

WATER PERMIT NO. 7850-3

Name of Applicant: Wayne A Heckenlaible

Address: 29574 434th Ave, Utica SD 57067 Phone: 605 660-1207

Amount of Water Claimed: 2.0 cfs Total Acres: 120 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Yankton

Type of Waste Disposal System:

Location: 9 miles north of Utica

PRIORITY Date Received: 5-31-13

Application/License Fee: \$ 950

Corrected Application Received: 6-10-13

Period of Annual Use: June 1 – Sept 30

Remarks:

Diversion Point: NW 1/4 SW 1/4 Sec 30-T96N-R56W

Land to be Irrigated: W 1/2 SW 1/4, W 1/2 NW 1/4 Sec 30-T96N-R56W

Depth of Well: 179 feet deep

Well Driller:

Remarks:

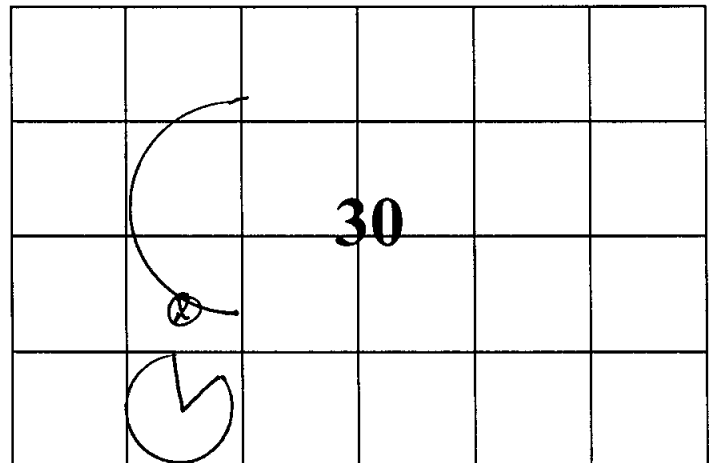
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 6-12-13

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. <u>7850-3</u> (office use only)	Hydrologic Unit <u>10160011</u>
	Basin <u>James River</u>	
	Newspaper <u>Press & Democrat</u> <u>319 Walnut</u>	
	<u>Yankton 57078-605-665-7811</u>	

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MAY 31 2013

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Application For Permit To Appropriate Water For Irrigation

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

(Use predates Mar 2, 1955)

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

1. Name to Appear on Irrigation Permit Wayne A. Heckenlaible
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

Mailing Address 29574 434th Ave Utica SD 57067
(Address) (City) (State) (Zip Code)Home Phone 605-364-7000 Cell 605-660-1207 Email _____2. Amount of water claimed 2.0 *CFS or 900 **GPM _____ ***AF Total Acreage 120
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)3. Source of water supply ~~_____~~ Completed Well by Heine Electric and Irrigation, Hartington NE.4. Location of point of diversion 1 well on the south edge of the NW 1/4 of the SW 1/4
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)
of Section 30-96N-56W County Yankton5. County or counties where water will be used Yankton Co., S.D.6. Annual period during which water is to be used June - 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
SW 1/4 of the SW 1/4 of 30-96N-56W	30		
NW 1/4 of the SW 1/4 of 30-96N-56W	40		
SW 1/4 of the NW 1/4 of 30-96N-56W	40		
NW 1/4 of the NW 1/4 of 30-96N-56W	10		

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

Use the completed well and put up an irrigation pivot to make $\frac{1}{2}$ circle on the north part of land and a $\frac{3}{4}$ circle on the south part of land and irrigate the corners with an irrigation gun.

I, Wayne A. Heckenlaible, 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. 7850-3

Date of first receipt of application May 31, 2013.

Date of return to applicant for corrections, amendments or changes May 31, 2013.

Date of receipt of corrected application June 10, 2013.

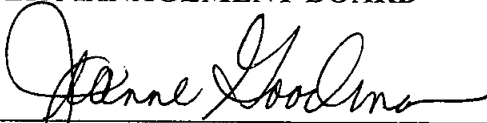
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7850-3 to Wayne A Heckenlaible, 29574 434th Ave, Utica SD 57067 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7850-3 appropriates 2.0 cubic feet of water per second from one well to be completed into the Lower James Missouri:Scotland Aquifer (179 feet deep) located in the NW 1/4 SW 1/4 Section 30 for irrigation of 120 acres located in the W 1/2 SW 1/4 and W 1/2 NW 1/4 Section 30; all in T96N-R56W.
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: June 1 – September 30.
3. The date from which applicant may claim right is May 31, 2013.
4. The date of approval of Permit No. 7850-3 is August 5, 2013.
5. One-fifth of the construction is to be completed on or before February 5, 2016.
6. All construction is to be completed on or before August 5, 2018.
7. Water is to be put to beneficial use on or before August 5, 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7850-3 authorizes a maximum diversion rate of 2.0 cfs for the irrigation of 120 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
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

AUG 30 2013

date



Aerial Map



Maps provided by:

©AgriData, Inc. 2012
www.AgriDataInc.com30-96N-56W
Yankton County
South DakotaRECEIVED
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PROGRAMmap center: 43° 6' 9.58, 97° 30' 34.46
scale: 9869

Field borders provided by Farm Service Agency as of 5/21/2008. Aerial photography provided by Aerial Photography Field Office.

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JUN 10 2013

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Prepared By: **Heine Electric and Irrigation, Inc.**
For: **Dave Huber Right Hand Man South**
Questions or concerns? Please call us at 402-640-1999!

Pivot center at **43.098251, -97.515602**
Arc Start Bearing: 66.45
Arc Stop Bearing: 345.99
[W] Spray off at 250°, on at 290°.

- 1** 180 ft. Total: 180 ft.
Acreage: 1.81. Total: 1.81 acres.
- 2** 180 ft. Total: 360 ft.
Acreage: 5.44. Total: 7.25 acres.
- 3** 180 ft. Total: 540 ft.
Acreage: 9.07. Total: 16.33 acres.
- Overhang** 100 ft. Total: 640 ft.
Acreage: 6.6. Total: 22.94 acres.
- Spray** 120 ft. Total: **760 ft.**
Acreage: 8.05. Total: **31 acres.**

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5/30/13

cPivot



The Leader in Precision Irrigation

Prepared By: **Heine Electric and Irrigation, Inc.**
For: **Heckenlaible, Wayne- north**

Questions or concerns? Please call us at 402-640-1999!

Pivot center at 43.104026, -97.51243

Arc Start Bearing: 180.14

Arc Stop Bearing: 1.36

- 1 180 ft. Total: 180 ft.
Acreage: 1.17. Total: 1.17 acres.
- 2 180 ft. Total: 360 ft.
Acreage: 3.51. Total: 4.68 acres.
- 3 180 ft. Total: 540 ft.
Acreage: 5.85. Total: 10.53 acres.
- 4 180 ft. Total: 720 ft.
Acreage: 8.19. Total: 18.72 acres.
- 5 180 ft. Total: 900 ft.
Acreage: 10.53. Total: 29.25 acres.
- 6 180 ft. Total: 1080 ft.
Acreage: 12.87. Total: 42.12 acres.
- 7 180 ft. Total: 1260 ft.
Acreage: 15.21. Total: 57.33 acres.
- Overhang** 80 ft. Total: 1340 ft.
Acreage: 7.51. Total: 64.84 acres.
- Spray** 120 ft. Total: 1460 ft.
Acreage: 12.13. Total: **76.97 acres.**



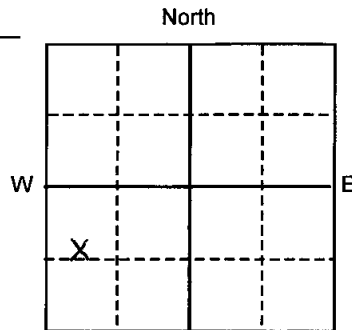
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SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW 1/4 SW 1/4 Sec 30 Twp 96N Rg 56WCounty Yankton

Please mark well location with an "X"



Well Completion Date

May 2013

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

CASING DATA:

☐ Steel ☒ Plastic ☐ Other
 If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
<u>16</u>	<u>16</u>	<u>0</u>	<u>140</u>	<u>.000</u>
<u>16</u>	<u>16</u>	<u>140</u>	<u>179</u>	<u>.050</u>
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	Ft	Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

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

WAS A PACKER OR SEAL USED?

☐ Yes ☐ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner: Wayne A Heckenlaible

Business Name:

Address: 29574 434th AveCity, State, Zip: Utica SD 57067

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
Lime nodules	1	18
Sand	18	22
glacial till	22	128
blue hard clay	128	135
glacial till	135	137
gravelly Sand	137	148
gravel with pebbles Sand	148	177
glacial till	177	198

STATIC WATER LEVEL 140 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

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

Drilling firm: _____

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/31, 20 13

RECEIVED OF Wayne Heckenlaible 29574 434th Ave Utica SD 57067

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

Fee for Application for Permit No. <u>7850-3</u> to Appropriate Water, to construct and to put water to beneficial use	750	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7850-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	950 00

No. **06354**

By Jeane Holman
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

May 31, 2013

Wayne A Heckenlaible
29574 434th Ave
Utica SD 57067

Dear Mr. Heckenlaible:

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

- Enclosed is the aerial photo map submitted with the application. Please outline the 120 acres to be irrigated.

If you have any questions, please contact me.

Sincerely,

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

enclosure



**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. 7850-3, Wayne Heckenlaible**

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. 7850-3, Wayne Heckenlaible, 29574 434th Avenue, Utica SD 57067.

The Chief Engineer is recommending APPROVAL of Application No. 7850-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7850-3 authorizes a maximum diversion rate of 2.0 cfs for the irrigation of 200 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
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
July 18, 2013

REPORT TO THE CHIEF ENGINEER

WATER PERMIT APPLICATION NO. 7850-3

Wayne A Heckenlaible

June 18, 2013

Water Permit Application No. 7850-3 proposes to divert groundwater at a maximum rate of 2.0 cubic feet of water per second (cfs) from one well to be completed into the Scotland management unit of the Lower James Missouri aquifer. The well is expected to be 179 feet deep and located in the NW¼ SW¼ of Section 30, T96N-R56W. Water will be used to irrigate 120 acres located in the W½ SW¼ and W½ NW¼ of Section 30, T96N-R56W in Yankton County. The application is requesting a diversion rate in excess of the statutory limit.

AQUIFER: Scotland management unit of the Lower James Missouri aquifer (LJM: S)

GEOLOGY AND AQUIFER CHARACTERISTICS:

In the 1971 groundwater assessment of Bon Homme County, the outwash deposit that the proposed well is to be completed into was referred to as part of the Tyndall-Scotland aquifer (Jorgenson, 1971). Hedges and others (1982) further delineated the aquifers in the area and determined that this outwash was part of the Scotland management unit of the Lower James Missouri aquifer. Then, Bugliosi (1986) completed a groundwater assessment of Yankton County that included the Lower James Missouri aquifer, however, did not refer to the aquifer's management units.

The Lower James Missouri: Scotland is a buried outwash consisting of sand and gravel that can be under water table or artesian conditions depending on location (Bugliosi, 1986). The aquifer lies in northwestern Yankton County and extends into northeast Bon Homme County and into southern Hutchinson County. In total, the Lower James Missouri: Scotland aquifer is estimated to underlie 72,800 acres and contain 1,110,650 acre-feet (ac-ft) of recoverable water in storage (Hedges and others, 1982). The aquifer blends into the Lower James Missouri aquifer just east of the proposed well site. Groundwater movement in the aquifer is from west to east, toward the James River (Bugliosi, 1986).

In Yankton County, the Lower James Missouri: Scotland aquifer has an average thickness of 150 feet (Bugliosi, 1986). The test hole log submitted with this application identifies aquifer material from 137 to 177 feet below ground surface. The May 2013 static water level was 140 feet below ground surface. The aquifer appears to be under artesian conditions in this area.

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a 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 from the aquifer and the potential for impairment of existing rights.

WATER AVAILABILITY:

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 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.” If the source of the water is older or lower than the greenhorn formation and a public water system has applied for a permit, the Board need not consider the recharge/withdrawal issue. Here, a public water system is not involved and the aquifer is not older or lower than the Greenhorn Formation therefore withdrawal/recharge issue must be considered.

HYDROLOGIC BUDGET:

Recharge:

Recharge to the Lower James Missouri: Scotland aquifer occurs through infiltration of precipitation and seepage from surface waters (Bugliosi, 1986). An average annual recharge rate for confined portions of the Lower James Missouri: Scotland has not been quantified. Hedges and others (1985) concluded that for management and development programs, the recharge rate to confined aquifers can be estimated to be between 0.15 and 0.60 inches per year (in/yr). Applying the area of the aquifer, recharge ranges from 10,920 to 43,680 ac-ft/yr.

Discharge:

Discharge from the Lower James Missouri: Scotland aquifer occurs through evapotranspiration in areas where the aquifer is near land surface and well withdrawals. Fifteen water rights/permits are currently appropriating water from the Lower James Missouri: Scotland aquifer. One water right/permit is authorized for domestic/livestock confinement operation use and the remainder are authorized for irrigation use (Water Rights, 2013b). Water Permit No. 6980-3 is authorized to withdraw from the overlying Lesterville aquifer. However, this well is actually completed into the deeper Lower James Missouri: Scotland aquifer (Stonesifer, 2013). Therefore, this water permit is incorporated into this hydrologic budget of the Lower James Missouri: Scotland aquifer.

Over the period of record, the average pumpage reported equals 290 ac-ft/yr. The maximum and minimum pumpage reported was 1,331 and 26 ac-ft/yr, respectively (Water Rights, 1980-2013). The irrigation use water right/permit development of this aquifer has notably increased recently, so average pumpage could increase.

Non-irrigation use water rights/permits for this aquifer authorize 0.11 cfs. The amount of water than can be expected to be withdrawn can be estimated by assuming non-irrigation water rights/permits limited by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time. Therefore, the total annual withdrawal from the aquifer by non-irrigation use is expected to be 48 ac-ft/yr (Water Rights, 2013b).

There are several well completion reports on file with the SD DENR-Water Rights Program for domestic wells that appear to be completed into the Lower James Missouri: Scotland aquifer (Water Rights, 2013c). The annual withdrawal due to domestic use is not significant to the

hydrologic budget of the aquifer. Consider also that many of these domestic wells are no longer in use due to users connecting to rural water systems.

Water Balance:

The average annual withdrawal from the aquifer is estimated to be 338 ac-ft/yr. To balance the hydrologic budget, recharge must equal withdrawal. And so, recharge to this aquifer must equal 0.06 in/yr. This is much lower than the suggested recharge rate. Therefore, unappropriated water is available from the Lower James Missouri: Scotland aquifer for the 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 SD DENR-Water Rights Program monitors 17 observation wells completed into the Lower James Missouri: Scotland aquifer (Water Rights, 2013a). The nearest observation well, YA-80T, is located approximately one and one quarter miles south of the proposed well site. The hydrograph of this observation well is shown in Figure 1 (Water Rights, 2013a).

The observation well data documents cyclic conditions of water levels, recharging during wet years and declining during dry years. The potentiometric surface of many observation wells completed into the Lower James Missouri: Scotland aquifer record that more water is in this aquifer than ever before over the period of record. At the current level of development, temporal well withdrawal is masked by climatic conditions, indicating that recharge to and natural discharge from the aquifer greatly exceeds well withdrawal. Therefore, these hydrographs indicate that unappropriated water is available from the Lower James Missouri: Scotland aquifer to support the proposed appropriation.

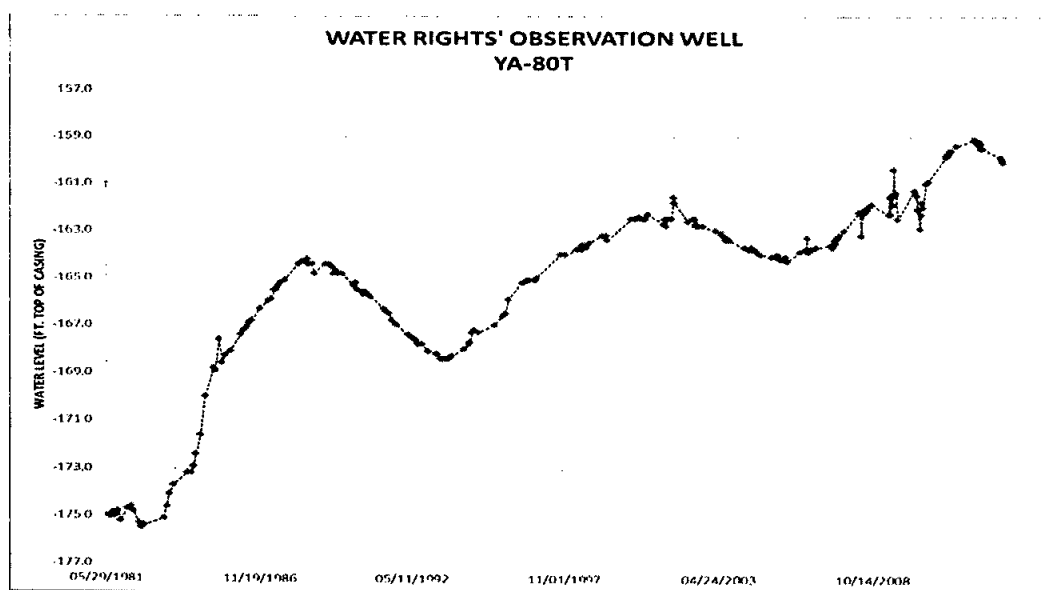


Figure 1: Hydrograph for observation well YA-80T (Water Rights, 2013a)

EXISTING WATER RIGHTS:

The proposed well site is located near the mapped boundary where Lower James Missouri: Scotland and the Lower James Missouri aquifers blend together. While considered separate hydrologic units, waters in these aquifers are interconnected.

There are several wells on file with the SD DENR-Water Rights Program that appear to be completed into these aquifers in the area of the proposed well site, with the nearest located at a distance of approximately one mile (Water Rights, 2013c). Water Permit No. 7524-3, authorized to the applicant, is the only water right/permit appropriating from these aquifers within two miles of the proposed well site (Water Rights, 2013b). At the distances involved, interference of wells is not expected to be a concern.

The Lower James Missouri: Scotland aquifer appears to be under artesian conditions at the proposed well site; therefore, drawdown due to pumping is expected. 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. And so, a nearby adequate well defined by ARSD 74:02:20(7), which states that the pump intake must be set 20 feet below the top of the aquifer or, if the aquifer is less than 20 feet thick, as near to the bottom of the aquifer as is practical, is not expected to be adversely or unlawfully impaired by the proposed appropriation.

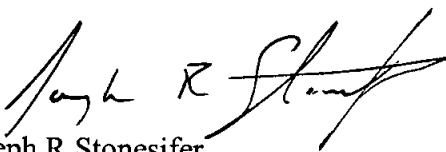
SDCL 46-5-6

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of one cubic foot of water per second for every seventy acres, or "the equivalent thereof." The statute provides that the Water Management Board may allow a greater diversion if the method of irrigation so requires.

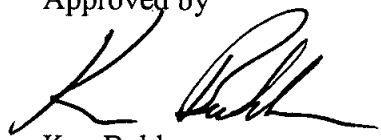
This water permit application proposes to divert at a rate of 2.0 cfs per 120 acres, equaling 1.17 cfs per 70 acres. No justification was provided. From the map submitted, it appears the pivots could not make a full rotation. So, the proposed diversion rate could be necessary to operate the equipment and is unrelated to the amount of rotation and subsequent area of land irrigated.

CONCLUSIONS:

1. The water permit application proposes to withdraw groundwater at a maximum diversion rate of 2.0 cfs from one well to be completed into the Lower James Missouri: Scotland to irrigate 120 acres.
2. Unappropriated water is available from the Lower James Missouri: Scotland aquifer to supply the proposed appropriation.
3. The proposed diversion will not adversely or unlawfully impair existing nearby wells.
4. This application has requested an additional diversion rate in excess of the statutory limit. No justification was provided.



Joseph R Stonesifer
SD DENR-Water Rights Program
Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Bugliosi, E.F. 1986. Water Resources of Yankton County, South Dakota. Water Resources Investigations Report 84-4241. U.S. Geological Survey, Huron, South Dakota.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and 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., 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, South Dakota.
- Jorgensen, D.G. 1971. Geology and Water Resources of Bon Homme County, South Dakota, Part II: Water Resources. Bulletin 21. SD DENR-Geological Survey, Vermillion, South Dakota.
- Stonesifer, J.R. 2013. Report on Water Permit Application no. 7538-3, Ron Kulish. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 1980-2013. "Annual Irrigation Summary by Aquifer": SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013c. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

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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. 7850-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 26th DAY OF July 2013
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$27.14 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: 7/26/2013

FILED ON: 7/29/2013

SUBSCRIBED AND SWORN TO BEFORE ME THIS 29th DAY OF July 2013

Notary Public
NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

Notice is given that Wayne A Heckenlaible, 29574 434th Ave, Utica SD 57067 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Lower James Missouri:Scotland Aquifer (179 feet deep) located in the NW 1/4 SW 1/4 Section 30 for irrigation of 120 acres located in the W 1/2 SW 1/4 and W 1/2 NW 1/4 Section 30; all in T96N-R56W. The applicant is requesting a diversion rate greater than the statutory limit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7850-3 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 August 5, 2013.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$27.14.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

July 18, 2013

Press & Dakotan
319 Walnut
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7850-3 to Appropriate Water. Please publish the notice once on July 26, 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 Wayne Heckenlaible, 29574 434th Ave, Utica SD 57067 (Ph # 605-364-7000).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

July 18, 2013

Wayne Heckenlaible
29574 434th Ave
Utica SD 57067

Dear Mr. Heckenlaible:

Water Permit Application No. 7850-3 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 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 July 26, 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. 7850-3 to Appropriate Water

Notice is given that Wayne A Heckenlaible, 29574 434th Ave, Utica SD 57067 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Lower James Missouri:Scotland Aquifer (179 feet deep) located in the NW 1/4 SW 1/4 Section 30 for irrigation of 120 acres located in the W 1/2 SW 1/4 and W 1/2 NW 1/4 Section 30; all in T96N-R56W. The applicant is requesting a diversion rate greater than the statutory limit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7850-3 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 August 5, 2013.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

AUG 30 2013

Wayne A Heckenlaible
29574 434th Ave
Utica SD 57067

Dear Mr. Heckenlaible:

Enclosed is Water Permit No. 7850-3 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

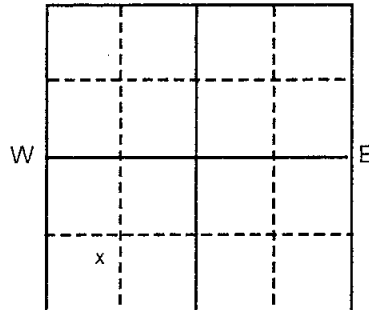
enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11- 02

Location SW 1/4 SW 1/4 Sec 30 Twp 96 Rg 56WWell Owner: Wayne HeckenlaibleCounty Yankton

North

Please mark well
location with an "X"

Well Completion Date

May 8, 2013

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

Direct Rotary

CASING DATA:

If other describe

☐ Steel ☒ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	140.0 FT	22.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	20	9.5 Lb/gal	0.0 Ft	125.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Tremie Method

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 38.0 Feet
 Material PVC
 Slot Size .050 Set From 140.0 Feet to 178.0 Feet
 Other information
WAS A PACKER OR SEAL USED? ☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?
☒ No, Why Not? Not Required
 Lab to which water quality sample sent for analysis

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
Yellow Clay Till	1	18
Sand	18	22
Gray Glacial Till	22	128
Blue Hard Clay some Silty	128	135
Gray Glacial Till	135	137
Sandy Gravel	137	148
Pea Size Gravel w/ Some Sand	148	178

STATIC WATER LEVEL 143.0 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

155.0 Ft. After 20.0 Hrs. pumped 650.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

JUN 12 2013

WATER RIGHTS
PROGRAMThis well was drilled under license # 666 and this report is true and accurate.Drilling firm: Hammond-Wetmore Drilling, LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 6/2/13



7850-3
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 16, 2015

NOTICE

TO: WAYNE HECKENLAIBLE, 29574 434TH AVE, UTICA, SD 57067

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7524-3 & 7850-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 7524-3 & 7850-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** 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) 7524-3 & 7850-3 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 4, 2015** 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.

7850-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 27, 2015

7524-3
7850-3

Wayne Heckenlaible
29574 434th Ave
Utica SD 57067

Dear Mr. Heckenlaible:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit Nos. 7524-3 and 7850-3. 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 that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



7850-3
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: WAYNE HECKENLAIBLE, 29574 434TH AVE, UTICA, SD 57067
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) 7850-3. 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) 7850-3 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) 7850-3 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2019

7850-3

Wayne Heckenlaible
29574 434th Ave
Utica SD 57067

Dear Mr. Heckenlaible:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Permit No. 7850-3. 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 that reads "Genny McMath". The signature is written in a cursive, flowing style.

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. 7850-3**

I have this day, June 3, 2021, made a thorough examination of the water use system constructed by Wayne Heckenlaible, 29574 434th Ave., Utica, SD 57067, holder of Permit No. 7850-3, bearing the priority of May 31, 2013 authorizing the diversion of 2.0 cu. ft. per second of the waters of groundwater (Lower James Missouri: Scotland Aquifer) for the irrigation of 120 acres located in Yankton County.

Inspection contact: Wayne Heckenlaible

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hammond Wetmore Drilling, LLC
- 2) No. of Wells: 1
- 3) Depth(s): 178 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 16 inches
- 2) Length: 140 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 16 inches
- 2) Length: 38 feet
- 3) Type: PVC
- 4) Static water level: 143 feet

Pump:

- 1) Make: Grundfos
- 2) Model: 625s500-3aa
- 3) Capacity: 700 GPM

Motor:

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

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

- 1) Type: PVC
- 2) Size: 8 inches
- 3) Length: 1,520 feet

C. Works used to apply water to beneficial use:

Center Pivot:

- 1) Make: Valley
- 2) Overall length: 1,358 feet
- 3) Number of towers: 7

- 4) End gun: Yes
- 5) Capacity: 700 GPM

Chemigation Equipment:

- 1) Does chemigate: Yes
- 2) Main line check valve: Yes
- 3) Inspection port/air relief: Yes
- 4) Low pressure drain: Yes
- 5) Discharge is 20' from source: Yes
- 6) Interlock type: Electrical
- 7) Injection pump: Positive Displacement
- 8) Injection check valve: Yes
- 9) Injection line check valve or positive displacement pump: Yes

D. Compliance with Permit Requirements:

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

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows:
The well is 860 feet east and 1,310 feet north of the southwest corner of Section 30-T96N-R56W (Latitude 43.100380, Longitude -97.515040 – W1/2SW1/4).
2. The works are capable of diverting and conveying to the place of use 1.56 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: All in Section 30-T96N-R56W:

<u>NW1/4NW1/4</u>	<u>2 acres</u>	<u>SW1/4NW1/4</u>	<u>39 acres</u>
<u>NW1/4SW1/4</u>	<u>37 acres</u>	<u>SW1/4SW1/4</u>	<u>1 acre</u>

comprising a total of 79 acres of land and the license should be issued for 1.56 cfs.
3. All structures, wells and lands on map Yes

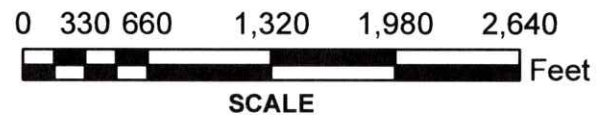
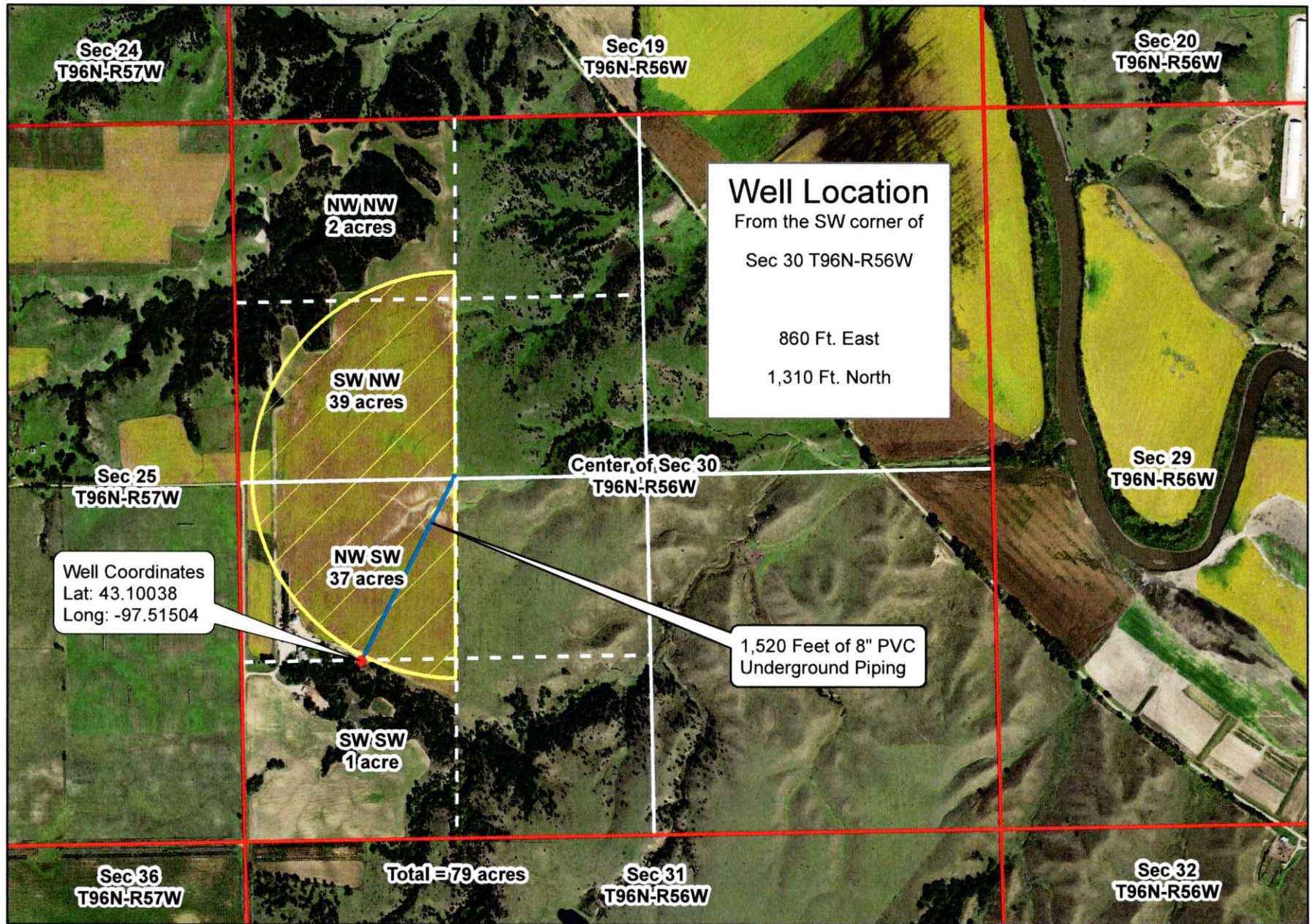
- F. Comments or other permit(s) associated with the project:** The proposed second center pivot was never constructed in the SW1/4 of the SW1/4 and is not planned to be constructed. The chemigation pumping equipment was not out in the field. It has been used in the past but is not currently being used. Also, Dick Hammond provided the pump and motor information.

Keith DeJong

Keith DeJong
Water Rights Inspector
DENR, Water Rights Program

Date report completed: July 1, 2021

Water Right No. 7850-3



Keith DeJong
Keith DeJong, PE
Staff Engineer
July 1, 2021

7850-3

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date June 30, 2021

MAIL TO: PMB 2020
DANR - Water Rights Program
523 E. Capitol Ave
Pierre, SD 57501-3182

Ph: (605) 773-3352

FROM: Wayne Heckenlaible
(name)29574 434th Avenue
(address)Utica SD 57067 605-660-1207
(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. 7850-3 states that the water use system is to be constructed by
August 5, 2018, and water is to be put to beneficial use by August 5, 2022.
(date) (date)

The water use system was completed on June, 2014.
(date)

Applying the water to beneficial use was completed on June, 2014.
(date)

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

Wayne Heckenlaible
(signature)





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUL 02 2021

7850-3

Wayne A Heckenlaible
29574 434th Ave
Utica SD 57067

Dear Mr. Heckenlaible:

Enclosed is Water License No. 7850-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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

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

Sincerely,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7850-3**

(1) Wayne A Heckenlaible, 29574 434th Ave., Utica SD 57067 made Application No. 7850-3, May 31, 2013 for a water permit to divert 2.00 cubic feet of water per second from ground water, one well (Lower James Missouri Scotland Aquifer), Yankton County, South Dakota for irrigation purposes. Permit No. 7850-3, with a priority date of May 31, 2013 was approved August 5, 2013 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 5, 2018 and for the application to beneficial use of water on or before August 5, 2022.

The Permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" on June 30, 2021. The "Notice" stated the water use system was completed and the water placed to beneficial use in June 2014.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is as follows:

- 860'E and 1,310'N of the SW corner of Section 30, T96N, R56W (W ½ SW ¼)
Latitude 43.100380, Longitude -97.515040

(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:

T96N, R56W Section 30	NW ¼ NW ¼	2 acres	NW ¼ SW ¼	37 acres
	SW ¼ NW ¼	39 acres	SW ¼ SW ¼	1 acre
		79 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 Wayne A Heckenlaible, 29574 434th Ave., Utica SD 57067 the holder and/or owner of Water Right No. 7850-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from ground water, one well (Lower James Missouri Scotland Aquifer) with a priority date of May 31, 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. 7850-3 and subject to the following qualifications:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 7850-3 authorizes a maximum diversion rate of 1.56 cfs for the irrigation of 79 acres with an annual volume not to exceed 2 acre feet of water per acre per year. ***The diversion rate and acreage have been reduced to reflect the system as it was developed.***

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

Eric Gronlund

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

JUL 02 2021

date

