

WATER PERMIT NO. 6746-3

Name of Applicant: Jarrold Hagena

Address: 27631 457th Ave, Parker SD 57053 Phone: 605 297-3266

Amount of Water Claimed: 2.24 Total Acres: 158

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Turner

Type of Waste Disposal System:

Location: 5 miles east of Hurley

PRIORITY Date Received: 8-3-06 Application/License Fee: \$300

Corrected Application Received: Period of Annual Use: April 1 – October 31

Remarks: Cancelled Water Permit No. 3360-3 (non-construction) covered this same area

Diversion Point: center NE ¼ Sec 28-T98N-R52W

Land to be Irrigated: NE ¼ Sec 28-T98N-R52W

Depth of Well: 240 feet deep

Well Driller:

Remarks:

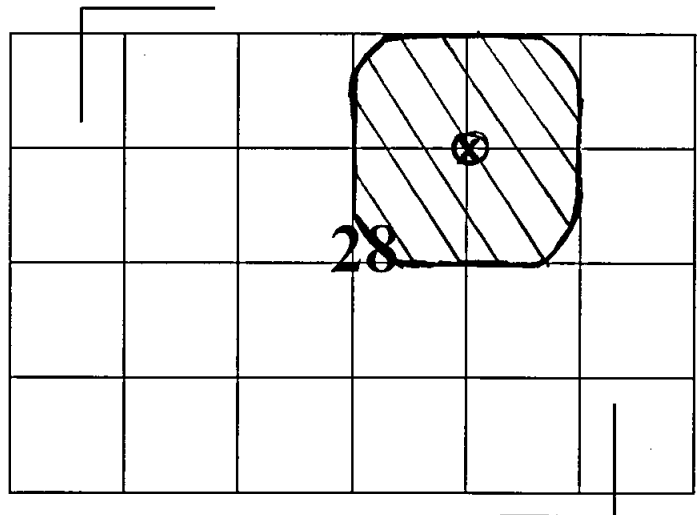
Type of Map: aerial

Prepared by: Sharon Borgers, Union Co FSA

Reviewed and the Number Assigned on: 8-3-06

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6746-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>The New Era, Parker</u>

RECEIVED
AUG - 3 2006
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.)

- Name of Applicant Jarrod Hagena Phone (605) 297-3266
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 27631 457th Ave Parker State SD 57053
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.24 *CFS or 1,000 **GPM ***AF Total Acreage 158
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply ground
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Turner
1 well in center of quarter section 28-T98N-R52W (NE 1/4)
- County or counties where water will be used Turner
- Annual period during which water is to be used April 1st - Oct. 31st
- 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
NE 1/4 of NE 1/4 sec 28 98N-52W	39.5		
NW 1/4 of NE 1/4 sec 28 98N-52W	39.5		
SW 1/4 of NE 1/4 sec 28 98N-52W	39.5		
SE 1/4 of NE 1/4 sec 28 98N-52W	39.5		

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

Attached map from USDA service center in Parker, SD (Turner Co.)

STATE OF SOUTH DAKOTA) SS
County of Turner

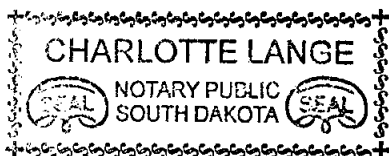
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Jarrod Hagena, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Jarrod Hagena

Subscribed and sworn to before me this 31st day of July 20 06

Charlotte Lange
Notary Public signature



SOUTH DAKOTA
WATER PERMIT NO. 6746-3 FOR IRRIGATION

Date of first receipt of application August 3, 2006.

The Water Management Board approved Water Permit No. 6746-3 on October 11, 2006 for Jarrold Hagen, 27631 457th Ave, Parker SD 57053 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. 6746-3 appropriates 2.24 cubic feet of water per second from one well to be completed into the Upper Vermillion: Missouri Aquifer (approximately 240 feet deep) located in the center of the NE ¼ Section 28 to irrigate 158 acres located in the NE ¼ Section 28; all in T98N-R52W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is August 3, 2006.
4. One-fifth of the construction is to be completed on or before April 11, 2009.
5. All construction is to be completed on or before October 11, 2011.
6. Water is to be put to beneficial use on or before October 11, 2015.
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. The well authorized by Permit No. 6746-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 01 2008

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 240'
- b) Casing Type plastic Diameter 16" Thickness 3/8"
- c) Screen Type plastic Diameter 16" Thickness 3/8"
- d) Gravel Pack 4" Length of Gravel Pack 140'
- e) Depth to Top of Water Bearing Material 150'
- f) Depth to Water (ground surface to water level) 40'
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others 1800'

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 _____

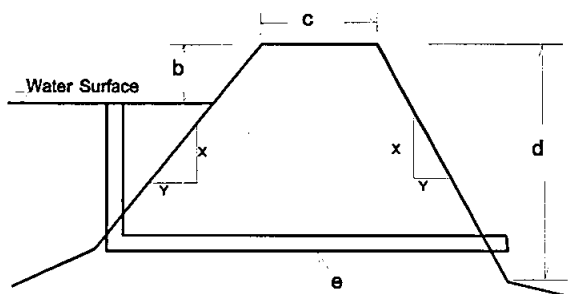
3. Dugout Information

- 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 _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date August 3, 20 06

RECEIVED OF Jarrold Hagena, 27631 457th Ave, Parker SD 57053

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

Fee for Application for Permit No. <u>6746-3</u> to Appropriate Water, to construct and to put water to beneficial use	250	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6746-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300.00

No.

02530

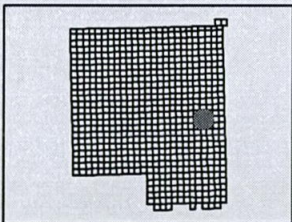
By

Darold D. Eide
Chief Engineer *gm*

Union Bridge - Turner Co. T.28N. R.52W. S.1-4



USDA U.S. Dept. of Agriculture
Farm Service Agency



South Dakota
Turner County
28-98N-52W

Legend

- Wetlands
- ▭ Tract Boundaries
- ▭ Section-Township-Range
- ▭ Easements
- ▭ CRP
- ▭ Common Land Units
- ▨ Rangeland

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2004 ortho rectified imagery for South Dakota. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs.

April 04, 2006

REPORT ON APPLICATION NO. 6746-3

For Jarrod Hagen

August 24, 2006

Application No. 6746-3 proposes to appropriate 2.24 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion Missouri Aquifer (approximately 240 feet deep) located in the center of the NE ¼ Section 28 to irrigate 158 acres located in the NE ¼ Section 28; all in T98N-R52W in Turner County.

AQUIFER – UPPER VERMILLION MISSOURI (UVM)

The Upper Vermillion Missouri aquifer is composed of fine sand to medium pebble gravel. The aquifer underlies 106,400 acres and contains approximately one million acre-feet of recoverable water in Turner County (Hedges, 1982). The aquifer trends northwest to southeast, lies on a preglacial bedrock channel and is underlain by the Niobrara Formation and/or Sioux Quartzite (Lindgren, 1990).

The Water Rights Program monitors an observation well (TU-77Y) completed into the Upper Vermillion Missouri aquifer that is located approximately 1¼ miles southeast of this site. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals. A hydrograph for well TU-77Y is included in this report and labeled as Figure 1. (Water Right, 2006).

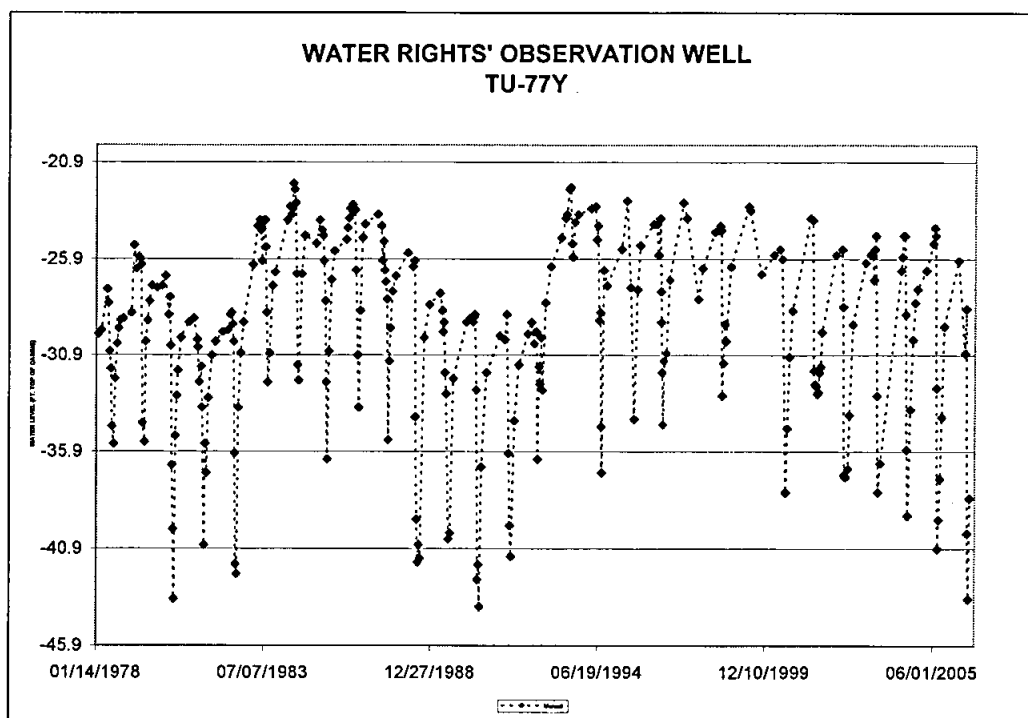


Figure 1. Hydrograph of observation well TU-77Y.

Possible sources of recharge to the Upper Vermillion Missouri aquifer include 1) infiltration of precipitation falling on outcrops of Sioux Quartzite that subsequently moves along fractures in the quartzite and into the aquifer; 2) by direct infiltration of precipitation where the aquifer is at or near land surface; and 3) inflow from the Niobrara aquifer.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

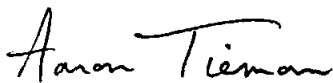
There are several existing Water Rights appropriating ground water within a two mile radius of this application. A list of the permits is included with this report labeled as Table 1. The nearest water right/permit from the Upper Vermillion Missouri is approximately 1 mile to the south. This well is for Water Rights No. 3832-3 (2.78 cfs for irrigation). Interference is not expected to be a problem.

Table 1. Table identifying water rights within a two mile radius of the application.

PERMIT NO	LAST NAME	AQUIFER	USE	CFS
189-3	HAGENA	PAC	IRR	1.12
456-3	SAWYER	PAC	IRR	2.28
525-3	DAVIS	UVM	MUN	0.45
968-3	KNOCK	PAC	IRR	0.56
1771-3	KNOCK	PAC	IRR	1.33
1930-3	MADSEN	UVM	IRR	2.00
1930-3A	HAGENA	UVM	IRR	1.56
2230-3	PINE KNOLL INC	PAC	IRR	1.95
2807-3	ABILD	LVM	IRR	1.30
3156-3	TELLINGHUISEN	UVM	IRR	1.88
3410-3	HORNER FAMILY LTD PTRSHP	UVM	IRR	1.60
3784-3	HAGENA	UVM	IRR	1.88
3829-3	KNOCK	UVM	IRR	1.29
3832-3	SMIT	UVM	IRR	2.78
3833-3	HAGENA	UVM	IRR	1.83
3926-3	SMIT	UVM	IRR	1.88
6561-3	SMIT	UVM	IRR	1.89

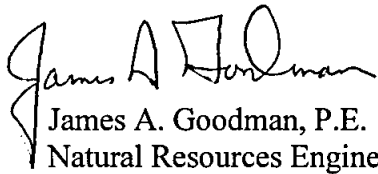
CONCLUSIONS

1. Water is available from the Upper Vermillion Missouri aquifer.
2. The observation well record indicates that the Upper Vermillion Missouri aquifer is being recharged and is capable of sustaining additional withdrawals.
3. The well authorized for this application must be completed in accordance with SD Well Construction Standards.



Aaron R. Tieman
Natural Resources Engineer

Approved by

A handwritten signature in black ink, appearing to read "James A. Goodman". The signature is fluid and cursive, with the first name "James" and last name "Goodman" clearly legible.

James A. Goodman, P.E.
Natural Resources Engineering Director

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 DWNR, SDGS, Vermillion, SD, 57069.

Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, Water-Resources Investigations Report 90-4093, USGS, Huron, SD, 57350.

Water Right, 2006, Unpublished Observation Well Data, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6746-3, Jarrod Hagena**

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. 6746-3, Jarrod Hagena, 27631 457th Avenue, Parker SD 57053.

The Chief Engineer is recommending APPROVAL of Application No. 6746-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6746-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
September 6, 2006

Affidavit of Publication

STATE OF SOUTH DAKOTA } :ss
COUNTY OF TURNER }

I, **Lisa Joffer** of the City of Parker, County of Turner, State of South Dakota, being first duly sworn on oath, deposes and says:

The New Era is a weekly legal newspaper of general circulation, printed and published in the City of Parker, in said County of Turner, by The New Era, Lyon Sioux Press, publishers, and has been such legal newspaper during the times hereinafter mentioned; that the said newspaper has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the undersigned, The affiant, is the **Office Manager** of the said newspaper, in charge of the advertisement department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed:

4082 - notice of appl. to
appropriate water

printed copy of hereto attached, is printed and published in the said newspaper for two successive weeks, once each week and on the same day of the week, on the following dates, to-wit:

On Thursday, the 14th day of Sept., 2006 ;
On Thursday, the 21st day of Sept., 2006 ;
On Thursday, the _____ day of _____, 200____ ;
On Thursday, the _____ day of _____, 200____ ;
On Thursday, the _____ day of _____, 200____ ;

That \$ 79.32 being the full amount of the fees for publication of the attached notice insures solely for the benefits of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

RECEIVED

OCT - 3 2006

WATER RIGHTS
PROGRAM

My Commission

Expires:

02/10

20 12

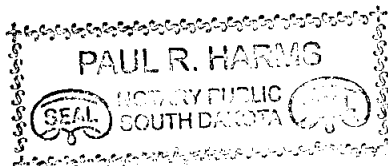
Lisa Joffer

Subscribed and sworn to before me this 29th

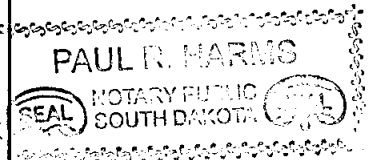
day of September, 20 06

Paul R. Harms

Notary Public, Turner County, South Dakota



See attached



Publication Fees .\$ _____

Notary Fees\$ _____

1st Total\$ 79.32
wk 44.08 2nd wk
Received Payment, 35.24

OK

**NOTICE OF HEARING
on Application No. 6746-3
to Appropriate Water**

Notice is given that Jarrod Hagena, 27631 457th Ave., Parker, S.D. 57053 has filed an application for a water permit to appropriate 2.24 cubic feet of water per second from one well to be completed into the Upper Vermillion: Missouri Aquifer (approximately 240 feet deep) located in the center of the NE 1/4 Section 28 to irrigate 158 acres located in the NE 1/4 Section 28; all in T98N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6746-3 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre, S.D. 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 Oct. 2, 2006. 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.

The Water Management Board will consider this application at 2 p.m. Oct.

11, 2006 in the Visitor Center, 650 E Capitol Avenue (west side of Capitol Lake), Pierre SD. 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. The October 11, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by Oct. 2, 2006.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact Eric Gronlund by Oct. 2, 2006, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since this application does not involve a monetary controversy in excess of \$2,500 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by Oct. 2, 2006.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Steven M. Pirner,
Secretary,
Department of Environment and
Natural Resources
(#4082, 9/14/06, 9/21/06,
The New Era)

RECEIVED
OCT - 3 2006
WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on September 14, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 6746-3 to Appropriate Water

Notice is given that Jarrod Hagena, 27631 457th Ave, Parker SD 57053 has filed an application for a water permit to appropriate 2.24 cubic feet of water per second from one well to be completed into the Upper Vermillion: Missouri Aquifer (approximately 240 feet deep) located in the center of the NE ¼ Section 28 to irrigate 158 acres located in the NE ¼ Section 28; all in T98N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6746-3 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 October 2, 2006. 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.

The Water Management Board will consider this application at 2:00 P.M. October 11, 2006 in the Visitor Center, 650 E Capitol Avenue (west side of Capitol Lake), Pierre SD. 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. The October 11, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by October 2, 2006.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact Eric Gronlund by October 2, 2006, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since this application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by October 2, 2006.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 6, 2006

The New Era
PO Box 579
Parker SD 57053-0579

ATTENTION: Legal Public Notice

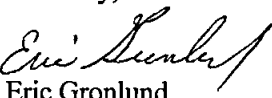
Enclosed is a Notice on Application No. 6746-3 to Appropriate Water to be published twice. Please publish the first notice on September 14, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

Please BILL the APPLICANT for the cost of publication. The APPLICANT is Jarrod Hagena, 27631 457th Ave, Parker SD (Ph # 605-297-3266).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 6746-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of September 6, 2006 enclosing Notice to Appropriate Water by Application No. 6746-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

September 6, 2006

Jarrold Hagen
27631 457th Ave
Parker SD 57053

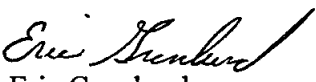
Dear Mr. Hagen:

Water Permit Application No. 6746-3 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 Publisher of the The New Era printed at Parker, SD (Ph # 605-297-4419). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, 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 and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. 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.

Your application for a permit to appropriate water for irrigation is scheduled for a hearing before the Water Management because petitions in opposition were filed to South Lincoln Rural Water System application which is in close proximity to your proposed diversion. Therefore, the two applications will be heard at the same time before the Board.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 6, 2006

Julie Sawyer
28122 Hwy 19
Hurley SD 57036

Burnette Sawyer
5206 South Sweetbriar Court
Sioux Falls SD 57108

Julie Sawyer and Burnette Sawyer:

Please find enclosed a copy of the report, recommendation and public notice for a water right permit application filed by Jarrod Hagen. The public notice is to be published in the New Era on September 14 and 21, 2006.

This information is being sent to you because you recently filed petitions to South Lincoln Rural Water System's application is this same area. If you have any questions, please contact Jim Goodman or myself at (605) 773-3352.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

www.state.sd.us/denr

September 29, 2006

NOTICE

TO: Jarrod Hagen
27631 457th Avenue
Parker SD 57053

FROM: *for* Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Change in Hearing Time to Consider Water Permit Application No. 6746-3, Jarrod Hagen

The Water Management Board is scheduled to consider Water Permit Application No. 6746-3 on October 11, 2006. The hearing time is being changed to 11:30 AM. The Board will now consider your application at 11:30 AM on October 11, 2006, at the Visitor Center, 650 E Capitol Avenue, Pierre SD. The Visitor Center is located along the west shore of Capitol Lake. The agenda time is an estimate.

Applicable provisions of notice of hearing published in the New Era still apply.

c: Diane Best, Assistant Attorney General

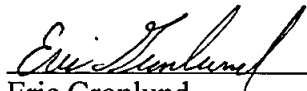
CERTIFICATION

I hereby certify that on September 29, 2006, I personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated September 29, 2006, regarding a consideration of changing the hearing time in the matter of Water Permit Application No. 6746-3, Jarrod Hagen addressed as stated below.

Jarrold Hagen
27631 457th Avenue
Parker SD 57053

A copy of the Notice was sent Inter-office to:

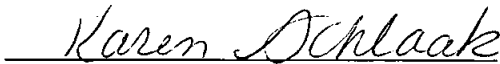
Diane Best, Assistant Attorney General



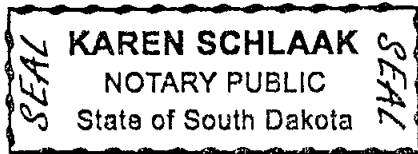
Eric Gronlund
Natural Resource Engineer
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 2nd day of October, 2006.



Karen Schlaak
Notary Public
My Commission expires April 1, 2007





NOV 01 2008

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Jarrood Hagena
27631 457th Ave
Parker SD 57053

Dear Mr. Hagena:

Enclosed is Water Permit No. 6746-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

6146-3
RECEIVED

JUL - 3 2007

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 6-26-2007TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Jarrold Hagen
(name)27631 457th Ave.
(address)Parker, SD 57053
(city, state, zip)297-3266
(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.

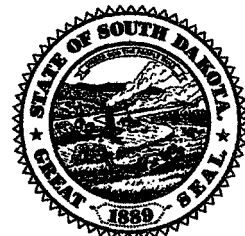
Water Permit No. 6746-3 states that the water use system is to be constructed by October 11, 2011, and water is to be put to beneficial use by October 11, 2015.
(date) (date)

The water use system was completed on November 25th 2006.
(date)

Applying the water to beneficial use was completed on June 10th 2007.
(date)

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

Jarrold Hagen
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 3, 2007

6746-3

Jarrold Hagen
27631 457th Ave
Parker SD 57053

Dear Mr. Hagen:

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

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

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

Sincerely,

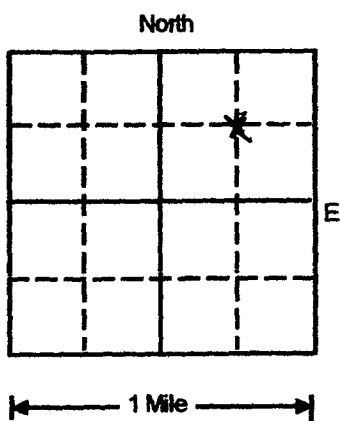
Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location ne 1/4 ne 1/4 Sec 28 Twp 98n Rg 52w

County Turner



Please mark well location with an "X"

Well Completion Date 11/21/2006

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) 1,900.0 ft. from septic system (Identify source)

PROPOSED USE:
☒ Domestic/Stock Irrigation ☐ Municipal Industrial ☐ Business Institutional ☐ Test Holes Monitoring well

METHOD OF DRILLING:
Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
160.0 LB/FT	16.00 IN	-2.0 FT	138.0 FT	24.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Portland Cement Grout	29	9.5 Lb/gal	0.0 Ft	135.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure tremie

SCREEN: ☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 60.0 Feet
Material pvc
Slot Size 0.60 Set From 138.0 Feet to 198.0 Feet
Other information _____

WAS A PACKER OR SEAL USED? ☐ Yes ☒ No
If so, what material? _____
Describe packer(s) and location _____

DISINFECTION: Was well disinfected upon completion?
☒ Yes, How? hth tablets
☐ No, Why Not? _____
Lab sample sent to for water quality analysis _____

Well Owner: Larohn Hagena
Business Name: _____
Address: 46964 283rd Street
City, State, Zip: Davis SD 57021

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Clay, brn & gray, pebbly	0	98
Silt, dk gray, clayey, sandy	98	115
Gravel, med-fine, sandy	115	220

STATIC WATER LEVEL 22.0 FEET
If flowing: closed in pressure _____ PSI
GPM flow _____ through _____ Inch pipe
Controlled by ☐ Valve ☐ Reducers ☐ Other _____
Reduced flow rate _____ GPM
Can well be completely shut in? _____

WELL TEST DATA:
☐ Pumped Describe: _____
☐ Bailed
☐ Other
Pumping Level Below Land Surface
_____ Ft. After _____ Hrs. pumped _____ GPM
_____ Ft. After _____ Hrs. pumped _____ GPM
If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 666
And this report is true and accurate.
Drilling firm: Hammond-Wetmore Drilling
Signature of License Representative: *Richard H. Hammond*
Signature of Well Owner or Equitable Property Holder: _____

Date: 11/27/06

Permit No. 6746-3
Vermillion River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **31 July 2007**, made a thorough examination of the water use system constructed by **Jarrold Hagena** of **27631 457th Ave., Parker, SD. 57053** holder of Permit No. **6746-3**, bearing the priority of **3 August 2006** authorizing the diversion of **2.24** cu. ft. per second of the waters of **the Upper Vermillion Missouri aquifer** for **irrigation** purposes, in **Turner** County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Hammond-Wetmore Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **220** feet
- 4) Well log is available **Y**

Casing:

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

Screen:

- 1) Type **Manufactured**
- 2) Length **60** feet
- 3) Static water level **22** feet

Pump:

- 1) Make **Western Land Roller**
- 2) Model **12 KJ**
- 3) Capacity **1000** GPM

Motor:

- 1) Make **US Motor**
- 2) Model No. **BF 54A**
- 3) Horsepower rating **50** hp

B. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Overall length 1592.9 feet
- 3) Number of towers 7
- 4) End gun Y
- 5) High or low pressure Low
- 6) Capacity 1000 GPM

Gun:

- 1) Make Nelson

Chemigation Equipment:

- 1) Does chemigate N

C. Compliance with Permit Requirements:

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

The system is in good condition with the point of diversion located as follows: SW ¼ NE ¼ Sec28-T98N-R52W, approximately 1,350 feet south and 1,390 feet west of the north-east corner of section 28,

W -97.98883 Longitude, N 43.28331 Latitude. The works are capable of diverting and conveying to the place of use 2.23 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 28-T98N-R52W:

NE ¼ NE ¼	39.5 acres	SW ¼ NE ¼	39.5 acres
NW ¼ NE ¼	39.5 acres	SE ¼ NE ¼	39.5 acres

comprising a total of 158 acres of land and the license should be issued for 2.23 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:



Mark Costello
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 13 August 2007



South Dakota

Permit No. 6746-3

Jarrold Hagena
27631 457 th Ave.
Parker, SD. 57053

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



Mark Costello

Mark Costello
Natural Resources Engineer
DENR, Water Rights Program
13 August 2007

0 500 1,000 2,000 3,000 Feet

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6746-3

(1) Jarrod Hagen, 27631 457th Ave., Parker SD 57053 made Application No. 6746-3, August 3, 2006 for a water permit to divert 2.24 cubic feet of water per second from ground water (one well – Upper Vermillion Missouri Aquifer), Turner County, South Dakota for irrigation purposes. Permit No. 6746-3, with a priority date of August 3, 2006 was approved October 11, 2006 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 11, 2011 and for the application to beneficial use of said water on or before October 11, 2015.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.23 cubic feet of water per second for beneficial use. The location of the diversion point is 1,350 feet south and 1,390 feet west of the NE corner of Section 28, T98N, R52W (SW ¼ NE ¼).

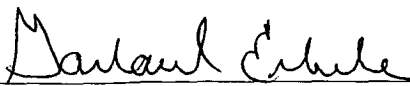
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 28, T98N, R52W	
NE ¼ NE ¼	39.5 acres
NW ¼ NE ¼	39.5 acres
SW ¼ NE ¼	39.5 acres
SE ¼ NE ¼	39.5 acres
Total 158 acres	

(4) Pursuant to South Dakota Water Law 46-5-30.1 Jarrod Hagen, 27631 457th Ave., Parker SD 57053 the holder and/or owner of Water Right No. 6746-3 is issued a license to appropriate water, the right to use 2.23 cubic feet of water per second from ground water (one well – Upper Vermillion Missouri Aquifer) with a priority date of August 3, 2006 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 irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6746-3 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6746-3 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 (*well log on file*).
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 17 2007

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

OCT 17 2007

6746-3

Jarrold Hagen
27631 457th Ave
Parker SD 57053

Dear Mr. Hagen:

Enclosed is Water License No. 6746-3. 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 the owner of an existing well, such as the well authorized by Water Right No. 6746-3, 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.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 2, 2024

6746-3

Jarrold Hagena
45900 283rd Ave
Hurley SD 57036

Dear Mr. Hagena:

I am writing in regard to Water Right No. 6746-3. The water right authorizes diversion of water from groundwater, one well, completed into the Upper Vermillion Missouri Aquifer, for the irrigation of 158 acres in the NE ¼ Section 28, T98N, R52W, Turner County

In reviewing your 2023 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Right No. 6746-3 allows you to use up to 2 acre-feet (ac-ft) (24 inches) of water, per acre, per year. On the questionnaire you reported substantially more water use. The following information is what was reported and what is authorized:

- 158 acres irrigated
- Reported water use – 368.3 ac-ft of water (approximately 28 inches)
- Authorized water use – 316 acre-feet (158 acres x 2 ac-ft per year)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 24 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. Often, irrigators do not keep track of their days or hours actually pumped and estimate numbers for the questionnaires in an effort to get them completed and back in on time. While we appreciate returning the forms in a timely manner each year, we need the forms to reflect accurate information to ensure everyone is limiting their use to the amount of water appropriated to them.

The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water right and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosure