

WATER PERMIT NO. 7609-3

Name of Applicant: Justin Christensen

Address: 201 E Park St, Irene SD 57037 Phone: 605 661-9889

Amount of Water Claimed: 1.56 cfs Total Acres: 142

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Clay

Type of Waste Disposal System:

Location: 8 miles east of Irene

PRIORITY Date Received: 12-21-2012

Application/License Fee: \$ 1050

Corrected Application Received: 1-4-2013

Period of Annual Use: April 1 – Sept 30

Remarks:

Diversion Point: center of SE 1/4 Sec 4-T95N-
R52W

Land to be Irrigated: SE 1/4 Sec 4-T95N-R52W

Depth of Well: 100 feet deep

Well Driller:

Remarks:

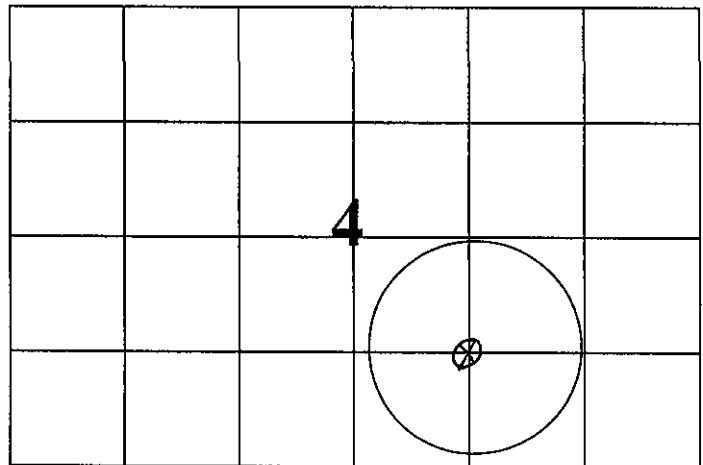
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 1-8-13

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



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DEC 21 2012

WATER RIGHTS
PROGRAM

SD EForm - 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>7609-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u> <u>605-624-2695</u>
	Newspaper <u>Plain Talk 201 W Cherry St.</u> <u>605-624-2695</u> <u>Vermillion SD 57069</u>
	<u>Press & Dakotan 319 Walnut Yankton SD 57028</u>

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 Justin Christensen
(check one) ☐ Owner ☒ Tenant/lessee ☐ Owner's Legal Agent 201 E Park St Irene SD 57037
(name and complete address if different than above name)
- Mailing Address 201 E Park St Irene SD 57037
(Address) (City) (State) (Zip Code)
- Home Phone _____ Cell 605-661-9889 Email jchrist400@gmail.com
2. Amount of water claimed 1.56 *CFS or 760 **GPM ***AF Total Acreage 142
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Underground well
4. Location of point of diversion SE 1/4 95N - 52 W Section 4
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Clay
5. County or counties where water will be used Clay
6. Annual period during which water is to be used April 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
<u>NE 40 of Sec 4</u>		<u>all in Sec 4 - T95N-R52W</u>	
<u>NW 40 of SE 1/4 Sec 4</u>			
<u>SW 40 of SE 1/4 Sec 4</u>			
<u>SE 40 of SE 1/4 Sec 4</u>			

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

Ag use irrigation of corn, soybean, alfalfa
Center Pivot system

I, Justin Christensen, 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. 7609-3

Date of first receipt of application December 21, 2012.

Date of return to applicant for corrections, amendments or changes December 28, 2012.

Date of receipt of corrected application January 4, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7609-3 to Justin Christensen, 201 E Park St, Irene SD 57037 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. 7609-3 appropriates 1.56 cubic feet of water per second from one well to be completed into the Parker-Centerville Aquifer (50 feet deep) located in the approximate center of the SE 1/4 Section 4 for irrigation of 142 acres located in the SE 1/4 Section 4; all in T95N-R52W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is December 21, 2012.
4. The date of approval of Permit No. 7609-3 is April 1, 2013.
5. One-fifth of the construction is to be completed on or before October 1, 2015.
6. All construction is to be completed on or before April 1, 2018.
7. Water is to be put to beneficial use on or before April 1, 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. 7609-3 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: *Jeanne Goodman*

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

MAY 20 2013

date



Supplemental Information
(type or print)

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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 100' FT Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____

d) Distance to nearest existing domestic well: 1 mile

On applicant's property _____

On property owned by others 1 mile

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)

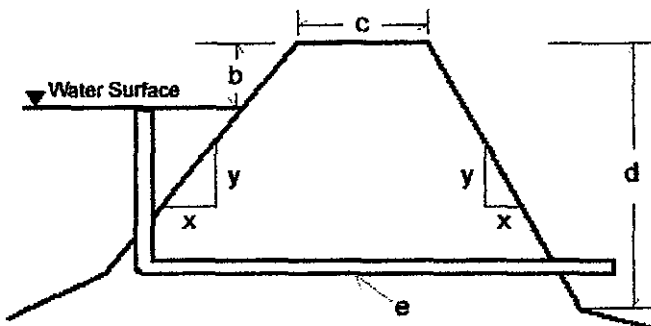
Upstream _____

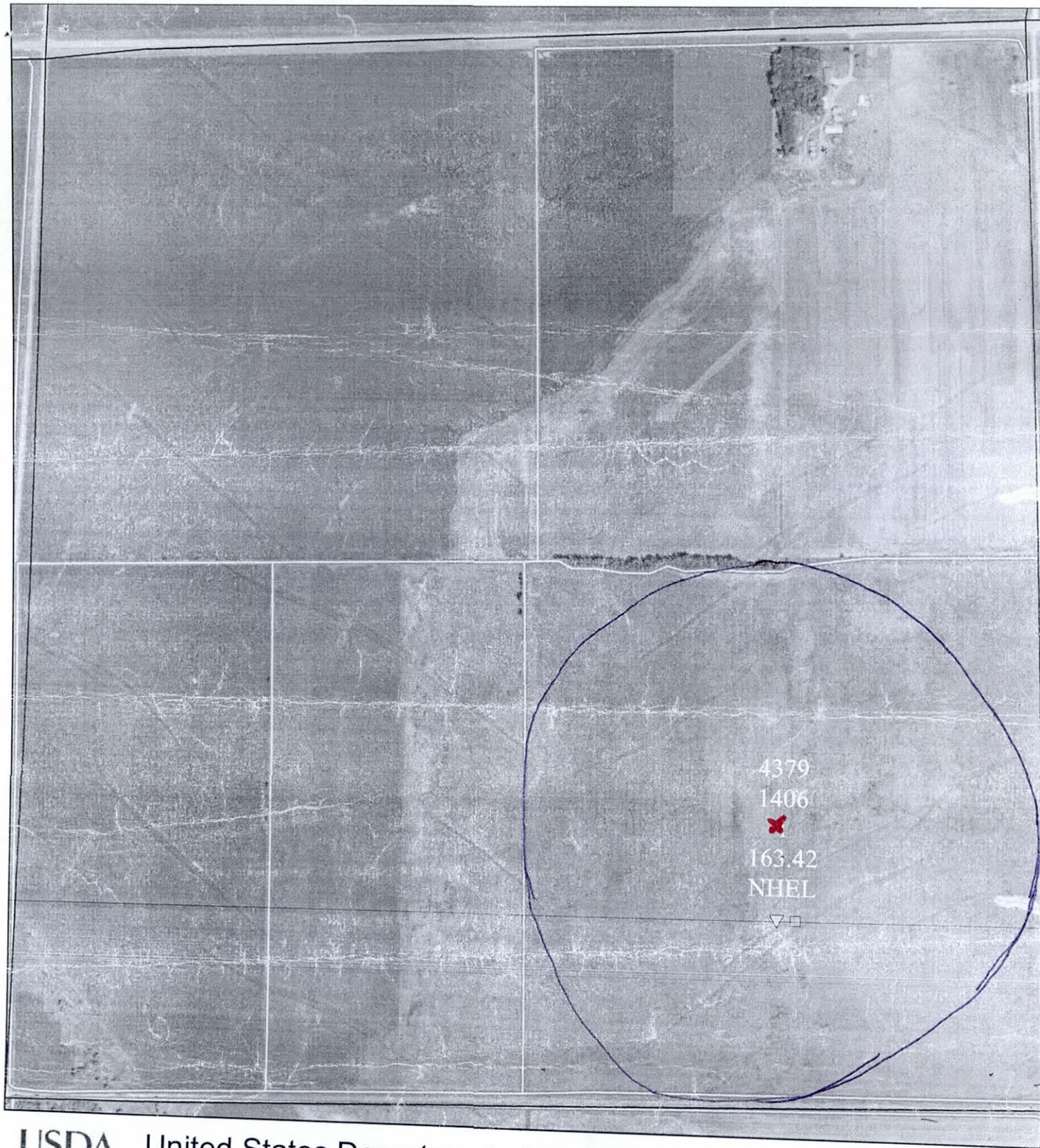
Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres





United States Department of Agriculture
Farm Service Agency

PLSS: 4_95N_52W
Farm: 4379

Clay County, SD

1:8,186

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DEC 21 2012

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March 11, 2010

Sheree Christensen
Program Tech.

Wetland Determination Identifiers

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

11-29-12

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

Common Land Units

2008 Ortho-Photography - Not to Scale

FAX COVER SHEET

Automatic Irrigation Inc.

1111 Railway

Centerville, SD 57014

Turner Co.

605-563-2649

605-563-2144

SEND TO Company name DENR	From
Attention Eric Grandlund	Date
Office location	Office location
Fax number 605-773-4068	Phone number

☐ Urgent ☐ Reply ASAP ☐ Please comment ☐ Please review ☒ For your information

Total pages, including cover: 2

COMMENTS

Eric,

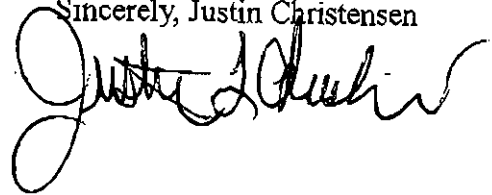
This is a test well sheet
for amending Justin Christensen's
well permit. The test well
showed that he would be
drawing water from the
Centerville Parker aquifer.

thanks,
Phillip

To whom it may concern:

This is a letter to amend my water right application from previously the Upper Vermillion Missouri aquifer to the Centerville Parker aquifer. On my original application I had not yet had a test hole drilled. Now that I have drilled the test hole the well driller informed me that I would be drawing water from the Centerville Parker aquifer. Please, use the attached Lacey Well Drilling test hole information to amend my permit application.

Sincerely, Justin Christensen

A handwritten signature in black ink, appearing to read "Justin Christensen", written over the typed name.

605-223-4068

In Water Since 1946

LACEY WELL DRILLING, INC.

47582 - 240th St.

Dell Rapids, South Dakota 57022

Telephone (605) 428-5979

Wells — Pumps
Dewatering Work
Test Drilling

2-6-13
Down-Hole Camera
Water Specialists
Irrigation Supplies

Test hole
82' deep

Justin Christensen
P.O. Box 89

Irene, SD Dak. 57037

0-4 Till

4-12 Clay

12-30 Grey Good Sand

30-50 Really Good Grey Gravel

50-80 Sand - Uniform

80-82 Good Grey Sand

SWL-12'

Drilled : 2-5-13

Driller : Joan Redden-Lacey

Joan Redden-Lacey
Lacey Well Drilling, Inc.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12-27-12, 20__

RECEIVED OF Justin Christensen, PO box 87, Irene SD 57037

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

Fee for Application for Permit No. <u>7609-3</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>7609-3</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. **05798**

By

Harland Erbe
Chief Engineer

15



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

December 28, 2012

Justin Christensen
201 E Park St
Irene SD 57037

Dear Mr. Christensen:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Clay County. In order to complete the application, the following is required.

- Enclosed is the aerial photo map submitted with the application. Please outline the 142 acres to be irrigated.
- Enclosed is the Form 2A, Supplemental Information. On Item No. 1, please complete c) the well depth. Your well driller should be able to give you an estimate of the proposed well depth.

If you have any questions, please contact me.

Sincerely,

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

enclosures



**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. 7609-3, Justin Christensen**

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. 7609-3, Justin Christensen, 201 E Park Street, Irene SD 57037.

The Chief Engineer is recommending DEFERRAL of Application No. 7609-3 until information is available to determine if there is reasonable probability that there is unappropriated water available for the applicant's proposed use. Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that unappropriated water is available.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 5, 2013



**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. 7609-3, Justin Christensen**

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. 7609-3, Justin Christensen, 201 E Park Street, Irene SD 57037.

The Chief Engineer is recommending APPROVAL of Application No. 7609-3 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. 7609-3 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
March 13, 2013

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7609-3
JUSTIN CHRISTENSEN
February 26, 2013

Water Permit Application No. 7609-3 proposes to appropriate up to 284 acre-feet annually (ac-ft/yr) at a maximum diversion rate of 1.56 cubic feet of water per second (cfs) from one well to be completed into the Parker-Centerville aquifer. The well will be located in the approximate center of the SE ¼ of Section 4 and will be approximately 50 feet deep. This application proposes to irrigate 142 acres located in the SE ¼ of Section 4, in T95N-R52W in Clay County.

AQUIFER: Parker-Centerville aquifer (PAC)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Parker-Centerville aquifer is a surficial, glacial aquifer composed of fine sand to coarse gravel (Lindgren, 1990). The aquifer generally lies on till and is generally separated from the underlying Upper Vermillion-Missouri aquifer by a layer of till (Lindgren, 1990). The aquifer is hydraulically connected to the Vermillion East Fork and Vermillion West Fork aquifers as well as the Vermillion River (Lindgren, 1990). The Parker-Centerville aquifer merges with the Lower Vermillion-Missouri aquifer approximately two and one quarter miles south of the proposed well site. The proposed well site is located in northern Clay County approximately three quarter miles from the Clay and Turner county line and approximately one half mile west of the Vermillion River. The aquifer is primarily unconfined, but is confined in the area of this application. The Parker-Centerville aquifer encompasses regions of Clay, Lincoln, and Turner Counties. The aquifer underlies approximately 42,000 acres of Clay and Turner Counties and contains an estimated 126,300 acre-feet of recoverable water in storage in the counties (Hedges and others, 1982). The test hole log submitted with this application reports a saturated thickness of approximately 60 feet.

SDCL 46-2A-9

In accordance with SDCL 46-2A-9, a permit may be issued to appropriate water 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 review the availability of unappropriated water and existing rights within the Parker-Centerville aquifer.

WATER AVAILABILITY:

This application proposes to appropriate up to 284 ac-ft/yr from the Parker-Centerville aquifer. If this application is approved, it is likely that the actual water use will be less than the appropriated amount. The probability of unappropriated water available from the aquifer can be evaluated using 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 Parker-Centerville aquifer occurs through direct infiltration and precipitation where the aquifer is near land surface (Lindgren, 1990). Recharge is also provided to the aquifer from the West Fork Vermillion and East Fork Vermillion aquifers as well as during times of high flow and stage from the Vermillion River (Lindgren, 1990). The average annual recharge rate to the Parker-Centerville aquifer is estimated to be 4.9 in/yr based on observation well analysis (Hedges and others, 1985). Given the area of the aquifer in Clay and Turner Counties of 42,000 acres, average annual recharge to the aquifer in the two counties is estimated to be 17,150 ac-ft/yr.

Discharge:

Discharge from the Parker-Centerville aquifer is by evapotranspiration, discharge to the Vermillion River, and withdrawal from wells (Lindgren, 1990). There are a number of completion reports on file with the SD DENR-Water Rights Program for domestic use wells completed into the Parker-Centerville aquifer (Water Rights, 2013b) and there are currently 125 water rights/permits appropriating water from the Parker-Centerville aquifer (Water Rights, 2013c). These water rights/permits are appropriating water from the aquifer in Clay and Turner Counties. The majority of the water rights/permits are for irrigation purposes, but two are for municipal use.

The amount of water that can be expected to be withdrawn through water rights/permits authorizing water use for non-irrigation purposes at the current appropriation level can be estimated by assuming:

1. Water rights/permits limited by an annual volume will pump the entire volume appropriated.
2. Water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time.

The expected water use for non-irrigation purposes, from the Parker-Centerville aquifer in Clay and Turner Counties, is less than 339 ac-ft/yr based on current water appropriations.

The annual reported water use from the Parker-Centerville aquifer for irrigation purposes in Clay and Turner Counties is displayed in Table 1. The average annual use due to irrigation over the period of record is 9,780 ac-ft/yr.

YEAR	NO. OF PERMITS	APPROPRIATION (AC-FT/YR)	PUMPAGE REPORTED (AC-FT/YR)
2011	123	43376.18	11315.29
2010	123	43376.18	391.54
2009	125	43850.18	7259.88
2008	123	43746.5	13223.74
2007	120	43371.3	11995.27
2006	117	42604.3	15303.9
2005	119	43163.7	13450.04
2004	117	43078.7	14668.26
2003	116	43463.7	12471.27
2002	114	42820.7	13865.24
2001	113	42860.7	12238.24
2000	113	42860.7	12955.37
1999	112	42540.7	11027.27
1998	108	42294.9	10072.16
1997	110	42639.9	11585
1996	107	41895.9	10896.58
1995	108	42405.9	9664
1994	111	43603.9	10724.11
1993	110	43781.8	1918.5
1992	111	43356.8	3909.4
1991	110	45435.8	11186.3
1990	110	45435.8	12200.5
1989	110	46476.8	13958.8
1988	108	46488.8	13558.25
1987	111	47892.8	8619.9
1986	113	48252.8	6120
1985	112	47722.8	6514.5
1984	111	47712.8	5152
1983	110	47480.8	5523.29
1982	111	48320.8	6493.92
1981	121	49051	9321
1980	110	46189	7675
1979	114	45949	7481
MIN	107	41895.90	391.54
MAX	125	49051.00	15303.90
AVE	113.67	44651.56	9779.99

Table 1. Irrigation from the Parker-Centerville aquifer in Clay and Turner Counties (Water Rights, 1979-2011).

Comparison of the estimated average annual withdrawal from the Parker-Centerville aquifer in Clay and Turner Counties with the estimated average annual recharge for the aquifer in the counties indicated that the average annual withdrawals from the aquifer do not exceed the average annual recharge to the aquifer. Therefore, unappropriated water is available from the Parker-Centerville aquifer. Specifically, unappropriated water is available for the 284 ac-ft/yr appropriation proposed by this application.

Observation Well Data:

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

The SD DENR-Water Rights Program monitors 23 observation wells completed into the Parker-Centerville aquifer with two of these observation wells located in the aquifer within four miles of the proposed well site (Water Rights, 2013b). Hydrographs for these wells are shown in Figures 1 and 2.

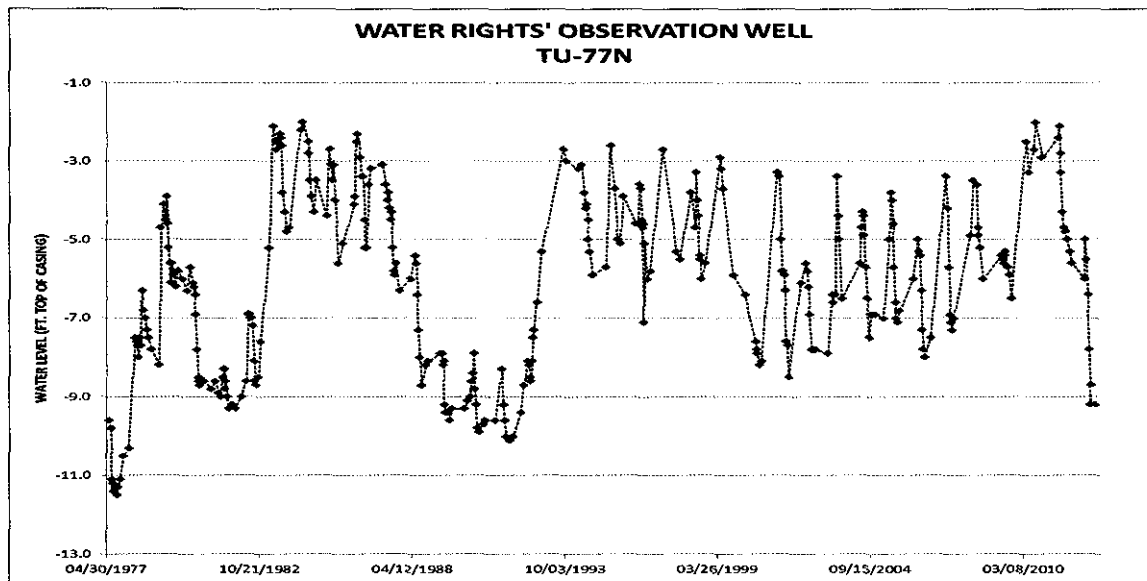


Figure 1. Hydrograph for SD DENR-Water Rights' Observation Well TU-77N completed into the Parker-Centerville aquifer less than one mile northeast of the well site proposed by Application No. 7609-3 (Water Rights, 2013a).

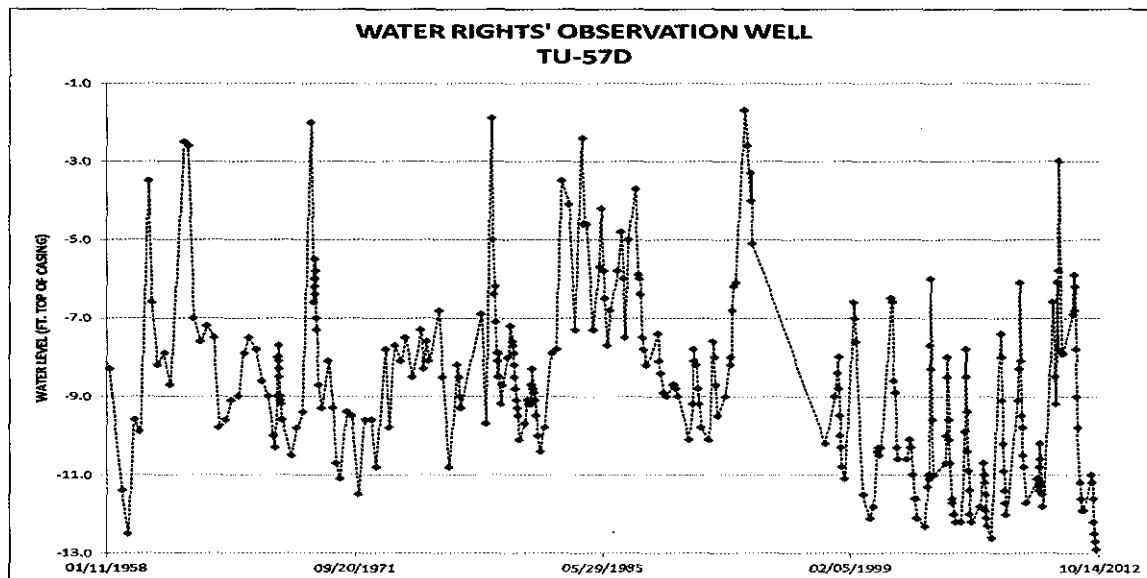


Figure 2. Hydrograph for SD DENR-Water Rights' Observation Well TU-57D completed into the Parker-Centerville aquifer less than four miles northeast of the well site proposed by Application No. 7609-3 (Water Rights, 2013a).

The observation well data shows the aquifer responds well to climatic conditions with rising water levels during wet years and gradually declining water levels during dry years. Observation Well TU-57D shows there are measureable effects due to pumping, but these are not significant due to the nature of the aquifer. The water level data shows that over the period of record, in general, discharge has not exceeded recharge. The observation well data shows that at the current level of development, climatic conditions greatly mask the temporal effects of well withdrawals. Therefore, recharge to and natural discharge from the Parker-Centerville aquifer significantly exceeds pumping. Recognizing that natural discharge from the aquifer can be captured for pumping. The hydrographs document that there is unappropriated water available from the aquifer to support this appropriation.

EXISTING WATER RIGHTS:

The proposed well site is located in northern Clay County approximately three quarter miles from the Clay and Turner county line and approximately one half mile west of the Vermillion River. There are three water rights/permits in the Parker-Centerville aquifer that have diversion points within approximately one mile of the proposed well site. The nearest water right/permit is Water Right No. 3245-3, for Eric Buckneberg, located more than three quarter miles northeast and up-gradient of the proposed well site. At the distance between wells, drawdown is not expected to be significant nor likely to cause adverse impacts to existing water rights.

Observation well TU-77N is located within 800 feet of Water Right No. 3245-3, and the hydrograph, shown in Figure 1, reports minimal drawdown at this distance due to pumping. Figure 3 shows the nearby existing water rights located in the Parker-Centerville aquifer. The locations of the existing water rights/permits were determined using the best data reasonably available.

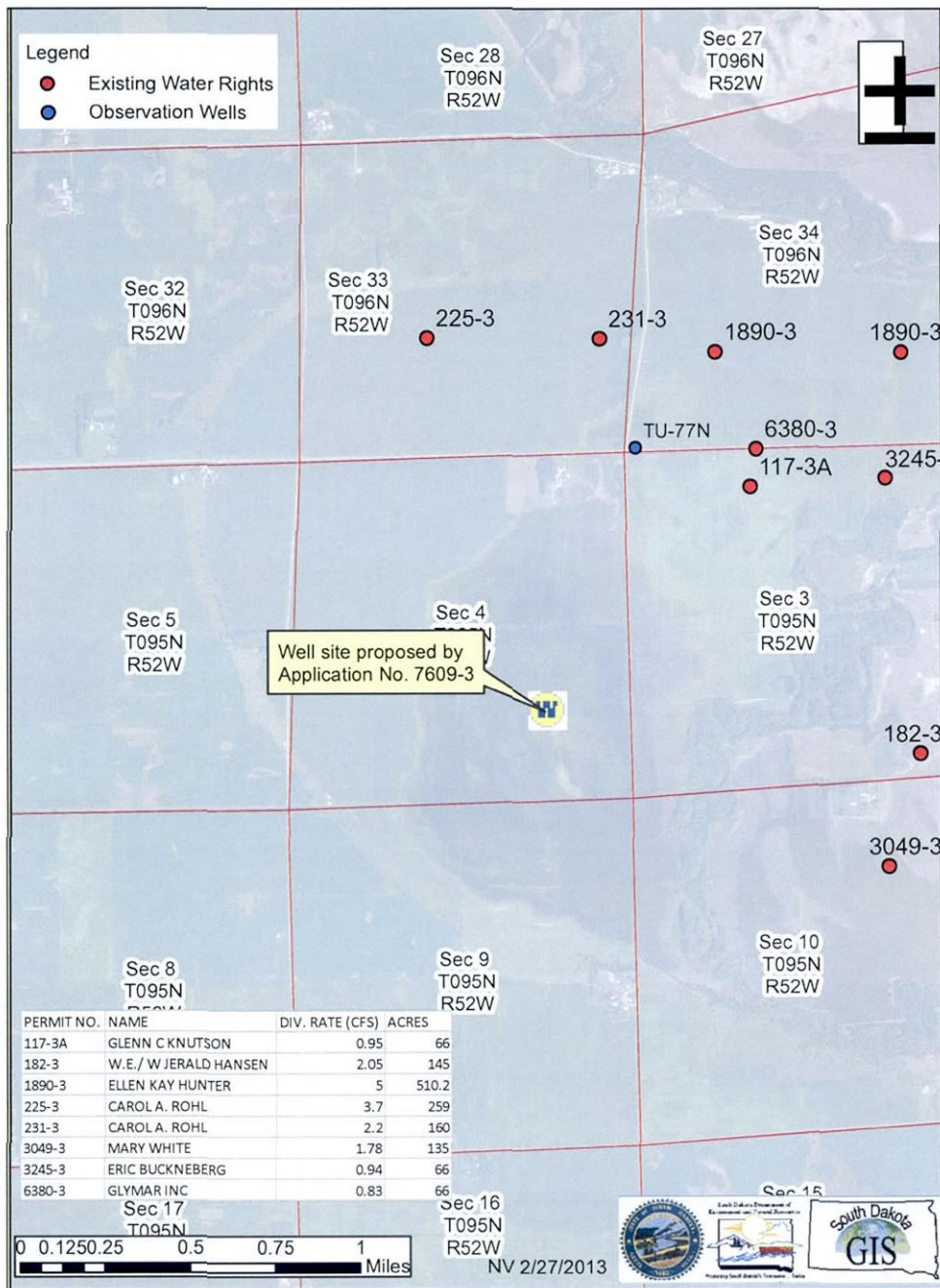


Figure 3 . Existing water rights/permits located within close proximity to the well site proposed by Application No. 7609-3 (Water Rights, 2013c).

With approximately 60 feet of saturated material available at the proposed well site, drawdown is not expected to be significant. With that in mind, this permit should adhere to and include the standard permit qualification which applies to most groundwater permits/rights stating that:

“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”.

SDCL 46-6-6.1 does not protect artesian head pressure as a means of delivery and the Water Management Board has consistently recognized that to place water to maximum beneficial use a certain amount of drawdown may occur. To balance interests between irrigation use and delivery of water by artesian pressure, the Water Management Board has defined an "adversely impacted domestic well" in ARSD 74:02:04:20(7) as:

"a well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner's needs"

In reality, the assurance of reasonable domestic use provided by SDCL 46-6-6.1 and ARSD 74:02:04:20(7) generally ensures not only that interference will not be adverse to domestic well users but also in existing appropriative rights (i.e. in most cases, the protection afforded to adequate domestic wells by water law, would lead to enforcement of the "standard permit qualification" before there is a reduction of needed water supplies to appropriative rights). Although drawdown is expected to be minimal, as shown by the observation well hydrographs, some drawdown will occur. Depending on the extent of drawdown, some existing well owners may need to lower their pumps to accommodate for deeper water levels. However, when considering the statute and rule, there is a reasonable probability that any well interference from these proposed applications will not be adverse to adequate domestic wells.

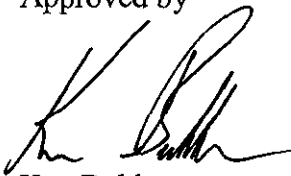
CONCLUSIONS:

1. This application proposes to appropriate up to 284 acre-feet annually for irrigation from the Parker-Centerville aquifer.
2. There is a reasonable probability that unappropriated water is available from the Parker-Centerville aquifer to supply this proposed appropriation.
3. The Parker-Centerville aquifer is confined in this area, but drawdown from pumping is not expected to be significant very far from a production well.
4. There is a reasonable probability that the well proposed by this application will not adversely impact existing water rights or domestic wells.



Nicole Van Dyk
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Hedges, L.S., Allen, J., Holly D.E., 1985, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 90-4093, 100 p.
- Water Rights, 1979-2011, Irrigation Questionnaire Summaries 1979-2011, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013b, Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013c, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

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APR - 1 2013

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

PLAIN TALK

DENR

Division of Environmental Services
Water Rights 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 TO APPROPRIATE WATER

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 22 DAY OF MARCH 2013
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$26.98 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: 3/22/13

FILED ON: 3/22/13

Tera A Schmidt
SUBSCRIBED AND SWORN TO BEFORE ME THIS

26th DAY OF

March

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

NO. 7609-3 to Appropriate
Water

Notice is given that Justin Christensen, 201 E Park St, Irene SD 57037 has filed an application for a water permit to appropriate 1.56 cubic feet of water per second from one well to be completed into the Parker-Centerville Aquifer (50 feet deep) located in the approximate center of the SE 1/4 Section 4 for irrigation of 142 acres located in the SE 1/4 Section 4; all in T95N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7609-3 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 April 1, 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 \$26.98.

Published: March 22, 2013

RECEIVED

MAR 25 2013

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

3+22

NOTICE OF APPLICATION
NO. 7609-3 to Appropriate Water

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Published once at the total approximate cost of \$25.48.

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

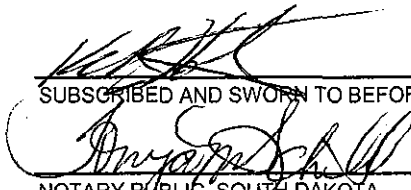
KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES AND SAYS THAT HE IS THE MANAGING EDITOR OF, YANKTON MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED **Notice of Application No. 7609-3**

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE NEWSPAPER ON THE 22nd DAY OF March 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: 3/22/2013

FILED ON: 3/22/2013

SUBSCRIBED AND SWORN TO BEFORE ME THIS 22nd DAY OF March 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

March 14, 2013

Plain Talk
201 W Cherry St
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7609-3 to Appropriate Water. Please publish the notice once on March 22, 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 Justin Christensen. 201 E Park St., Irene SD 57037 (Ph # 605-661-9889).

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

March 14, 2013

Press & Dakotan
319 Walnut
Yankton SD 57078

ATTENTION: Legal Public Notice

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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.**

March 14, 2013

Justin Christensen
201 E Park St
Irene SD 57037

Dear Mr. Christensen:

Water Permit Application No. 7609-3 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

MAY 20 2013

Justin Christensen
201 E Park St
Irene SD 57037

Dear Mr. Christensen:

Enclosed is Water Permit No. 7609-3 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.

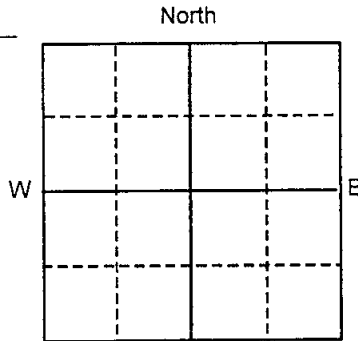
Sincerely,

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

enclosures

11-02

SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location NE 1/4 SE 1/4 Sec 4 Twp 95N Rg 52WCounty ClayPlease mark well
location with an "X"

Well Completion Date

April 30, 2013

1 Mile

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

50.0 ft. from septic (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>12.00</u> IN	<u>0.0</u> FT	<u>50.0</u> FT	<u>17.00</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>14</u>	Lb/gal	<u>0.0</u> Ft	<u>48.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie piped

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 12.00 Inches Length 30.0 FeetMaterial PVC - slotted 20' & stainless steel 10'Slot Size .050 Set From 50.0 Feet to 80.0 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? chlorinated☐ No, Why Not?Lab to which water
quality sample sent for analysis
n/aWell Owner: Justin Christiansen

Business Name:

Address: PO Box 87City, State, Zip: Irene SD 57037

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Black top soil	0	4
Brown clay	4	12
Gray sand, gravel	12	80
Fine gray sand	80	90
Blue clay	90	90

STATIC WATER LEVEL 5.0 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

47.0 Ft. After 1.0 Hrs. pumped 505.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 475 and this report is true and accurate.Drilling firm: Thein Well Co., Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

RECEIVED

NOV - 7 2013

Date: 10/29/2013WATER RIGHTS
PROGRAM

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 7609-3**

I have this day, December 8, 2023, made a thorough examination of the water use systems owned by Justin Christensen, 201 E. Park St., Irene, SD 57037, holder of Permit No. 7609-3, bearing the priority date of December 21, 2012. This permit authorizes the diversion of 1.56 cu. ft. per second of the waters of groundwater (Parker:Centerville Aquifer) authorizing the irrigation of 142 acres located in Clay County.

Inspection contacts: Justin Christensen

A. Works used to divert the water:

Well Information

- 1) Well Drilling Firm: Thein Well Co., Inc.
- 2) No. of Wells: 1
- 3) Depth(s): 80 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 12 inches
- 2) Length: 50 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 12 inches
- 2) Length: 20 feet
- 3) Type: PVC Slotted
- 4) Length: 10 feet
- 5) Type: Stainless Steel
- 6) Static water level: 5 feet

Pump:

- 1) Make: Franklin
- 2) Model: 700STS8
- 3) Capacity: 700 GPM

Motor:

- 1) Make: Franklin
- 2) Model No.: 2366178125
- 3) Horsepower rating: 40 hp

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

- 1) Type: Aluminum Size: 8 inches Length: 30 feet

C. Works used to apply water to beneficial use:

Center Pivot:

- 1) Make: Zimmatic
- 2) Overall length: 1,323 feet
- 3) Number of towers: 7
- 4) End gun: Yes, 99 feet
- 5) Capacity: 700 GPM

Chemigation Equipment:

- 1) Does chemigate: No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by: Yes
2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period: Yes
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 west and 1,225 feet north of the southeast corner of Section 4-T95N-R52W (Latitude 43.07249, Longitude -96.98829— aprox center of the SE1/4).
2) The works are capable of diverting and conveying to the places of use 1.56 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: All in

<u>Section 4-T95N-R52W</u>	
<u>NW1/4SE1/4</u>	<u>35.5 acres</u>
<u>NE1/4SE1/4</u>	<u>35.5 acres</u>
<u>SW1/4SE1/4</u>	<u>35.5 acres</u>
<u>SE1/4SE1/4</u>	<u>35.5 acres</u>

comprising a total of 142 acres of land and the license should be issued for 1.56 cfs.

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

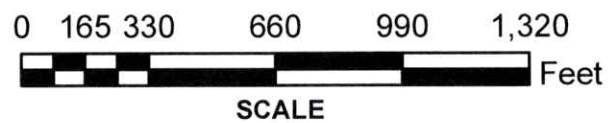
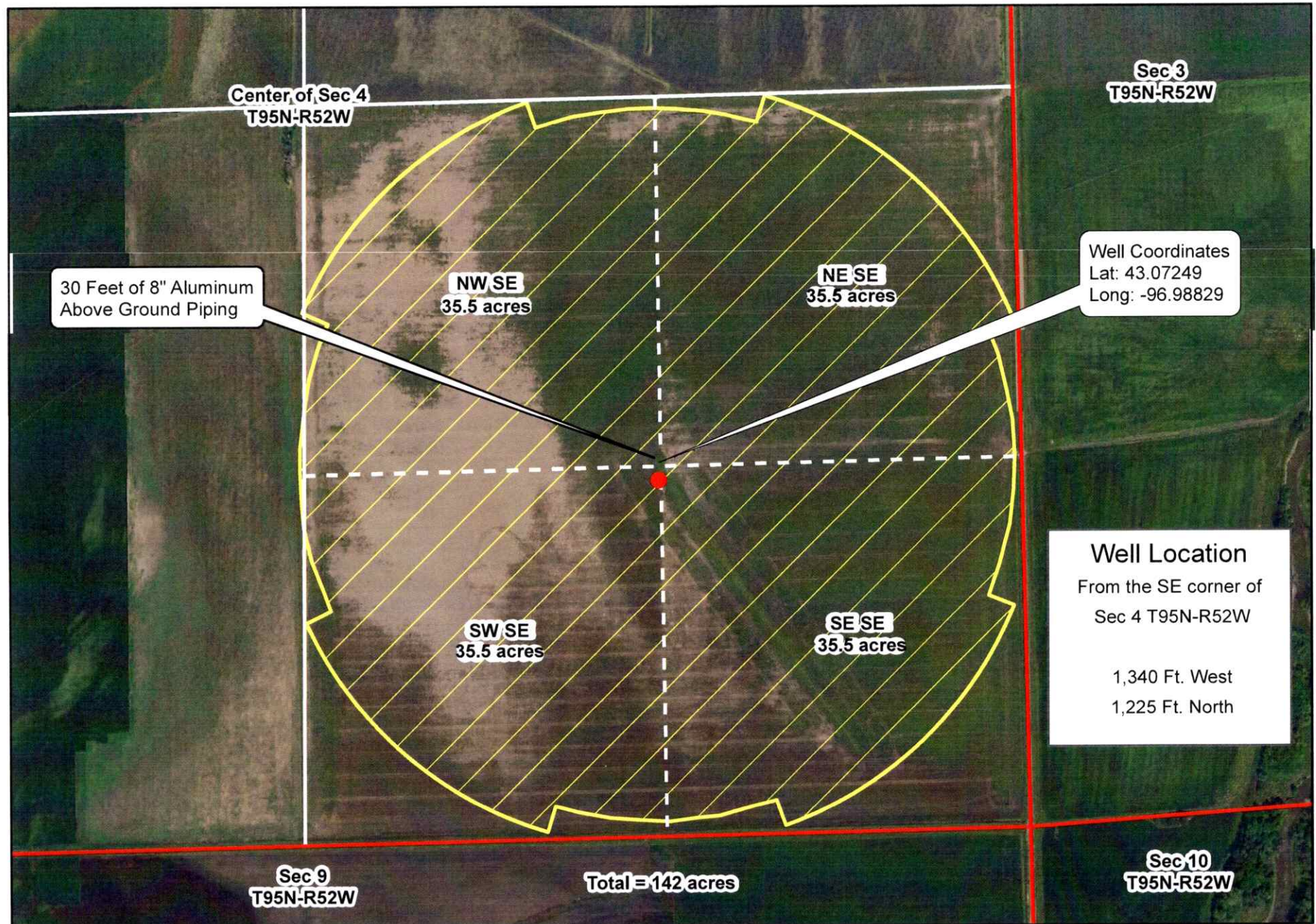
F. Comments or other permit(s) associated with the project: The pump and motor information was obtained from Thein Well Co., Inc.

Keith DeJong

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

Date report completed: December 15, 2023

Water Permit No. 7609-3



Keith DeJong

Keith DeJong, PE Ret.
December 8, 2023

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7609-3**

(1) Justin Christensen; 201 E Park St, Irene SD 57037, made Application No. 7609-3, December 21, 2012, for a water permit to divert 1.56 cubic feet of water per second from groundwater, one well (Parker: Centerville Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 7609-3, with a priority date of December 21, 2012, was approved April 1, 2013, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 1, 2018, and for the application to beneficial use of water on or before April 1, 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 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,340 ft W & 1,225 ft N of the SE corner of Section 4, T95N, R52W (approx. center SE ¼)
(Latitude 43.07249 & Longitude -96.98829)

(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 – September 30.

(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 4, T95N, R52W			
NE ¼ SE ¼	35.5 acres	SW ¼ SE ¼	35.5 acres
NW ¼ SE ¼	35.5 acres	SE ¼ SE ¼	35.5 acres
TOTAL: 142 acres			

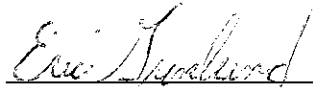
(5) Pursuant to South Dakota Water Law 46-5-30.1 Justin Christensen, the holder and/or owner of Water Right No. 7609-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from groundwater, one well (Parker: Centerville Aquifer), with a priority date of December 21, 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. 7609-3 and subject to the following qualifications:

1. 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 their 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 Water Right No. 7609-3 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. *(The well was constructed in 2013 by Thein Well Co. Inc. A copy of the well completion report is on file with the Water Rights Program.)*

continued

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



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



date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

DEC 21 2023

7609-3

Justin Christensen
201 E Park St
Irene SD 57037

Dear Mr. Christensen:

Enclosed is Water License No. 7609-3. 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