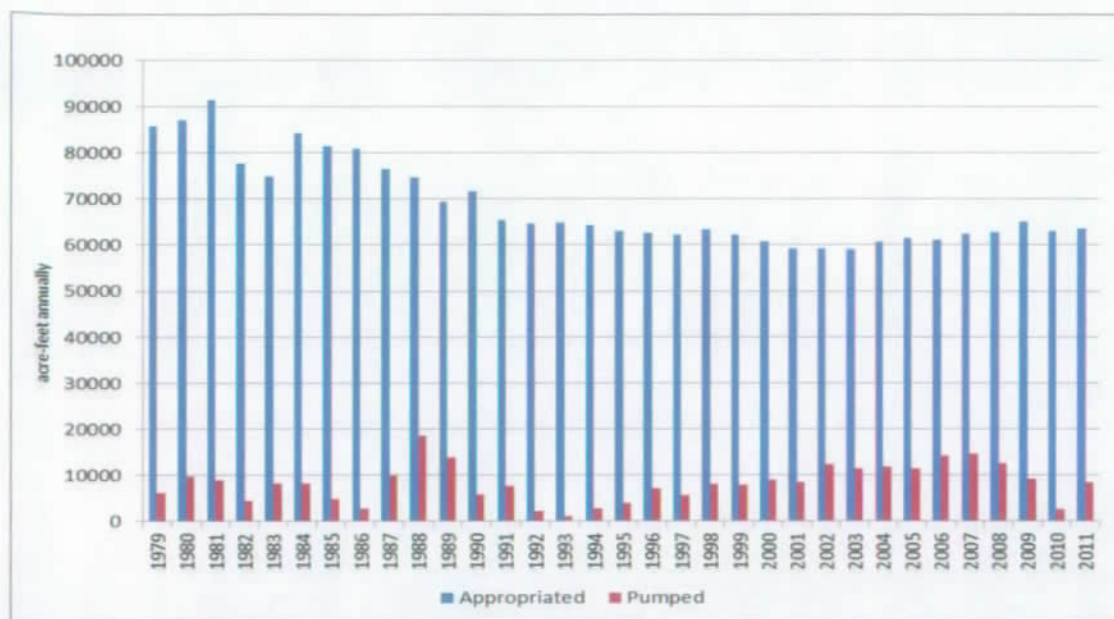


Figure 1. Historic irrigation use from the Big Sioux: Brookings aquifer (Water Rights, 1980-2011)

Comparison of the estimated average annual withdrawal from the entire Big Sioux: Brookings aquifer with the estimated average annual recharge for the aquifer in Brookings and Hamlin Counties alone indicated that in general the average annual withdrawals to the aquifer do not exceed the average annual recharge to the aquifer and unappropriated water is available from the Big Sioux: Brookings aquifer. Specifically, unappropriated water is available for the 304 acre-feet appropriation proposed by this application.

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 80 observation wells completed into the Brookings management unit of the Big Sioux aquifer. Three of these observation wells are located within approximately 4.5 miles of the well sites proposed by this application. Hydrographs for these observation wells are shown below, Figures 2-4.

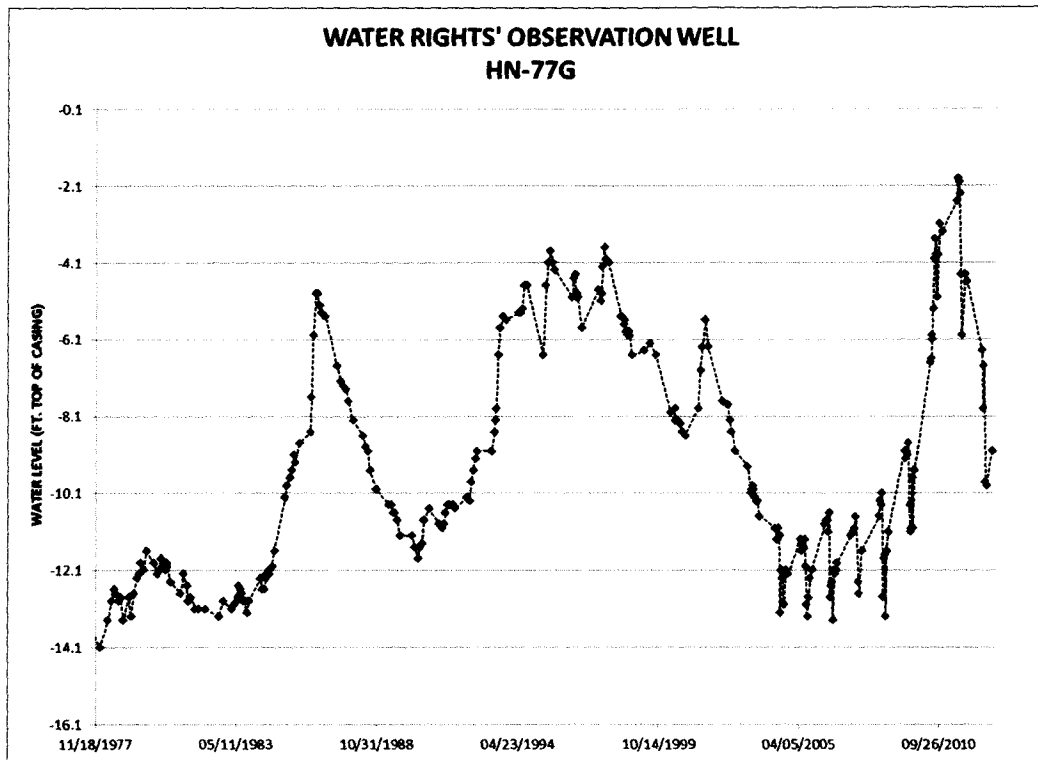


Figure 2. - Hydrograph of DENR-Water Rights' observation well HN-77G (Water Rights, 2013a)

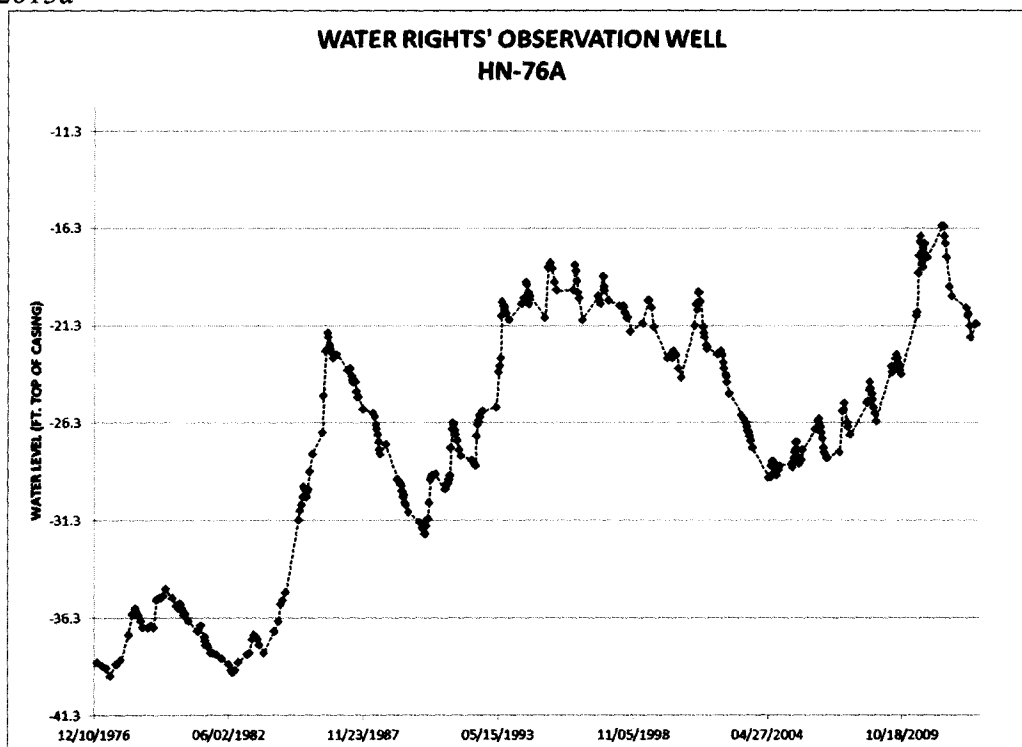


Figure 3. - Hydrograph of DENR-Water Rights' observation well HN-76A (Water Rights, 2013a)

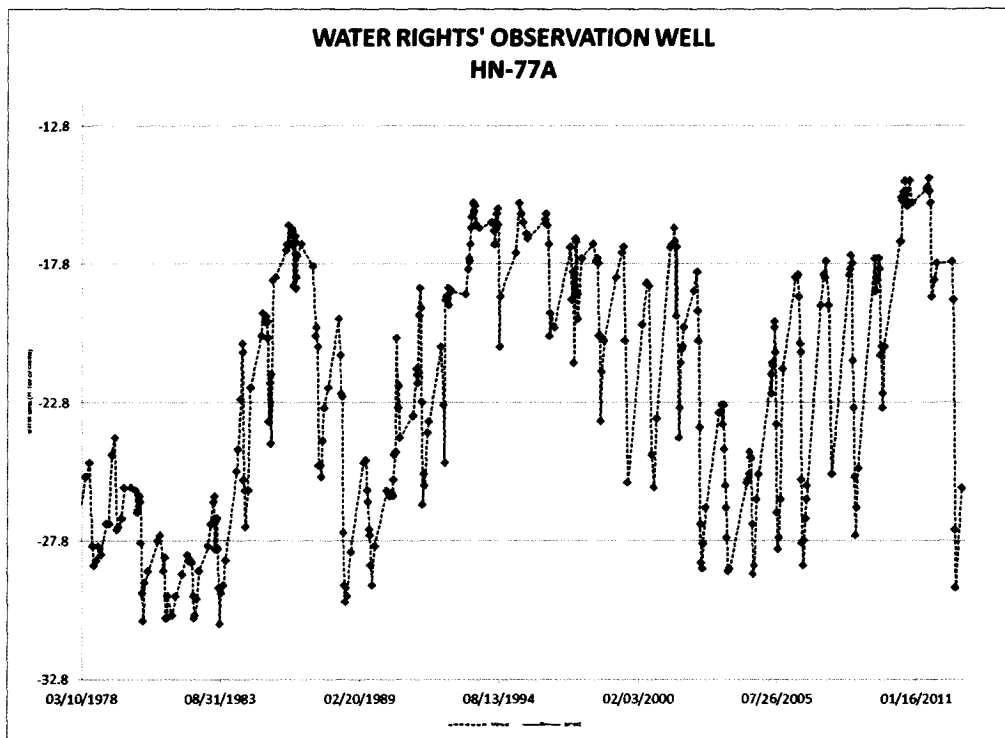


Figure 4 - Hydrograph of DENR-Water Rights' observation well HN-77A (Water Rights, 2013a)

The observation well data shows the aquifer responds well to climatic conditions with rising water levels during wet years and gradually declining water levels during dry years. The water level data verifies that over the period of record, withdrawals have not exceeded recharge. Most importantly, the observation well data shows that at the current level of development, climatic conditions greatly mask the temporal effects of well withdrawals. Therefore, recharge to and natural discharge from the Big Sioux: Brookings aquifer significantly exceeds pumping. Recognizing that natural discharge from the aquifer can be captured for pumping. The hydrographs document that there is unappropriated water available from the aquifer to support this appropriation.

EXISTING WATER RIGHTS:

The well sites proposed by this application are located in a portion of the Big Sioux: Brookings aquifer that extends west of the Big Sioux River for approximately one-half mile to the edge of the aquifer. The river is a recharge boundary that would limit drawdown beyond it to the east.

There are 228 existing water rights/permits appropriating water from the Big Sioux:Brookings aquifer. Of these 10 water rights/permits authorizing wells and a number of domestic wells within two miles of the proposed well location are on file with the SD DENR- Water Rights program from the Big Sioux: Brookings. Table 2 lists these existing rights with No. 7124-3 and 7135-3 being the nearest, approximately a half mile away.

PERMIT_NO	NAME	STATUS	USE	CFS	ACRES
1317-3	CITY of ESTELLINE	LC	MUN	1.100	0.00
2412-3	PINE KNOLL INC	LC	IRR	1.550	129.00

3565-3	R SCHWARTZ	LC	IRR	1.780	127.00
4853-3	L RUST	LC	IRR	1.340	122.50
5574-3	PINE KNOLL INC	LC	IRR	1.500	105.00
3374A-3	B SANDERSON	LC	IRR	2.000	339.00
7124-3	J TESCH	LC	IRR	0.890	70.00
7135-3	R TESCH	LC	IRR	0.710	50.00
5574-3	PINE KNOLL INC	LC	IRR	1.500	105.00
775-3	M MACK	LC	IRR	2.190	153.00

Table 2 – Water Rights from of the Big Sioux: Brookings aquifer within two miles of Application No. 7489-3 (Water Rights, 2013c)

Since the Big Sioux: Brookings is under unconfined conditions with a relatively high transmissivity, drawdown is not expected to be significant beyond a few hundred feet from the production well. If approved, withdrawals from the Big Sioux: Brookings wells proposed by this application will not be expected to adversely impair existing water rights.

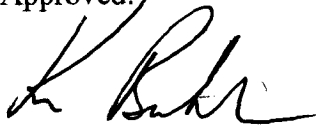
CONCLUSIONS:

1. This application proposes to appropriate up to 304 acre-feet annually from the Big Sioux: Brookings aquifer.
2. There is a reasonable probability that unappropriated water is available from the Big Sioux: Brookings aquifer to satisfy this proposed appropriation.
3. Withdrawals from the Big Sioux: Brookings wells proposed by this application will not be expected to adversely impair existing water rights.



Mark D. Rath
Natural Resources Engineer
SD DENR-Water Rights Program

Approved:



Ken Buhler
Natural Resources Engineer
SD DENR-Water Rights Program

REFERENCES:

- Hamilton, L.J. 1989, Water Resources of Brookings and Kingsbury Counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 88-4185, 82 p.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., 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., 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; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Koch, N.C., 1980, Appraisal of the Water Resources of the Big Sioux aquifer, Brookings, Deuel, and Hamlin Counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 80-100, 46 p.
- Water Rights, 1980-2012, Irrigation Questioner Summaries 1980-2011, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013b, Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013c, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

RECEIVED

JAN 22 2013

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SS

I, Lee Anne Dufek

certify that the attached printed Notice was
taken

from the Estelline Journal

printed and published in Estelline

County of Hamlin and

state of South Dakota. The notice was
published

in the newspaper on the following date:

Jan. 16, 2013

Cost of Printing \$22.44

Lee Anne Dufek
(Signature)

Publisher
(Title)

1-17-13
(Date Signed)

NOTICE OF APPLICATION NO. 7489-3 TO APPROPRIATE WATER

Notice is given that Dale G Williams, 19151 465th Ave, Estelline SD 57234 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from two wells to be completed into the Big Sioux-Brookings Aquifer (39-50 feet deep) located in NE 1/4 SE 1/4 Section 16 for irrigation of 152 acres located in the NE 1/4 Section 21; all T113N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7489-3 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 January 28, 2013.

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 Jan. 16, 2013, at total cost of \$22.44.

RECEIVED

Affidavit of Publication

JAN 24 2013

10/

State of South Dakota

WATER RIGHTS
PROGRAM

Exhibit "A"

ss

County of Brookings

Chaylee Duis of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

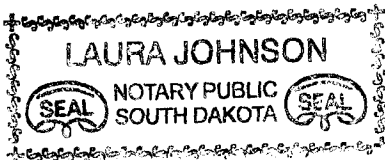
Leg#920 Notice on App #7489-3 -Williams

same was published, is hereto attached marked Exhibit said newspaper for _____ 1 times, to-wit:

January 16, 2013

said Exhibit "A" inures to the sole benefit for the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

twenty-two dollars and sixty-nine cents \$22.69



Laura Johnson

17th day of

2013

January

Chaylee Duis

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires August 3, 2017.

Legal 920, 1x, 1/16
NOTICE OF APPLICATION NO. 7489-3 to
Appropriate Water
Notice is given that Dale G. Williams, 19151 465th Ave, Estelline SD 57234 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from two wells to be completed into the Big Sioux:Brookings Aquifer (39-50 feet deep) located in NE 1/4 SE 1/4 Section 16 for irrigation of 152 acres located in the NE 1/4 Section 21; all T113N-R51W.
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7489-3 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 January 28, 2013.

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 \$22.69.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

January 10, 2013

Estelline Journal
PO Box 159
Estelline SD 57234

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7489-3 to Appropriate Water. Please publish the notice once on January 16, 2013. 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 APPLICANT is Dale G Williams, 19151 465th Ave., Estelline SD 57234 (Ph # 605-873-9319).

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

January 10, 2013

Brookings Register
PO Box 177
Brookings SD 57006

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7489-3 to Appropriate Water. Please publish the notice once on January 16, 2013. 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 APPLICANT is Dale G Williams, 19151 465th Ave., Estelline SD 57234 (Ph # 605-873-9319).

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

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

January 10, 2013

Dale G Williams
19151 465th Ave
Estelline SD 57234

Dear Mr. Williams:

Water Permit Application No. 7489-3 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 Estelline Journal printed at Estelline SD (Ph # 605-873-2475) and the Brookings Register printed at Brookings SD (Ph # 605-692-6271). 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 January 16, 2013. 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. 7489-3 to Appropriate Water

Notice is given that Dale G Williams, 19151 465th Ave, Estelline SD 57234 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from two wells to be completed into the Big Sioux:Brookings Aquifer (39-50 feet deep) located in NE 1/4 SE 1/4 Section 16 for irrigation of 152 acres located in the NE 1/4 Section 21; all T113N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7489-3 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 January 28, 2013.

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 _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 19 2013

Dale G Williams
19151 465th Ave
Estelline SD 57234

Dear Mr. Williams:

Enclosed is Water Permit No. 7489-3 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

7489-3

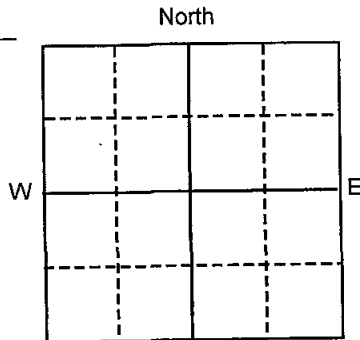
SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE 1/4 SE 1/4 Sec 16 Twp 113 Rg 51County Hamlin

Please mark well location with an "X"



Well Completion Date

December 5, 2012

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

PROPOSED USE:

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

METHOD OF DRILLING:

mud rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	12.00 IN	0.0 FT	34.0 FT	17.50 IN
LB/FT	12.00 IN	49.0 FT	50.0 FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Quick Grout	7	Lb/gal	0.0 Ft	25.0 Ft
Red Flint	30	Lb/gal	25.0 Ft	50.0 Ft

Describe grouting procedure
Pressure Tremmie for grout

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 12.00 Inches Length 15.0 FeetMaterial Stainless SteelSlot Size 100 Set From 35.0 Feet to 50.0 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ Yes ☒ No

If so, what material? _____

Describe packer(s) and location _____

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine☐ No, Why Not? _____Lab to which water
quality sample sent for analysisWell Owner: Dale Williams

Business Name: _____

Address: 19151 465th AveCity, State, Zip: Estelline SD 57234

WELL LOG:

		DEPTH	
FORMATION		FROM	TO
Top Soil	Black	0	4
Clay	Yellow	4	10
Sand	Brown	10	15
Sand	Blue	15	50
On a Rock		50	52

STATIC WATER LEVEL 9.0 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

23 Ft. After 6 Hrs. pumped 1000 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

Production Well #1

44 35 40.1N

96 57 07.9W

Elev 1663

RECEIVED

APR 18 2013

WATER RIGHTS
PROGRAMThis well was drilled under license # 463 and this report is true and accurate.Drilling firm: Steffl Drilling & Pump Inc / Kris Van Heuveln

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder:

Dale B. WilliamsDate: 2-14-2013

7489-3

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

RECEIVED

APR 27 2015

WATER RIGHTS
PROGRAM

Date

3/31/15

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

FROM:

Dale G. Williams

(name)

19151 465th Ave

(address)

Estelline SD 57234

(city, state, zip)

605-690-9319

(phone)

cell ↑

605-873-9319

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. 7489-3 states that the water use system is to be constructed by

1/28/2018

(date)

, and water is to be put to beneficial use by

1/28/2022

(date)

The water use system was completed on 2013

(date)

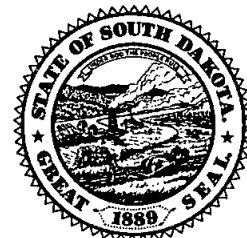
Applying the water to beneficial use was completed on 2014

(date)

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

Dale G. Williams

(signature)



Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7489-3

I have this day, March 31, 2015, made a thorough examination of the water use system constructed by Dale G. Williams of Permit No. 7489-3, bearing the priority of October 29, 2012 authorizing the diversion of 1.78 cu. ft. per second of the waters of Big Sioux Brookings aquifer for irrigation purposes, in Hamlin County.

Inspection contact & relationship to permit holder, if applicable: Spoke to Dale Williams via phone and his son at permit site.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Steffl Drilling
- 2) No. of Wells 1
- 3) Depth(s) 50 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 12 inches
- 2) Length 35 feet
- 3) Type Plastic

Screen:

- 1) Type Stainless steel
- 2) Length 15 feet
- 3) Static water level 9 feet

Motor/Pump:

- 1) Make submersible
- 2) Model/Size unknown
- 3) Capacity 800 GPM

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

- 1) Type PVC
- 2) Size 12 inches
- 3) Length 3,920 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Number of towers 7
- 3) End gun Yes
- 4) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate Yes
- 2) Main line check valve Yes
- 3) Inspection port/air relief Yes
- 4) Low pressure drain Yes
- 5) Discharge is 20' from source need hose
- 6) Interlock type electrical
- 7) Injection pump type piston
- 8) Injection check valve not at site
- 9) Injection line check valve or positive displacement pump Yes

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
- 3) Exceptions to compliance are: none, other than need a couple of chemigation requirements in place prior to chemigating.

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: Well: 2,620 feet north and 1,315 feet west from SE corner section 16-T113N-R51W (NE1/4 SE1/4 located at coordinates longitude -96.95083, latitude 44.59454).
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: all in section 21-T113N-R51W.

NE1/4 NE1/4 – 33.5 acres
NW1/4 NE1/4 – 33.5 acres

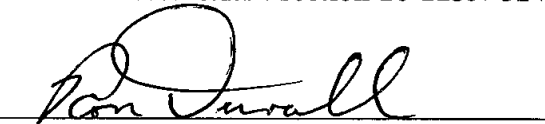
SW1/4 NE1/4 – 33.5 acres
SE1/4 NE1/4 -- 33.5 acres

comprising a total of 134 acres of land and the license should be issued for 1.78 cfs.

3. All structures, wells and lands on map Yes

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

Mr. Williams may be submitting an application to use the well covered by No. 7489-3 to irrigate portions of the E1/2 SE1/4 section 16-113N-51W. The acreage would be sub-irrigated using drainage tile system.



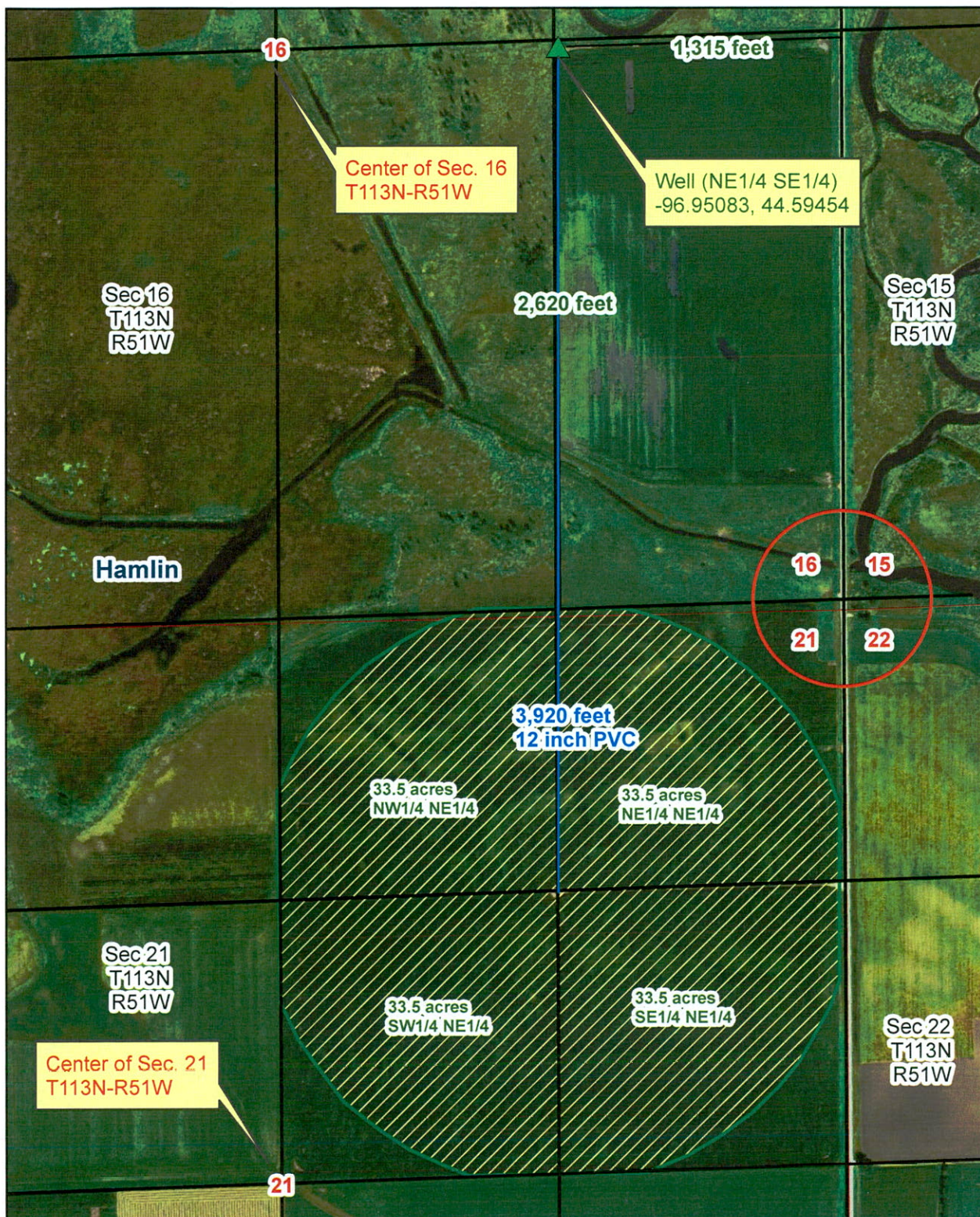
Ron Duvall
Water Rights Permitting Administrator
DENR, Water Rights Program

Date report completed: May 19, 2015

Scale: 1 inch = 703 feet

975

Feet



Diversion point(s) located using Garmin eTrex 10 GPS

Completed by:

Ron Duvall

Ron Duvall, W.R. Permitting Administrator
SD DENR, Water Rights Program

Date: May 19, 2015

Water Right No. 7489-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 28 2015

7489-3

Dale G Williams
19151 465th Ave
Estelline SD 57234

Dear Mr. Williams:

Enclosed is Water License No. 7489-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 7489-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

A handwritten signature in black ink, reading 'Jeanne Goodman'. The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7489-3**

(1) Dale G Williams, 19151 465th Ave., Estelline SD 57234 made Application No. 7489-3, October 29, 2012 for a water permit to divert 1.78 cubic feet of water per second from ground water (two wells, Big Sioux Brookings Aquifer), Hamlin County, South Dakota for irrigation purposes. Permit No. 7489-3, with a priority date of October 29, 2012 was approved January 28, 2013 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 28, 2018 and for the application to beneficial use of said water on or before January 28, 2022.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on April 27, 2015. The "*Notice*" stated the water use system was completed in 2013 and the water placed to beneficial use in 2014.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 2,620 feet N and 1,315 feet W of the SE corner of Section 16, T113N, R51W (NE ¼ SE ¼ Section 16).

(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 21, T113N, R51W	NE ¼ NE ¼	33.5 acres
	NW ¼ NE ¼	33.5 acres
	SW ¼ NE ¼	33.5 acres
	SE ¼ NE ¼	33.5 acres
	Total	134.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Dale G Williams, 19151 465th Ave., Estelline SD 57234 the holder and/or owner of Water Right No. 7489-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well, Big Sioux Brookings Aquifer) with a priority date of October 29, 2012 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7489-3 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 7489-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *The well was constructed by Steffl Drilling & Pump Inc. in December, 2012. A copy of the log is on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

MAY 28 2015

date





DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

November 5, 2020

5252-3
5303-3
7489-3
8149-3
8154-3

Jeff Williams
19132 465th St
Estelline SD 57234

Dear Mr. Williams:

As indicated on your 2020 Irrigation Questionnaires enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on the water permits/rights listed above. The water permits/rights are currently listed in the name of Dale G Williams.

The transfer forms should be checked over for accuracy and signed by the new owner. Upon completion, return the forms to our office with a required filing fee of \$50.00 each (total \$250.00).

For informational purposes, under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain water permit. This three year period can be waived if legal excuse exists for the years of nonuse. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

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 Genny McMath or me.

Sincerely,

Karen Schlaak

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

enclosures

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Jeff Williams, 19132 465th St, Estelline SD 57234

DATE: November 10, 2020

TELEPHONE: 605 690-2265

RE: Water Right/Permit Nos. 5252-3, 5303-3, 7489-3, 8149-3 and 8154-3

COMMENTS:

In response to irrigation questionnaires returned by Jeff Williams, a letter was sent to him with transfer forms for changing the water rights from Dale Williams to Jeff's name.

Jeff called and indicated he was Dale's son. He and his brother are taking over some of the farming and of course the paperwork but Dale still owns the land.

He wanted the annual questionnaires sent to him, but ownership stays under Dale G Williams. I told him to disregard the transfer forms we mailed to him.



Genny McMath
Water Rights Program

7489-3



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

January 20, 2022

NOTICE

TO: JEFF WILLIAMS, OPERATOR, 19132 465th St, ESTELLINE, SD 57234

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5252-3, 5303-3, 7489-3, 8149-3 & 8154-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5252-3, 5303-3, 7489-3, 8149-3 & 8154-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5252-3, 5303-3, 7489-3, 8149-3 & 8154-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: OETXTH**

c: Dale G Williams, 19151 465th Ave, Estelline SD 57234

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 31, 2022

Jeff Williams
19132 465th St
Estelline SD 57234

RE: Water Permit or Right Nos. 5252-3, 5303-3, 7489-3, 8149-3 & 8154-3

Dear Mr. Williams:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires (copies enclosed).

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for the above listed Water Permits or Rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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