

WATER PERMIT NO. 7499-3

Name of Applicant: Scott Carlson

Address: 19893 446th Ave, Lake Preston SD 57249 Phone: 605 203-0837

Amount of Water Claimed: 1.11 cfs Total Acres: 120 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Kingsbury

Type of Waste Disposal System:

Location: 8 miles northwest of DeSmet

PRIORITY Date Received: 11-5-12 Application/License Fee: \$ 950

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

Remarks:

Diversion Point: NW 1/4 NW 1/4 Sec 25-T112N-
R57W

Land to be Irrigated: NW 1/4 Sec 25-T112N-
R57W

Depth of Well: 127 feet deep

Well Driller: Steffl Drilling & Pump Inc.

Remarks:

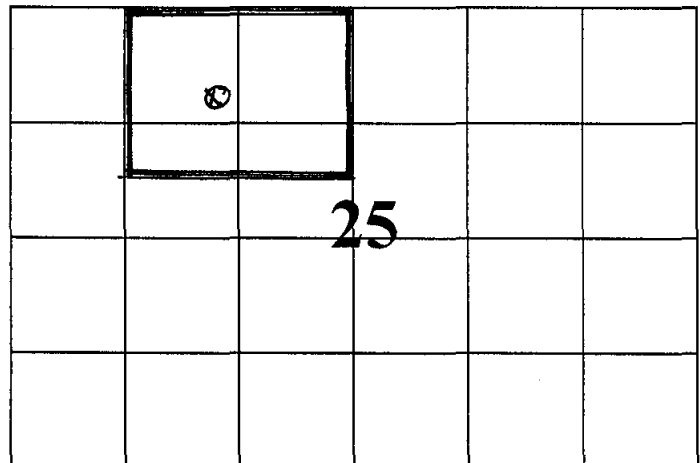
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 11-5-12

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. 7499-3 (office use only)
Hydrologic Unit 10170103
Basin Lisoy River
Newspaper De Smet News PO Box 469 57231 854-3381 605-
Plainsman PO Box 1278 Huron 57530 352-6401 605-

500
256
200
\$950

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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 Scott Carlson
(check one) ☐ Owner ☒ Tenant/lessee ☐ Owner's Legal Agent Shirly Carlson
(name and complete address if different than above name)
Mailing Address 19893 446th Ave. Lake Preston SD 57249
(Address) (City) (State) (Zip Code)
Home Phone _____ Cell 605 203 0837 Email _____
2. Amount of water claimed 1.11 *CFS or 500 **GPM ***AF Total Acreage 120
(*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 950' from the north side of the NW 1/4 1230' from
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)
the west side of the NW 1/4 (center) NW 1/4 NW 1/4 County Kingsbury
Sec 25-T112 R57
5. County or counties where water will be used Kingsbury
6. Annual period during which water is to be used May 1 - Sept 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
NW 1/4 of the NW 1/4 Sec 25 112N 57W	40		
NE 1/4 of the NW 1/4 Sec 25 112N 57W	40		
SE 1/4 of the NW 1/4 Sec 25 112N 57W	20		
SW 1/4 of the NW 1/4 Sec 25 112N 57W	20		

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

I, Scott A. Carlson, 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. 7499-3**

Date of first receipt of application November 5, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7499-3 to Scott Carlson, 19893 446th Ave, Lake Preston SD 57249 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. 7499-3 appropriates 1.11 cubic feet of water per second from one well to be completed into the Spirit Lake Management Unit of the Vermillion East Fork Aquifer (127 feet deep) located in NW 1/4 NW 1/4 Section 25 for irrigation of 120 acres located in the NW 1/4 Section 25; all in T112N-R57W.
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 November 5, 2012.
4. The date of approval of Permit No. 7499-3 is February 4, 2013.
5. One-fifth of the construction is to be completed on or before August 4, 2015.
6. All construction is to be completed on or before February 4, 2018.
7. Water is to be put to beneficial use on or before February 4, 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 well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7499-3 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

MAR 04 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 1 Have test holes been drilled ☒ Yes ☐ No Drilled by stefft Drilling
(if yes, please provide copies of logs)

b) If existing wells, how many 0 Provide copy of log(s), if available. Drilled by _____

c) Well Depth 127ft Depth to Top of Water Bearing Material 17 Depth to Water from Surface 110ft

d) Distance to nearest existing domestic well:

On applicant's property 2100 On property owned by others 2600ft

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

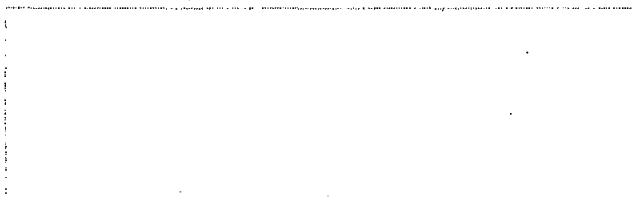
a) Surface Dimensions _____ Depth _____

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 _____

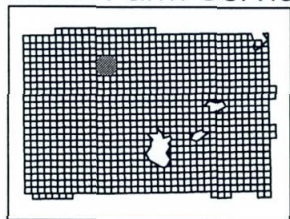
h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



USDA U.S. Dept. of Agriculture
Farm Service Agency



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South Dakota Kingsbury County

25-112N-57W

Map Not to Scale/ No Wetland ID

Legend

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

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2003 ortho rectified imagery for South Dakota. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs.

February 07, 2006

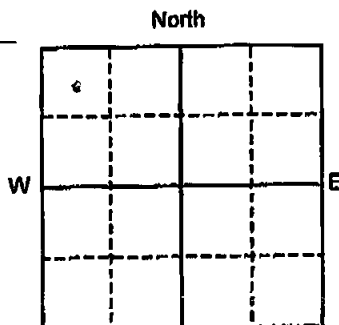
SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW ¼ NW ¼ Sec 25 Twp 112 Rg 57

County Kingsbury

Please mark well
location with an "X"

Well Completion Date

October 18, 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:

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
HS Bentonite	8	Lb/gal	0.0 Ft	200.0 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: Scott Carlson

Business Name:

Address: 19893 446th AVE

City, State, Zip: Lake Preston SD 57249

WELL LOG:

			DEPTH	
FORMATION			FROM	TO
top soil	black		0	1
clay	tan	H	1	30
clay	blue	M	30	81
sand/gravel	18-100slt		81	87
clay/rocks		M	87	95
clay sandy		M	95	110
sand gravel	30-100slt		110	127 *
clay	blue	M	127	138
sand	wht/bl	30slt	138	141

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

 clay blue M 141 200
 750+gpm 12" IPS
 TH #1

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:

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South Dakota Department of Environment and Natural Resources

Date 11/5, 20 12

RECEIVED OF Scott Carlson

19893 446th Ave

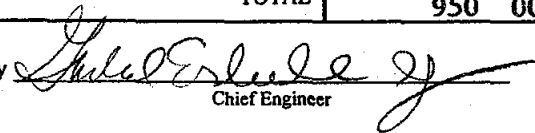
Lake Preston SD 57249

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

Fee for Application for Permit No. <u>7499-3</u> to Appropriate Water, to construct and to put water to beneficial use	750	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>7499-3</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	950 00

No. **05677**

By


Chief Engineer

Water Rights Program - File Documentation

NAME: Dave Gullickson, Farmers Implement

ADDRESS: Brookings SD

DATE: 11-5-12 **COUNTY:** KG **TELEPHONE:** 605 690-9013

RE: Pending application for Scott Carlson

COMMENTS:

I called Dave Gullickson to clarify the number of acres to be irrigated on this application. Dave indicated he helped Scott Carlson complete this application. The area outlined in black on the aerial photo map is what he is proposing to irrigate which totals 120 acres. He concurred that the acreage breakdown should be:

Section 25-T112N-R57W	
NW 1/4 NW 1/4	40 acres
NE 1/4 NW 1/4	40 acres
SE 1/4 NW 1/4	20 acres
<u>SW 1/4 NW 1/4</u>	<u>20 acres</u>
	120 acres

Karen Schlaak
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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7499-3, Scott Carlson**

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. 7499-3, Scott Carlson, 19893 446th Avenue, Lake Preston SD 57249.

The Chief Engineer is recommending APPROVAL of Application No. 7499-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7499-3 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 15, 2013

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO.7499-3
SCOTT CARLSON
JANUARY 15, 2013

Water Permit Application No. 7499-3 proposes to appropriate up to 240 acre-feet (ac-ft) annually at a maximum diversion rate of 1.11 cubic feet of water per second (cfs) from one well to be completed into the Spirit Lake management unit of the Vermillion East Fork aquifer. The well is expected to be approximately 127 feet deep and is to be located in the NW ¼ NW ¼ Section 25 for the irrigation of 120 acres located in the NW ¼ Section 25; all in T112N-R57W in Kingsbury County.

AQUIFER: Spirit Lake management unit of the Vermillion East Fork aquifer (VEF: SL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Vermillion East Fork: Spirit Lake (VEF: SL) is composed of glacial outwash (sand and gravel) is a two to four mile wide band in central Kingsbury and Clark Counties and is primarily under unconfined conditions (Hamilton, 1989). The aquifer underlies approximately 13,900 acres and contains an estimated 25,640 ac-ft of recoverable water in storage in Clark and Kingsbury Counties (Hedges et. al, 1982). The depth to the top of the aquifer ranges from land surface to as much as 120 feet below grade. The average thickness of the aquifer is estimated to be 25 feet (Hamilton, 1989), however, the aquifer can be more than 40 feet thick between De Smet and Spirit Lake and where it may be composed of up to three units separated by till (Hamilton, 1989). The regional flow of the aquifer is generally southward, with local flow being toward the area lakes (Hamilton, 1989). The test hole log submitted with this application indicates clay from land surface to a depth of 81 feet, sand and gravel from 81 to 87 feet below grade, clay from 95 to 110 feet below grade, and sand and gravel (the aquifer) from 110 to 127 feet below grade.

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 aquifer.

WATER AVAILABILITY:

Water Permit Application No. 7499-3 proposes to appropriate up to 240 ac-ft/yr from the Vermillion East Fork: Spirit Lake aquifer. Although the actual water use if this application is approved will most likely be less than 240 ac-ft/yr. 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 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 Vermillion East Fork: Spirit Lake aquifer is by infiltration of precipitation and leakage from adjacent and underlying till (Hamilton, 1989). Hedges and others (1985) estimated recharge to the aquifer to be 4.0 inches per year (4,633 ac-ft/yr).

Discharge:

The Vermillion East Fork: Spirit Lake aquifer discharges to adjacent till and area lakes and through well withdrawals (Hamilton, 1989). There are 15 water rights/permits appropriating and one future use permit reserving water from the Vermillion East Fork: Spirit Lake aquifer (Water Rights, 2013b). The only non-irrigation appropriations are Water Right Nos. 5426-3 and 6731-3 and Future Use Permit No. 5209-3 all for Kingbrook RWS Inc. Future Use Permit No. 5209-3 reserves 1,100 ac-ft/yr. Table 1 shows the withdrawals from the VEF: SL by the Kingbrook RWS as reported to the DENR-Water Rights Program. Table 2 shows the water use by irrigation appropriations as reported to the DENR-Water Rights Program through annual irrigation questionnaires. Average estimated annual use is expected to be less than 2,541 ac-ft/yr under current appropriation level. Therefore, there is a reasonable probability that unappropriated water is available for this proposed appropriation.

Year	Appropriation (ac-ft)	Pumpage (ac-ft)
2011	1350	923
2010	1350	866
2009	1350	932
2008	1350	979
2007	1350	996
2006	1350	1068
2005	1350	997
2004	1350	877
2003	1350	919
Avg	1350	950.78

Table 1- Water use by Kingbrook RWS Inc. from the Vermillion East Fork: Spirit Lake aquifer (Water Rights, 2003-2012)

Year	No. of Permits Reporting	Appropriation (ac-ft)	Pumpage (ac-ft)
2011	9	3875.2	771.92
2010	9	3875.2	311.44
2009	9	3875.2	201.68
2008	9	3875.2	834.31
2007	9	3875.2	732.48
2006	9	3875.2	821.3
2005	9	3875.2	631.76
2004	9	3875.2	599.41
2003	9	3875.2	669.28
2002	9	3875.2	635.47
2001	9	3875.2	188.08
2000	9	3875.2	486.05
1999	9	4588.4	281.36
1998	9	3875.2	420.46
1997	9	3875.2	328
1996	9	3875.2	258.53
1995	9	3875.2	29.42
1994	9	3875.2	58.41
1993	9	3521.2	2.6
1992	9	3521.2	191
1991	9	3635.2	690.4
1990	9	3979.2	383
1989	9	3979.2	1207
1988	9	3979.2	976.8
1987	9	3979.2	393
1986	10	4339.2	138
1985	11	4718	125
1984	11	4718	184
1983	11	4801.2	1193.46
1982	13	4637.2	384.77
1981	12	4802	365
1980	11	4358	958
1979	11	4358	721
Min	9	3521.2	2.6
Max	13	4802	1207
Avg	9.55	4054.33	490.07

Table 2- Irrigation Water Use from the Big Sioux: Brookings in Hamlin County (Water Rights 1979-2012).

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 7 observation wells completed into the Vermillion East Fork: Spirit Lake aquifer (Water Rights, 2013a). The nearest observation wells are KG-77C, KG-77A, and KG-83B. Water levels in the observation wells show response to climatic conditions. The water levels rise (recharge) during wet years and gradually decline during dry years. The hydrographs show the effects of pumping, but it does not appear to be significant over the period of record. The climatic effects on water level greatly mask the temporal impacts of well withdrawal. Therefore, recharge to and natural discharge from the Vermillion East Fork:

Spirit Lake aquifer significantly exceeds pumping. Figures 1, 2 and 3 show the hydrographs for observation wells KG-77C, KG-77A, and KG-83B, respectively.

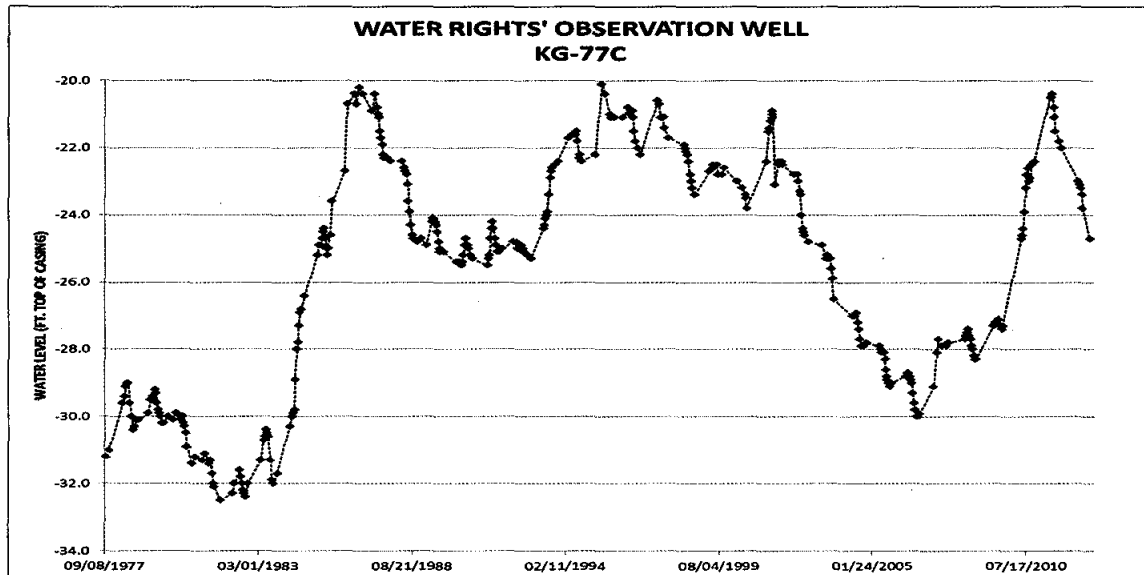


Figure 1- Hydrograph of DENR-Water Rights' observation well KG-77C, 1.1 miles southeast of the proposed well site (Water Rights, 2013a)

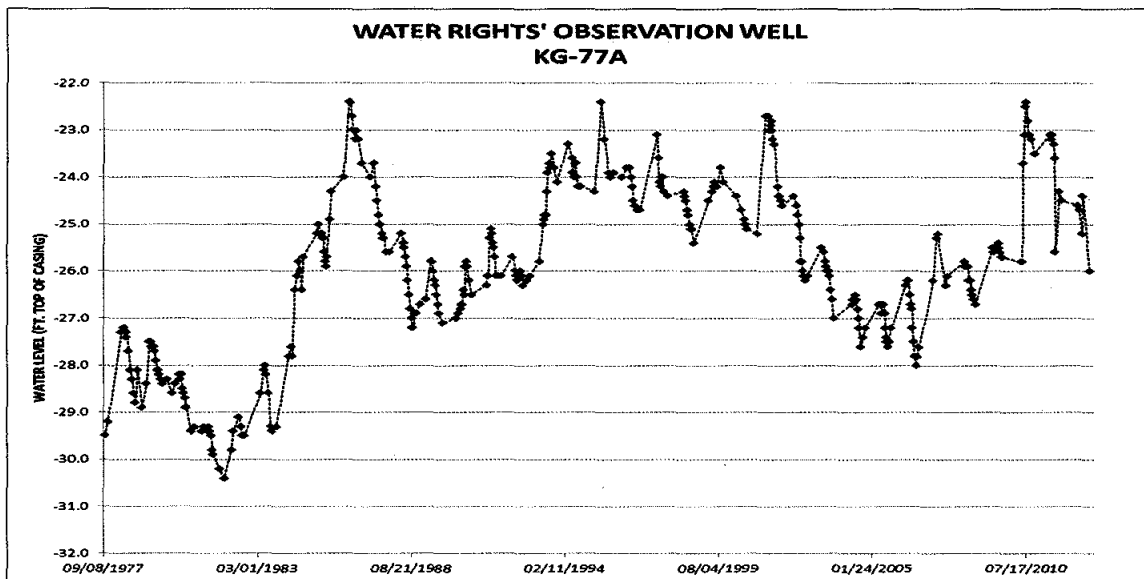


Figure 2- Hydrograph of DENR-Water Rights' observation well KG-77A, 1.7 miles north of the proposed well site (Water Rights, 2013a)

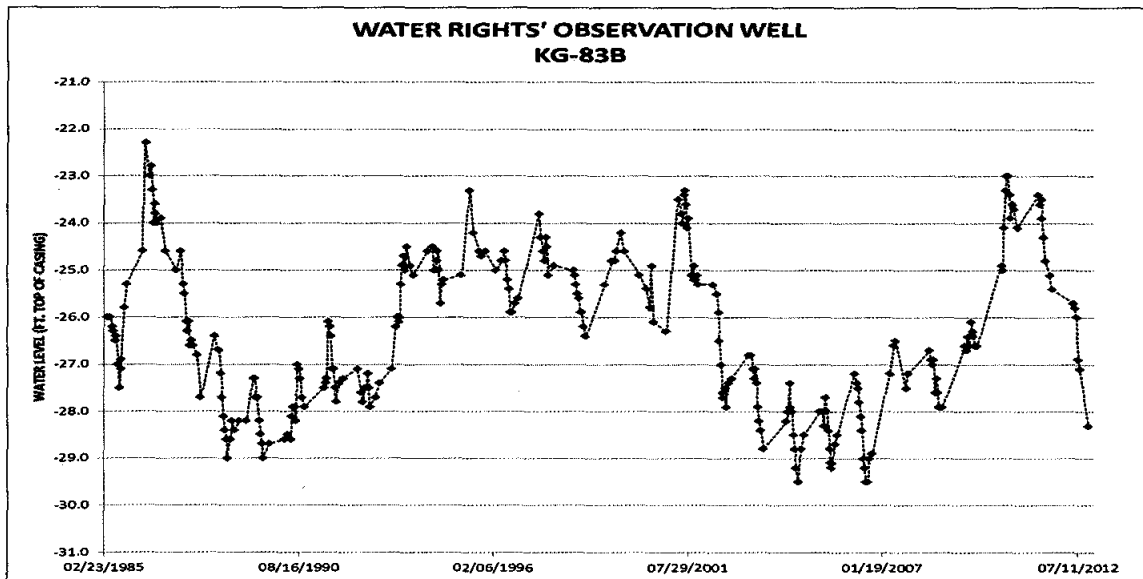


Figure 3- Hydrograph of DENR-Water Rights' observation well KG-83B, 2.2 miles north-northwest of the proposed well site (Water Rights, 2013a)

EXISTING WATER RIGHTS:

There are 15 water rights authorizing wells, one future use permit reserving water, and several domestic wells on file with the DENR-Water Rights Program completed into the Vermillion East Fork: Spirit Lake aquifer (Water Rights, 2013b and 2013c). Table 2 shows the water rights and future use permit completed into the VEF: SL, and the water rights and the future use permit within approximately 2.6 miles of the proposed well site are marked.

Permit No.	Name	Status	Type	CFS	Acres
1212-3*	Page Brothers	LC	IRR	2.28	270
1911-3	Jack Schmidt	LC	IRR	1.9	130
2731-3	Jack Schmidt	LC	IRR	1.88	132
3131-3*	Robert B./Scott A. Lee	LC	IRR	1.67	117
3132-3*	Geib Family Trust	LC	IRR	1.78	136
3296-3	Mayfield Colony	LC	IRR	1.55	264
4221-3	Harry Borg	LC	IRR	1.88	132
4282-3*	Marvin Ogren	LC	IRR	1.76	155
4324-3A	Rick J. or Ronald Symens	LC	IRR	2.66	222
4331-3	Marty & Tari Burkhart	LC	IRR	1.77	132
4633A-3	Richard E. Poppen	LC	IRR	1.33	120
5209-3*	Kingbrook RWS Inc.	FU	RWS		
5426-3*	Kingbrook RWS Inc.	LC	RWS	1.4	
5595-3	Edward Poppen	LC	IRR	0.66	98
6480-3*	Keith Larson	LC	IRR	N/A	34
6731-3*	Kingbrook RWS Inc.	LC	RWS	2.6	

*= Within 2 miles of proposed well site, LC= Water Right, FU= Future Use, IRR= Irrigation, RWS= Rural Water System, N/A= Not Applicable

Table 2 – Water Rights/Permits within approximately 2.6 miles of the proposed well site (Water Rights, 2013b)

The hydrographs show that the impacts of pumping have not been significant over the period of record. The minimal drawdown and interference from pumping high capacity wells is clearly shown by figures 1, 2, and 3. Figure 4 shows a map of the proposed well location, water rights/permits completed into the VEF: SL and future use areas reserving water from the VEF: SL (Water Rights, 2013b).

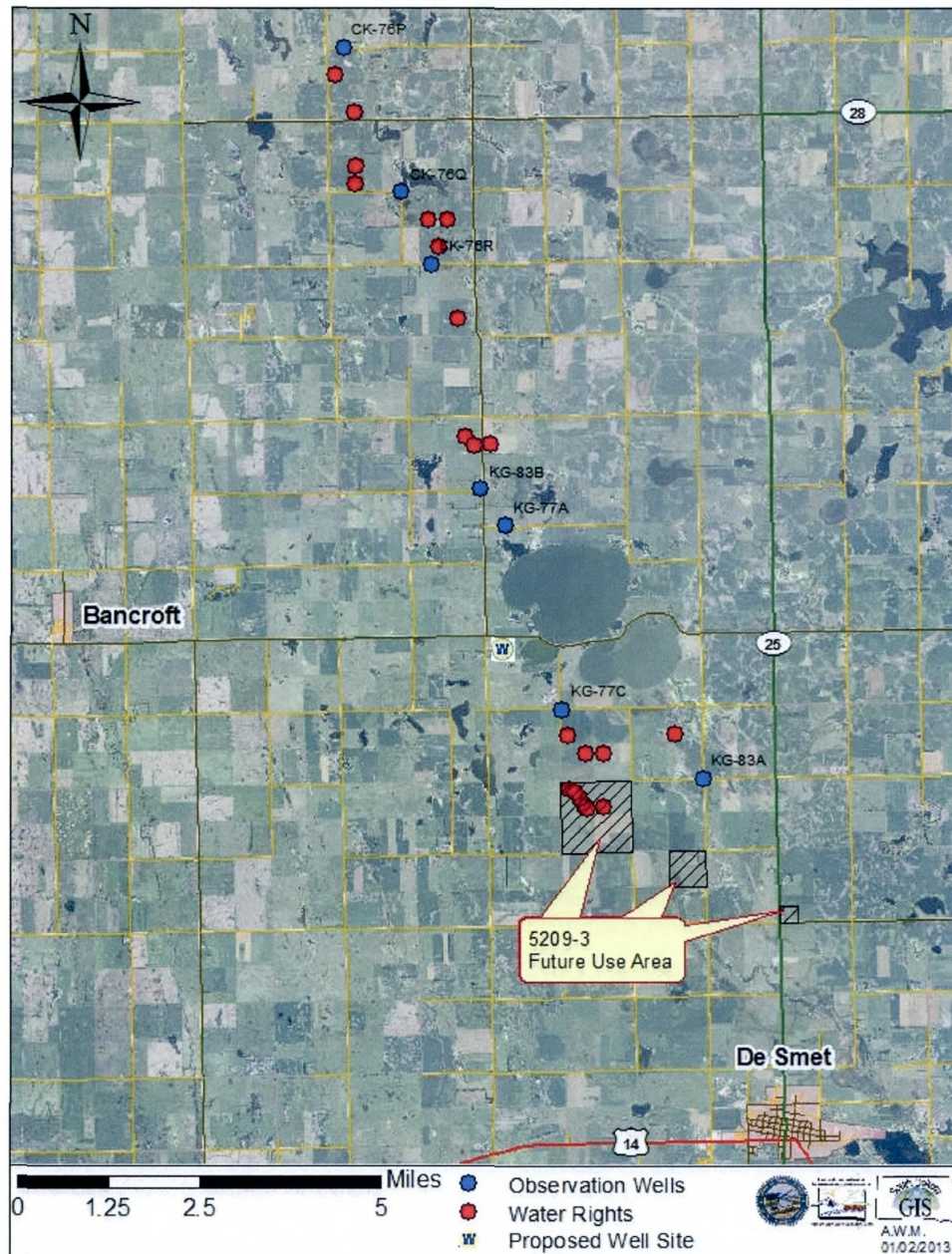


Figure 4- Map of the proposed well site, water rights/permits completed into, and future use areas reserving water from the VEF: SL (Water Rights, 2013b).

The diversion proposed by this application should not limit the development of Future Use Permit No. 5209-3. The total future use area is 840 acres. The nearest point of the future use area is approximately two miles away from the proposed well site. Based on the distance from

the future use areas, the diversion proposed by this application should not impede utilization of water by Future Use Permit No. 5209-3. Therefore due to the distance between wells, there is a reasonable probability that this proposed diversion can be made without adversely impacting existing appropriative or domestic users.

CONCLUSIONS:

1. Water Permit Application No. 7499-3 proposes to appropriate up to 240 acre-feet annually for the irrigation of 120 acres at a maximum diversion rate of 1.11 cfs.
2. There is a reasonable probability that unappropriated water is available from the Vermillion East Fork: Spirit Lake aquifer to supply this proposed diversion.
3. There is a reasonable probability that the diversion requested by this application can be made without adversely affecting existing water rights or domestic users.



Adam Mathiowetz
SD DENR-Water Rights Program

Approved by:



Ken Buhler
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. U.S. Geological Survey, Huron, South Dakota.
- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon. 1982. Evaluation of Ground-water Resources in 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., J. Allen, and D.E. Holly. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge, Final Report. U.S. Army Corps of Engineers. Omaha, Nebraska. Contract DACW 45-80-C-0185.
- Water Rights. 1979-2012. "1979-2011 Irrigation Summaries by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2003-2013. "2003-2011 Non-irrigation Yearly Reports": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2013a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2013b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2013c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA,
County of Kingsbury.

SS.

Dale Blegen of said county being first duly sworn on oath, says that he is the publisher of **THE DE SMET NEWS**, a weekly newspaper printed and published in De Smet in said County of Kingsbury and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

Notice of Application No. 7499-3

Scott Carlson, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least

once in each week for 1 successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

1/23 2013; _____ 20____
_____ 20____; _____ 20____
_____ 20____; _____ 20____
_____ 20____; _____ 20____

that the full amount of the fee charged for the publication of said notice accrues to the benefit of the publisher 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, and that the fees charged for the publication thereof are

\$ 26.41

Subscribed and sworn to before me this 24th

day of January A.D. 20 13

Dynne Marie Ree
Notary Public
Kingsbury County, South Dakota

My commission expires 9-27, 2017

RECEIVED

JAN 25 2013

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION

NO. 7499-3

TO APPROPRIATE WATER

Notice is given that Scott Carlson, 19893 446th Ave., Lake Preston, S.D., 57249, has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from one well to be completed into the Spirit Lake Management Unit of the Vermillion East Fork Aquifer (127 feet deep) located in NW ¼ NW ¼ Section 25 for irrigation of 120 acres located in the NW ¼ Section 25; all in T112N-R57W.

Pursuant to SDCL 46-2A-2, the chief engineer recommends APPROVAL of Application No. 7499-3 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, S.D., 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 Feb. 4, 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
& Natural Resources

Published once at the total
approximate cost of \$26.41.

1-23-1wc

RECEIVED

PRINTER'S AFFIDAVIT

FEB - 6 2013

STATE OF SOUTH DAKOTA, WATER RIGHTS
COUNTY OF BEADLE: ss. PROGRAM

I, TRISHA NELSON, being duly sworn on oath, say that THE PLAINSMAN is a daily paper published at Huron, Beadle County, South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am Legal Advertising Coordinator of said newspaper and know the facts herein state. The annexed notice headed:

**SCOTT CARLSON – WATER RIGHTS
CARLSON**

was published for one day, in said newspaper, and not in any supplement of the said newspaper, the publication was of the 23RD day JAN 2013 That the full THIRTY ONE & 68/000 dollars insures to the benefit of the publisher 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 whom so ever.

Trisha Nelson

Subscribed and sworn to before me this 31ST day of JAN. 2013.

Shirley Kuehn
Notary Public, South Dakota

My term expires 10/25/17

Legal # 581

F.P. 01-23-13

**NOTICE OF
APPLICATION
NO. 7499-3 to**

Appropriate Water

Notice is given that Scott Carlson, 19893 446th Ave, Lake Preston SD 57249 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from one well to be completed into the Spirit Lake Management Unit of the Vermillion East Fork Aquifer (127 feet deep) located in NW 1/4 NW 1/4 Section 25 for irrigation of 120 acres located in the NW 1/4 Section 25; all in T112N-R57W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7499-3 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

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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 February 4, 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.

No. 581 (adv.)
Published one time at the total approximate cost of \$31.68.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2013

DeSmet News
PO Box 69
DeSmet SD 57231

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7499-3 to Appropriate Water. Please publish the notice once on January 23, 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 Scott Carlson, 19893 446th Ave., Lake Preston SD 57249 (Ph # 605-203-0837).

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 15, 2013

Plainsman
PO Box 1278
Huron SD 57350

ATTENTION: Legal Public Notice

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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 Scott Carlson, 19893 446th Ave., Lake Preston SD 57249 (Ph # 605-203-0837).

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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.

January 15, 2013

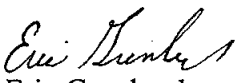
Scott Carlson
19893 446th Ave
Lake Preston SD 57249

Dear Mr. Carlson:

Water Permit Application No. 7499-3 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 DeSmet News printed at DeSmet SD (Ph # 605-854-3331) and the Plainsman printed at Huron SD (Ph # 605-352-6401). 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 23, 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. 7499-3 to Appropriate Water

Notice is given that Scott Carlson, 19893 446th Ave, Lake Preston SD 57249 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from one well to be completed into the Spirit Lake Management Unit of the Vermillion East Fork Aquifer (127 feet deep) located in NW 1/4 NW 1/4 Section 25 for irrigation of 120 acres located in the NW 1/4 Section 25; all in T112N-R57W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7499-3 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.

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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

MAR 04 2013

Scott Carlson
19893 446th Ave
Lake Preston SD 57249

Dear Mr. Carlson:

Enclosed is Water Permit No. 7499-3 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

7499-3 SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

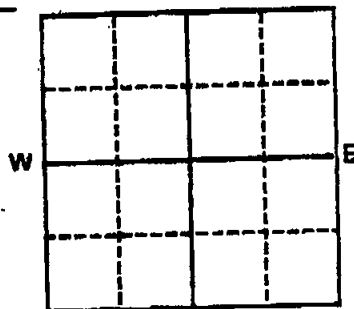
11-02

Location SW ¼ NW ¼ Sec 25 Twp 112N Rg 57W

County Kingsbury

North

Please mark well location with an "X"



Amended 3 17 2014

Well Completion Date

March 6, 2013

1 Mile

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

ft. (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	2.0 FT	110.0 FT	18.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Quick Grout	18	Lb/gal	0.0 Ft	102 Ft
Red Flint	30#80	Lb/gal	102 Ft	127 Ft

Describe grouting procedure
Tremmy

SCREEN:

☐ Perforated pipe☒ Manufactured

Diameter 12.00 inches Length 17.0 Feet

Material stainless steel

Slot Size 80 Set From 110.0 Feet to 127.0 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?☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner: Scott Carlson

Business Name:

Address: 19893 446th AV

City, State, Zip: Lake Preston SD 57249

WELL LOG:

FORMATION			DEPTH	
			FROM	TO
top soil	blk		0	1
clay	tan	H	1	30
clay	blue	M	30	81
sand/gravel	18-100st		81	87
clay/rocks		M	87	95
clay/sandy		M	95	110
sand	gravel	30-100st	110	127

STATIC WATER LEVEL 46.0 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

65.6 Ft. After 11.0 Hrs. pumped 950.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

44 28 50.82N
97 37 39.32W
Kris VanHeuveln

RECEIVED

MAR 18 2014

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:

Scott A. Carlson

4/1/13

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7499-3

I have this day, October 26, 2021, made a thorough examination of the water use system constructed by Scott Carlson, 19893 446th Ave, Lake Preston, SD 57249 of Permit No. 7499-3, bearing the priority of November 5, 2012 authorizing the diversion of 1.11 cu. ft. per second of the waters of the Spirit Lake Management Unit of the Vermillion East Fork Aquifer for irrigation purposes, in Kingsbury County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Steffl Drilling & Pump, Inc
- 2) No. of Wells 1
- 3) Depth(s) 127 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 12 inches
- 2) Length 110 feet
- 3) Type Plastic

Screen:

- 1) Type Stainless steel
- 2) Length 17 feet
- 3) Static water level 46 feet

Pump:

- 1) Make NA
- 2) Model Submersible
- 3) Size NA
- 4) Capacity 700 GPM

Motor: unknown

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

- 1) Type Aluminum
- 2) Size 8 inches
- 3) Length 100 feet

C. Works used to apply water to beneficial use:**Center pivot:**

- 1) Make Valley
- 2) Overall length 1190 feet
- 3) Number of towers 5 plus corner leg
- 4) End gun Y
- 5) Capacity 700 GPM

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

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

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: From the NW corner of Sec 25 T112N R57W, 1025 ft S & 1320 ft E, Lat 44. 48171 Long -97.62744 (NW ¼ NW ¼ Sec 25).
2. The works are capable of diverting and conveying to the place of use 1.56 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 land in Sec 25 T112N R57W NW ¼ NW ¼ – 34 acres
 NE ¼ NW ¼ – 32 acres
 SE ¼ NW ¼ – 13 acres
 SW ¼ NW ¼ – 15 acres

comprising a total of 94 acres of land. The license should be issued for 1.11 cfs
3. All structures, wells and lands on map Y

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

- The irrigated acreage was determined with the aid of FSA imagery and ArcMAP software.
The mailing address and the telephone number in the permit materials are current.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: November 1, 2021



0 0.1 0.2 0.4 0.6 0.8 Miles



Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2022

7499-3

Scott Carlson
19893 446th Ave
Lake Preston SD 57249

Dear Mr. Carlson:

Enclosed is Water License No. 7499-3. 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, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7499-3

(1) Scott Carlson, 19893 446th Ave., Lake Preston, SD 57249 made Application No. 7499-3, November 5, 2012 for a water permit to divert 1.11 cubic feet of water per second from ground water, one well (Spirit Lake Management Unit of the Vermillion East Fork Aquifer), Kingsbury County, South Dakota for irrigation purposes. Permit No. 7499-3, with a priority date of November 5, 2012 was approved February 4, 2013 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 4, 2018 and for the application to beneficial use of said water on or before February 4, 2022.

(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 1.11 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,025'S & 1,320'E of the NW corner of Section 25, T112N, R57W (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
Latitude 44.48171, Longitude -97.62744

(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 25, T112N, R57W	NW $\frac{1}{4}$ NW $\frac{1}{4}$	34 acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	32 acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	13 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	15 acres
Total		94 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Scott Carlson, 19893 446th Ave., Lake Preston, SD 57249 the holder and/or owner of Water Right No. 7499-3 is issued a license to appropriate water, the right to use 1.11 cubic feet of water per second from ground water, one well with a priority date of November 5, 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. 7499-3 and subject to the following qualifications:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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. 7499-3 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 drilled in March 2013 by Steffl Drilling & Pump Inc. A copy of the well completion report is on file with the Water Rights Program.***

- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

1/24/2022
date

