

WATER PERMIT NO. 8187-3

Name of Applicant: Verlyn Jelsma

Address: 41414 309th St, Springfield SD 57062

Phone: 605 661-9764

Amount of Water Claimed: no additional

Total Acres: 4 acres

Source of Water Supply: groundwater (2 additional well)

Water to be used for: irrigation

County: Bon Homme

Type of Waste Disposal System:

Location: 6 miles southwest of Tyndall

PRIORITY

Date Received: 10-29-15

Application/License Fee: \$ 500

Corrected Application Received:

Period of Annual Use: May 1 – Sept 30

Remarks: Addition to Water Permit No. 7268-3

Diversion Point: SW 1/4 NW 1/4 Sec 35-T94N-
R60W

Land to be Irrigated: S 1/2 NW 1/4 and SW 1/4
Sec 35-T94N-R60W

Depth of Well: 130 & 140 feet deep

Well Driller: Christensen Well & Irrigation

Remarks:

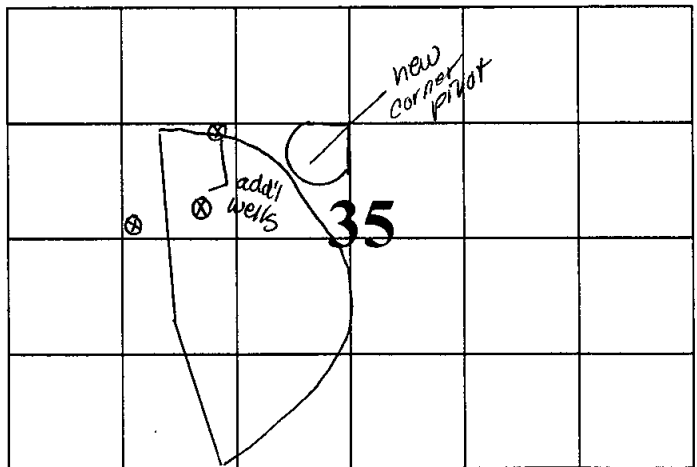
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 10-29-15

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>8187-3</u> (office use only)	Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Tyngell Times & Register</u>	<u>605-589 3242</u>
	<u>Press & Dakotan 605-665-7811</u>	

RECEIVED
OCT 29 2015
WATER RIGHTS PROGRAM

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.)

addition to Water Permit NO. 7268-3

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

(name and complete address if different than above name)

Mailing Address 41414 309th St. Springfield SD 57062
 (Address) (City) (State) (Zip Code)

Home Phone 605 369 2664 Cell 605 661 9764 Email _____

2. Amount of water claimed _____ *CFS or no add **GPM _____ ***AF _____ Total Acreage 4 add acres
 (*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Irrigation Wells and NW 1/4 SW 1/4

4. Location of point of diversion 2 add wells in SW 1/4 NW 1/4 Section 35
 (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)
T-94-N R-60-W 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 1 - Sept. 30

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
 (Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>SWNW S35 T94N R-60-W</u>	<u>22</u>	<u>SESW S35 T94N R-60-W</u>	<u>25</u>
<u>SENW S35 T94N R-60-W</u>	<u>37</u>	<u>SWSW S35 T94N R-60-W</u>	<u>10</u>
<u>NWSW S35 T94N R-60-W</u>	<u>17</u>		
<u>NESE S35 T94N R-60-W</u>	<u>39</u>		

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

Drill a well & supplement an existing irrigation well to irrigate an existing pivot. Adding a S tower pivot in 1 corner to pickup 12 more acres.

I, Verlyn 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. 8187-3**

Date of first receipt of application October 29, 2015.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8187-3 to Verlyn Jelsma, 41414 309th 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. 8187-3 authorizes irrigation of 4 new acres and two additional wells. Water Permit No. 7268-3 appropriates 1.78 cubic feet of water per second from one well completed into the Niobrara Aquifer located in the SW 1/4 NW 1/4 Section 35 to irrigate 146 acres located in the S 1/2 NW 1/4, SW 1/4 Section 35; all in T94N-R60W. This permit authorizes irrigation of 4 new acres located in the SE 1/4 NW 1/4 Section 35-T94N-R60W and two additional wells to be completed into the Niobrara Aquifer (130 and 140 feet deep) located in the SW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 35-T94N-R60W. This permit authorizes a total of 150 acres to be irrigated and there will be no increase in the authorized diversion rate.
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 October 29, 2015 (additional 4 acres) and September 6, 2011 for 1.78 cfs and 146 acres established by Permit No. 7268-3.
4. The date of approval of Permit No. 8187-3 is January 11, 2016.
5. One-fifth of the construction is to be completed on or before July 11, 2018.
6. All construction is to be completed on or before January 11, 2021.
7. Water is to be put to beneficial use on or before January 11, 2025.
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 wells 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 new well authorized by Permit No. 8187-3 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.
4. Water Permit No. 8187-3 incorporates 7268-3.

WATER MANAGEMENT BOARD

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

JAN 29 2016
date



Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☒ Drilling new well(s) ☐ Using existing well(s)

a) If new wells, how many _____ Have test holes been drilled ☒ Yes ☐ No Drilled by Christensen Well Co.
(if yes, please provide copies of logs)

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

c) Well Depth 130 Depth to Top of Water Bearing Material 76 Depth to Water from Surface 76

d) Distance to nearest existing domestic well:

On applicant's property 1300 On property owned by others _____

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) _____

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System

3. Dugout Information

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

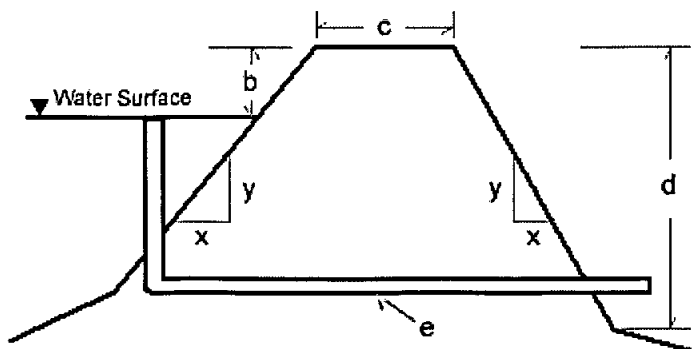
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres





RECEIVED

Data use subject to license.

© DeLorme. XMap® 7.

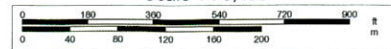
www.delorme.com

OCT 29 2015

WATER RIGHTS
PROGRAM



Scale 1 : 6,400



1" = 533.3 ft

Data Zoom 15-0

SOUTH DAKOTA WATER WELL COMPLETION REPORT

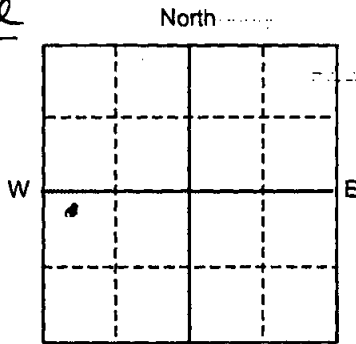
SD EForm - 1621LD V1

11-02

Location NW 1/4 SW 1/4 Sec 35 Twp 94N Rg 60W

County Bon Homme

Please mark well location with an "X"


Well Completion Date
11-5-12

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.):
2000 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____
PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
160 LB/FT 16 IN 0 FT 40 FT 28 IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN

GROUTING DATA:

Grout Type No. of Sacks Grout Weight From To
Cement _____ Lb/gal 0 Ft 40 Ft
 _____ Lb/gal _____ Ft _____ Ft

Describe grouting procedure

pumped down w/ grouter

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16 Inches Length 100 Feet
 Material PVC

Slot Size .085 Set From 40 Feet to 140 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? Chlorine
☐ No, Why Not?
 Lab to which water quality sample sent for analysis

Well Owner: Verlyn Jelsma

Business Name:

Address: 41414 309 St.

City, State, Zip: Springfield South Dakota 57062

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Brown Top Soil</u>	<u>0</u>	<u>8</u>
<u>Clay + some Rocks</u>	<u>8</u>	<u>70</u>
<u>Med. Gravel</u>	<u>70</u>	<u>80</u>
<u>Shale</u>	<u>80</u>	<u>125</u>
<u>Hard Shale</u>	<u>125</u>	<u>140</u>

STATIC WATER LEVEL

52 FEET

If flowing: closed in pressure

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: pumped w/ turbine pump + engine
☐ Bailed
☐ Other

Pumping Level Below Land Surface

129 Ft. After 2 Hrs. pumped 155 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 100 GPM

REMARKS

RECEIVED

JAN - 8 2013

WATER RIGHTS PROGRAM

This well was drilled under license # 444 and this report is true and accurate.

Drilling firm: Chalson Well + Drilling

Signature of License Representative:

Chalson W. Chalson

Signature of Well Owner or Equitable Property Holder:

Date: 12-31-12

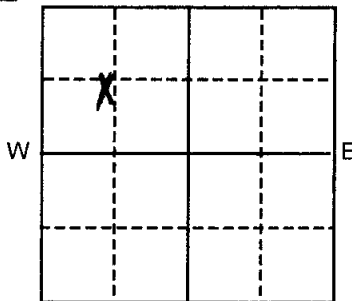
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW 1/4 NW 1/4 Sec 35 Twp 94N Rg 60WCounty Bon Homme

North

Please mark well location with an "X"



Well Completion Date

10-30-15

1 Mile

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

2600 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary / Straight Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other
 If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1100</u> LB/FT	<u>110</u> IN	<u>0</u> FT	<u>73</u> FT	<u>28</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>	<u>165</u>	Lb/gal	<u>0</u> Ft	<u>73</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

pumped down w/ pressure grouter

SCREEN:

☐ Perforated pipe ☐ Manufactured
 Diameter 13 Inches Length Feet

Material

Slot Size OPEN HOLE Set From 73 Feet to 140 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? Chlorine☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner:

Verlyn Jelsma

Business Name:

Address:

41414 309th St.

City, State, Zip:

Springfield SD 57062

WELL LOG:

DEPTH

FORMATION	FROM	TO
<u>brown top soil</u>	<u>0</u>	<u>5</u>
<u>brown clay</u>	<u>5</u>	<u>32</u>
<u>gray clay</u>	<u>32</u>	<u>69</u>
<u>gray shale</u>	<u>69</u>	<u>140</u>

STATIC WATER LEVEL

78

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:

pumped 2 days w/ turbine pump☐ Bailed☐ Other

Pumping Level Below Land Surface

120 Ft. After48 Hrs. pumped500 GPM Ft. After Hrs. pumped GPM

If pump installed, pump rate:

400 GPM

REMARKS

RECEIVED

JAN - 5 2016

WATER RIGHTS PROGRAM

This well was drilled under license #

444

and this

report is true and accurate.

Drilling firm:

Christensen Well + Injection

Signature of License Representative:

Cody W. Christensen

Signature of Well Owner or Equitable Property Holder:

Date:

Verlyn Place

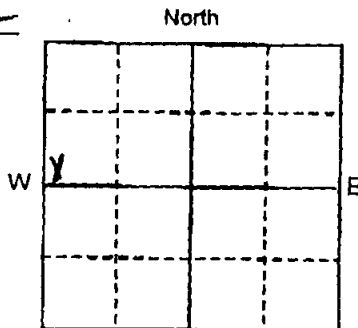
SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW 1/4 NW 1/4 Sec 35 Twp 94-N R 60-WCounty Don Homme

Please mark well location with an "X"



Well Completion Date

8-4-11

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
2600 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary to 37' then
struggled rotary from 37' to 120'

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
100 LB/FT	11 1/2 IN	0 FT	37 FT	28 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	N

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Cement	24	Lb/gal	0 Ft	37 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Pump down w/ pressure grouter

SCREEN:

☐ Perforated pipe ☐ Manufactured

Diameter _____ Inches Length _____ Feet

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information "13" open hole from 37 to 120'

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? chlorine
☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner: Verlyn Jelsma

Business Name:

Address: 41414 309th St.

City, State, Zip: Springfield SD 57062

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
top + silty brown clay	0	10
sand, gravel + ROCKS	10	18
blue clay	18	25
grey + yellow chalk	25	45
grey chalk	45	120
LOST WATER @ 37'		

STATIC WATER LEVEL

37 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: turbine pump
☐ Bailed
☐ Other

Pumping Level Below Land Surface

45 Ft. After 2 Hrs. pumped 800 GPM

Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 800 GPM

REMARKS

This well was drilled under license # 444 and this report is true and accurate.Drilling firm: Christensen Well & PumpingSignature of License Representative: Cody W Christensen

Signature of Well Owner or Equitable Property Holder:

Date: 10-26-11

SOUTH DAKOTA WATER WELL COMPLETION REPORT

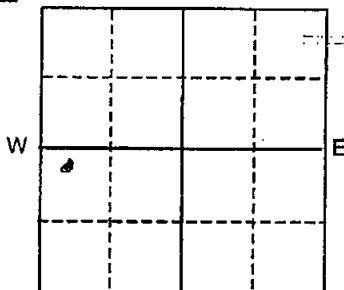
SD EForm - 1621LD V1

11-02

Location NW 1/4 SW 1/4 Sec 35 Twp 94N Rg 60W

County Bon Homme

Please mark well location with an "X"



Well Completion Date

11-5-12

1 Mile

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

2000 ft. from septic tank (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

If other describe ☐ Steel ☒ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>160</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>80</u> FT	<u>28</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>		Lb/gal	<u>0</u> Ft	<u>80</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

pumped down w/ grout

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 16 Inches Length 100 Feet

Material PVC

Slot Size .085 Set From 80 Feet to 140 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?

Chlorine

☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner: Verlyn Jelsma

Business Name:

Address: 41414 309 St.

City, State, Zip: Springfield South Dakota 57062

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Brown Top Soil</u>	<u>0</u>	<u>8</u>
<u>Clay + Some Rocks</u>	<u>8</u>	<u>40</u>
<u>Med. Gravel</u>	<u>40</u>	<u>80</u>
<u>Shale</u>	<u>80</u>	<u>125</u>
<u>Hard Shale</u>	<u>125</u>	<u>140</u>

STATIC WATER LEVEL

52 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: pumped w/ turbine pump + engine

☐ Bailed

☐ Other

Pumping Level Below Land Surface

129 Ft. After 2 Hrs. pumped 155 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: 100 GPM

REMARKS

Revised 3-5-2013

resent to Ken Buhler

This well was drilled under license # 444 and this report is true and accurate.

Drilling firm: Chalson Well & Drilling

Signature of License Representative:

Colly M. Chalson

Signature of Well Owner or Equitable Property Holder:

Date: 12-31-12

Mailed to State 1-3-13

updated 11-20-15
+ corrected Colly M. Chalson

WATER RIGHTS PROGRAM

88005 Hwy. 57
Hartington, NE 68739
Office 402-254-6809

GPS Coordinates: _____

Quarter NW
Section 35
Township 94
Range 60-W
County Bon Hom

[illegible]

STATIC WATER LEVEL	76
PUMPING WATER LEVEL 75 gpm @	77
SCREEN LENGTH 71' 5" surface casing	
SLOT SIZE	
TOTAL DEPTH	130'

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/29, 20 15

RECEIVED OF Verlyn Jelsma 41414 309th St Springfield SD 57062

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

Fee for Application for Permit No. <u>8187-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	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. _____		
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	500 00

No. 07515

By Jeanne Hoolman
Chief Engineer

Water Rights Program - File Documentation

NAME: Verlyn Jelsma

ADDRESS: Springfield SD

DATE: 1029-15 **COUNTY:** Bon Homme **TELEPHONE:** 605 661-9764

RE: Pending application

COMMENTS:

Eric Gronlund called Verlyn Jelsma to clarify his application. Water Permit No. 7268-3 authorizes 1.78 cfs (800 gpm) from one well to irrigate 146 acres. Mr. Jelsma stated two wells have been drilled and it is his intent to drill a third well. He is proposing a small corner pivot which will increase the total acreage irrigated to 150 acres. The pending application will request two additional wells, no additional water and 4 additional acres. Mr. Jelsma stated he is hoping the combination of wells will produce 700 gpm.



Karen Schlaak
Water Rights Program

Buhler, Ken

From: Christensen Well <christensenwell@hartel.net>
Sent: Friday, November 20, 2015 3:01 PM
To: Buhler, Ken
Subject: Jelsma
Attachments: updated Jelsma.pdf

Ken –

Please see the updated well registration for Verlyn Jelsma.

Thank you,

Haley D. Christensen

*Christensen Well & Irrigation, Inc.
88005 Hwy 57
Hartington, NE 68739*

phone: 402-254-6809

fax: 402-254-6810

email: christensenwell@hartel.net

website: www.christensenwell.com



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8187-3, Verlyn 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. 8187-3, Verlyn Jelsma, 41414 309th Street, Springfield SD 57062.

The Chief Engineer is recommending APPROVAL of Application No. 8187-3 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 wells 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 new well authorized by Permit No. 8187-3 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.
4. Water Permit No. 8187-3 incorporates 7268-3.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
December 21, 2015

**REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 8187-3
VERLYN JELSMA
NOVEMBER 23, 2015**

Water Permit Application No. 8187-3 proposes the addition of two wells that are to be used in conjunction with a well currently authorized by Water Permit No. 7268-3. Water from the three wells will be used to irrigate the acreage authorized by Water Permit No. 7268-3 and an additional four acres that was not authorized by the permit. Water Permit No. 7268-3 authorizes a maximum diversion rate of 1.78 cubic feet of water per second (cfs) from one well completed into the Niobrara aquifer, located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.35, T94N-R60W. The water permit allows for the irrigation of 146 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 35, T94N-R60W.

Water Permit Application No. 8187-3 proposes to add two wells, 130 and 140 feet deep, respectively, into the Niobrara aquifer, in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, T94N-R60W. This application proposes a permit authorizing the irrigation of four new acres located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, T94N-R60W. If Water Permit No. 8187-3 is approved, the maximum combined diversion rate authorized by Water Permit No. 8187-3 and Water Permit No. 7268-3 would be 1.78 cfs diversion rate.

AQUIFER: Niobrara aquifer (NBRR)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Niobrara Formation is upper Cretaceous aged, calcareous marl that was deposited in a broad inland seaway that covered most of the area under present South Dakota. The extent of the Niobrara Formation in Eastern South Dakota is shown in Figure 1. The Niobrara Formation is often referred to as “Niobrara Chalk” or Chalk Rock” by local well drillers. In Bon Homme County, the Niobrara consists of an upper section of medium to dark-gray calcareous marl and a lower section of gray-chalky limestone (Christensen, 1974). Although the Niobrara underlies approximately 470 square miles of Bon Homme County, it is not contiguous. The well locations associated with this permit application are located on an erosional remnant that is isolated from the main body of the formation by a deep channel that has completely incised the Niobrara. This isolated portion of the Niobrara underlies an area of approximately 280 square miles (Tomhave and Schulz, 2004) (Figure 2). This erosional remnant has been partially eroded (Jorgensen, 1971), however, lithologic data indicates it still obtains a thickness of over 200 feet in places (SD DENR- Geological Survey, 2015). The completion reports on file for the two existing wells to be used by this project and a nearby observation well indicate the Niobrara Formation is between 60-118 feet thick in this area. Groundwater contained in this Niobrara Formation erosional remnant is found under both confined and unconfined conditions, depending on the location. The aquifer is under confined conditions at the well sites associated with this application, and the well logs reported water levels of 37 and 52 feet below grade (respectively). Based on the nearby DENR-Water Rights’ observation well (BH-82C) the potentiometric surface of the Niobrara aquifer is approximately 1283 feet above mean sea level in this area (Water Rights, 2015a). Groundwater flow is toward the southeast in this area (Jorgensen, 1971).

The Niobrara crops out extensively in Bon Homme County (Christensen, 1974). This erosional remnant of the Niobrara Formation outcrops along the Missouri River trench and along Emanuel Creek (Jorgensen, 1971).

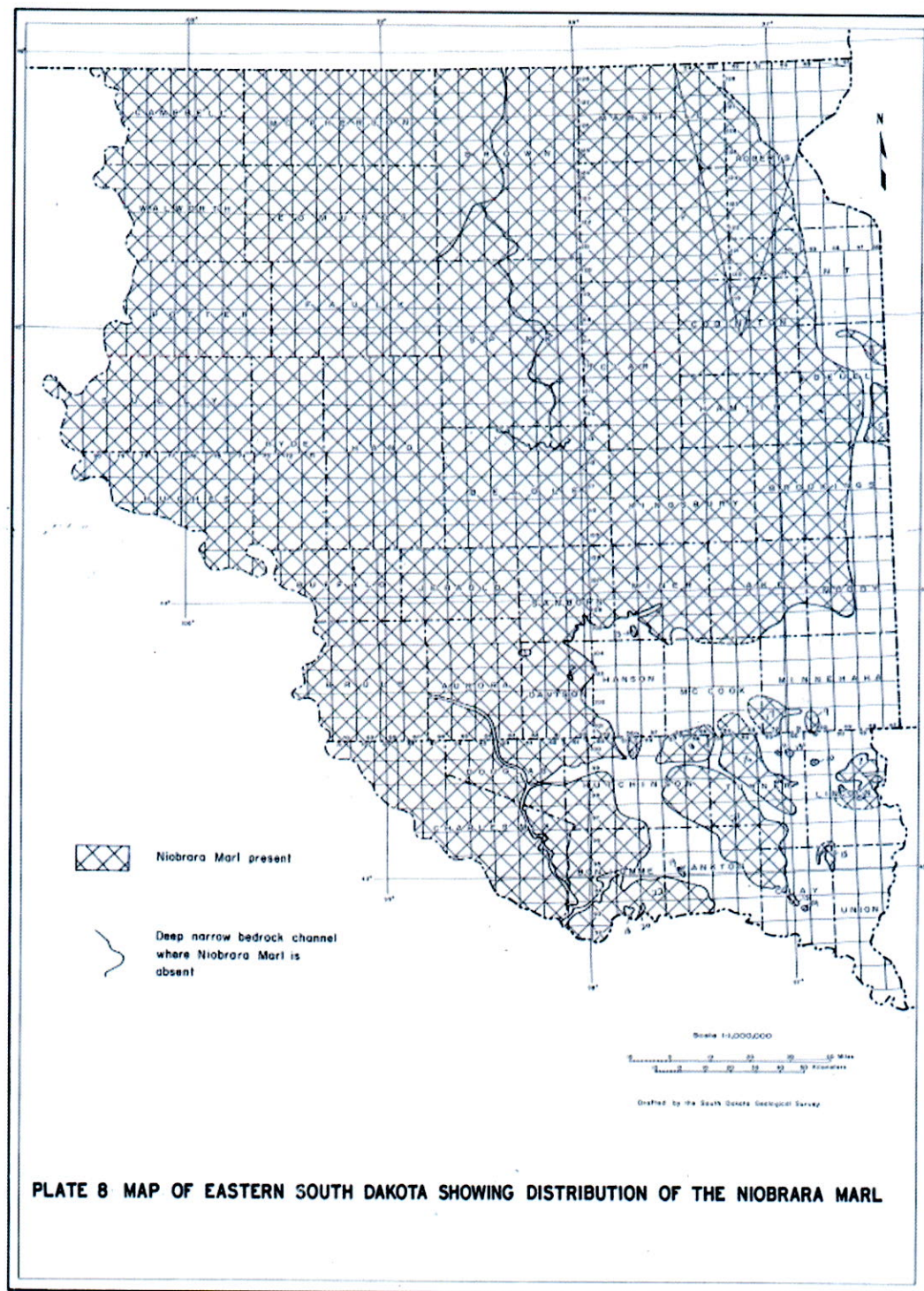


Figure 1. Area Extent of the Niobrara Formation in eastern South Dakota (from Hedges, and others, 1982)

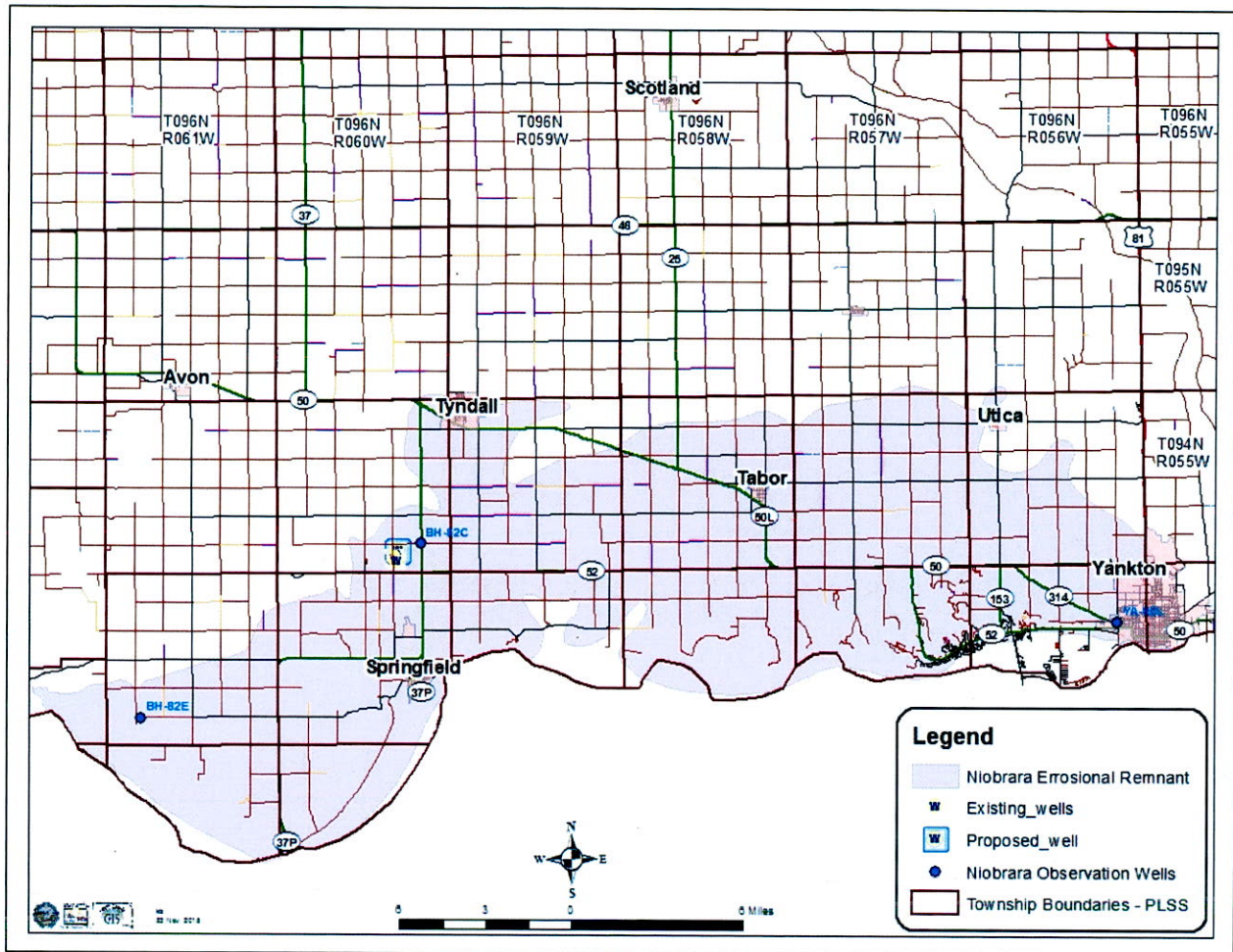


Figure 2. Map showing the location of the well sites proposed to be used by this application, the Niobrara Formation erosional remnant which this application proposes to appropriate from and observation wells completed into the erosional remnant. (Modified from Tomhave and Schulz, 2004)

In this area, the Niobrara Formation overlies the Codell Sandstone Member of the Carlile Shale. The Codell Sandstone is reportedly “overlain by 5-30 feet of impermeable shale” (Jorgensen, 1971), however, the potentiometric surfaces of the two aquifers identify a potential for downward leakage from the Niobrara to the Codell aquifer (Water Rights, 2015a). The completion reports submitted with this application identify glacial outwash deposits (likely the Tyndall management unit of the Choteau aquifer) overlying the Niobrara Formation. Approximately two and one-half miles southwest of the well sites associated with Application No. 8187-3, approximately 10 feet of sand and gravel (Choteau-Tyndall aquifer) directly overlies the Niobrara (Water Rights, 2015a). One mile west of this project area, 145 feet of sand and gravel (Choteau-Tyndall aquifer) directly overlies the Niobrara Formation. The Choteau-Tyndall aquifer also appears to directly overlie the Niobrara aquifer approximately four miles northeast of this project area (Hedges and others, 1092; and Tomhave and Schulz, 2004). The Niobrara Formation is overlain by 56 feet of sand and gravel (Choteau-West aquifer) approximately 10 miles southwest of this project area. Groundwater levels identify the potential for leakage from the Niobrara aquifer to the Choteau-Tyndall and Choteau-West aquifers in this

area (Water Rights, 2015a). The Lower James Missouri-Scotland aquifer (referred to as “Tyndall-Scotland aquifer” by Jorgensen (1971)) directly overlies the Niobrara along much of the northern edge of this erosional remnant (Hedges and others, 1092; and Tomhave and Schulz, 2004). The potentiometric surface of the outwash is higher than that of the Niobrara aquifer, suggesting groundwater movement from the outwash to the Niobrara aquifer (Water Rights, 2015a). The potentiometric surface of the Niobrara aquifer relative to the elevation of the Missouri River at the Niobrara outcrops suggests the aquifer discharges to the river (Jorgensen, 1971).

SOUTH DAKOTA CODIFIED LAW (SDCL) 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and existing rights from the aquifer.

Water Availability:

This application proposes to appropriate water from the Niobrara aquifer. This application proposes a permit that is to be used in conjunction with Water Permit No. 7268-3, with a combined maximum diversion rate unchanged from the rate authorized by Water Permit No. 7268-3 (i.e. 1.78 cfs). Although approval of this application will not increase the maximum cfs diverted from the Niobrara, approval of Water Permit No. 8187-3 will likely increase the average annual withdrawal from the aquifer by less than four acre-feet/year. The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1 which requires “No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.” If the source of the water is older or lower than the Greenhorn Formation and a water distribution system has applied for a permit, the Board need not consider the recharge/withdrawal issue. Here, a water distribution system is not involved and the aquifer is not older or lower than the Greenhorn Formation, therefore the withdrawal/recharge issue must be considered.

Recharge and Discharges from the Niobrara aquifer:

Recharge:

Recharge to this erosional remnant of the Niobrara Formation is likely through leakage from the Lower James Missouri-Scotland aquifer and infiltration of precipitation where the aquifer is at or near the ground surface. Data is not available to estimate average annual recharge to this isolated portion of the Niobrara aquifer.

Discharge:

Discharge from the Niobrara aquifer is by (1) leakage to the Choteau: Tyndall aquifer, (2) leakage to the Choteau: West aquifer, (3) leakage to the Codell aquifer, (4) discharge to the Missouri River, and (5) well withdrawals. Well withdrawals from the Niobrara aquifer are for domestic use and for uses requiring water rights/permits. There are 11 water rights/permits

appropriating water from the portion of the Niobrara aquifer this application proposes to appropriate water from. They are shown in Table 1 (Water Rights, 2015b).

Table 1. Water Rights/Permits appropriating water from the isolated portion of the Niobrara aquifer that this application proposes to appropriate water from.

PERMIT NO	NAME	PRIORITY DATE	STATUS	USE	CFS	ACRES
4578-3	DARLENE NAGEL REVOCABLE TRUST	10/17/1980	LC	IRR	1.04	73
4779-3	TERRY BALVIN	06/01/1981	LC	IRR	3.9	287
5356-3	TOWN OF TABOR	08/17/1989	LC	MUN	0.4	0
5840-3	YANKTON	12/19/1994	LC	IRR	0.43	30
6365-3	CITY OF YANKTON	10/15/2002	LC	IRR	2.23	99.6
7176-3	YANKTON SCHOOL DISTRICT 63-3	12/28/2009	PE	GEO	0.11	na
7266-3	VERLYN & JEREMIE JELSMA	09/06/2011	PE	IRR	1.33	109
7267-3	VERLYN & JEREMIE JELSMA	09/06/2011	PE	IRR	1.78	171
7268-3	VERLYN JELSMA	09/06/2011	PE	IRR	1.78	146
7269-3	VERLYN JELSMA	09/06/2011	PE	IRR	1.67	162
7985-3	WILLIAM CHENOWETH	03/26/2014	PE	IRR	3.11	233
LC= Water Right, PE= Water Permit, IRR= Irrigation, MUN= Municipal, GEO= Geothermal						

The irrigation permits/rights shown in Table 1 authorize the irrigation of a total of 1310.6 acres. Assuming an average application rate of one acre-foot per acre per year, the average annual irrigation withdrawals from this erosional remnant of the Niobrara Formation is estimated to be 1310.6 acre-feet/year. Water Permit No. 7176-3 authorizes withdrawals from one well and reinjection of the water to a second well, therefore it is a non-consumptive use of water. The total average annual well withdrawals from this isolated portion of the Niobrara Formation is estimated to be less than 1500 acre-feet annually. As stated above, natural discharge from this erosional remnant of the Niobrara Formation occurs through discharge to: a) the Missouri River, b) the Choteau-Tyndall aquifer, c) the Choteau-West aquifer and d) the Codell aquifer. The amount of natural discharge from the aquifer is proportional to the gradient between the Niobrara and the aquifer or river that is receiving the leakage. In addition to gradient, another major factor in leakage is the transmissivity of the Niobrara aquifer. Since the porosity, specific yield, and hydraulic conductivity vary greatly within the Niobrara aquifer, the transmissivity also varies greatly. Transmissivity values can be determined only through aquifer testing, and in the case of the Niobrara, the values are site specific.

Transmissivity can be estimated based on a well's specific capacity. Of the water permit applications proposing appropriations from this erosional remnant of the Niobrara, data is available from ten wells in which specific capacity can be determined. The variability of specific capacity and transmissivity estimates are shown in Table X.

Table X. Specific capacity and transmissivity estimates from wells completed into this erosional remnant of the Niobrara Formation (Water Rights, 2015a; and "Transmissivity from Specific Capacity"

Application No.	Specific Capacity (gpm/ft)	Transmissivity gal/day/ft
6153-3	.86	1,720
	1.23	2,460
4626-3	62	124,000
4578-3	17.5	35,000
6365-3	9.09	18,180
7266-3	45.45	90,900
7267-3	.41	820
7268-3	44.44	88,880
7269-3	6.03	12,060
	4.59	9,180

Assuming an average transmissivity of this portion of the Niobrara aquifer of 20,000 gal/day/ft, discharge to the Missouri River is estimated to exceed 11,000 ac-ft/yr.

Estimates of discharge from the Niobrara aquifer to the overlying outwash aquifers and underlying Codell aquifer cannot be made with the data currently available but may be significant.

Since additional recharge from the Lower James Missouri-Scotland aquifer could be induced and discharge to the Missouri River, Codell aquifer and overlying outwash aquifers would be captured with more well withdrawals from this isolated portion of the Niobrara aquifer, there is a reasonable probability that unappropriated water is available for appropriation. Approval of Water Permit No. 8187-3 will likely result in increased well withdrawals of less than four ac-ft/yr.

Observation Well Data:

The DENR-Water Rights Program monitors three observation wells completed into this erosional remnant of the Niobrara Formation. Hydrographs for these observation wells are shown in Figures 3-5. The observation well data records fairly small amplitude of water level fluctuations in the aquifer and documents the climatic conditions on the aquifer with rising water levels during periods when recharge to the aquifer exceeds discharge from the aquifer and declining water levels when discharge exceeds recharge. The observation well data verifies that natural discharge and recharge dominate the system; therefore unappropriated water is available for this appropriation. The nearest of these, observation well BH-82C, is located within one mile of this project area (see Figure 2).

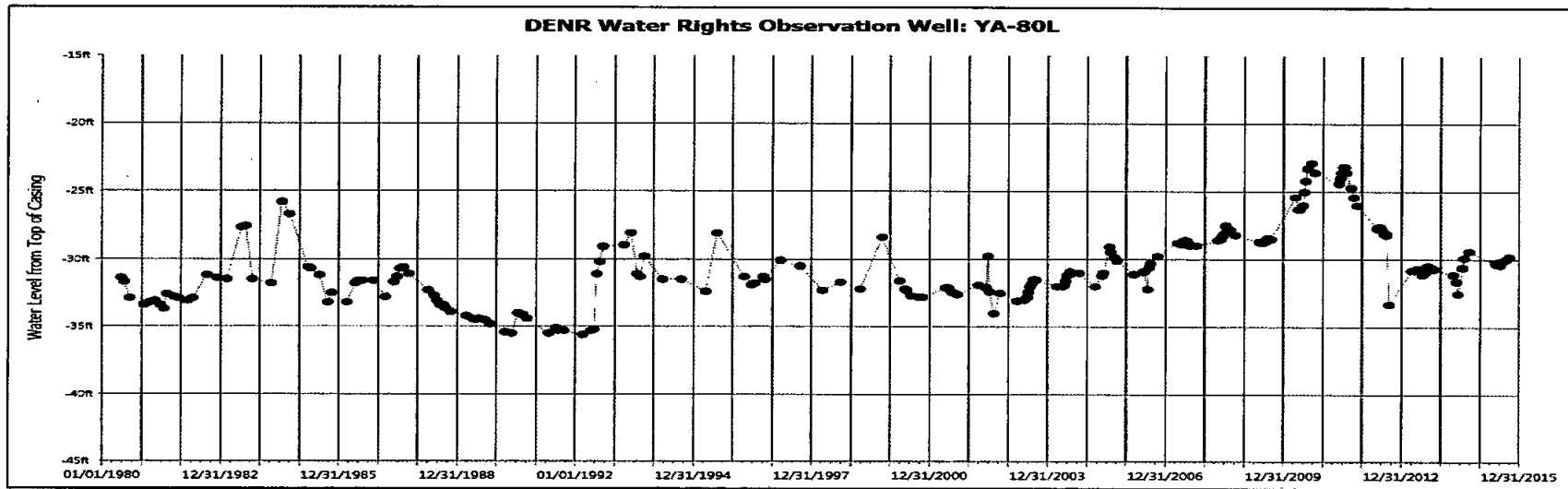


Figure 3. Hydrograph of an observation well completed into the isolated portion of the Niobrara aquifer that Application No. 8187-3 proposes to appropriate water from.

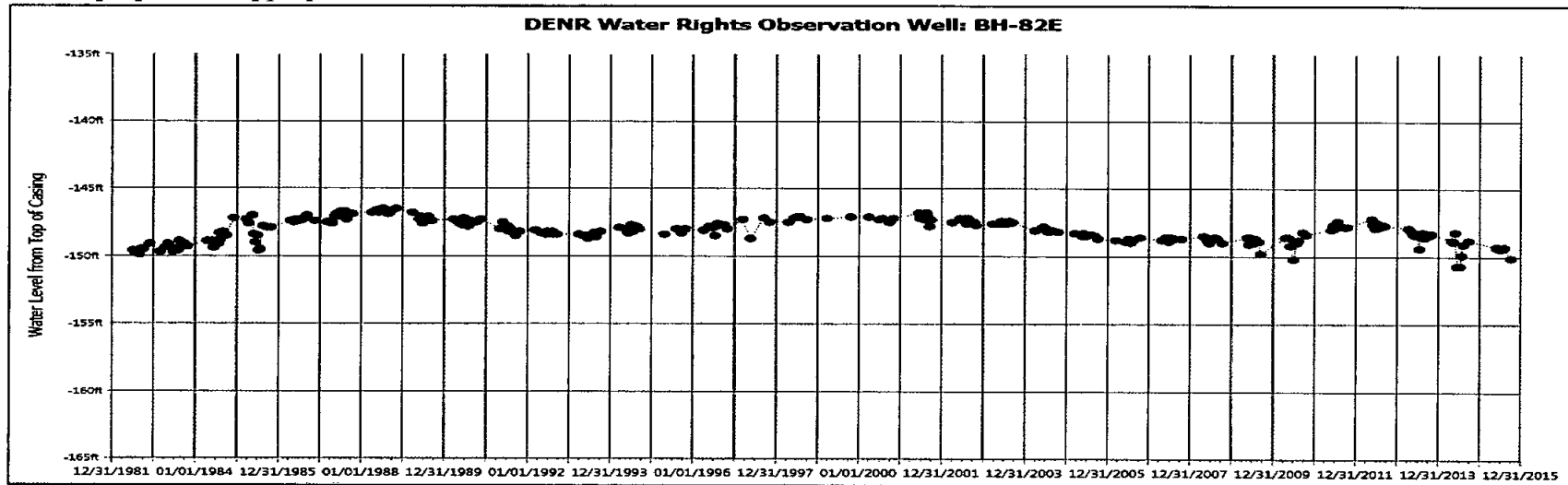


Figure 4. Hydrograph of an observation well completed into the isolated portion of the Niobrara aquifer that Application No. 8187-3 proposes to appropriate water from.

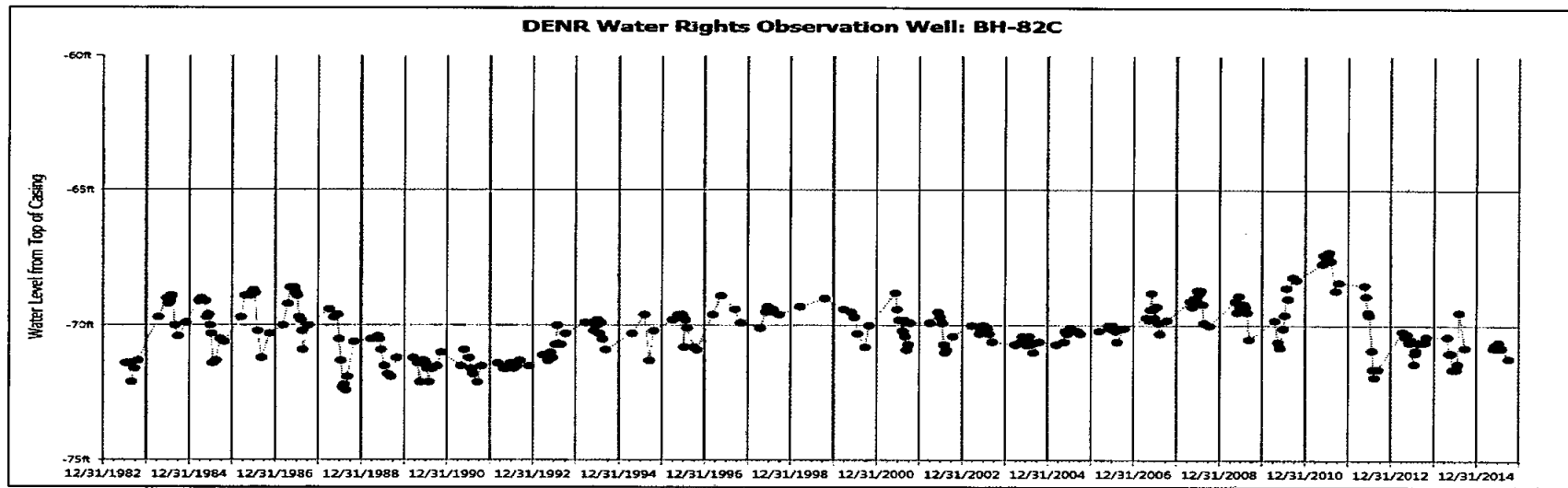


Figure 5. Hydrograph of an observation well completed into the isolated portion of the Niobrara aquifer that Application No. 8187-3 proposes to appropriate water from.

Effect on Existing Water Rights:

Although this application does not propose an increase to the instantaneous diversion rate that is currently authorized by Water Permit No. 7268-3 (1.78 cfs), an increase of the annual diversion rate of four acre-feet per year to allow for the irrigation of the four additional acres will produce a resultant increased withdrawal of less than six gallons per minute over a 152 day irrigation season. The additional drawdown that can be expected from an average of six gallons per minute is negligible and will not adversely affect adequate wells.

CONCLUSIONS:

1. Water Permit Application No. 8187-3 proposes the addition of two wells that are to be used in conjunction with a well currently authorized by Water Permit No. 7268-3.
2. Water from the three wells will be used to irrigate the acreage authorized by Water Permit No. 7268-3 and an additional four acres that was not authorized by the permit.
3. Water Permit Application No. 8187-3 proposes to add two wells, 130 and 140 feet deep, respectively, completed into the Niobrara aquifer, in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, T94N-R60W.
4. This application proposes a permit authorizing the irrigation of four new acres located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, T94N-R60W.
5. If Water Permit No. 8187-3 is approved, the maximum combined diversion rate authorized by Water Permit No. 8187-3 and Water Permit No. 7268-3 would 1.78 cfs diversion rate.
6. The well locations associated with this permit application are located on an erosional remnant that is isolated from the main body of the Niobrara Formation by a deep channel that has completely incised the Niobrara.
7. The aquifer is under confined conditions at the well sites associated with this application.
8. This isolated portion of the Niobrara aquifer is hydrologically connected to the Codell, Choteau-Tyndall, Choteau-West and Lower James Missouri-Scotland aquifers.
9. Groundwater levels identify the potential for discharge from the Niobrara aquifer to the Codell, Choteau-Tyndall, Choteau-West and Lower James Missouri-Scotland aquifers.
10. Groundwater levels identify the potential for recharge to the Niobrara aquifer from the Lower James Missouri-Scotland aquifer.
11. The potentiometric surface of the Niobrara aquifer relative to the elevation of the Missouri River at the Niobrara outcrops suggests the aquifer discharges to the river.
12. Well withdrawals are a minor discharge component from this isolated portion of the Niobrara aquifer as compared to natural discharge from the aquifer.
13. Since natural discharge is available for capture through well withdrawals, there is a reasonable probability that there is four acre-feet/year available from the aquifer to satisfy this proposed appropriation.
14. The observation well data indicates that unappropriated water is available for this appropriation.
15. The drawdown that would result from pumping if this permit is approved will be negligible and will not adversely affect adequate wells.



Ken Buhler

SD DENR-Water Rights Program

REFERENCES:

Christensen, C.M., 1974, Geology and Water Resources of Bon Homme County, South Dakota, Part I: Geology: South Dakota Geological Survey Bulletin 21(1), pg.8, Plate 1

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Water Rights Program, 2015b, “Well Completion Report Files”, South Dakota DENR-Water Rights Program, Joe Foss Building, Pierre, SD

Water Rights Program, 2015c, “Observation Well Database”, South Dakota DENR-Water Rights Program, Joe Foss Building, Pierre, SD

Affidavit of Publication

RECEIVED

State of South Dakota }
County of Bon Homme } SS

JAN - 6 2016

WATER RIGHTS
PROGRAM

Rebecca Tyz.....Being first duly sworn
says that the **Tyndall Tribune & Register** is a legal
weekly newspaper for publication of legal and other offi-
cial 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 depo-
nent is the publisher in charge of the advertising depart-
ment of said newspaper; that the advertisement headed

No. 8187-3

83 @ 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:

.....12/30.....20.15.....	20.....
.....20.....	20.....
.....20.....	20.....
.....20.....	20.....

That the full amount of the fee charged for the publica-
tion of said notice, \$ 30.88, 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 Tyz, publisher

Subscribed and sworn to before me this

.....30.....day of Dec.....20.15.....

Peggy Schelske

Notary Public, South Dakota

My Commission Expires Oct. 24, 2021

NOTICE OF APPLICATION

NO. 8187-3 to Appropriate Water

Notice is given that Verlyn Jelsma, 41414 309th St, Springfield SD 57062 has filed an application for a water permit to irrigate 4 new acres and two additional wells. Water Permit No. 7268-3 appropriates 1.78 cubic feet of water per second from one well completed into the Niobrara Aquifer located in the SW 1/4 NW 1/4 Section 35 to irrigate 146 acres located in the S 1/2 NW 1/4, SW 1/4 Section 35; all in T94N-R60W. This application proposes to irrigate 4 new acres located in the SE 1/4 NW 1/4 Section 35-T94N-R60W. This application also requests two additional wells to be completed into the Niobrara Aquifer (130 and 140 feet deep) located in the SW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 35-T94N-R60W. This application, if approved, authorizes a total of 150 acres to be irrigated and there will be no increase in the authorized diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8187-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://dennr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 January 11, 2016.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner, Secretary,
Department of Environment
and Natural Resources

Published once at an approximate cost of \$30.88

(Dec. 30)

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JAN - 4 2016

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

Department of Environment and Natural Resources
Water Rights Program
523 E Capitol Ave
Pierre, SD 57501

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. 8187-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 30th DAY OF December 2015
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$29.32 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: 12/30/2015

FILED ON: 12/30/2015

[Signature]
SUBSCRIBED AND SWORN TO BEFORE ME THIS 30th DAY OF December 2015

[Signature]
NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2021

the Water Management Board
will consider this application.
Notice of the hearing will be given
to the applicant and any person
filing a petition.

Steven M. Pirner, Secretary, De-
partment of Environment and
Natural Resources.
Published once at the total ap-
proximate cost of \$29.32.

12+30
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Aquifer located in the SW 1/4
NW 1/4 Section 35 to irrigate 146
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provided below.

Any person interested in opposing
or supporting this application or
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and mailing address of the peti-
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counsel, if legal counsel is ob-
tained.

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the Chief Engineer shall act on
the application pursuant to the
recommendation with no hearing
held before the Water Manage-
ment Board. If a petition oppos-
ing the application or contesting
the recommendation is filed, then
a hearing will be scheduled and

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, December 22, 2015 11:16 AM
To: ttribune@byelectric.com
Subject: 8187-3, Verlyn Jelsma
Attachments: 8187-3nov2015newpublic.short1.docx; FORM8.FRM.doc

Attached is a notice to be published on December 30, 2015

Verlyn Jelsma, 41414 309th St, Springfield SD 57062 (h 605 369-2664 or c 605 661-9764) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP.

Let me know if you have questions. Please acknowledge receipt of this email.

Merry Christmas!

Karen Schlaak
Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, December 22, 2015 11:17 AM
To: 'Tera Schmidt'
Subject: 8187-3, Verlyn Jelsma
Attachments: 8187-3nov2015newpublic.short1.docx; FORM8.FRM.doc

Attached is a notice to be published on December 30, 2015

Verlyn Jelsma, 41414 309th St, Springfield SD 57062 (h 605 369-2664 or c 605 661-9764) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP.

Let me know if you have questions. Please acknowledge receipt of this email.

Merry Christmas!

Karen Schlaak

Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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(S) RIGHT AWAY.**

December 22, 2015

Verlyn Jelsma
41414 309th St
Springfield SD 57062

Dear Mr. Jelsma:

Water Permit Application No. 8187-3 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 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
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 December 30, 2015. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 8187-3 to Appropriate Water

Notice is given that Verlyn Jelsma, 41414 309th St, Springfield SD 57062 has filed an application for a water permit to irrigate 4 new acres and two additional wells. Water Permit No. 7268-3 appropriates 1.78 cubic feet of water per second from one well completed into the Niobrara Aquifer located in the SW 1/4 NW 1/4 Section 35 to irrigate 146 acres located in the S 1/2 NW 1/4, SW 1/4 Section 35; all in T94N-R60W. This application proposes to irrigate 4 new acres located in the SE 1/4 NW 1/4 Section 35-T94N-R60W. This application also requests two additional wells to be completed into the Niobrara Aquifer (130 and 140 feet deep) located in the SW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 35-T94N-R60W. This application, if approved, authorizes a total of 150 acres to be irrigated and there will be no increase in the authorized diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8187-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 January 11, 2016.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

JAN 29 2016

Verlyn Jelsma
41414 309th St
Springfield SD 57062

Dear Mr. Jelsma:

Enclosed is Water Permit No. 8187-3 authorizing construction of the 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

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate Aug. 1, 2016TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Verlyn Jelsma
(name)
41414 309th Street
(address)
Springfield, SD 57062 605-661-9764
(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.

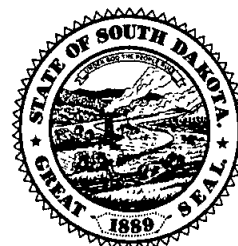
Water Permit No. 8187-3 states that the water use system is to be constructed by
January 11, 2021 , and water is to be put to beneficial use by January 11, 2025 .
(date) (date)

The water use system was completed on June 15, 2016 .
(date)

Applying the water to beneficial use was completed on July 19, 2016 .
(date)

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

Verlyn Jelsma
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 5, 2016

8187-3

Verlyn Jelsma
41414 309th 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,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

8187-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 29 2018

8187-3
8246-3

Verlyn Jelsma
41414 309th St
Springfield SD 57062

Dear Mr. Jelsma:

Enclosed is Water License No. 8246-3. 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

Note: Upon licensing, the applicable portions of Water Permit No. 8187-3 were incorporated into Water License No. 8246-3.