

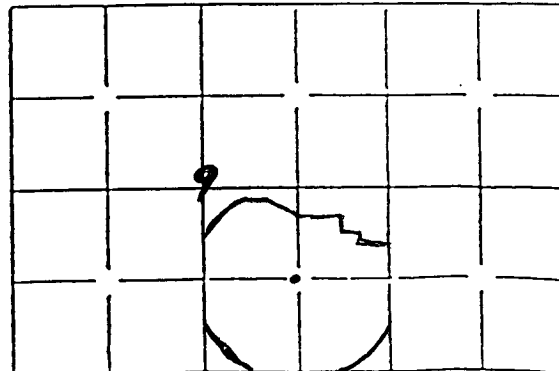
MAP No. same 563-2467Name of Applicant Larry EricksonPost Office Address RR 2, Box 45 Centerville, SD 57014Amount of Water Claimed 0.19 cfs (1.89 total) Total Acres 12 (132 total)Source of Water Supply groundwater - existing wellWater to be used for irrigation County ClayAbout 4 miles south of Centerville

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

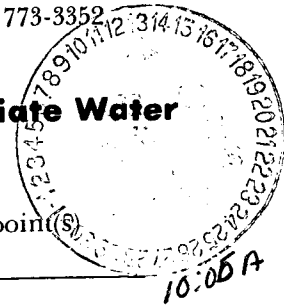
F.F.C C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____

Date Received April 13, 1989 Fee \$150⁰⁰ Remarks An inspectionof #3051-3 found 12 extra ac irrigated + 0.19 cfs extraCorrected Application Received _____ Period of Annual Use May 1 - Oct 31WATER QUALITY APPROVAL RECEIVED 9/1/76 APPROVED / CONDITIONAL (Circle one)WI-1 Description same as Application YES ☒ NO _____ REMARKS Existing S/W covers
entire SE¹/₄Diversion Point approximate center of
SE¹/₄ Section 9 - T95N-R52WLand to be Irrigated 3ac - NW¹/₄ SE¹/₄ Sec 9 - T95N-R52W4ac - NE¹/₄ SE¹/₄ " "5ac - SE¹/₄ SE¹/₄ " "Well Log: Driller Darrel Verley Licensed YES _____ NO _____Depth of Well 135' REMARKS Well log unobtainable perDavid Brown 4/24/89Type of Map aerial PREPARED BY David Brown Reviewed and the Numberassigned on April 24, 1989 By Susan A. Dowar

(See instructions)

No. <u>5319-3</u>	Hydrologic Unit <u>10170102</u>
Basin <u>Vermillion R.</u>	
Newspaper <u>Vermillion Main Talk</u>	Box <u>256</u> <u>57069</u> (City)



Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

1. Name of Applicant Larry Erickson Phone No. 563-2467
Post Office Address RR 2, Box 45 State SD 57014
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed (c.f.s.) 0.19 Total acres irrigated 12
3. Source of Water supply existing well
4. Location of point of diversion at a point 1,410 feet south and 1,340 feet east of the
center of section 9, T95N, R52W (near the center of the SE 1/4 Section 9-T95N-R52W)
County Clay
5. Counties where water will be used Clay
6. Annual period during which water is to be used May 1 - October 31
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
SE1/4 SE1/4 Sec. 9, T95N R52W	5
NE1/4 " " " "	4
NW1/4 " " " "	3

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: ☒ Gun: _____ Other: _____
(Specify)
9. Crops to be Irrigated: _____
10. Give a description of proposed project. (Attach sheet if more space is needed)
Existing center pivot system under permit #3051-3, 12 acres not permitted under permit #3051-3

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Turner)^{ss}

I, Larry Erickson, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Larry Erickson

Subscribed and sworn to before me this 12 day of April 1989

John L. Simon
Notary Public

Commission Expires Aug 15, 1991 7-30-91

SOUTH DAKOTA
WATER PERMIT No. 5319-3 FOR IRRIGATION

Date of first receipt of application April 13, 1989.

Date Soil/Water Compatibility Permit received See Permit No. 3051-3.

The Water Management Board approved Water Permit Application No. 5319-3 on July 26, 1989 for Larry Erickson, RR #2 Box 45, Centerville, South Dakota 57014 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. 5319-3 appropriates 0.19 cubic feet of water per second (cfs) to irrigate 12 acres. Water Permit No. 3051-3 appropriates 1.7 cfs from one well (Upper Vermillion: Missouri Aquifer), 135 feet deep, to irrigate 120 acres. The well is located near the center of the SE1/4 and the irrigated acreage is located in the SE1/4; all in Section 9-T95N-R52W. An inspection found an additional 0.19 cfs from the existing well being used to irrigate an additional 12 acres located in the N1/2 SE1/4, SE1/4 SE1/4 Section 9-T95N-R52W.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second 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 - October 31.
3. The date from which applicant may claim right is April 13, 1989.
4. One-fifth of the construction is completed.
5. All construction is completed.
6. Water is put to beneficial use.
7. 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. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

John H. Hales
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

SEP 12 1989

(date)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 17", Depth 135'
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 14" Thickness 1/4"
- (3) Perforated Screen.
Type Johnson, Diameter 14", Length 30'
- (4) Gravel Pack. Thickness 2", Length of gravel pack 40'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 0-22 yellow clay + sand
22-31 yellow clay
31-82 Blue clay
82-97 Gravel
97-135 Gravel + water bearing sand

Depth to top of water bearing material 97'

Depth to bottom of water bearing material 150'

Thickness of water bearing material 60'

Depth to water (ground surface to water level) 75'

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 100 rds. On property owned by others 100 rds.

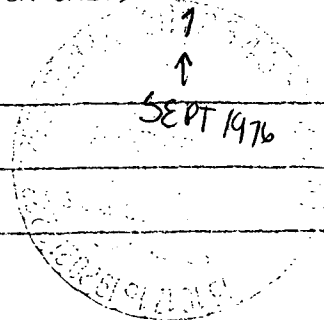
G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Terry Eubank
Signature of Applicant

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME Iver Erickson
ADDRESS 721 Montana Centerville, S. D. 57014
COUNTY Turner



LEGAL DESCRIPTION

1. WELL LOCATION 116 rods E 40° NW of SE corner of Sec 9-95-52
2. LOCATION OF AREA TO BE IRRIGATED SE 1/4 of Sec 9-95-52

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT Sprinkler GUN _____
4. CROPS TO BE IRRIGATED corn, beans

WATER QUALITY

5. SAMPLE NUMBER 76-690
6. SALINITY (EC X 10⁶) 572 (moderately high)
7. SODIUM (SAR) 0.40 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from _____ Conservation District,
County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true and correct.

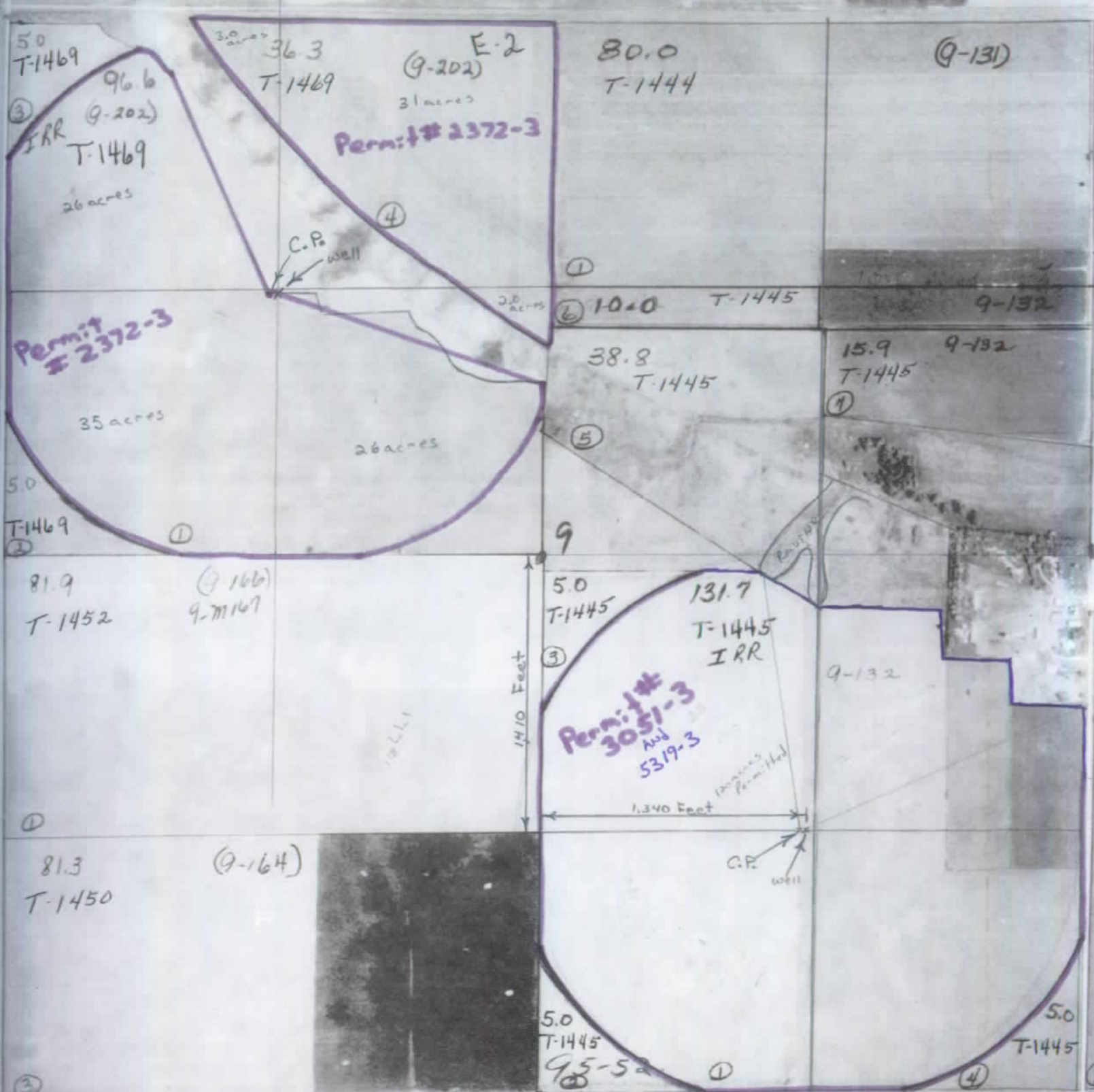
Iver Erickson
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS

25 DAY OF July 1976.

Dist. Magistrate
Notary Public
(TITLE OR SEAL)

Alfred A. Hest
APPROVED/DISAPPROVED



Water Right No. 5319-3

5319-3

CENTERVILLE, SO. DAK. 57014

1. WELL OWNER
Name Iver Erickson
Address RR Centerville

2. WELL LOCATION
Sketch map location must agree with written location

County Clay
NW 1/4 NW 1/4 SE 1/4 Sec 9 Twp 95 N. Rg 52 W.

3. PROPOSED USE
☐ Domestic ☒ Irrigation ☐ Industrial
☐ Stock ☐ Municipal ☐ Test Hole

4. METHOD DRILLED
☐ Cable ☐ Reverse Rotary ☐ Bored
☒ Forward Rotary ☐ Jetted ☐ Other
If other, specify _____

5. WATER QUALITY
Was a water sample collected for chemical analysis?
☒ Yes ☐ No
If so, to what laboratory was it sent _____

6. WELL CONSTRUCTION
Diameter of hole 17" inches. Depth 20 feet.
Casing: ☒ Steel ☐ Plastic ☐ Concrete
☐ Threaded ☒ Welded ☐ Other
If other, specify _____
Pipe Weight: Diameter: From: To:
 lb./ft. 1 1/2" inches 0 feet 155 feet
 lb./ft. inches feet feet
 lb./ft. inches feet feet
 lb./ft. inches feet feet
Was perforated pipe used? ☐ Yes ☒ No
Length of pipe perforated feet
Was casing left open end? ☐ Yes ☒ No
Was a well screened installed? ☒ Yes ☐ No
Material Stainless Steel diameter 1/4" inches
(stainless steel, bronze, etc.)
Slot size 8 set from 165 feet to 175 feet
Slot size set from feet to feet
Slot size set from feet to feet
Slot size set from feet to feet

[illegible]



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

November 12, 1987

Larry Erickson
RR 2, Box 43
Centerville, SD 57014

Dear Mr. Erickson,

On August 14, 1987, you accompanied me on an inspection of your irrigation systems authorized under Water Permits #2372-3 and #3051-3. A Water License is in the process of being issued to you for Water Permit #2372-3 which corresponds to the NW1/4 of Section 9, T95N, R52W.

However, the permitted irrigated lands under Water Permit #3051-3 do not completely agree with the acreages currently being irrigated in the SE1/4 of Section 9, T95N, R52W. Originally you applied for a total of 120 acres but you are currently irrigating 132 acres. A new permit is required for the 12 acres not permitted under Water Permit #3051-3. Enclosed is a permit application along with the application instructions. The form, fee, and other pertinent information for filing the permit application should be submitted to:

Water Rights Division DWR
Joe Foss Building
Pierre, SD 57501

Upon receipt of appropriate form, fee, other pertinent information, and approval of the new Water Permit by the Water Management Board, a water license will be issued.

If you have any questions, please contact our office.

Sincerely,

A handwritten signature in cursive script that reads "David S. Brown".

David S. Brown
Natural Resources Engineer
DWR, Division of Water Rights
773-3352



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 8, 1989

NOTICE

Larry Erickson
RR 2, Box 43
Centerville, SD 57014

Dear Mr. Erickson:

On August 14, 1987, you accompanied David Brown, Division Engineer, on an inspection of your irrigation system authorized under Water Permit No. 3051-3. Water Permit No. 3051-3 authorizes diverting 1.7 cubic feet per second (cfs) of groundwater and irrigation of 120 acres in the SE1/4 of Section 9, T95N R52W, Clay County. Currently you are diverting 1.89 cfs and irrigating 131.7 acres.

On November 12, 1987, David Brown sent you a letter which stated: "A new permit is required for the 12 acres not permitted under Water Permit 3051-3. Enclosed is a permit application along with the application instructions. The form, fee, and other pertinent information for filing the permit application should be submitted to . . .".

On May 3, 1988, Ron Duvall, Division Engineer, received a telephone call from you regarding the application for the 12 additional acres. Mr. Duvall specified that the Water Permit application forms needed to be notarized and returned to our office along with the \$150 application fee. At that time, you wanted to check with the ASCS office to see if the 12 additional acres could be lowered to 7 acres (\$50 application fee).

On November 9, 1988, David Brown received a copy of the newest available aerial photo for Section 9, T95N R52W from the ASCS office in Vermillion. The aerial photo indicated that 131.7 acres were being irrigated in the SE1/4 of Section 9, T95N R52W.

On February 16, 1989, the Division received a Zerox copy of a ASCS aerial photo from you. On that aerial photo, you had marked where the end gun of your center pivot was turned on and off. Writing on the aerial photo indicated that 120.0 acres were being irrigated in the SE1/4 of Section 9, T95N R52W.

March 8, 1989
Larry Erickson
Page 2

Table 1 lists your reported irrigated acres and average pumping rate submitted to the Division on the annual Irrigation Questionnaire.

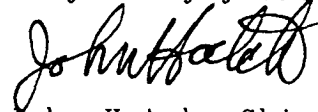
Table 1
Reported Irrigation for Water Permit #3051-3

<u>Year</u>	<u>Irrigated Acreage</u>	<u>Average Pumping Rate (GPM)</u>
1978	40	850
1979	120	650
1980	130	800
1981	70	800
1982	130	850
1983	120	850
1984	100	850
1985	130	850
1986	60	850
1987	133	850
1988	120	850

On March 6, 1989, David Brown talked with the ASCS office in Vermillion via telephone concerning the irrigated land in the SE1/4 of Section 9, T95N R52W. The ASCS indicated that they had determined by aerial and mechanical means that 131.7 acres were irrigated during 1988. The ASCS also indicated that you reported and certified that 131.7 acres were irrigated in 1988.

Pursuant to SDCL 46-1-15, 46-2-17, 46-2-18, and 46-5-30, you are ordered not to irrigate the 12 additional acres and to reduce your pumping rate from 1.89 cfs to 1.7 cfs in the SE1/4 of Section 9, T95N R52W, until a permit to irrigate the 12 acres is obtained. Failure to comply with this order will result in scheduling a hearing to consider suspension of Water Permit No. 3051-3 pursuant to SDCL 46-1-12.

Very truly yours,



John Hatch, Chief Engineer
DWNR, Division of Water Rights
605 773-3352

cc: c/o Lanney Nelson, ASCS, 1024 W Cherry, Vermillion, SD 57069

CERTIFICATION

I hereby certify that on March 8, 1989 I have personally deposited with the U.S. Mail a postage prepaid envelope containing a Notice addressed as follows:

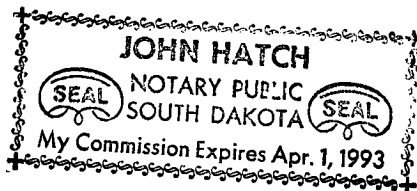
Larry Erickson
RR 2, Box 43
Centerville SD 57014

Lanney Nelson, ASCS
1024 W Cherry
Vermillion SD 57069

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 9th day of March, 1989.



John Hatch
Notary Public

Report on Application No. 5319-3

Larry Erickson

June 5, 1989

This application proposes to appropriate an additional 0.19 cfs to irrigate an additional 12 acres. Water Permit No. 3051-3 appropriates 1.7 cfs from one well 135 feet deep to irrigate 120 acres. The well is located near the center of the SE1/4 and the irrigated acreage is located in the SE1/4 all in Section 9-T95N-R52W in Clay County.

Aquifer Upper Vermillion-Missouri (UVM)

The Upper Vermillion Missouri is a buried glacial (sand and gravel) aquifer which is basically under water table conditions. However, there are locations where wells can be under artesian conditions of a few feet or more. The UVM Aquifer is hydraulically connected to the UVM Aquifer in Turner County and the Lower Vermillion Missouri (LVM) Aquifer in Clay County. In Clay County these aquifers underlie 112,000 acres and contain about 1.7 million acre feet of recoverable water (Hedges, 1982).

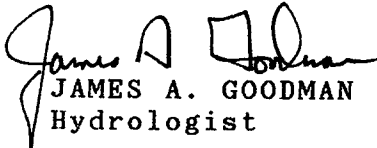
The Division of Water Rights monitors 12 observation wells completed into the UVM and LVM Aquifers in Clay County. One of these wells CL-66A is located about 1 mile south of this application. Water levels in these wells do respond to climatic conditions that is rising during wet years and declining during dry years. The effects of pumping high capacity wells are not obvious from looking at hydrographs. In general, there is more than adequate recharge to the aquifer than the demands of pumping require (Water Rights, 1989).

Review of Existing Water Permits

There are two existing water permits Nos. 2373-3 and 1569-3 which are located within 1 mile of this application. These wells have been in existence for many years with no apparent problems. Interference is not expected to be a problem because the aquifer is under water table conditions and pumping by high capacity wells does not significantly affect water levels in the aquifer very far from the production well.

Conclusions

1. Water is available from the UVM Aquifer.
2. Interference should not be a problem. The well has been in use for many years with no apparent problems.
3. Recharge to the aquifer is sufficient to meet the demands of more appropriations.


JAMES A. GOODMAN
Hydrologist

Bibliography

Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DWR, USGS, Vermillion, SD 57069

Water Rights, 1989 Observation Well Records for UVM and LVM Aquifers in Clay County, SD DWR, Division of Water Rights, Joe Foss Building, Pierre, SD 57501

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 88, 1989

RECEIVED OF Larry Erickson, RR #2, Box 43, Centerville, SD 57014

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

Fee for Application for Permit No. <u>5319-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	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 Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	150 00

By

Chief Engineer

John Hatch
John Hatch/ura

DARRYL A. VERLEY

WELL DRILLING

Phone 563-2200 — Mobile Phone 763-2920

CENTERVILLE, SO. DAK. 57014

5319-3

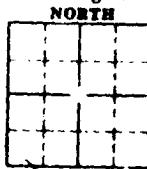
1. WELL OWNER

Name Ivan Erickson

Address Pl. Centerville

2. WELL LOCATION

Sketch map location must agree with written location



County Clay SE 1/4 Sec 9 Twp. 95 N Rg 52 W.

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Industrial
☐ Stock ☐ Municipal ☐ Test Hole

4. METHOD DRILLED

☐ Cable ☐ Reverse Rotary ☐ Bored
☒ Forward Rotary ☐ Jetted ☐ Other
If other, specify _____

5. WATER QUALITY

Was a water sample collected for chemical analysis?
☒ Yes ☐ No
If so, to what laboratory was it sent _____

6. WELL CONSTRUCTION

Diameter of hole 17" inches. Depth 215 feet.

Casing: ☒ Steel ☐ Plastic ☐ Concrete
☐ Threaded ☒ Welded ☐ Other

If other, specify _____

Pipe Weight	Diameter	From	To
lb/ft. <u>14"</u> inches	<u>0</u> feet	<u>155</u> feet	
lb/ft. _____ inches	_____ feet	_____ feet	
lb/ft. _____ inches	_____ feet	_____ feet	
lb/ft. _____ inches	_____ feet	_____ feet	

Was perforated pipe used? ☐ Yes ☒ No

Length of pipe perforated _____ feet

Was casing left open end? ☐ Yes ☒ No

Was a well screened installed? ☒ Yes ☐ No

Material Stainless Steel diameter 1 1/2 inches
(stainless steel, bronze, etc.)

Slot size 8 set from 165 feet to 175 feet

Slot size _____ set from _____ feet to _____ feet

Slot size _____ set from _____ feet to _____ feet

Slot size _____ set from _____ feet to _____ feet

7. WELL CONSTRUCTION (Continued)

Slot size _____ set from _____ feet to _____ feet

Slot size _____ set from _____ feet to _____ feet

Slot size _____ set from _____ feet to _____ feet

Slot size _____ set from _____ feet to _____ feet

Was a packer or seal used? ☐ Yes ☒ No

If so, what material _____

Type of well: Straight screen ☐ Gravel packed ☒

Was the well grouted? Yes ☐ No ☒

To what depth? _____ feet

Material used in grouting _____

Well head completion: Pitless adapter

12' above grade ☒ yes ☐ Other _____

If other, specify _____

Was well disinfected upon completion? ☐ Yes ☐ No

8. WELL LOG

Formation	Depth (ft.)	
	From	To
black dirt	0	4
yellow clay	4	24
blue clay	24	65
sand and clay mix	65	85
sand & gravel mix	85	155
coarse sand & Gravel	155	185

(Use separate sheet if necessary.)

9. DATE COMPLETED

10. WAS WELL PLUGGED OR ABANDONED?

☐ Yes ☒ No

If so, how _____

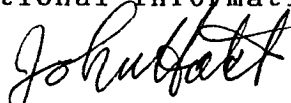
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5319-3, Larry Erickson

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5319-3, Larry Erickson, RR 2, Box 45, Centerville SD.

The Chief Engineer is recommending APPROVAL of Application No. 5319-3 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) 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. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
June 6, 1989

Instruction to Newspaper - Publish first Notice on or before June 22, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5319-3 to Appropriate Water

Notice is given that Larry Erickson, RR 2, Box 45, Centerville SD 57014 has filed an application for a water permit to appropriate an additional 0.19 cubic feet of water per second (cfs) to irrigate an additional 12 acres. Water Permit No. 3051-3 appropriates 1.7 cfs from one well (Upper Vermillion-Missouri Aquifer) 135 feet deep to irrigate 120 acres. The well is located near the center of the SE 1/4 and the irrigated acreage is located in the SE 1/4; all in Section 9-T95N-R52W. A routine inspection found an additional 0.19 cfs from the existing well being used to irrigate an additional 12 acres located in the N 1/2 SE 1/4, SE 1/4 SE 1/4, Section 9-T95N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5319-3 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. This application will be considered by the Water Management Board at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City SD on July 26, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 14, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 14, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

June 14, 1989

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

Larry Erickson
RR 2, Box 45
Centerville SD 57014

Dear Mr. Erickson:

Water Permit Application No. 5319-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Vermillion Plain Talk printed at Vermillion SD. For your information, a copy of the notice is enclosed. The recommendation of the Chief Engineer and a 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 to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

June 14, 1989

Vermillion Plain Talk
Box 256
Vermillion SD 57069

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5319-3 to be published twice. Please publish the first notice on or before June 22, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Larry Erickson, RR 2, Box 45, Centerville SD 57014.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County CLAY) ss.

I, CRYSTAL J. WILLROTH hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the PLAIN TALK

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

TOWN of VERMILLION

County of CLAY and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

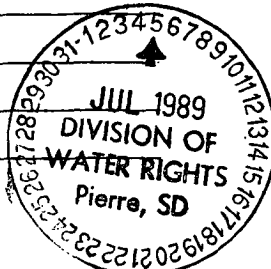
JUNE 25, 1989
JUNE 29, 1989

Crystal J. Willroth
(Signature)

Bookkeeper
(Title)

6-29-89
(Date Signed)

Cost of Printing: 36.02



NOTICE OF HEARING
on Application No. 5319-3
to Appropriate Water

Notice is given that Larry Erickson, RR 2, Box 45, Centerville, SD 57014 has filed an application for a water permit to appropriate an additional 0.19 cubic feet of water per second (cfs) to irrigate an additional 12 acres. Water Permit No. 3051-3 appropriates 1.7 cfs from one well (Upper Vermillion-Missouri Aquifer) 135 feet deep to irrigate 120 acres. The well is located near the center of the SE 1/4 and the irrigated acreage is located in the SE 1/4; all in Section 9-T95N-R52W. A routine inspection found an additional 0.19 cfs from the existing well being used to irrigate an additional 12 acres located in the N 1/2 SE 1/4, SE 1/4 SE 1/4, Section 9-T95N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends **APPROVAL** of Application No. 5319-3 because 1) an appropriate 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. This application will be considered by the Water Management Board at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City, SD, on July 26, 1989, at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 14, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)." 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 14, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

SEP 12 1989

Larry Erickson
RR #2 Box 45
Centerville, SD 57014-9317

Dear Mr. Erickson:

Enclosed is Water Permit No. 5319-3 as approved by the Water Management Board authorizing your water diversion system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch". The signature is written in dark ink and is positioned above the typed name and title.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412069

Pierre, February 1, 19 90

RECEIVED OF Larry Erickson, RR #2 Box 43, Catnerville, SD 57014

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
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>Water Permit No. 5319-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	50	00

By John Hatch
Chief Engineer

Permit No. 5319-3 Larry Erickson
 Incorporated with Permit No. 3051-3
Vermillion River Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Larry Erickson
RR #2 Box 45, of Centerville, South Dakota 57014 holder of
 Permit No. 5319-3 and 3051-3, bearing the priority of April 13, 1989 and September 7, 1976 authorizing
 the diversion of 0.19 & 1.7 cu. ft. per second of the waters of ground water
 for irrigation purposes, in Clay County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

1 well (no well log available, estimated total depth of 135 feet, 14 inch diam. casing, 30 feet of Stainless Steel screen); Layne Bowler Pump (850 GPM, 40 psi, Model No. 81412K); Perkins motor (PTO, 540 Cubic Inch, 165 HP)

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

30 feet of 8 inch aluminum pipe

C. Works used to apply water to beneficial use:

Valley Center Pivot, Model No. 4271, 7 towers, Nelson 100 end gun, Serial No. 36298

The system is in the following condition good

The point of diversion is located At a point 1,410 feet south and 1,340 feet east of the center
of Section 9, T95N R52W

The works are capable of diverting and conveying to the place of use 1.89

cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: All in Section 9, T95N R52W:

Water Permit No. <u>3051-3</u>	Water Permit No. <u>5319-3</u>
<u>30 acres in the NW1/4SE1/4</u>	<u>5 acres in the SE1/4SE1/4</u>

<u>35 acres in the SW1/4SE1/4</u>	<u>4 acres in the NE1/4SE1/4</u>
-----------------------------------	----------------------------------

<u>30 acres in the SE1/4SE1/4</u>	<u>3 acres in the NW1/4SE1/4</u>
-----------------------------------	----------------------------------

<u>25 acres in the NE1/4SE1/4</u>

comprising a total of 132 acres of land and the license should be issued for 1.89 cfs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: none Date August 14, 1989

David D. Brown
 (signature)

LICENSE FOR PERMIT NUMBER 5319-3 Larry Erickson

1. Legal location of wells: At a point 1,410 feet south and 1,340 feet east of the center of Section 9, T95N, R52W

dams & structures: NA

2. Well Information: Well Drilling Firm Verley Well Drilling (Darryl A. Verley)

Note: Well log requested from driller on 11/10/87, but no log received

Completion Report Yes No X No. of Wells 1 Depth 135 feet

Casing a) diameter 14 inch Screen a) type stainless steel

b) length 105 feet b) length 30 feet

c) type steel Static Water Level unknown

Pump a) make Layne Bowler

Motor a) make Perkins

b) model #81412K

b) model No. 540 cubic inch

c) size 12 KM

c) horsepower rating 165

d) capacity 850 gpm

e) turbine pump - no. of stages 5

f) operating PSI 40 psi

3. Distribution lines or canals

a) size 8 inch

b) type Aluminum

c) length 30 feet

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make Valley 4271
- 2) number of towers 7
- 3) distance between towers
- 4) overall length 1,460 feet
- 5) end gun (Y/N) yes
- 6) high or low pressure low
- 7) make & size of nozzles Nelson 100 end gun
- 8) capacity (GPM) 850
Serial No. 36298

g) siphons

- 1) size _____
- 2) number _____

NOTE:

For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project 3051-3

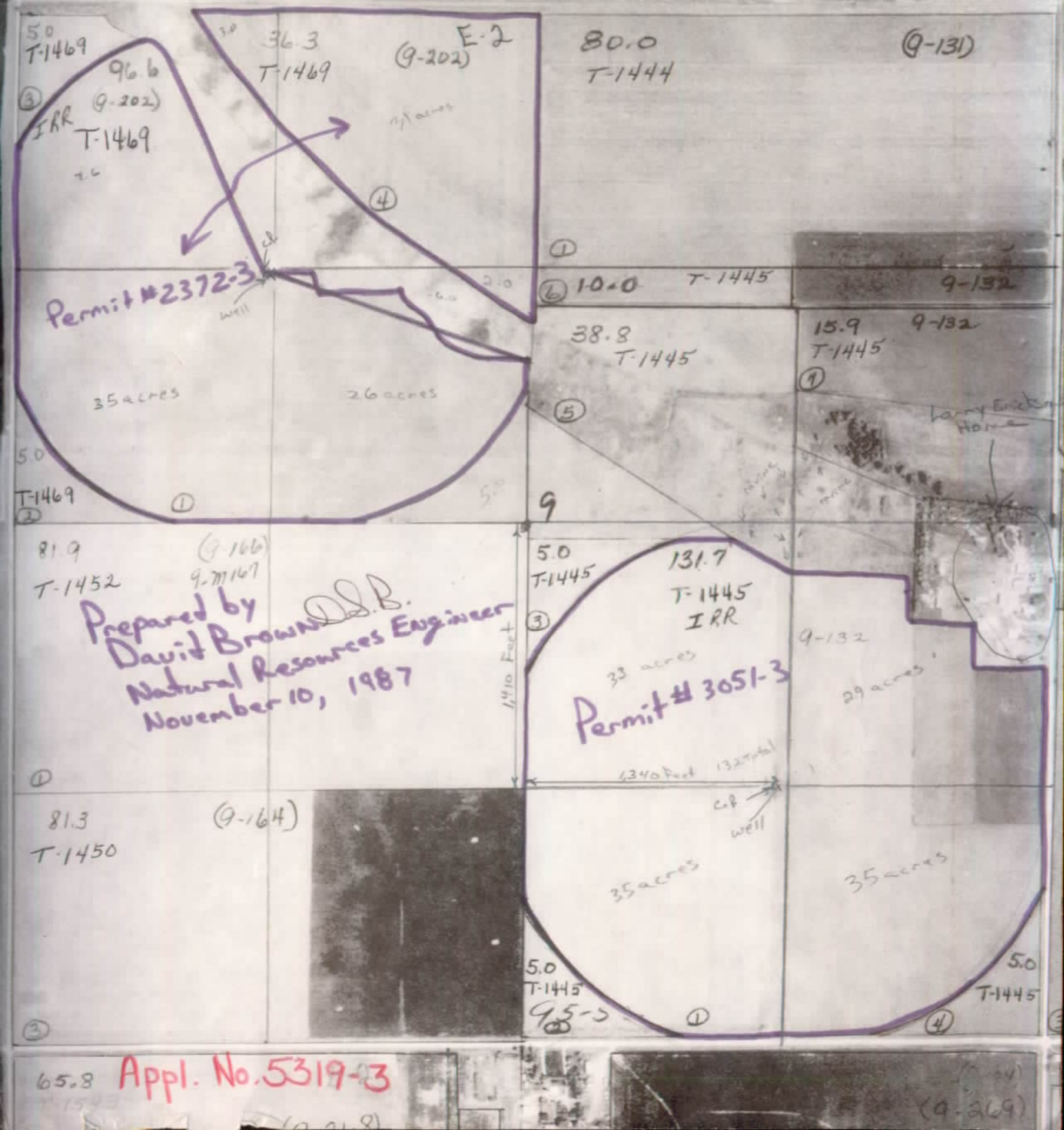
Note: This license incorporates Water Permits Nos. 3051-3 and 5319-3. Water Permit No. 5319-3

is a clean up of a field inspection of Water Permit No. 3051-3.

- | Yes | No | Check Items |
|----------|----------|---|
| <u>X</u> | --- | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit? |
| <u>X</u> | --- | 2. Special qualifications to permit being abided by? |
| <u>X</u> | --- | 3. All structures, wells and lands on map? |
| <u>X</u> | --- | 4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period? |
| --- | <u>X</u> | 5. Is chemigation used? |
| NA | --- | 6. If yes, does equipment comply with chemigation rules? |

REMARKS:

NOT TO SCALE



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5319-3

(1) Larry Erickson of RR 2, Box 45, Centerville SD 57014 made Application No. 5319-3, April 13, 1989 for a water permit to appropriate 0.19 cubic feet of water per second from groundwater (one existing well), Clay County, South Dakota for irrigation purposes. Permit No. 5319-3 with a priority date of April 13, 1989 was approved July 26, 1989 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and for the application to beneficial use of said water completed.

Water Permit No. 5319-3 appropriates 0.19 cfs from a well authorized under Water Permit No. 3051-3. The additional diversion rate and acreage irrigated were found during a routine inspection of the water use system developed under No. 3051-3.

The applicable portions of Water Permit No. 3051-3 have been incorporated into this Water License No. 5319-3. The priority dates as they pertain to the diversion rate and acres irrigated are described in (3) and (4) of this License.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.89 cubic feet of water per second for beneficial use. The location of the diversion point is: at a point 1,410 feet south and 1,340 feet east of the center of Section 9, T95N, R52W.

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

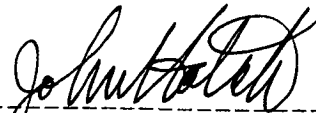
T95N, R52W Section 9
NW 1/4 SE 1/4 33 acres
 (30 acres-priority date September 7, 1976)
 (3 acres-priority date April 13, 1989)
SW 1/4 SE 1/4 35 acres
 (priority date September 7, 1976)
SE 1/4 SE 1/4 35 acres
 (30 acres-priority date September 7, 1976)
 (5 acres-priority date April 13, 1989)
NE 1/4 SE 1/4 29 acres
 (25 acres-priority date September 7, 1976)
 (4 acres-priority date April 13, 1989)

Total 132 acres

Priority date of April 13, 1989 was established by Water Permit No. 5319-3.

Priority date of September 7, 1976 was established by Water Permit No. 3051-3.

(4) Pursuant to Section 46-5-30.1 Larry Erickson of RR 2, Box 45, Centerville SD 57014 the holder(s) and/or owner(s) of Incorporated No. 5319-3 is issued a license to appropriate water, the right to use 1.89 cubic feet of water per second from groundwater (one well) with priority dates of April 13, 1989 for 0.19 cfs and September 7, 1976 for 1.70 cfs from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated No. 5319-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

APR 6 1990



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

APR 6 1990

5319-3

Larry Erickson
RR 2, Box 45
Centerville SD 57014

Dear Mr. Erickson:

Enclosed is Water License No. 5319-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412069 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5319-3, 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.

The applicable portions of Water Permit No. 3051-3 have been incorporated into this Water License No. 5319-3.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

enclosures



January 16, 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: LARRY ERICKSON, 29859 461ST AVE, CENTERVILLE, SD 57014

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 5319-3, 2372-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2372-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5319-3 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 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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) 5319-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2372-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) <u>Darrell Erickson</u> B. Date of Delivery <u>1-17-02</u>	
1. Article Addressed to: LARRY ERICKSON 29859 461ST AVE CENTERVILLE SD 57014		C. Signature <u>X</u>  ☐ Agent ☐ Addressee	
		D. Is delivery address different from item 1? ☒ Yes ☐ No If YES, enter delivery address below:	
		3. Service Type ☒ Certified Mail ☒ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ COD	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. <u>7001 2510 0004 4797 5767</u>			



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2002

2372-3
5319-3

Larry Erickson
29859 461st Ave
Centerville SD 57014

Dear Mr. Erickson:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 2372-3 and 5319-3.

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,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



5319-3
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 23, 2009

NOTICE

TO: LARRY ERICKSON, 29859 461ST AVE, CENTERVILLE, SD 57014
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2372-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5319-3 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 11, 2009** 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) 5319-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2372-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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

February 3, 2009

2372-3
5319-3

Larry Erickson
29859 461st Ave
Centerville SD 57014

Dear Mr. Erickson:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 2372-3 and 5319-3.

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 cursive script that reads "Genny McMath".

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: LARRY ERICKSON, 29859 461ST AVE, CENTERVILLE, SD 57014

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2372-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5319-3 & 7919-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 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) 5319-3 & 7919-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2372-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: <https://danr.sd.gov/iq> using this password: FJFLOH**

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 AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 31, 2023

2372-3
5319-3
7919-3

Larry Erickson
29859 461st Ave
Centerville SD 57014

Dear Mr. Erickson:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2372-3, 5319-3 and 7919-3. 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,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

3994-3, 4204-3, 5319-3, 117-3A, 2268-3, 2372-3, 2941-3
5352-3, 5425-3, 5886-3, 2950-3, 3328-3, 3409-3, 3507-3
5898-3, 6810-3, 6922-3, 3646-3, 3737-3, 3918-3, 3948-3
7002-3, 7191-3, 7384-3, 6754-3, 7128-3

Page 1 of 4

Water Rights Program File Documentation

Date: June 16, 2025

Counties: Clay and Turner

Re: Aquifer management unit redesignation for selected water rights/permits on Clay and Turner Counties

COMMENTS:

Review of a request to change diversion point for Water Permit No. 8790-3, authorized to withdraw water from the Upper Vermillion Missouri: South aquifer (UVM:S), determined the well they wished to use is authorized under authorized by Water Right No. 7384-3 Water Right No. 7384-3 does not currently have a management unit designated for withdrawal from the Upper Vermillion Missouri aquifer (Water Rights, 2025). In reviewing the best information currently available for aquifer and management unit naming conventions, the best aquifer and management unit designation for Water Right No. 7384-3 is the Southern management unit of the Upper Vermillion Missouri aquifer (UVM:S) as shown in Figure 1. Furthermore, there are an additional 25 other water rights/permits, see Table 1, which should have the UVM:S management unit assigned (Water Rights, 2025).

This addition of the management unit designation, to the Southern management unit of the Upper Vermillion Missouri aquifer, does not represent a physical change in the water source. It is an update to the naming convention to reflect the currently best available information for aquifer and management unit extents. This update to the aquifer management unit name does not authorize any increase in the amount of water appropriated by any of these water rights/permits, change in diversion rate, relocation of existing wells, completion of additional wells into the aquifer, or change of acres permitted for irrigation. Going forward, issuance of any pertinent documents will reflect the updated aquifer and management unit designation.

Table 1- Water rights/permits requiring an aquifer management unit designation to the Upper Vermillion Missouri: South (Water Rights, 2025)

Water Rights							
PERMIT NO	NAME	COUNTY	PRIORITY DATE	STATUS	USE	CFS	ACRES
117-3A	GLYNDON KNUTSON	CL	04/14/1955	LC	IRR	0.95	66
2268-3	WILLIAM KNUTSON	CL	08/07/1975	LC	IRR	2	206
2372-3	LARRY ERICKSON	CL	10/07/1975	LC	IRR	1.76	123
2941-3	RUSSELL D AUSTIN	TU	08/16/1976	LC	IRR	1.11	140
2950-3	TERRY & ALBERTA SURPRENANT	CL	08/13/1976	LC	IRR	1.57	110
3328-3	TOM AUSTIN	CL	11/12/1976	LC	IRR	1.33	121
3409-3	STEVEN R NULL	TU	12/07/1976	LC	IRR	1.88	136
3507-3	W JERALD HANSEN	TU	12/28/1976	LC	IRR	0.99	69
3646-3	STEVEN R NULL	TU	02/04/1977	LC	IRR	2	144
3737-3	WILLIAM M JENTER	TU	09/16/1976	LC	IRR	4.57	320
3918-3	JBS HANSEN FARMS	TU	04/18/1977	LC	IRR	2.66	295.3
3948-3	JASON KNUTSON	CL	04/19/1977	LC	IRR	1.88	135
3994-3	GLYNDON KNUTSON	CL	07/07/1956	LC	IRR	4.94	332
4204-3	CITY OF CENTERVILLE	TU	01/01/1900	LC	MUN	0.22	n/a
5319-3	LARRY ERICKSON	CL	04/13/1989	LC	IRR	1.89	132
5352-3	BILL & SCOTT HANSEN	TU	09/13/1989	LC	IRR	2.15	151
5425-3	JOHNKE LAND TRUST	TU	03/23/1990	LC	IRR	1.88	132
5886-3	TIM OSTREM	CL	09/28/1995	LC	IRR	1.78	134
5898-3	CITY OF CENTERVILLE	TU	01/09/1996	LC	MUN	0.89	n/a
6810-3	JESSE & TANYA VANDESTROET	CL	02/20/2007	LC	IRR	1.56	65
6922-3	JOHN SHUBECK	CL	12/13/2007	LC	IRR	1.78	122
7002-3	JESSE & TANYA VANDESTROET	CL	03/14/2008	LC	IRR	1.39	123
7191-3	ROGER BLAKE	CL	02/01/2008	LC	IRR	1.56	255
7384-3	NICHOLAS & COURTNEY BLAKE	CL	07/20/2012	LC	IRR	1.67	67
Water Permits							
PERMIT NO	NAME	COUNTY	PRIORITY DATE	STATUS	USE	CFS	ACRES
6754-3	JBS HANSEN FARMS	TU	09/05/2006	PE	IRR	0	35
7128-3	JOHN SHUBECK	TU	04/13/2009	PE	IRR	1.78	207

CL= Clay; TU= Turner; LC= Water Right, PE= Water Permit; IRR= Irrigation; MUN= Municipal

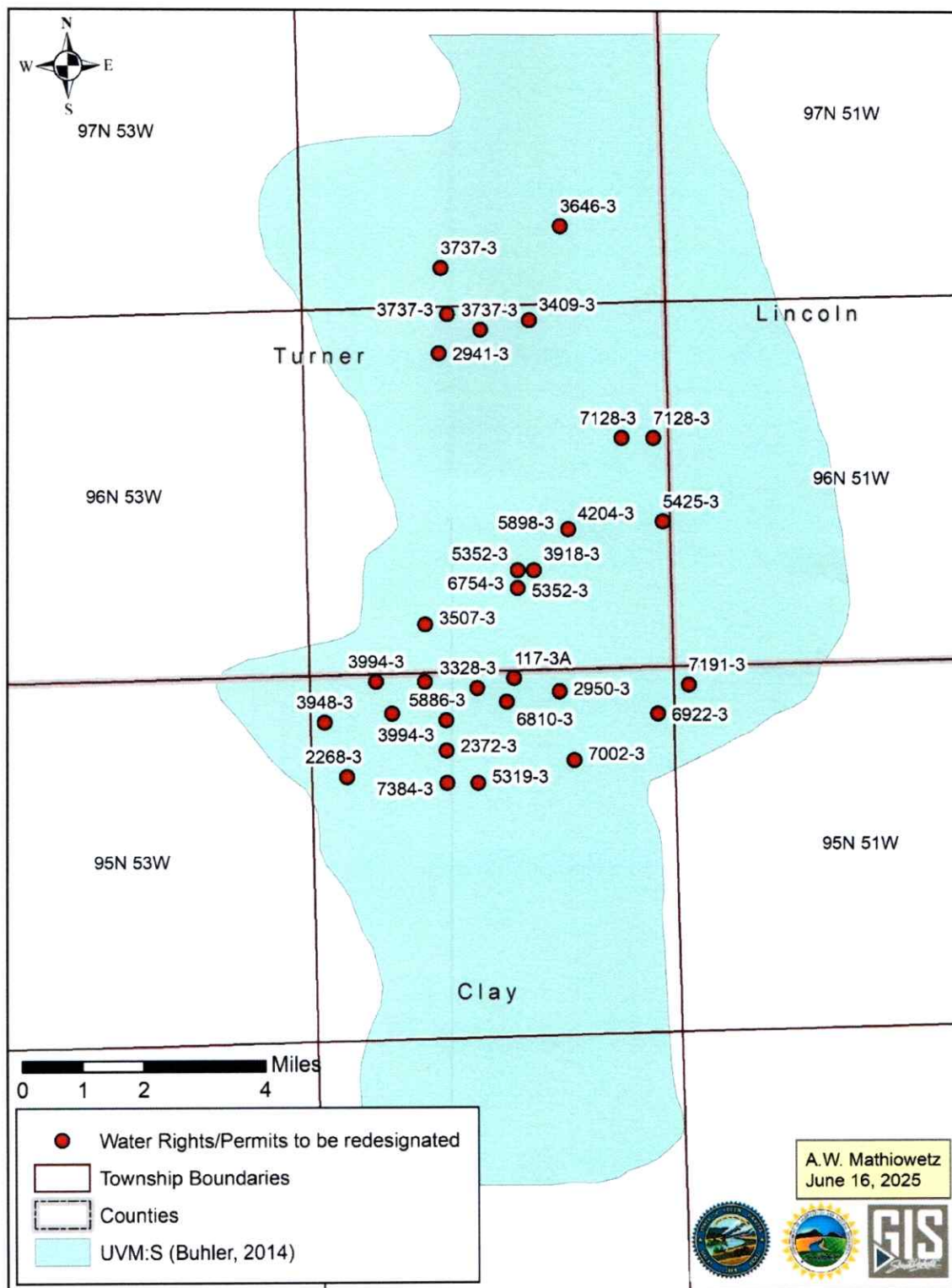


Figure 1- Map of approximate areal extent of the Upper Vermillion Missouri: South aquifer (Buhler, 2014) and water right/permits to be redesignated to include the South management unit designation (Water Rights, 2025)



Adam Mathiowetz
Natural Resources Engineer IV



Mark Mayer
Director of Office of Water

REFERENCES

Buhler, K. A. 2014. Report to the Chief Engineer on 21 Water Permit Applications from the Upper Vermillion Missouri Aquifer. SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.

Water Rights. 2025 Water Right/Permits Database. SD DANR-Water Rights Program. Pierre, South Dakota