

WATER PERMIT NO. 7504-3

Name of Applicant: Steve Andrews

Address: 30416 472nd Ave, Beresford SD 57004

Phone: 605 253-2259

Amount of Water Claimed: 1.78 cfs

Total Acres: 160 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Clay

Type of Waste Disposal System:

Location: 10 miles northeast of Vermillion

PRIORITY

Date Received: 11-5-12

Application/License Fee: \$ 1050

Corrected Application Received:

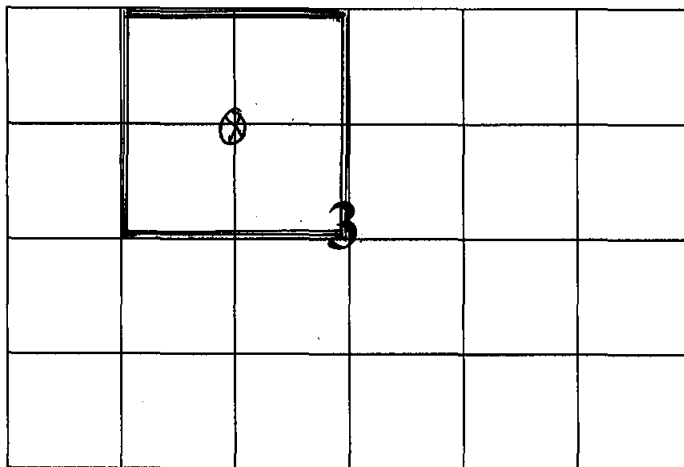
Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: approximate center of NW 1/4

Sec 3-T93N-R51W

Land to be Irrigated: NW 1/4 Sec 3-T93N-R51W



Depth of Well: 180 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 11-6-12

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SD Form - 0499LD V4

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	No. <u>1504-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u> <u>605-624-2695</u>
	Newspaper <u>Plain Talk</u> <u>201 W Cherry Vermillion 52069</u> <u>605-665-7811</u>
	<u>Prairie State</u> <u>319 Walnut Yankton 52078</u>

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

(name and complete address if different than above name)

Mailing Address 30416 472 Avenue Beresford SD 57004
(Address) (City) (State) (Zip Code)Home Phone 605-253-2259 Cell 605-670-3005 Email _____2. Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)3. Source of water supply 1 well from well to Lower Vermillion-Missouri Aquifer4. Location of point of diversion 1 well in the center of nw 1/4 of Section 3, T93n R 51W

(example - 3 wells in SW1/4 NE1/4 section T2-T104N R53W)

County Clay5. County or counties where water will be used Clay6. Annual period during which water is to be used April to October 317. 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 of nw, Section 3, T93n, R51w	40		
ne of nw, Section 3, T93n, R51w	40		
se of nw, Section 3, T93n, R51w	40		
sw of nw, Section 3, T93n, R51w	40		

8. Give a description of the project. (Attach sheet if more space is needed)
center pivot irrigation of above listed land to enhance production of cropsI, Steve Andrews Steve Andrews, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

2012-09

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

**SOUTH DAKOTA
WATER PERMIT NO. 7504-3**

Date of first receipt of application November 5, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7504-3 to Steve Andrews, 30416 472nd Ave, Beresford SD 57004 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. 7504-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Lower Vermillion: Missouri Aquifer (180 feet deep) located in the approximate center of the NW 1/4 Section 3 for irrigation of 160 acres located in the NW 1/4 Section 3; all in T93N-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: April 1 – October 31.
3. The date from which applicant may claim right is November 5, 2012.
4. The date of approval of Permit No. 7504-3 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. 7504-3 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 28 2013
date



Form 2A

(Complete applicable portions only)

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 _____
(If yes, please provide copies of logs)

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

c) Well Depth 180 Depth to Top of Water Bearing Material 90 Depth to Water from Surface 90

d) Distance to nearest existing domestic well:

On applicant's property NA On property owned by others >3000'

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

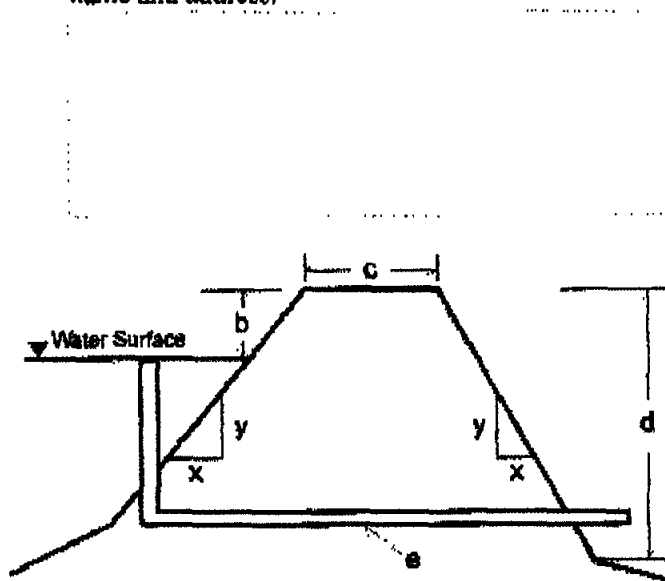
a) Surface Dimensions _____ Depth _____

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

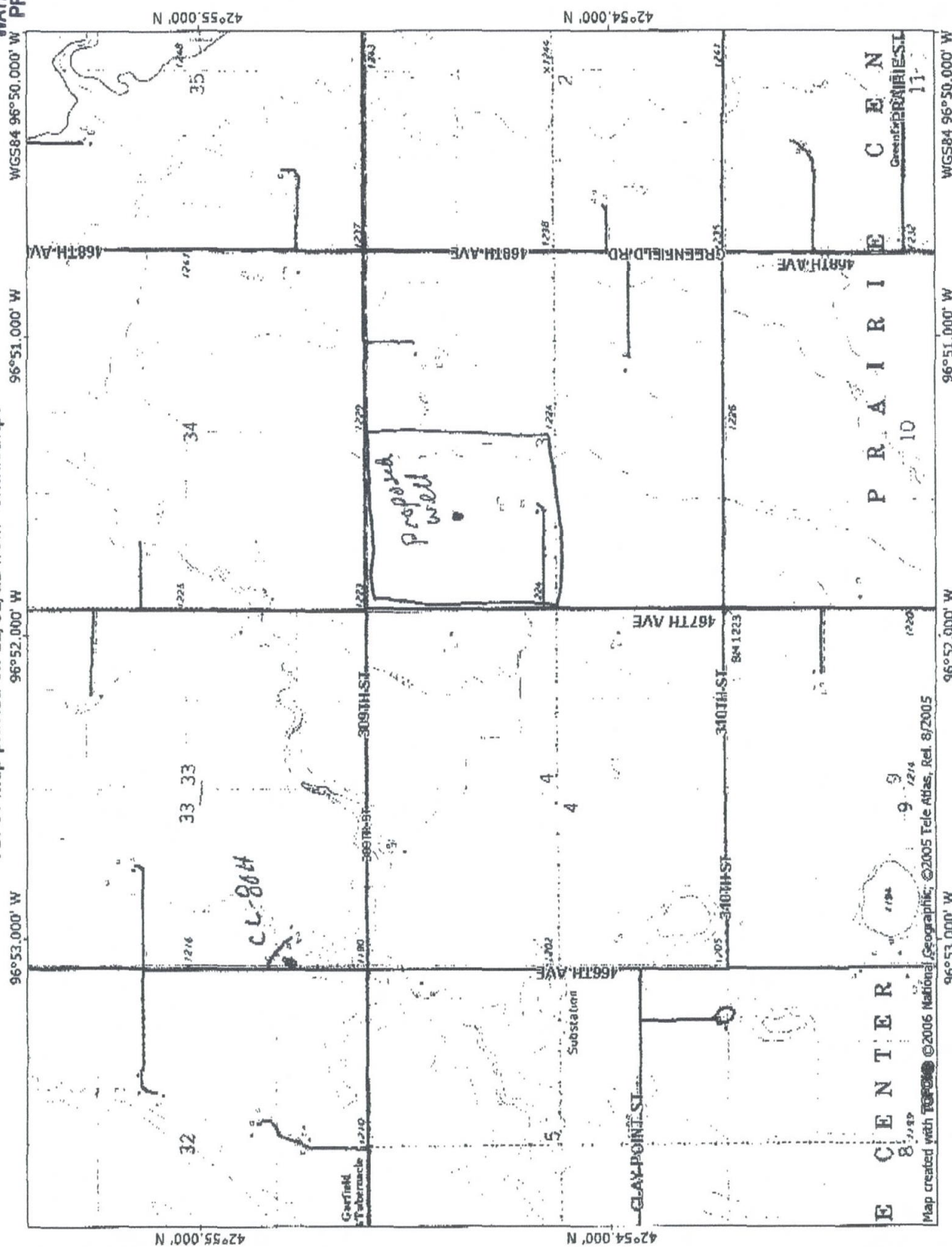
j) Drainage Area Above Dam _____ Acres

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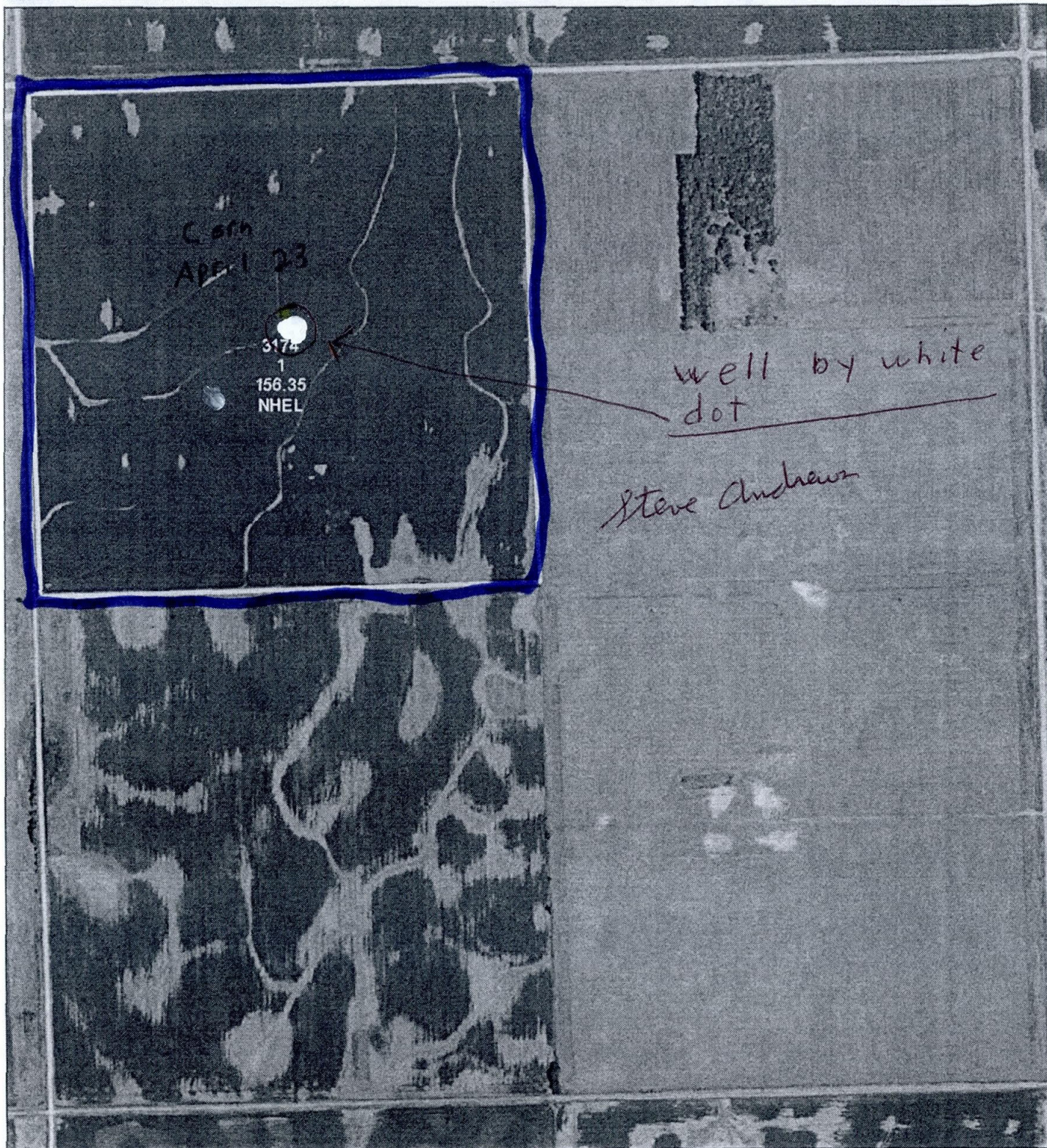
TOPO! map printed on 11/01/12 from "Untitled.tpo"



**NATIONAL
GEOGRAPHIC**



United States Department of Agriculture Farm Service Agency



South Dakota
Union County

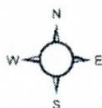
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Farm Number
5356

Township-Range-Section
93N51W3

Legend

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions
- CLU Field Boundary
- Tract Boundary



1:8,271

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 2008 orthorectified 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. 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.

Apr 15, 2009

1/1/12

Lithologic Logs Search Results

NOV - 5 2012

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Department of Environment
& Natural Resources
Geological Survey

Lithologic Logs Database

Lithologic Logs Search for: water_rights_well like CL-80H

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Export Options

Page: 1

Record 1 of 1

Location Information

Legal Location:	SW SW NW SW SEC. 33, T. 094 N., R. 51 W.		
County:	CLAY	Location:	094N51W33CBCC
Basin:	VERMILLION	Latitude:	42 54' 52"
Hydrologic Unit Code:	10170102	Longitude:	96 53' 05"
Land Owner:		Ground Surface Elev. (ft.):	1205 T

Project Information

Project:	WATER RIGHTS		
Drill Date:	09/18/1980	Geologist:	G. SELKEN
Company:	SDGS	Geologist's Log:	X
Drilling Method:	ROTARY	Driller:	L. HELSETH
Test Hole Number:	WR-80-14	Driller's Log:	
Samples:		Total Drill Hole Depth (ft.):	185.0

Well Information

SDGS Well Name:		Aquifer:	LOWER-VERMILLION-MISSOURI
Water Rights Well:	CL-80H	Management Unit:	
Other Well Name:		Casing Top Elev. (ft.):	1217.70
Casing Type:	PVC, SCH. 80	Casing Diameter (in.):	2.0
Screen Type:	PVC, MFG.	Screen Length (ft.):	11.0
	171.0		2.70 T

Total Casing
and Screen
(ft.):

Casing Stick-up (ft.):

Well 08/30/1983
Maintenance
Date:

Lithologic Information

<u>Elevation (ft.)</u>	<u>Depth (ft.)</u>	<u>Description</u>
1205.0 - 1204.0	0.0 - 1.0	GRAVEL
1204.0 - 1181.0	1.0 - 24.0	CLAY, YELLOW-BROWN, SILTY, PEBBLY (TILL)
1181.0 - 1167.0	24.0 - 38.0	CLAY, GRAY, SILTY, PEBBLY (TILL)
1167.0 - 1163.0	38.0 - 42.0	SAND, GRAY, MEDIUM
1163.0 - 1147.0	42.0 - 58.0	CLAY, GRAY, SILTY, PEBBLY (TILL)
1147.0 - 1020.0	58.0 - 185.0	SAND AND GRAVEL, MEDIUM TO COARSE; WITH COAL

Page 1 of 1 (goto top)

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WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/6, 20 12

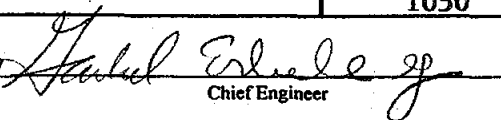
RECEIVED OF Steven H Andrews 30416 472nd Ave Beresford SD 57004

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

Fee for Application for Permit No. <u>7504-3</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>7504-3</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. **05682**

By


Chief Engineer



**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. 7504-3, Steve Andrews**

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. 7504-3, Steve Andrews, 30416 472th Avenue, Beresford SD 57004.

The Chief Engineer is recommending APPROVAL of Application No. 7504-3 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. 7504-3 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.7504-3
STEVE ANDREWS
JANUARY 15, 2013

Water Permit Application No. 7504-3 proposes to appropriate up to 320 acre-feet annually (ac-ft/yr) at a maximum diversion rate of 1.78 cubic feet of water per second (cfs) from one well to be completed into the Lower Vermillion Missouri aquifer. The well is expected to be approximately 180 feet deep and is to be located in the approximate center of the NW ¼ Section 3, T93N-R51W. This permit application proposes to irrigate 160 acres located in the NW ¼ Section 3, T93N-R51W in Clay County.

AQUIFER: Lower Vermillion Missouri (LVM)

GEOLOGY AND AQUIFER CHARACTERISTICS:

Test hole information was not submitted with this permit application. However, sufficient data is available through well completion reports (Water Rights, 2013c), water right/permit files (Water Rights, 2013b), and SD DENR-Geological Survey test hole logs (SDGS, 2013) to evaluate this application. The Lower Vermillion Missouri aquifer is a buried outwash (sand and gravel) aquifer that is under confined conditions in the area of this application, but also has portions under unconfined conditions (Stephens and Christensen, 1967). The aquifer underlies approximately 100,800 acres and contains an estimated 1.5 million acre-feet of recoverable water in storage in Clay County (Hedges et al., 1982). The aquifer blends into the Missouri: Elk Point aquifer to the south and into the Upper Vermillion Missouri aquifer to the north. This aquifer is also hydraulically connected to the Vermillion River and the Parker-Centerville aquifer.

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:

This application proposes to appropriate 320 acre-feet annually from the Lower Vermillion Missouri aquifer. Although the actual water use if this application is approved will most likely be less than 320 acre-feet/year. 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.

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 12 observation wells completed into the Lower Vermillion Missouri aquifer (Water Rights, 2013a). The nearest observation wells are CL-80H and CL-80F. The observation wells are 1.4 miles west-northwest and 3.8 miles south-southeast from the proposed well site, respectively. The water levels rise (recharge) during wet years and gradually decline during dry years. The hydrographs show that over the period of record water levels have held fairly constant. The effect of well withdrawals does not appear to be significant over the period of record. The climatic effects on the water level greatly mask the temporal impacts of well withdrawal. Therefore, recharge to and natural discharge from the Lower Vermillion Missouri aquifer significantly exceeds pumping. Recognize 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. Figures 1 and 2 are the hydrographs for observation wells CL-80H and CL-80F, respectively.

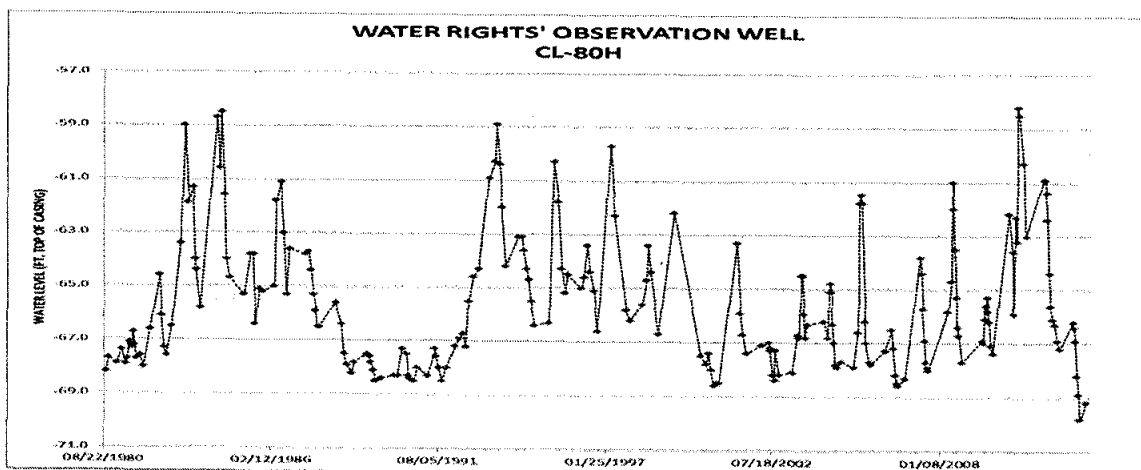


Figure 1- Hydrograph of DENR-Water Rights' observation well CL-80H (Water Rights, 2013a)

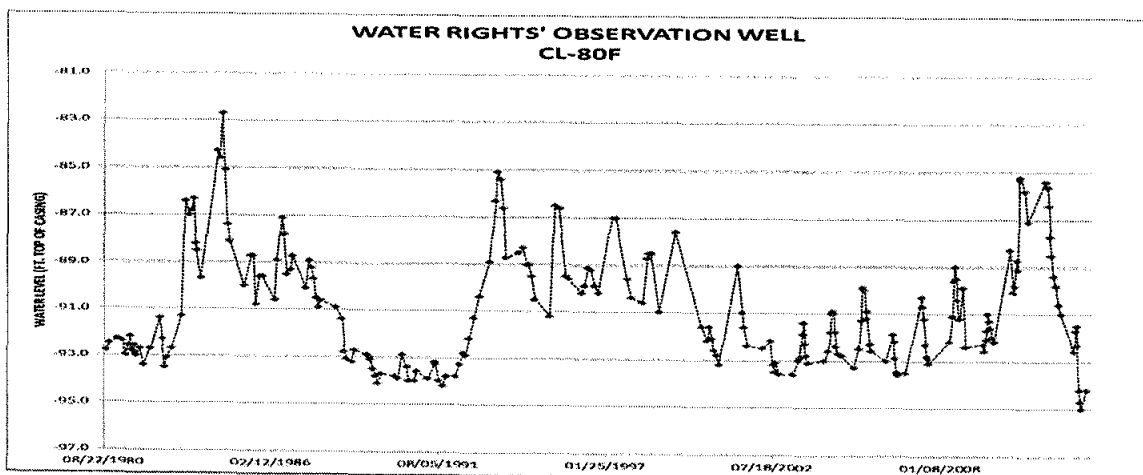


Figure 2- Hydrograph of DENR-Water Rights' observation well CL-80F (Water Rights, 2013a)

Recharge versus Withdrawals:**Recharge:**

Recharge to the Lower Vermillion Missouri is from infiltration of precipitation, influent seepage from streams, and subsurface inflow from adjacent areas (Stephens and Christensen, 1967). The aquifer also receives recharge from the Vermillion River during periods of high flow, and from the Niobrara aquifer where the two aquifers come in contact with each other (Stephens and Christensen, 1967). Hedges and others (1985) estimated the recharge rate to the unconfined portion of the aquifer to be 3.8 in/yr. Total recharge has not been estimated for the aquifer. However, Hedges and others (1985) stated, "for management and development programs the minimum recharge rate to confined aquifers is estimated to be 0.15 inches per year and the maximum rate is 0.60 inches per year."

Withdrawals:

There are 66 water rights/permits and two pending permits appropriating water from the Lower Vermillion Missouri aquifer on record with the SD-DENR Water Rights Program. The non-irrigation appropriations consist of two rural water system appropriations and two appropriations for institutional use. The estimated annual withdrawal by institutional appropriations is 27.4 acre-feet. This estimation assumes water is being withdrawn from the aquifer 60 percent of time at maximum diversion rate. The average annual withdrawal from the aquifer as reported to the SD DENR-Water Rights Program (1998-2011) by Clay Rural Water System Inc., the two rural water system appropriations, is 569.9 ac-ft. Water withdrawal from the Lower Vermillion Missouri aquifer for irrigation, as reported to the DENR- Water Rights Program through annual irrigation questionnaires, is shown in table 1.

YEAR	NO. OF PERMITS REPORTING	APPROPRIATION (AC-FT/YR)	PUMPAGE REPORTED (AC-FT/YR)
2011	62	19987.00	2195.06
2010	59	19561.70	144.56
2009	58	18961.70	482.64
2008	55	17587.45	4301.25
2007	50	16655.45	2909.12
2006	43	15254.45	2674.51
2005	45	15844.45	1410.24
2004	39	15013.45	1747.48
2003	40	15199.45	1800.56
2002	40	15199.45	1762.32
2001	38	14879.45	2036.96
2000	38	14879.45	2041.72
1999	38	14879.45	900.63
1998	36	14150.45	1032.91
1997	36	13656.14	1085.00
1996	36	14096.04	997.60
1995	37	14309.24	506.61
1994	39	14673.74	517.28
1993	39	15308.00	0.00
1992	39	15308.24	168.80
1991	39	15308.24	1670.10
1990	38	15657.34	2113.20
1989	38	15657.34	2301.20
1988	38	15657.34	2083.80
1987	37	15435.34	1115.40
1986	45	20477.34	1047.50
1985	46	20661.34	1328.20
1984	47	20754.30	691.00
1983	38	15480.34	716.30
1982	37	15862.84	870.04
1981	49	23003	1543
1980	47	22683	2417
1979	49	22683	1163
Min	36	13656.14	0
Max	62	23003	4301.25
Avg.	42.88	16809.86	1447.73

Table 1- Irrigation water use from the Lower Vermillion Missouri aquifer (Water Rights 1979-2012).

Total average annual withdrawal, for appropriative uses, is 2,045.03 acre-feet per year from the Lower Vermillion Missouri aquifer. The observation well hydrograph shows that the water level in the aquifer has remained relatively constant despite changes in annual water use and appropriations. The recharge required to have annual recharge equal annual withdrawal is 0.24 inches per year. This recharge rate is reasonable and within the range suggested by Hedges and others (1985). Therefore, there is a reasonable probability that unappropriated water is available from in the Upper Vermillion Missouri aquifer.

EXISTING WATER RIGHTS:

There are six water rights/permits authorizing wells and four domestic wells within approximately three miles of the proposed well site on file with the SD DENR-Water Rights Program (Water Rights, 2013b and 2013c). Only one water permit and one domestic well are within two miles and none are within one mile of the proposed well site. Table 2 shows the water rights/permits within three miles of the proposed well site.

Permit No.	Name	Status	Type	CFS	Acres
3039-3	Virginia R. Johnson	LC	IRR	2	140
4664-3	William O'Connor	LC	IRR	1.7	120
6303-3	Thelma R. & Ronald Lind	LC	IRR	1.78	132
6951-3	Verlyn Hybertson	PE	IRR	2.14	150
7217-3	Thelma R. & Ronald Lind	PE	IRR	1.78	N/A
7233-3	Norman Kramer	PE	IRR	1.56	136
LC= Water Right, PE= Water Permit, IRR= Irrigation, N/A= Not Applicable					

Table 2- Water rights/permits within three miles of proposed well site (Water Rights, 2013b)

Well interference may occur but it is not expected to be significant due to the distance between the wells. Water Management Board rules 74:02:04 and 74:02:05, which were promulgated pursuant to SDCL 46-6-6.1, provide protection for existing wells only to the degree necessary to maintain an adequate depth of water in wells that have the ability to produce water independent of artesian pressure. Hence, the pump placement in a prior appropriator's well is not necessarily protected. The Water Management Board, in the past, has concluded that if increased cost or decreased production is considered an adverse impact, it could be in conflict with SDCL 46-1-4. South Dakota Codified Law 46-1-4 requires South Dakota's water resources to be put to beneficial use to the fullest extent of which they are capable. Therefore, well interference is not likely to adversely impact existing appropriative or domestic users.

CONCLUSIONS:

1. This application proposes to appropriate 320 acre-feet annually for the irrigation of 160 acres, but the amount of water that actually will be used is expected to be less than 320 acre-feet annually.
2. There is a reasonable probability that unappropriated water is available from the Lower Vermillion Missouri aquifer to supply this proposed diversion.
3. There is a reasonable probability that the diversion rate requested by this application can be made without adversely affecting existing water rights.

Adam Mathiowetz

Adam Mathiowetz
SD DENR-Water Rights Program

Approved by

Ken Buhler

Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- 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.
- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon. 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.
- Stephens, J.C. and C.M. Christensen. 1967. Geology and Water Resources of Clay County, South Dakota Part II. Bulletin 19. SD-DENR Geological Survey. Vermillion, South Dakota
- SDGS. 2013. Lithologic Logs Database. < <http://sddenr.net/lithdb/>>. SD DENR-Geological Survey. Vermillion, SD.
- Water Rights. 1979-2012. "1979-2011 Irrigation Summaries by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 1998-2012. 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. Water Well Completion Report. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

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AFFIDAVIT OF PUBLICATION

PLAIN TALK

DENR

Division of Environmental Services

Air Quality Program

Joe Foss Building, 523 East Capitol

Pierre, SD 57501

STATE OF SOUTH DAKOTA

COUNTY OF CLAY

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

NOTICE OF APPLICATION FOR AIR QUALITY CONSTRUCTION PERMIT

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 25 DAY OF JANUARY 2013
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$27.31 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 1/25/13

FILED ON: 1/25/13

NOTICE OF APPLICATION

NO. 7504-3 to Appropriate

Water

Notice is given that Steve Andrews, 30416 472nd Ave, Beresford SD 57004 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Lower Vermillion Missouri Aquifer (180 feet deep) located in the approximate center of the NW 1/4 Section 3 for irrigation of 160 acres located in the NW 1/4 Section 3; all in T93N-R51W

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7504-3 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 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.

Published once at the total approximate cost of \$27.31

Published: January 25, 2013

Tera A. Schmidt

SUBSCRIBED AND SWORN TO BEFORE ME THIS

30th

DAY OF

January

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

RECEIVED

JAN 30 2013

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

1+25

NOTICE OF APPLICATION
NO. 7504-3 to Appropriate Water

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Published once at the total approximate cost of \$25.49.

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

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES AND SAYS THAT HE IS THE MANAGING EDITOR OF, YANKTON MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED **Notice of Application No. 7504-3**

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE NEWSPAPER ON THE 25th DAY OF January 2013 THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION OF SAID **NOTICE** TO WIT \$25.49 ENSURES TO THE BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 1/25/2013

FILED ON: 1/25/2013

SUBSCRIBED AND SWORN TO BEFORE ME THIS 25th DAY OF January

2013

NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES

8/19/2015



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

Plain Talk
201 W Cherry
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7504-3 to Appropriate Water. Please publish the notice once on January 25, 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 Steve Andrews, 30416 472nd Ave., Beresford SD 57064 (Ph # 605-253-2259).

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

Press & Dakotan
319 Walnut
Yankton SD 57078

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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

Steve Andrews
30416 472nd Ave
Beresford SD 57064

Dear Mr. Andrews:

Water Permit Application No. 7504-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Plain Talk printed at Vermillion SD (Ph # 605-624-2695) and the Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish the Notice on January 25, 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. 7504-3 to Appropriate Water

Notice is given that Steve Andrews, 30416 472nd Ave, Beresford SD 57004 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Lower Vermillion: Missouri Aquifer (180 feet deep) located in the approximate center of the NW 1/4 Section 3 for irrigation of 160 acres located in the NW 1/4 Section 3; all in T93N-R51W.

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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 28 2013

Steve Andrews
30416 472nd Ave
Beresford SD 57004

Dear Mr. Andrews:

Enclosed is Water Permit No. 7504-3 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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7504-3

I have this day, November 26, 2024, made a thorough examination of the water use systems owned by Steve Andrews, 30416 472nd Ave., Beresford, SD, 57004, holder of Permit No. 7504-3, bearing the priority date of November 5, 2012. This permit authorizes the diversion of 1.78 cu. ft. per second of the waters of groundwater (Lower Vermillion Missouri Aquifer) authorizing the irrigation of 160 acres located in Clay County.

Inspection contacts: Steven Andrews

A. Works used to divert the water:

Well Information

- 1) Well Drilling Firm: Hammond-Wetmore Drilling, LLC
- 2) No. of Wells: 1
- 3) Depth(s): 180 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 16 inches
- 2) Length: 120 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 16 inches
- 2) Length: 60 feet
- 3) Type: PVC
- 4) Static water level: 88 feet

Pump:

- 1) Make: Grundfos
- 2) Model: 800S500-2
- 3) Capacity: 800 gpm

Motor:

- 1) Make: Hitachi
- 2) Model No.: Unknown
- 3) Horsepower rating: 50 hp

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

- 1) Type: Aluminum Size: 8 inches Length: 15 feet

C. Works used to apply water to beneficial use:

Center Pivot:

- 1) Make: Zimmatic
- 2) Overall length: 1,301 feet
- 3) Number of towers: 7
- 4) End gun: Yes Range: 104 feet
- 5) Capacity: 800 gpm

Chemigation Equipment:

- 1) Does chemigate: No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by: Yes
2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period: Yes
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:
The well is 1,340 feet south and 1,330 feet east of the northwest corner of Section 3-T93N-R51W (Latitude 42.90627, Longitude -96.86008— approximate center of the NW1/4).
2) The works are capable of diverting and conveying to the places of use 1.78 cu. ft. per second of water from the well which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

Section 3-T93N-R51W

<u>NW1/4NW1/4</u>	<u>34 acres</u>
<u>NE1/4NW1/4</u>	<u>34 acres</u>
<u>SW1/4NW1/4</u>	<u>35 acres</u>
<u>SE1/4NW1/4</u>	<u>35 acres</u>

comprising a total of 138 acres of land and the license should be issued for 1.78 cfs.

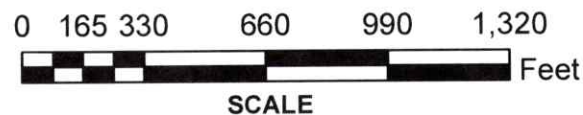
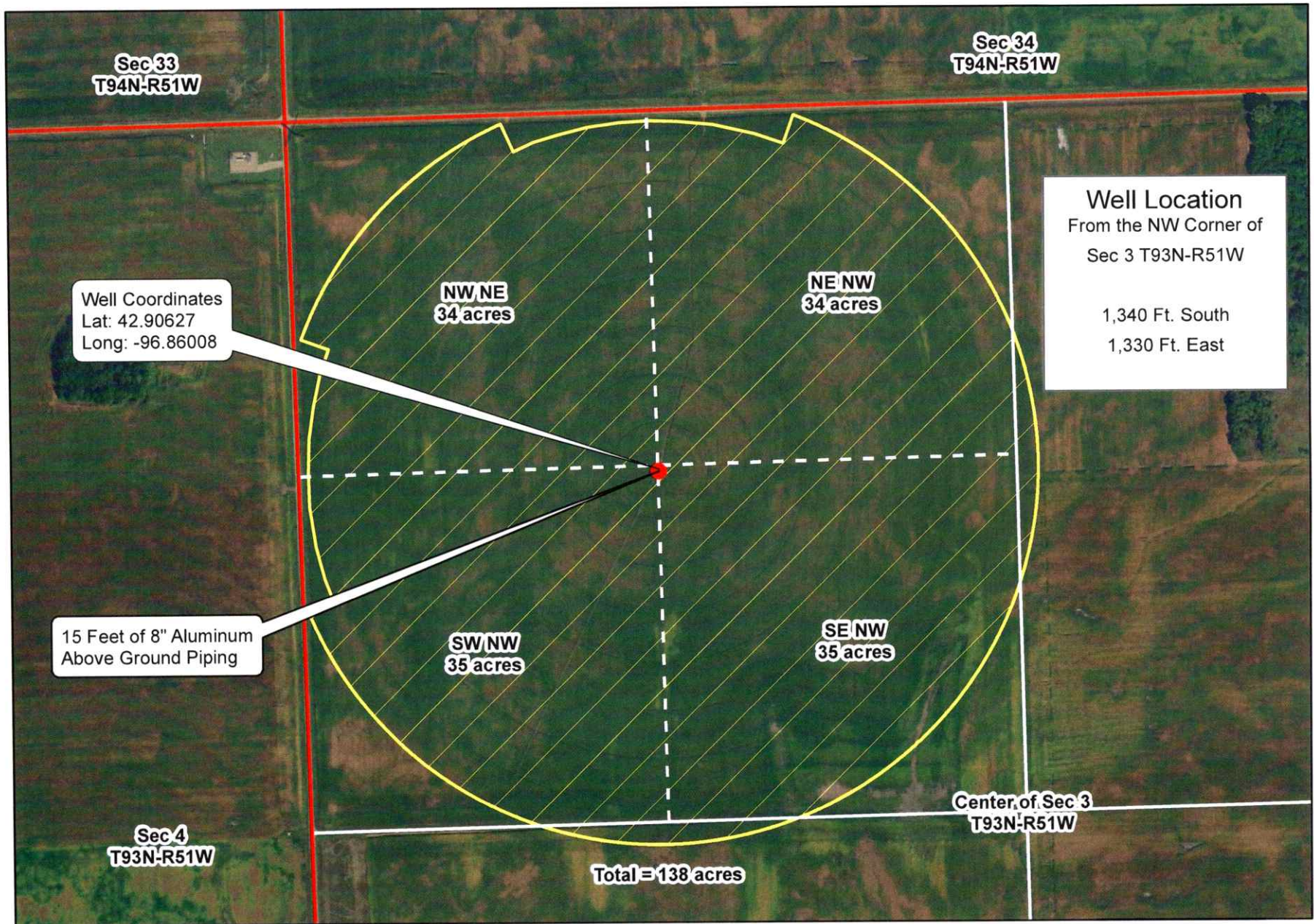
- 3) All structures, wells and lands on map: Yes

F. Comments or other permit(s) associated with the project: The pump and motor information was obtained from Heine Electric and Irrigation, Inc.

Keith DeJong, PE Ret.
Water Rights Inspector
DANR, Water Rights Program

Date report completed: December 4, 2024

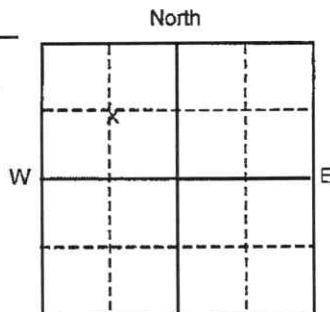
Water Permit No. 7504-3



Keith DeJong
Keith DeJong, PE Ret.
Staff Engineer
November 26, 2024

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE 1/4 NW 1/4 Sec 3 Twp 93N Rg 51WCounty CLAYPlease mark well
location with an "X"

Well Completion Date

January 17, 2013

← 1 Mile →

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
1,500.0 ft. from SEPTIC TANK (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well
METHOD OF DRILLING:
DIRECT ROTARY

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>16.00</u> IN	<u>0.0</u> FT	<u>120.0</u> FT	<u>22.00</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>BENTONITE</u>	<u>18</u>	<u>9.5</u> Lb/gal	<u>0.0</u> Ft	<u>120.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
TREMIE METHOD

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 60.0 Feet
Material PVCSlot Size .060 Set From 120.0 Feet to 180.0 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? HTH TABLETS☐ No, Why Not?Lab to which water
quality sample sent for analysisWell Owner: STEVE ANDREWS

Business Name:

Address: 30416 472 AVECity, State, Zip: BERESFORD SD 57004

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	2
GLACIAL TILL, TAN	2	18
GLACIAL TILL, GRAY	18	88
SAND	88	95
PEBBLE GRAVEL W/ SAND	95	110
SMALL GRAVEL/PEBBLE GRAVEL	110	147
GREEN SAND W/ COAL	147	157
MED TO LARGE GRAVEL	157	185
SMALL GRAVEL	185	200

STATIC WATER LEVEL 88.0 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

108.0 Ft. After 2.0 Hrs. pumped 800.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 750.0 GPM

REMARKS

RECEIVED

JAN 27 2014

WATER RIGHTS
PROGRAMThis well was drilled under license # 666
report is true and accurate.Drilling firm: HAMMOND-WETMORE DRILLING, LLC

Signature of License Representative:

Reckel H. Hammond

Signature of Well Owner or Equitable Property Holder:

Date: 1/23/14



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

MAR 03 2025

Steven Andrews
30416 472nd Ave
Beresford, SD 57004

No. 7504-3

Dear Mr. Andrews:

Enclosed is Water License No. 7504-3. 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.

So 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. 7504-3**

(1) Steven Andrews, 30416 472nd Ave, Beresford, SD 57004, made Application No. 7504-3, November 5, 2012, for a water permit to divert 1.78 cubic feet of water per second from groundwater, one well (Lower Vermillion Missouri Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 7504-3, 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 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 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is:

- From the NW corner of Section 3, T93N, R51W 1,340 feet S and 1,330 feet E (approx. center of NW ¼) (Latitude 42.90627 & Longitude -96.86008)

(3) The amount of 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: April 1 – October 31.

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

Section 3, T93N, R51W
NW ¼ NW ¼ - 34 acres
NE ¼ NW ¼ - 34 acres
SW ¼ NW ¼ - 35 acres
SE ¼ NW ¼ - 35 acres
Total – 138 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Steven Andrews, the holder and/or owner of Water Right No. 7504-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater, one well (Lower Vermillion Missouri Aquifer), 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. 7504-3 and subject to 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. 7504-3 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.

Eric Gronlund

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

MAR 03 2025

date

