

WATER PERMIT NO. 7704-3

Name of Applicant: **Ivan Jelsma**

Address: **41412 15th St, Springfield SD 57062** Phone: **605 369-2317**

Amount of Water Claimed: **1.78 cfs** Total Acres: **136**

Source of Water Supply: **groundwater (1 well)**

Water to be used for: **irriation** County: **Bon Homme**

Type of Waste Disposal System:

Location: **6 miles northwest of Springfield**

PRIORITY Date Received: **2-21-13** Application/License Fee: **\$ 1050**

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

Remarks:

Diversion Point: **NW 1/4 SE 1/4 Sec 11-T93N-R61W**

Land to be Irrigated: **SE 1/4 Sec 11-T93N-R61W**

Depth of Well: **245 feet deep**

Well Driller: **Thein Well Co**

Remarks:

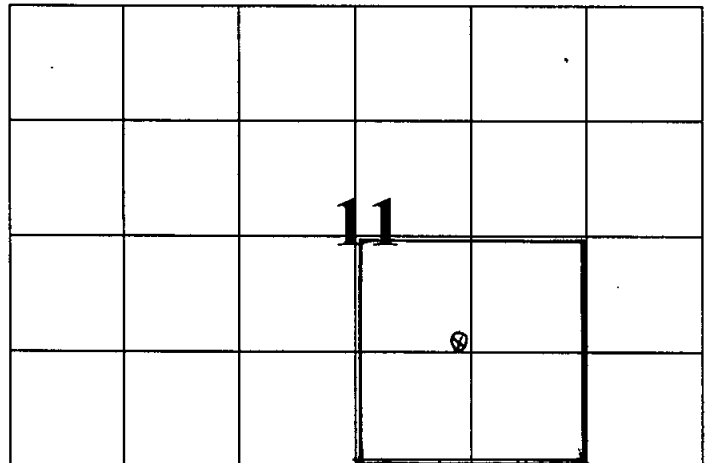
Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **2-25-13**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



FORM 2: Application for irrigation in South Dakota

(type or print)

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

No. 7704-3 (office use only)
Hydrologic Unit 10170101
Basin Missouri River 605-589-3242
Newspaper Cyndall Tribune & Register Box 520 - 57066
Press of Dakotan 319 Walnut Yambton 57078 605-665-7811

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WATER RIGHTS
PRUC

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

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

(name and complete address if different than above name)

Mailing Address

41412 15th St

(Address)

Springfield

(City)

SD

(State)

57062

(Zip Code)

Home Phone

605 369-2367

Cell

Email

2. Amount of water claimed

1.78*CFS or800 **GPM

***AF

Total Acreage

136

(*Cubic Feet per Second)

(**Gallons per Minute)

(***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply

Well

4. Location of point of diversion

1 well NW 1/4 SE 1/4 of section 11 T93N-R61W

(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County

Bon Homme

5. County or counties where water will be used

Bon Homme

6. Annual period during which water is to be used

May - September

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>SE 40 / SE 1/4 of sec. 11</u>	<u>34</u>	<u>all in T93N - R61W</u>	
<u>SW 40 / SE 1/4 of sec. 11</u>	<u>34</u>		
<u>NW 40 / SE 1/4 of sec. 11</u>	<u>34</u>		
<u>NE 40 / SE 1/4 of sec. 11</u>	<u>34</u>		

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

1 center pivot for irrigation purposes

I, Ivan Jelsma, 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. 7704-3**

Date of first receipt of application February 21, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7704-3 to Ivan Jelsma, 41412 15th St, Springfield SD 57062 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. 7704-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Choteau West Aquifer (245 feet deep) located in the NW 1/4 SE 1/4 Section 11 for irrigation of 136 acres located in the SE 1/4 Section 11; all in T93N-R61W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is February 21, 2013.
4. The date of approval of Permit No. 7704-3 is May 20, 2013.
5. One-fifth of the construction is to be completed on or before November 20, 2015.
6. All construction is to be completed on or before May 20, 2018.
7. Water is to be put to beneficial use on or before May 20, 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. 7704-3 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, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 21 2013
date





United States Department of Agriculture
Farm Service Agency

PLSS: 11_93N_61W
Farm: 5096

Bon Homme County, SD

1:7,483



January 19, 2011

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.

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WATER RIGHTS PROGRAM

Wetland Determination Identifiers

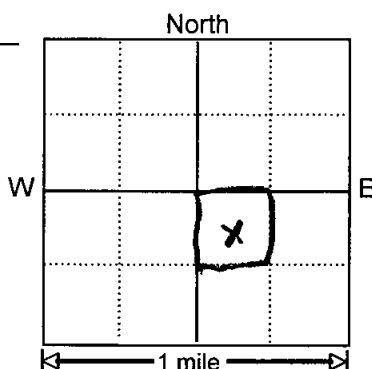
- ☒ Restricted Use
- ☒ Limited Restrictions
- ☐ Exempt from Conservation Compliance Provisions

Common Land Units

- ☒ Non Cropland

2010 Ortho-Photography - Not to Scale

SOUTH DAKOTA WELL AND TEST HOLE PLUGGING REPORT 11-02

Location NW 1/4 SE 1/4 Sec 11 Twp 93N Rg 61WCounty Bon HommePlease mark well
location with an "X"

Well Owner:

Name: Ivan JelsmaAddress: 41412 15th StCity, State, Zip: Springfield SD 57062

Comments:

GPS: N 42 53.026

W 90 0.945

Test hole 1

Plugging Completion Date October 19, 2012

CHECK APPROPRIATE BOX

EXISTING WELL ☐TEST HOLE ☒

Well depth _____

Casing material _____

Casing size(s) _____

Casing condition _____

Hole depth 245'Hole size 5"

Describe plugging procedure:

Tremie piped

Describe grout or plugging material:

Volclay groug

Type of non-slip plug: _____

This well or test hole was plugged under license # 475 and this report is true and accurate.Drilling firm: Thein Well Co Inc.

Signature of Licensed Representative: _____

Signature of Well Owner: _____

Date: 2-20-2013

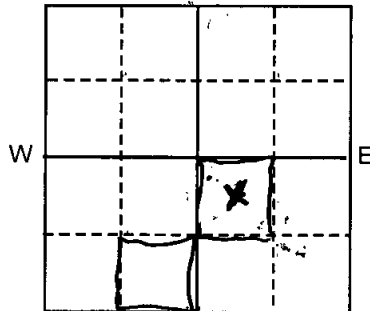
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW 1/4 SE 1/4 Sec 11 Twp 93N Rg 61W

County Bon Homme

North

Please mark well
location with an "X"

Well Completion Date

November 7, 2012

1 Mile

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

3/4 mile ft. from ~~septic tank~~ nearest farm (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	12.00 IN	0.0 FT	200.0 FT	16.50 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	7	Lb/gal	0.0 Ft	195.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie piped

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 12.00 Inches Length 40.0 Feet

Material 20' stainless steel & 20' PVC

Slot Size .050 Set From 200.0 Feet to 240.0 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

Well Owner: Ivan Jelsma

Business Name:

Address: 41412 15th St

City, State, Zip: Springfield SD 57062

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top soil	0	4
Yellow clay	4	29
Blue clay	29	172
Medium to fine sand	172	180
Fine sand w/medium sand	180	205
Medium sand w/fine	205	234
Coarse sand	234	245

STATIC WATER LEVEL 137.0 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

142.0 Ft. After 12.0 Hrs. pumped 200.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

12" well

GPS: N 42 53.024
W 98 0.944

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WATER RIGHTS
PROGRAMThis 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:

Date: 2-20-2013

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

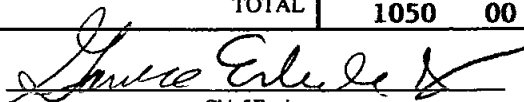
Date 2/22, 20 13

RECEIVED OF Ivan Jelsma 41412 15th St Springfield SD 57062

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

Fee for Application for Permit No. <u>7704-3</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>7704-3</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. 06164

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. 7704-3, Ivan Jelsma**

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. 7704-3, Ivan Jelsma, 41412 15th Street, Springfield SD 57062.

The Chief Engineer is recommending APPROVAL of Application No. 7704-3 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. 7704-3 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.

Jeanne Goodman, Chief Engineer
May 1, 2013

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7704-3
IVAN JELSMA
MAY 1, 2013

Water Permit Application No. 7704-3 proposes to appropriate water at a maximum diversion rate of 1.78 cubic feet of water per second (cfs) from one well to be completed into the West management unit of the Choteau aquifer. The well is expected to be 245 feet deep. The well is expected to be located in NW ¼ SE ¼ Section 11, T93N-R61W. The water will be used to irrigate 136 acres located in SE ¼ Section 11, all in T93N-R61W in Bon Homme County.

AQUIFER: West management unit of the Choteau aquifer (CH: W)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The West management unit of the Choteau aquifer is a buried aquifer consisting of glacial outwash and western derived stream deposits (Kume, 1977) that was deposited in the ancient Ponca Creek drainage (Christensen, 1974). The ancient Ponca Creek incised through the Pierre Shale bedrock into the Niobrara Formation, and in some places through the Niobrara Formation into the Carlile Shale (Christensen, 1974). The Choteau: West underlies approximately 218,400 acres and contains an estimated 1,474,200 acre-feet (ac-ft) of recoverable water in storage in South Dakota as shown in Figure 1 (Hedges et. al, 1982). The aquifer underlies approximately 20,500 acres and contains an estimated 121,480 ac-ft of recoverable water in storage in Bon Homme County alone (Hedges et. al, 1982). The Choteau: West aquifer is under confined conditions, and the potentiometric surface appears to be relatively flat in this area. The groundwater movement in the area appears to be from the northwest to the southeast (Kume, 1972).

The test well log submitted with this application identifies the Choteau: West aquifer from 172 feet grade to 245 feet below grade, with a static water level of 137 feet below ground surface in November 2012. The well was test pumped at 200 gallons per minute (gpm) and had a drawdown of five feet. That is a specific capacity of 40 gpm/ft, which leads to an approximate transmissivity of 80,000 gal/day/ft assuming a storativity of 0.001 ("Transmissivity From Specific Capacity", 2013).

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.

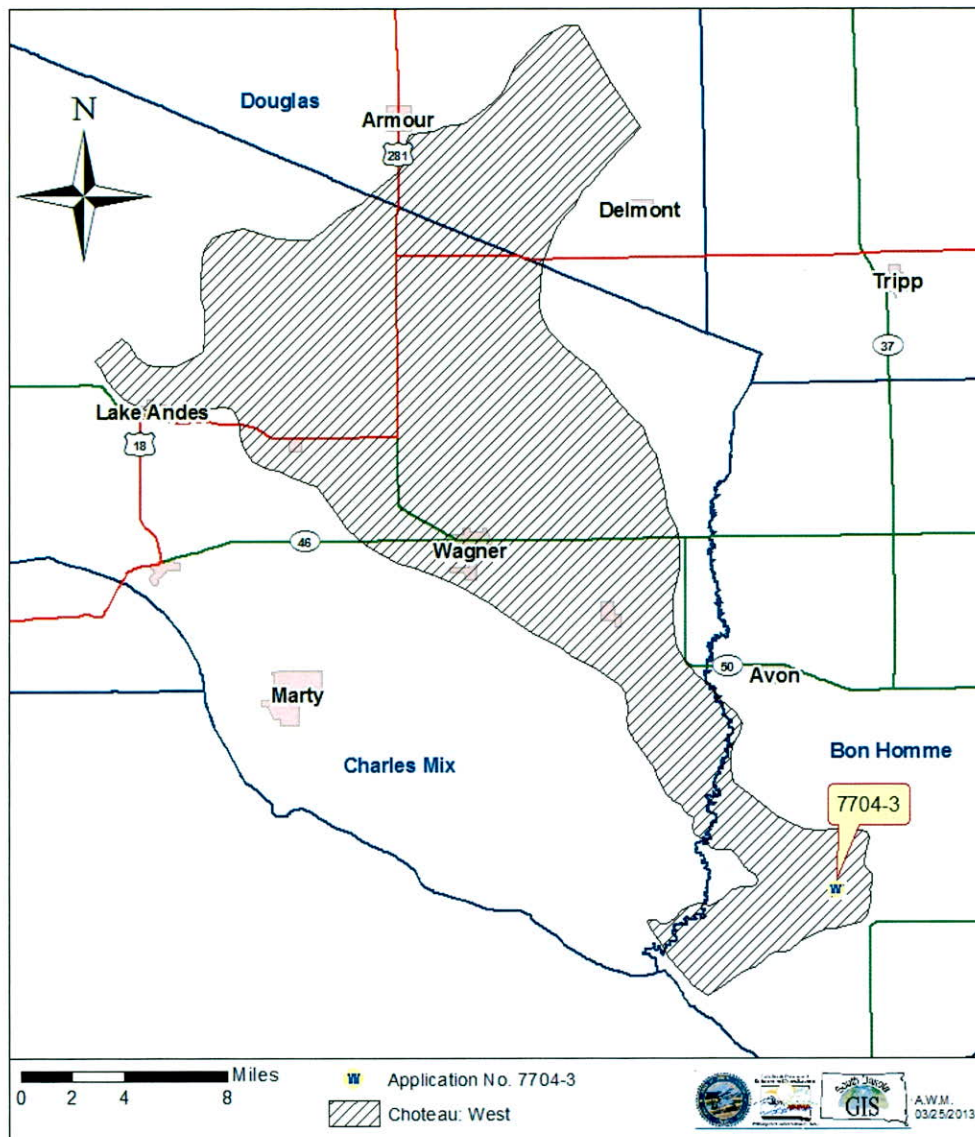


Figure 1- Choteau: West aquifer; modified from Hedges and others (1982)

WATER AVAILABILITY:

This application proposes to appropriate water from the Choteau: West aquifer. Actual water use, if this application is approved, will likely be less than 272 ac-ft/yr. The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1 which requires “No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.”

Recharge versus Discharge:

Recharge:

Recharge to the Choteau: West aquifer is primarily from the adjacent till (Kume, 1977). According to Kume (1977),

“Water is available in the till and from the numerous saturated lenticular outwash bodies. Perhaps some recharge also comes from the Niobrara Marl where the aquifer lies directly upon the marl.”

Hedges and others (1985) stated,

“Some aquifers in surficial deposits are or may be receiving significant recharge from this source. An example is the Choteau: West aquifer which is directly underlain by Niobrara Formation and/or Codell Sandstone throughout much of its areal extent.”

Hedges and others (1985) concluded that 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. That range equates to 2,730 to 10,920 ac-ft/yr for the entire Choteau: West and 256 to 1,025 ac-ft/yr for the Choteau: West in Bon Homme County.

Discharge:

Discharge from the Choteau: West aquifer is from natural losses to springs and seepage to surrounding drift or bedrock (Kume, 1977) but is primarily through well withdrawals. There are 46 water rights/permits appropriating water from the Choteau: West aquifer and three pending permits (Water Rights, 2013b). In Bon Homme County, there are six water rights/permits are for irrigation and one is for domestic purposes.

A breakdown of the uses of water from the Choteau: West is shown in Table 1. The two municipal water rights are for the City of Wagner. It should be noted that Wagner is currently on rural water (Buhler, 2012). Estimated annual pumpage by non-irrigation appropriations, excluding City of Wagner, is 366 ac-ft/yr. The City of Wagner would withdraw approximately 865 ac-ft/yr if they were not connected to rural water. These estimations are based on pumping 60 percent of the time at the maximum allowed diversion rate. Historic irrigation water use from the Choteau: West aquifer is shown in Table 2 and from the Choteau: West in Bon Homme County in Table 3.

Type	Total
Commercial/Livestock Confinement Operation	1
Domestic	1
Irrigation	40
Municipal	2
Recreation	2

Table 1- Breakdown of water use types from the Choteau: West aquifer (Water Rights, 2013b)

Year	No. Permits Reporting	Appropriation (ac-ft/yr)	Pumpage (ac-ft/yr)
2011	35	19324.12	1872.77
2010	35	19324.12	614.83
2009	35	19492.12	1163.81
2008	34	19212.12	2443.95
2007	34	19108.12	3363.59
2006	34	19943.8	3598.83
2005	36	19563.8	2896.82
2004	34	18843.8	2819.08
2003	33	15696	2526.26
2002	33	15995.8	3223.92
2001	33	16475.8	1625.24
2000	33	16475.8	3009.11
1999	40	19675.8	1248.07
1998	42	18975.8	697.51
1997	42	19087.8	1509
1996	42	19087.8	1795.61
1995	42	20410.8	999.46
1994	41	20146.8	2026.03
1993	45	21835.8	334.2
1992	46	23224.8	1682.6
1991	45	23080.8	4056.5
1990	45	23400.8	3716
1989	45	23565.8	3984.1
1988	44	23245.8	4537.4
1987	42	23080.8	2198
1986	42	23108.8	2986
1985	43	23810.8	2377
1984	44	24770.8	1692
1983	40	21761.8	1368.89
1982	39	20935.8	1647.15
1981	48	21657	3132
1980	47	21477	2644
1979	49	21477	2933
Min	33	15696.0	334.20
Max	49	24770.8	4537.40
Avg.	40.1	20523.4	2324.93

Table 2- Historic irrigation water use from the Choteau: West aquifer (Water Rights, 1979-2012)

Year	No. Permits Reporting	Appropriation (ac-ft/yr)	Pumpage (ac-ft/yr)
2011	4	1616	172.78
2010	4	1616	30.94
2009	3	1126	0
2008	2	846	190.58
2007	1	526	249.54
2006	1	526	256.31
2005	1	526	222.73
2004	1	526	282.83
min	1	526	0
max	4	1616	282.83
avg	2.13	913.50	175.71

Table 3- Historic Irrigation water use from the Choteau: West aquifer in Bon Homme County (Water Rights, 1979-2012)

Hydrologic Budget:

Estimated average annual withdrawal from the Choteau: West aquifer is 2,691 ac-ft with 176 ac-ft in Bon Homme County alone. The average annual pumpage is on the low end of the range of

recharge estimated by Hedges and others (1985) when considering the entire aquifer and when considering Bon Homme County alone. Therefore, there is a reasonable probability that unappropriated water is available from the Choteau: West aquifer to supply this proposed appropriation.

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 25 observation wells completed into the Choteau: West aquifer with three of the observation wells being in Bon Homme County (Water Rights, 2013a). The three observation wells, BH-78D, BH-82D, and BH-78C, completed into the Choteau: West in Bon Homme County are approximately 0.8 miles northeast, 1.9 miles northwest, and 2.4 miles northwest of the proposed well location, respectively. The Choteau: West is an artesian aquifer and 2012 water levels were at record lows, but in most places there is still at least 60 feet of artesian head pressure. Generally, water levels in the observation wells have held fairly constant. The hydrographs for observation wells BH-78D, BH-82D, and BH-78C agree, in general, with the hydrographs from other observation wells completed into the Choteau: West aquifer. Water levels in all three observation wells respond to climatic conditions; rising (recharging) during wet periods, and declining during dry periods. This data documents that, at the current level of development, temporal well withdrawal is masked by climatic conditions. Therefore, recharge to and natural discharge from the Choteau: West aquifer significantly exceeds pumping, indicating that unappropriated water is available from the aquifer to support this proposed appropriation. Figures 2, 3, and 4 show the hydrographs for observation wells BH-78D, BH-82D, and BH-78C, respectively.

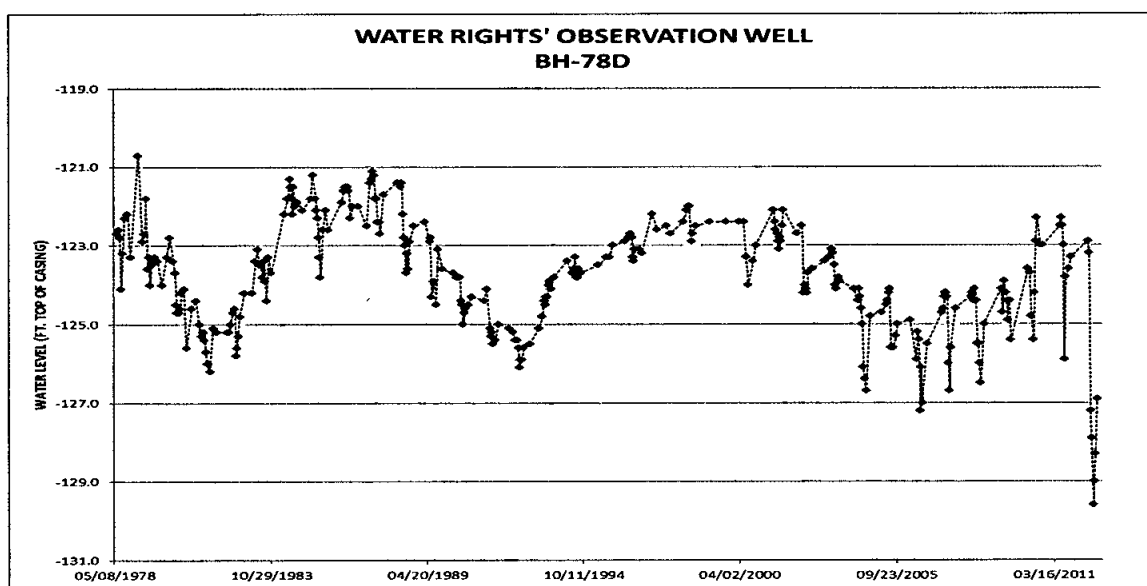


Figure 2- Hydrograph of BH-78D approximately 0.8 miles northeast of the proposed well location (Water Rights, 2013a).

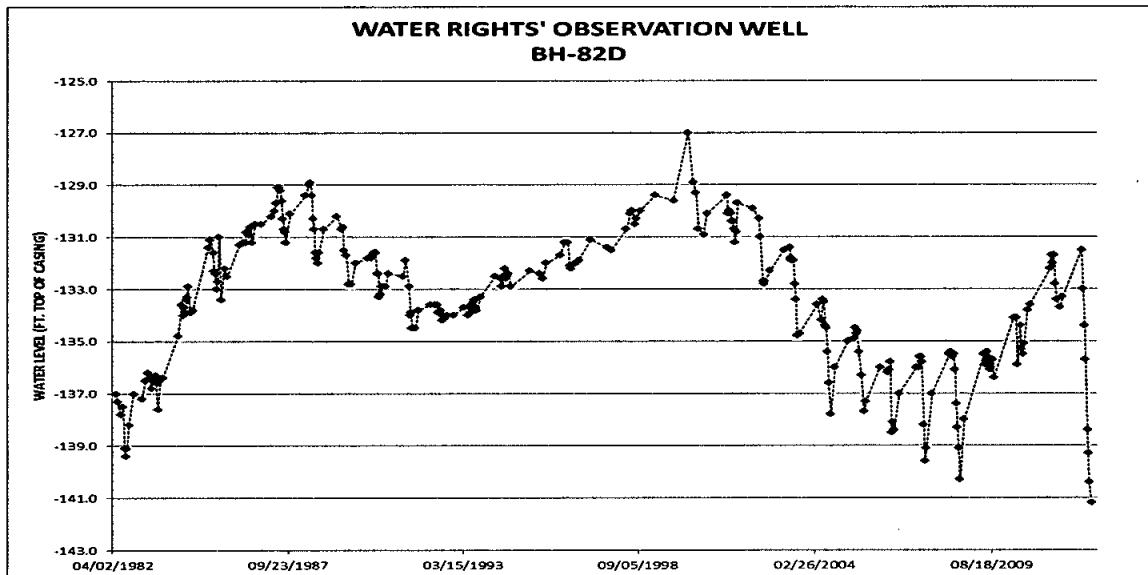


Figure 3- Hydrograph of BH-82D approximately 1.9 miles northwest of the proposed well location (Water Rights, 2013a).

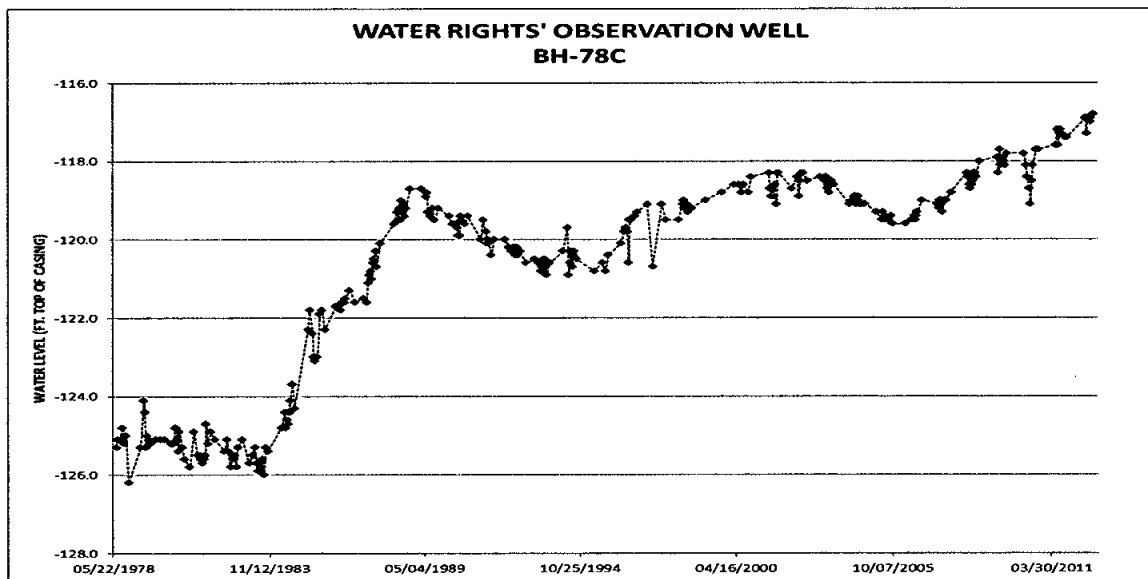


Figure 4- Hydrograph of BH-78C approximately 2.4 miles northwest of the proposed well location (Water Rights, 2013a).

EXISTING WATER RIGHTS:

Irrigation development in the 1950's in this area was very controversial. Irrigation pumping caused changes in the water levels in domestic wells that resulted in wells that no longer were free flowing at the surface and caused other wells to have pumps lowered. The early controversies were resolved, and there have been no issues in this area for several years. A change in SD Water Law was made so that artesian head pressure is no longer protected as a means of water delivery. The early controversies would not have been issues with the change in water law.

There are three wells authorized under four water rights/permits and three new water permits authorizing construction of wells within approximately 2 miles of the proposed well location (Water Rights, 2013b). There are also a number of domestic wells on file with the SD DENR-Water Rights Program that appear to be completed into the Choteau: West aquifer within approximately two miles of the proposed well site (Water Rights, 2013c). Figure 5 shows the wells authorized by appropriative rights.

Although the Choteau: West is under confined conditions, historically, drawdown from high capacity wells has not been significant. For example, the hydrograph for observation well BH-78D (Figure 2), which is located approximately 0.4 miles from the 900 gpm well that supplies Water Permit No. 7195-3 and about 0.9 miles from the 800 gpm well that supplies Water Permit No. 6920-3, shows only a few feet of drawdown from the diversions. Given the distance between the wells and the historical interference documented by the observation wells, well interference is not expected to adversely affect existing water rights/permits or domestic users.

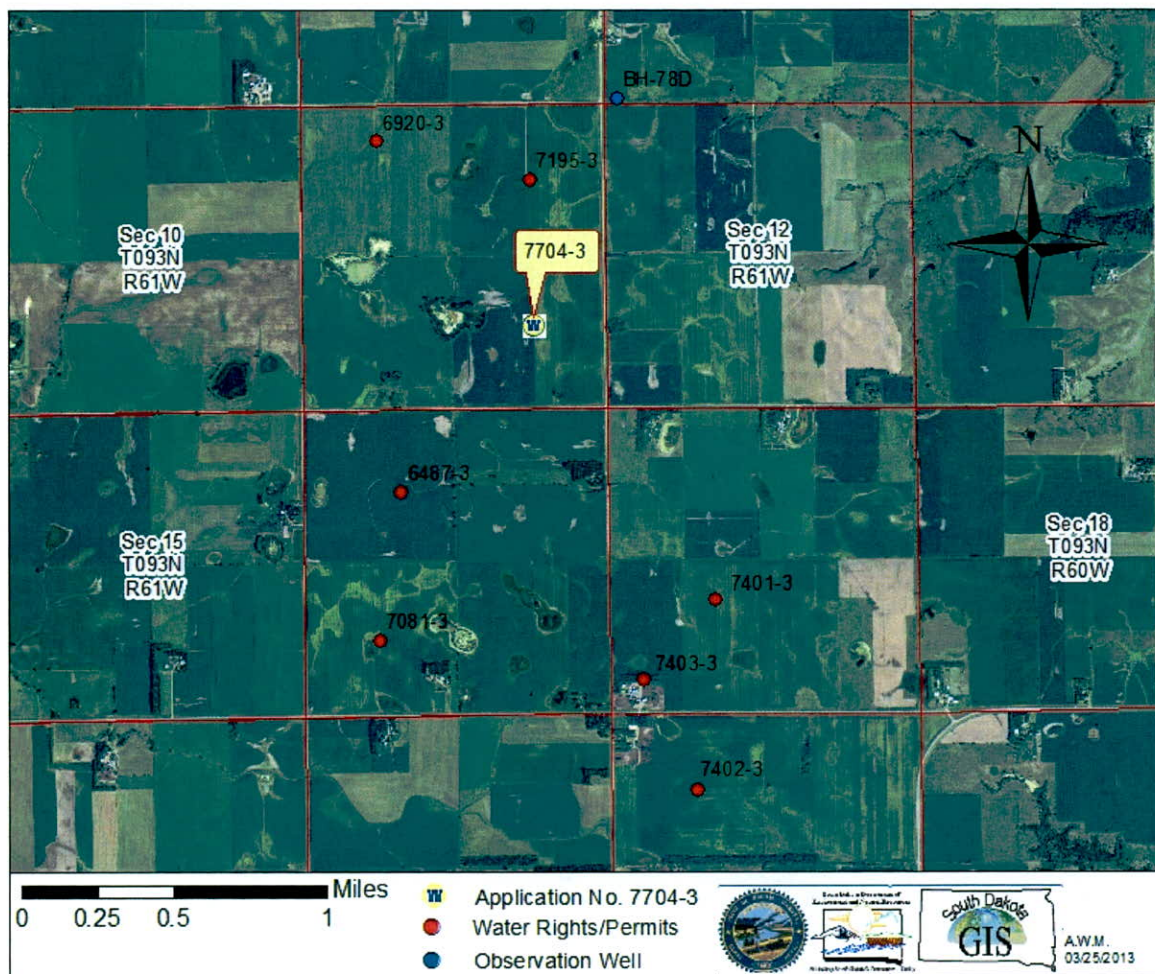


Figure 5- Map of Water Rights/Permits and Observation Wells in the area of Water Permit Application No. 7704-3 (Water Rights, 2013a and 2013b)

CONCLUSIONS:

1. This application proposes to appropriate water for the irrigation of 136 acres at a maximum diversion rate of 1.78 cfs.
2. This application proposes to withdraw water from the Choteau: West aquifer.
3. There is a reasonable probability that unappropriated water is available from the Choteau: West aquifer for this proposed appropriation.
4. There is a reasonable probability that the diversion requested by this application can be made without adversely impacting existing water rights or domestic wells.



Adam Mathiowetz
Water Rights Program

Approved By:



Ken Buhler
Water Rights Program

REFERENCES:

- Buhler, K. 2012. "Water Permit Application Nos. 7402-3 and 7403-3 Report". SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, South Dakota.
- Christensen, C.M. 1974. Geology and Water Resources of Bon Homme County, South Dakota, Part I; Geology. S.D. Geological Survey Bulletin 21(1). SD DENR-Geological Survey, Vermillion, South Dakota.
- Hedges, L.S., Allen, J., and Holly, D.E. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 7: Ground Water Recharge. South Dakota DENR-Geological Survey, Vermillion, SD.
- 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.
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- 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.

Affidavit of Publication

RECEIVED

State of South Dakota }
County of Bon Homme } SS

MAY 13 2013

WATER RIGHTS
PROGRAM

.....Rebecca Tyer.....Being first duly sworn says that the **Tyndall Tribune & Register** is a legal weekly newspaper for publication of legal and other official notices as required by Chapter 298 of the Session Laws of South Dakota, 1939; that it has bona fide paid circulation of more than two hundred copies weekly; that it is published in English language in the City of Tyndall, Bon Homme County, South Dakota, and has been admitted to the United States mail under second class mailing privilege for more than one year prior to the first publication of the notice herein mentioned, and that it is printed in an office maintained at the place of publication at Tyndall, South Dakota, and that deponent is the publisher in charge of the advertising department of said newspaper; that the advertisement headed

Notice of Application

no. # 7704-3

65 @37.2

a printed copy of which is hereto attached, was printed and published in said newspaper for one successive weeks, upon the following dates:

<u>May 8</u> 20 <u>13</u>	20.....
.....20.....	20.....
.....20.....	20.....
.....20.....	20.....

That the full amount of the fee charged for the publication of said notice, \$24.18, inures to the benefit of the publisher of said newspaper, that no agreement or understanding for the division thereof has been made with any other person, and that no part has been agreed to be paid to any person whomsoever.

Rebecca Tyer

Subscribed and sworn to before me this

8 day of May 2013

Rebecca Tyer
Notary Public
South Dakota

my commission expires: 10-24-2015

NOTICE OF APPLICATION

NO. 7704-3 to Appropriate Water

Notices given that Ivan Jelsma, 41412 15th St, Springfield SD 57062 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 Choteau: West Aquifer (245 feet deep) located in the NW 1/4 SE 1/4 Section 11 for irrigation of 136 acres located in the SE 1/4 Section 11; all in T93N-R61W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7704-3 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-2, 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 May 20, 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 an approximate cost of \$24.18

(May 8)

RECEIVED

MAY 10 2013

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

5+8

NOTICE OF APPLICATION
NO. 7704-3 to Appropriate Water

Notice is given that Ivan Jelsma, 41412 15th St, Springfield SD 57062 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 Choteau West

Aquifer (245 feet deep) located in the NW 1/4 SE 1/4 Section 11 for irrigation of 136 acres located in the SE 1/4 Section 11; all in T93N-R61W.

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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

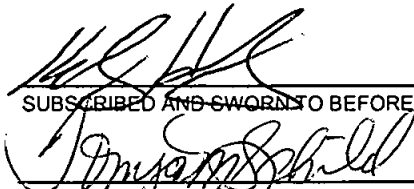
STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

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. 7704-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE NEWSPAPER ON THE 8th DAY OF May 2013 THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION OF SAID NOTICE TO WIT \$25.48 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: 5/8/2013

FILED ON: 5/8/2013


SUBSCRIBED AND SWORN TO BEFORE ME THIS 8th DAY OF May 2013
Tommy Scheld
NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 8/19/2015

2013



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

May 1, 2013

Tyndall Tribune & Register
PO Box 520
Tyndall SD 57066

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7704-3 to Appropriate Water. Please publish the notice once on May 8, 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 Ivan Jelsma, 41412 15th St, Springfield SD 57062 (Ph # 605-369-2317).

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

May 1, 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.

May 1, 2013

Ivan Jelsma
41412 15th St
Springfield SD 57062

Dear Mr. Jelsma:

Water Permit Application No. 7704-3 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 Tyndall Tribune & Register printed at Tyndall SD (Ph # 605-589-3242) 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 May 8, 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. 7704-3 to Appropriate Water

Notice is given that Ivan Jelsma, 41412 15th St, Springfield SD 57062 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 Choteau:West Aquifer (245 feet deep) located in the NW 1/4 SE 1/4 Section 11 for irrigation of 136 acres located in the SE 1/4 Section 11; all in T93N-R61W.

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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

JUN 21 2013

Ivan Jelsma
41412 15th St
Springfield SD 57062

Dear Mr. Jelsma:

Enclosed is Water Permit No. 7704-3 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

7704-3
RECEIVED

AUG 26 2013

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate August 24 - 2013TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Ivan Jelsma
(name)41412 15th St
(address)Springfield SD 57062 605-369-2317
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 7704-3 states that the water use system is to be constructed byMay 20 - 2018, and water is to be put to beneficial use by May 20 2022
(date) (date)The water use system was completed on June 19 2013
(date)Applying the water to beneficial use was completed on July 2 - 2013
(date)

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

Ivan Jelsma
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

August 27, 2013

7704-3

Ivan Jelsma
41412 15th St
Springfield SD 57062

Dear Mr. Jelsma:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7704-3

I have this day, May 2, 2018, made a thorough examination of the water use system constructed by Ivan Jelsma, 41412 15th St., Springfield, SD 57062, holder of Permit No. 7704-3, bearing the priority of February 21, 2013 authorizing the diversion of 1.78 cu. ft. per second of the waters of groundwater (Choteau: West Aquifer) for irrigation purposes, in Bon Homme County.

Inspection contact: Ivan Jelsma, Owner

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) 245 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 12 inches
- 2) Length 200 feet
- 3) Type Plastic

Screen:

- 1) Type PVC and Stainless Steel
- 2) Length 20/20 feet
- 3) Static water level 137 feet

Pump:

- 1) Make Goulds
- 2) Model unknown
- 3) Capacity 800 GPM

Motor:

- 1) Make GE
- 2) Model No. 5KE365DTT6017A
- 3) Horsepower rating 75 hp

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

- 1) Type Galvanized
- 2) Size 9 inches
- 3) Length 20 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make T&L
- 2) Overall length 1,292 feet
- 3) Number of towers 8
- 4) End gun Yes
- 5) Capacity 800 GPM

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: Well: 1,330 feet north and 1,330 feet west from the SE corner of Section 11-T93N-R61W (Latitude 42.88378, Longitude - 98.01576).
2. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: all in Section 11-T93N-R61W

<u>NW1/4SE1/4</u>	<u>34 acres</u>
<u>NE1/4SE1/4</u>	<u>33 acres</u>
<u>SW1/4SE1/4</u>	<u>34 acres</u>
<u>SE1/4SE1/4</u>	<u>32 acres</u>

comprising a total of 133 acres of land and the license should be issued for 1.78 cfs.

3. All structures, wells and lands on map Yes

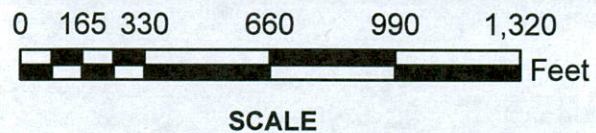
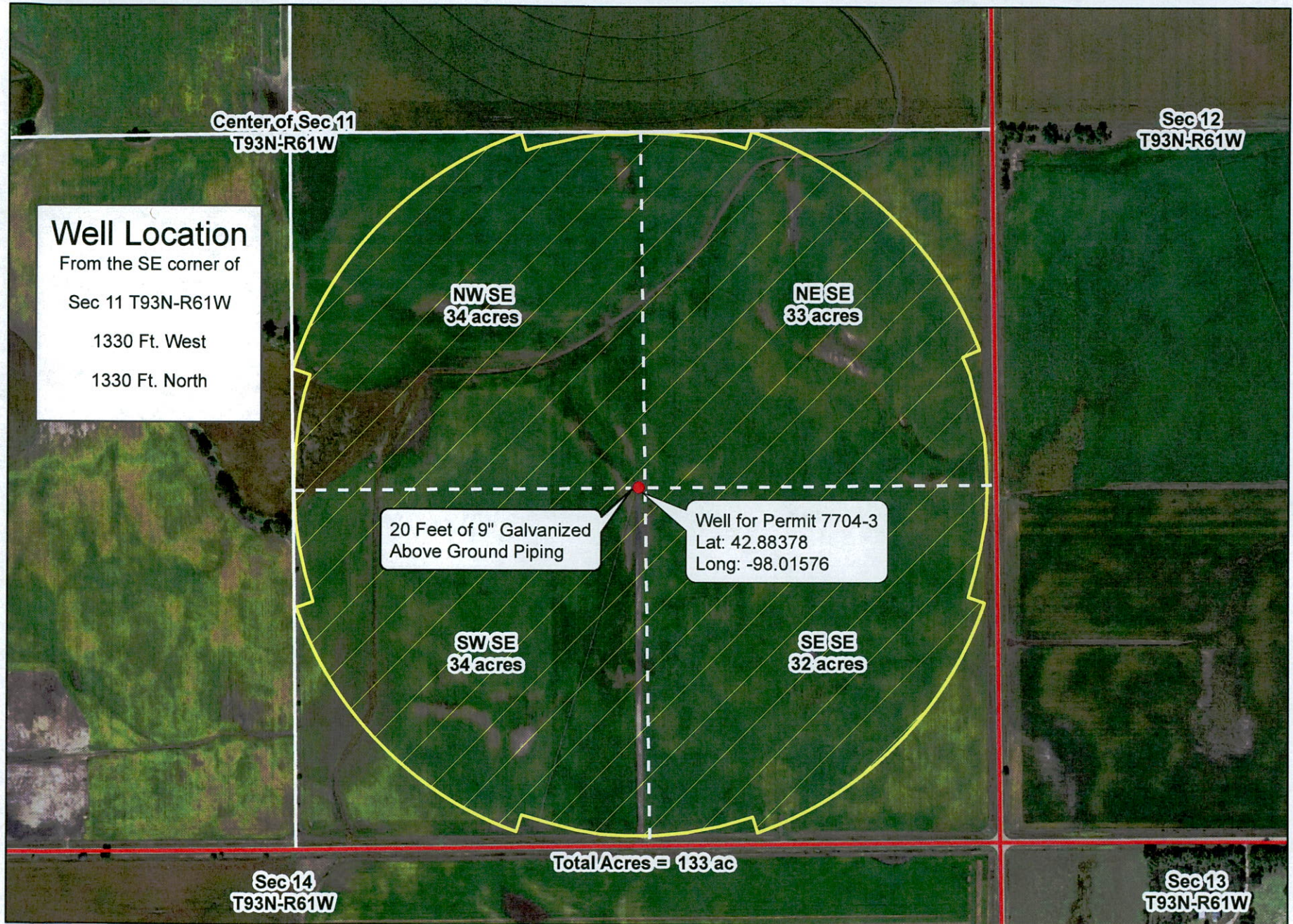
F. Comments or other permit(s) associated with the project: The owner does not run the irrigation system full circle right now due to the low area on the west side of the field. He has cleared the trees out of this area and plans to go full circle in the future.

Keith DeJong

Keith DeJong
Water Rights Inspector
DENR, Water Rights Program

Date report completed: May 9, 2018

Water Right No. 7704-3



Keith DeJong
Keith DeJong, PE
Staff Engineer
May 9, 2018



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 04 2018

7704-3

Ivan Jelsma
41412 15th St
Springfield SD 57062

Dear Mr. Jelsma:

Enclosed is Water License No. 7704-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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

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

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7704-3

(1) Ivan Jelsma, 41412 15th St., Springfield SD 57062 made Application No. 7704-3, February 21, 2013 for a water permit to divert 1.78 cubic feet of water per second from ground water, one well (Choteau: West Aquifer), Bon Homme County, South Dakota for irrigation purposes. Permit No. 7704-3, with a priority date of February 21, 2013 was approved May 20, 2013 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 20, 2018 and for the application to beneficial use of said water on or before May 20, 2022.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on August 26, 2013. The "*Notice*" stated the water use system was completed on June 19, 2013 and the water placed to beneficial use on July 2, 2013.

(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:

- 1,330'N and 1,330'W of the SE corner of Section 11, T93N, R61W (approximate center of SE ¼) (Latitude 42.88378, Longitude -98.01576).

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

T93N, R61W Section 11	NW ¼ SE ¼	34 acres
	NE ¼ SE ¼	33 acres
	SW ¼ SE ¼	34 acres
	SE ¼ SE ¼	32 acres
Total		133 acres

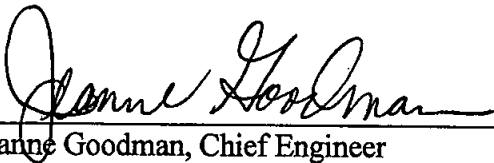
(4) Pursuant to South Dakota Water Law 46-5-30.1 Ivan Jelsma, 41412 15th St., Springfield SD 57062 the holder and/or owner of Water Right No. 7704-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water, one well (Choteau: West Aquifer) with a priority date of February 21, 2013 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. 7704-3 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

continued

- The well authorized by Permit No. 7704-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *The well was drilled in November, 2012 by Thein Well Company Inc. A copy of the well completion report is on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

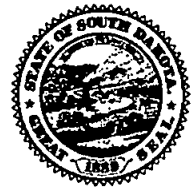


Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

JUN 04 2018

date





7704-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: IVAN JELSMA, 41412 15TH ST, SPRINGFIELD, SD 57062

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7704-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 7704-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 7704-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

7704-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 2019

7704-3

Ivan Jelsma
41412 15th St
Springfield SD 57062

Dear Mr. Jelsma:

I am writing to acknowledge receipt of your 2018 irrigation questionnaire.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 7704-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" and last name "McMath" clearly distinguishable.

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