

**WATER PERMIT NO. 7132-3**

Name of Applicant: **Dan Syhre**

Address: **2534 Killdeer Ave, Denver IA 50622** Phone:

Amount of Water Claimed: **1.67 cfs** Total Acres: **140 acres**

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

Water to be used for: **irrigation** County: **Brookings**

Type of Waste Disposal System:

Location: **east side of Aurora**

**PRIORITY** Date Received: **3-5-09**

Application/License Fee: **\$300**

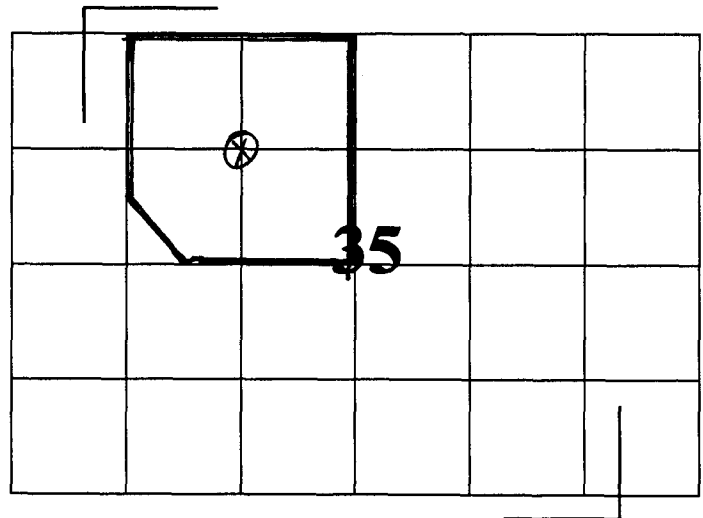
Corrected Application Received: **5-4-09**

Period of Annual Use: **May 1 – September 30**

Remarks:

Diversion Point: **center NW ¼ Sec 35-T110N-R49W**

Land to be Irrigated: **NW ¼ Sec 35-T110N-R49W**



Depth of Well: **40 feet deep**

Well Driller: **Lacey Well Drilling**

Remarks:

Type of Map: **aerial**

Prepared by: **Darrell D Grosz, Brookings Co FSA**

Reviewed and the Number Assigned on: **5-4-09**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: \_\_\_\_\_

RECEIVED

MAR - 5 2009

WATER RIGHTS  
PROGRAM

|                                                                                                                    |                                                                         |                                 |
|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|---------------------------------|
| Mail to:<br>Water Rights Program<br>P.O. Box Building<br>111 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>7132-3</u> (office use only)                                     | Hydrologic Unit <u>10170202</u> |
|                                                                                                                    | Basin <u>Sioux River</u>                                                |                                 |
|                                                                                                                    | Newspaper <u>Brookings Register P.O. Box 177</u><br><u>605-692-1627</u> |                                 |
|                                                                                                                    |                                                                         |                                 |

### Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. \_\_\_\_\_  
(Use predates Mar 2, 1955)

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

1. Name of Applicant Dan Syhre Phone 319-984-9175  
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 2534 Killdeer Ave Denver State IA 50622  
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.67 \*CFS or 7.50 \*\*GPM \*\*\*AF Total Acreage 140  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use if applicable
3. Source of water supply Well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Brookings  
Well in center of NW1/4 Section 35 T 110N R 49W
5. County or counties where water will be used Brookings
6. Annual period during which water is to be used May 1 - Sept 30
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.  
(Attach sheet if more space is needed)

| Land Description               | Acres | Land Description | Acres |
|--------------------------------|-------|------------------|-------|
| NW1/4 of NW1/4 110N 49W Sec 35 | 35    |                  |       |
| SW1/4 of NW1/4 110N 49W Sec 35 | 35    |                  |       |
| SE1/4 of NW1/4 110N 49W Sec 35 | 35    |                  |       |
| NE1/4 of NW1/4 110N 49W Sec 35 | 35    |                  |       |

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

STATE OF SOUTH DAKOTA) SS

County of Bremer

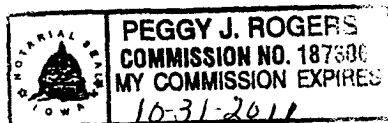
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (See instructions)

Danny R. Syhre, 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 Danny Syhre

Subscribed and sworn to before me this 28 day of February 2009

Peggy J. Rogers  
Notary Public signature



**SOUTH DAKOTA**  
**WATER PERMIT NO. 7132-3**

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Date of first receipt of application March 5, 2009.

Date of return to applicant for corrections, amendments or changes March 5, 2009.

Date of receipt of corrected application May 4, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7132-3 to Dan Syhre, 2534 Killdeer Ave, Denver IA 50622 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. 7132-3 appropriates 1.67 cubic feet of water per second from one well to be completed into the Big Sioux:Aurora Aquifer (approximately 40 feet deep) located in center of the NW 1/4 Section 35 to irrigate 140 acres located in the NW 1/4 Section 35; all in T110N-R49W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is March 5, 2009.
4. The date of approval of Permit No. 7132-3 is August 20, 2009.
5. One-fifth of the construction is to be completed on or before February 20, 2012.
6. All construction is to be completed on or before August 20, 2014.
7. Water is to be put to beneficial use on or before August 20, 2018.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

**QUALIFICATIONS**

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7132-3 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

SEP 24 2009

date



(type or print in ink)

### 1. Well Information - Proposed Construction

- a) Drill Hole Diameter 26" Depth 40 ft
- b) Casing Type Steel Diameter 12" Thickness 3/8"
- c) Screen Type SS Screen Diameter 12" Thickness 1/8"
- d) Gravel Pack p Rock Length of Gravel Pack 12 ft
- e) Depth to Top of Water Bearing Material 2 ft
- f) Depth to Water (ground surface to water level) 2 ft
- g) Distance to nearest existing domestic well:
- On applicants property no well On property owned by others 1300 ft

### 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

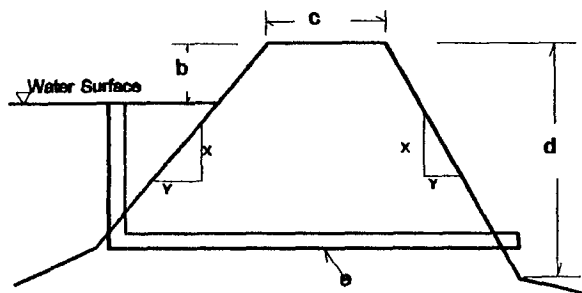
### 3. Dugout Information

- 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

In Water Since 1946

**LACEY WELL DRILLING, INC.**  
47582 - 240th St.  
Dell Rapids, South Dakota 57022  
Telephone (605) 428-5979

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Dewatering Work  
Test Drilling

Down-Hole Camera  
Water Specialists  
Irrigation Supplies

FAX#  
692-7188

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MAR - 5 2009

WATER RIGHTS  
PROGRAM

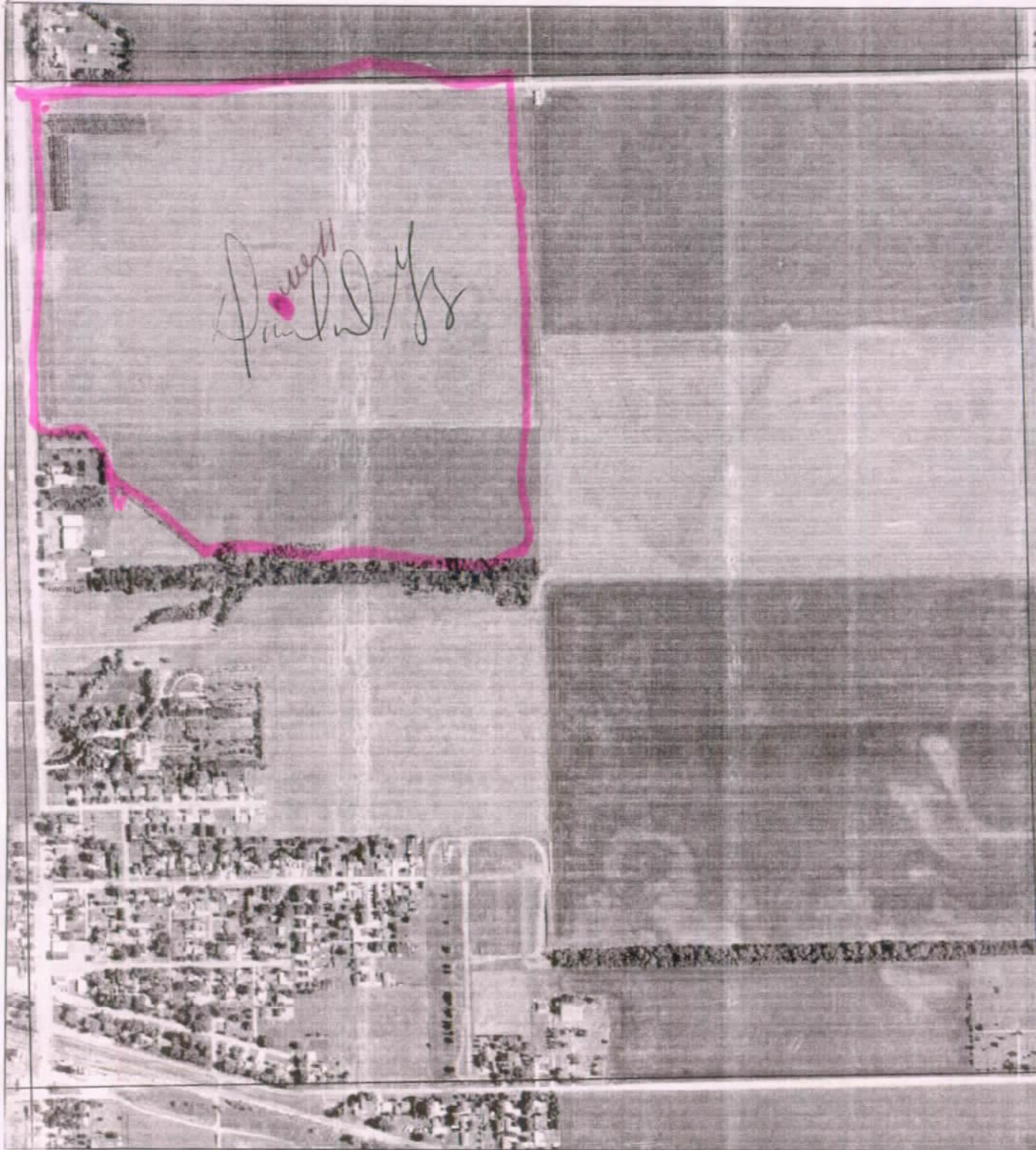
2-10-09

DAVE,

HERE'S log of TEST bore  
WE did ACROSS from ETHANOL  
PLANT ON ground FARMED by  
Chuck Friedrich.

0-2 Topsoil 2-40' COARSE CLEAN  
SAND & GRAVEL SW 12'  
center  $\frac{1}{4}$  110N - 49W Section 35

Jim  
Lacey



USDA - Farm Service Agency  
**RECEIVED Brookings County, SD**

**MAY - 4 2009**

**35-110N-49W**

**WATER RIGHTS  
PROGRAM**

**1:8,693**

**August 25, 2008**



USDA FSA maps are for FSA Program administration only. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability. FSA MAPS DO NOT REPRESENT A LEGAL SURVEY. The user accepts the data 'as is' and assumes all risks associated with its use. Wetland points reflect records available with NRCS and may or may not constitute a full inventory of the property. 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. Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/5, 20 09

RECEIVED OF Danny Syhre 2534 Killdeer Ave Denver IA 50622

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

|                                                                                                                        |       |        |
|------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>7132-3</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>7123-3</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.

04050

By

[Signature]  
Chief Engineer



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

March 5, 2009

Dan Syhre  
2543 Killdeer Ave  
Denver IA 50622

Dear Mr. Syhre:

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

- Enclosed is the aerial photo map submitted with the application. Please outline the acres to be irrigated and mark the proposed well location with an "X".

If you have any questions, please contact me.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
605 773-3352  
[karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

enclosure

Eric

I sent application so  
you knew what the map  
was for

Thank's  
Dave

605 - 690 - 9013



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 7132-3, Dan Syhre**

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. 7132-3, Dan Syhre, 2534 Killdeer Avenue, Denver IA 50622.

The Chief Engineer is recommending APPROVAL of Application No. 7132-3 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. 7132-3 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  
July 27, 2009

## REPORT ON WATER PERMIT APPLICATION NO. 7132-3

For Dan Syhre

June 19, 2009

Application No. 7132-3 proposes to appropriate 1.67 cfs (750 gpm) from one well approximately 40 feet deep located in the center of the NW ¼ of section 35 to irrigate 140 acres located in the NW ¼ of section 35; all in T110N R49W in Brookings County.

### AQUIFER – BIG SIOUX – AURORA

The Big Sioux Aurora is a predominantly surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 39,300 acres and contains an estimated 165,060 acre-feet of recoverable water in storage in Brookings County (Hedges, 1982). The aquifer blends into the Big Sioux Brookings aquifer to the west, extends into Minnesota to the east, also extends into Moody County to the southeast and is hydraulically connected to Medary Creek and Deer Creek in this area. The direction of ground water movement is from northeast to southwest in the area of this application (Hamilton, 1989). Recharge to the aquifer has been estimated to be about 6.57 inches per year for the water table portions of the Big Sioux aquifer in Brookings County (Koch, 1980).

There is a test well completion report available for this site. The test well indicates sand and gravel from 2 to 40 feet with a static water level of 12 feet below land surface. No production test information is available for this site.

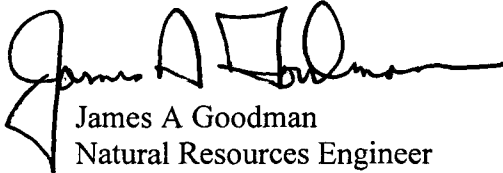
The Water Rights Program monitors an observation well BG-89A located about one-quarter mile to the north of this proposed well site. Also observation wells BG-77I located about two miles east, observation well BG-77J located about two miles southeast, observation well BG-77R located about two miles west and observation well BG-79E located about two miles north of this application are all completed into the Big Sioux Aurora aquifer. Hydrographs for both these wells are included with this report. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2009).

### REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are four existing water permits/rights with wells within one mile from the well for this application. The nearest existing wells are located a little over ¼ mile west of this application (Wells #1 and #2 for Water Permit No. 6325-3 for VeraSun Energy). Three wells are authorized by Water Permit No. 6325-3 (2.67 cfs, 1,925 acre feet annually). The other Water Rights are No. 3206-3 (1.78 cfs, 132.4 acres) located about one-half mile north, No. 2328-3 (1.56 cfs, 227 acres) located about one-half mile northwest, and No. 2809-3 (1.60 cfs, 136 acres) located about one-half mile east all from this application. Interference is not expected to be a concern. These wells are all under water table conditions appear to be prolific producers and are far enough apart to minimize any potential impacts.

## CONCLUSIONS

1. Water is available from the Big Sioux Aurora aquifer.
2. The aquifer is under water table conditions at this site. Drawdown is not expected to be significant at the distance between existing wells. Interference is not a concern.
3. This well must be constructed in accordance with SD Well Construction Standards.

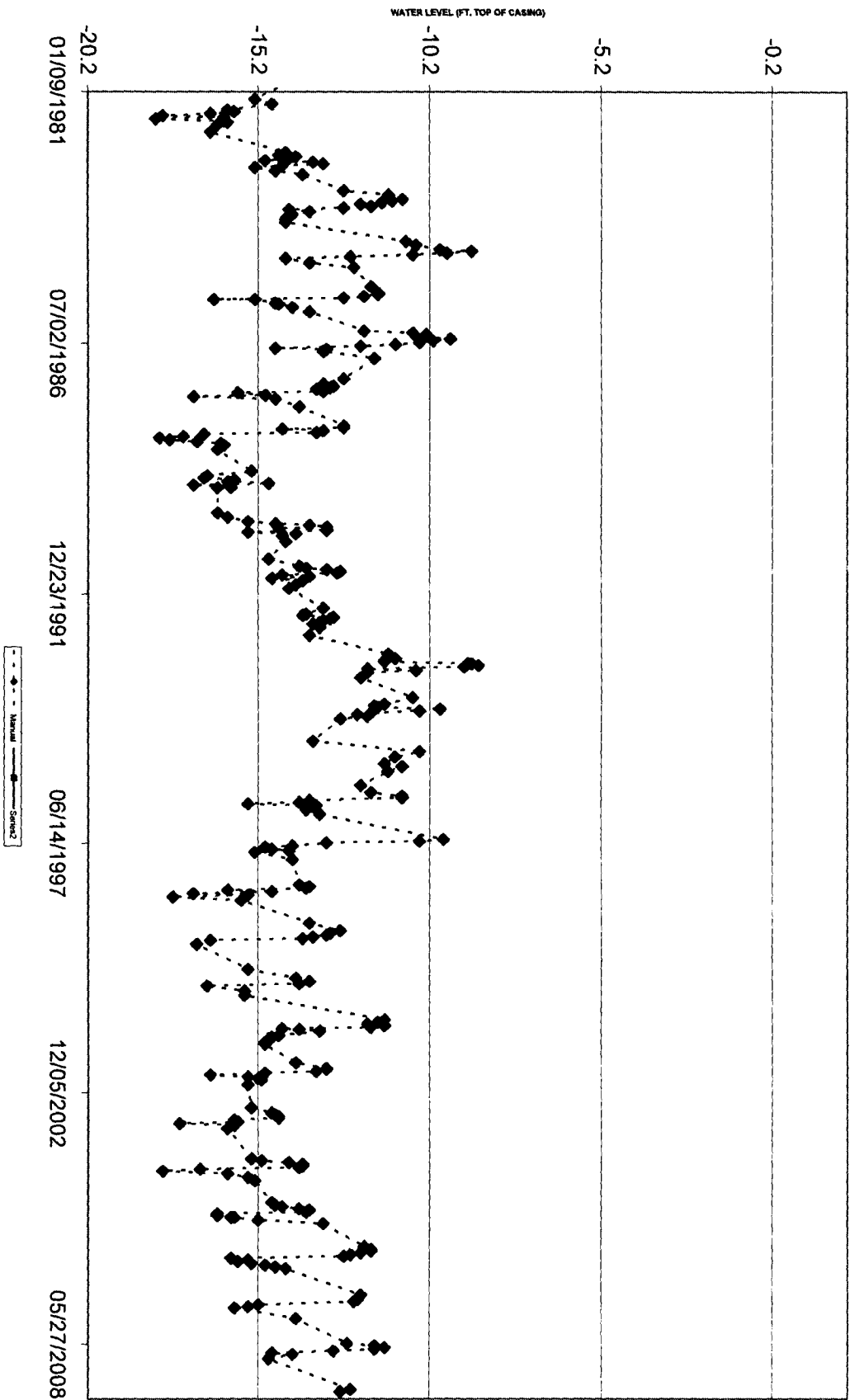


James A Goodman  
Natural Resources Engineer

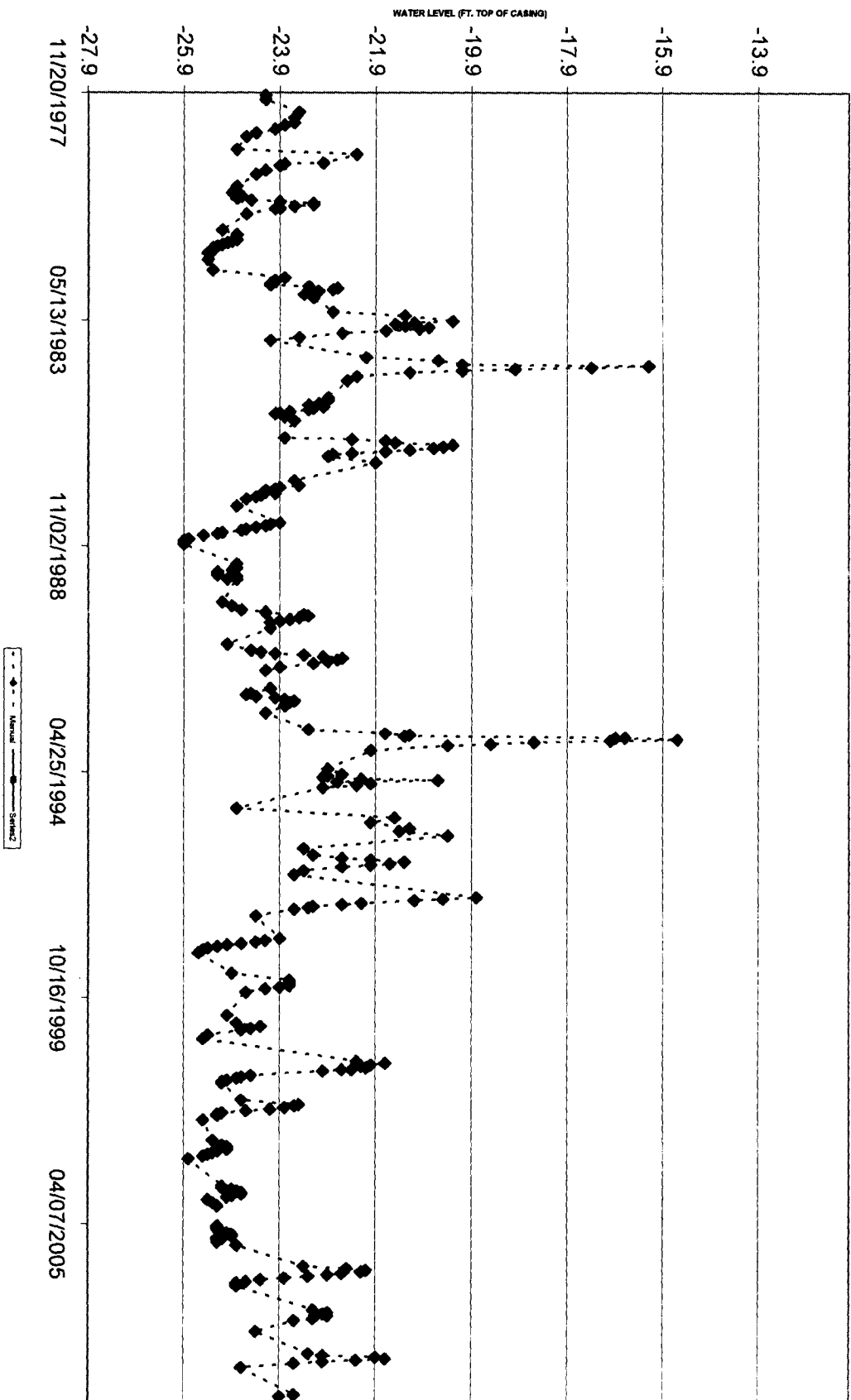
## BIBLIOGRAPHY

- Hamilton, L.J., 1989, Water Resources of Brookings and Kingsbury Counties, South Dakota, Water-Resources Investigations Report 88-4185, USGS, Huron, SD, 57350.
- Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources of Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Koch, N.C., 1980, Appraisal of the Water Resources of the Big Sioux Aquifer, Brookings, Deuel, and Hamlin Counties, South Dakota, Water-Resources Investigations Report 80-100, USGS, Huron, SD, 57350.
- Water Rights, 2009, Unpublished Observation Well Data for Brookings County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

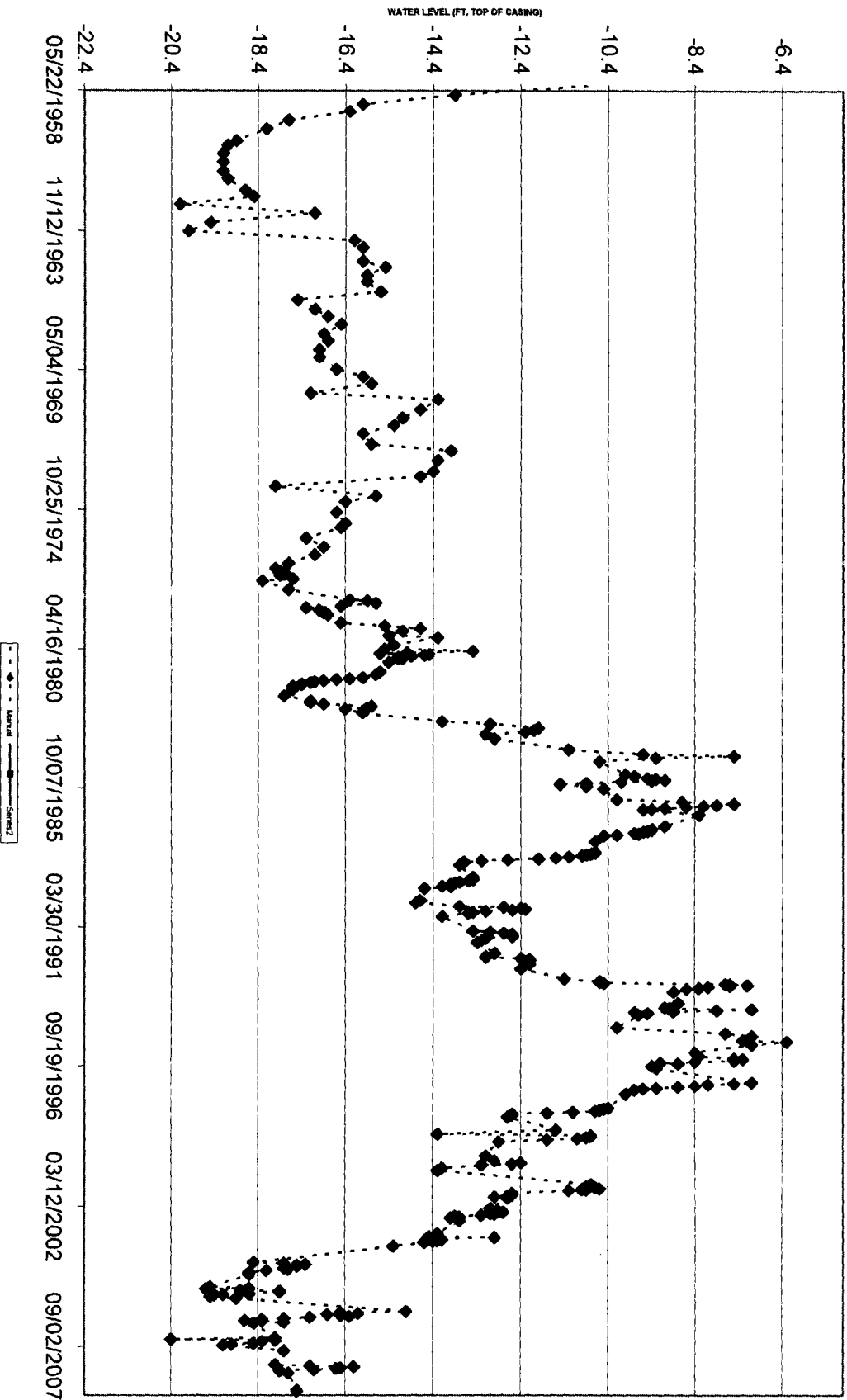
**WATER RIGHTS' OBSERVATION WELL  
BG-79E**



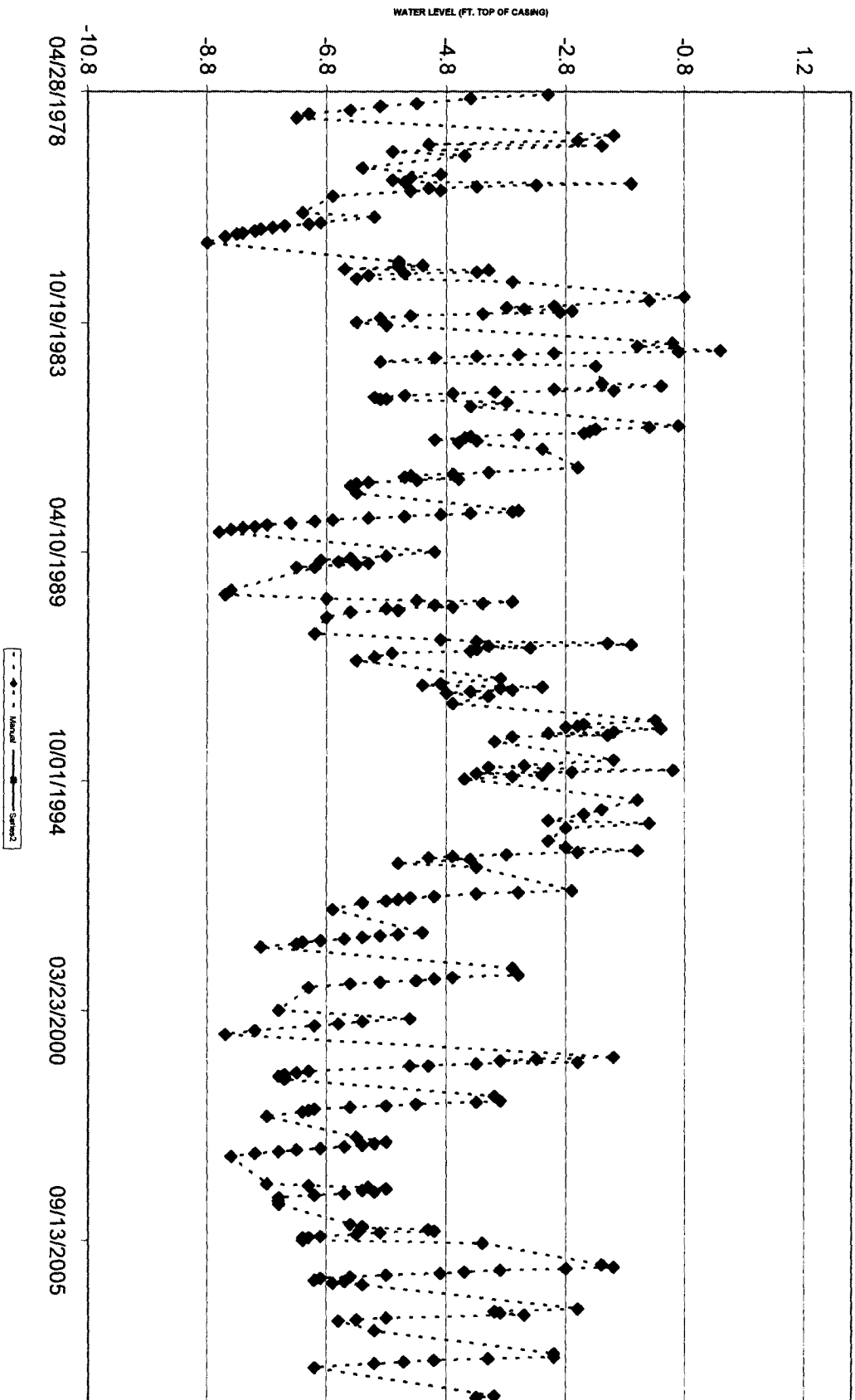
**WATER RIGHTS' OBSERVATION WELL  
BG-771**



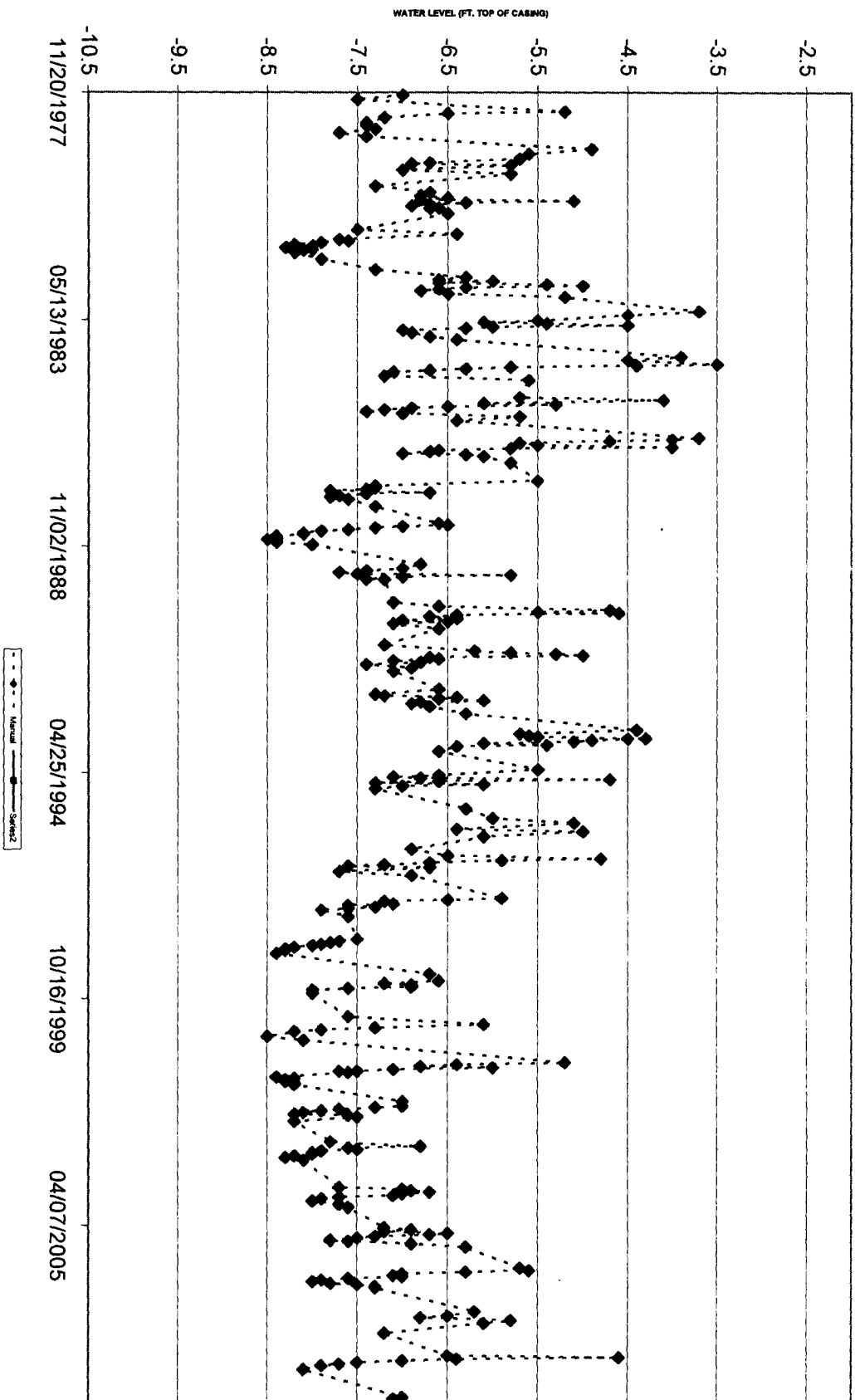
# WATER RIGHTS' OBSERVATION WELL BG-89A



**WATER RIGHTS' OBSERVATION WELL  
BG-77R**



**WATER RIGHTS' OBSERVATION WELL  
BG-77J**



State of South Dakota

Exhibit "A"

ss

AUG 26 2009

County of Brookings

WATER RIGHTS  
PROGRAM

Katy VanMaanen of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

## Legal 004 "Notice to Applications"

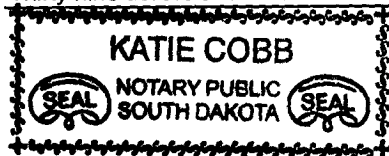
a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit said newspaper for \_\_\_\_\_ 2 times, to-wit:

August 3, 2009

August 12, 2009

said Exhibit "A" inures to the sole benefit for the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Thirty nine dollars and thirteen cents \$39.13



*Katy VanMaanen*

Subscribed and sworn to before me this

12th day of

August

2009

*Katie Cobb*

Notary Public in and for the County of Brookings, South Dakota.  
My Commission expires July 14, 2015

Legal 004, 2x, 8/3, 12  
NOTICE OF APPLICATION NO. 7132-3 to  
Appropriate Water  
Notice is given that Dan Syhre, 2534 Kildeer Ave, Denver IA 50622 has filed an application for a water permit to appropriate 1.07 cubic feet of water per second from one well to be completed into the Big Sioux/Aurora Aquifer (approximately 40 feet deep) located in center of the NW 1/4 Section 35 to irrigate 140 acres located in the NW 1/4 Section 35; all in T110N-R49W. Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7132-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition. Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605.773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 20, 2009. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Stover

Pirner, Secretary,  
Department of  
Environment and  
Natural Resources.  
Published twice at the  
total approximate cost  
of \$39.13.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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[www.state.sd.us/denr](http://www.state.sd.us/denr)

July 28, 2009

Brookings Register  
PO Box 177  
Brookings SD 57006

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7132-3 to Appropriate Water to be published twice. Please publish the first notice on August 3, 2009 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.

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 Dan Syhre, 2534 Killdeer Ave., Denver IA 50622 (Ph # 319-984-9175).

**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. 7132-3

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

Date \_\_\_\_\_

We are in receipt of your letter of July 28, 2009 enclosing Notice to Appropriate Water by Application No. 7132-3 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](http://www.state.sd.us/denr)

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

July 28, 2009

Dan Syhre  
2534 Killdeer Ave  
Denver IA 50622

Dear Mr. Syhre:

Water Permit Application No. 7132-3 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 Brookings Register printed at Brookings SD (Ph # 605-692-6271). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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 Notices 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 applications.

Sincerely,

  
Eric Gronlund  
Natural Resources Engineer  
(605) 773-3352

enclosures

cc: Dave Gullickson, PO Box 29, Brookings SD 57006

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

Instruction to Newspaper - Publish first Notice on August 3, 2009 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

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NOTICE OF APPLICATION NO. 7132-3 to Appropriate Water

Notice is given that Dan Syhre, 2534 Killdeer Ave, Denver IA 50622 has filed an application for a water permit to appropriate 1.67 cubic feet of water per second from one well to be completed into the Big Sioux:Aurora Aquifer (approximately 40 feet deep) located in center of the NW ¼ Section 35 to irrigate 140 acres located in the NW ¼ Section 35; all in T110N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7132-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 20, 2009.

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

Published twice at the total approximate cost of \_\_\_\_\_.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

SEP 24 2009

Dan Syhre  
2534 Killdeer Ave  
Denver IA 50622

Dear Mr. Syhre:

Enclosed is Water Permit No. 7132-3 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

c: Dave Gullickson

## SOUTH DAKOTA WATER WELL COMPLETION REPORT

7132-3

07-92

Location ~~SW~~ 1/4 ~~SW~~ 1/4 Sec 35 Twp 110-N Rg 49-W  
County NW NW North

Brookings

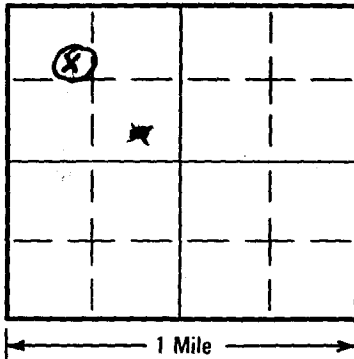
Please mark well location with an "X"

W

E

Well-Completion Date

12-11-09



## LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1/2 mile from Farm (identify source).

## PROPOSED USE:

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

## METHOD OF DRILLING:

Bucket - False Casing

CASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT  | DIAMETER | FROM     | TO       | HOLE DIAMETER |
|-------------|----------|----------|----------|---------------|
| 50 LB/FT    | 12" IN   | +1 FT    | 30 FT    | 20 IN         |
| _____ LB/FT | _____ IN | _____ FT | _____ FT | _____ IN      |
| _____ LB/FT | _____ IN | _____ FT | _____ FT | _____ IN      |

## GROUTING DATA

| Grout Type | No. of Sacks | Grout Weight  | From     | To       |
|------------|--------------|---------------|----------|----------|
| Cement     | 1.3          | _____ lb./gal | 0 ft     | 15 ft    |
| _____      | _____        | _____ lb./gal | _____ ft | _____ ft |

Describe grouting procedure \_\_\_\_\_

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 12" IN Length 8 FEET

Material Stainless Steel

Slot Size 100 Set From 32 Feet to 40 Feet

Other information SS Bottom

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? \_\_\_\_\_

Describe packer(s) and location? \_\_\_\_\_

DISINFECTION: Was well disinfected upon completion?

☒ YES, How:

Chlorine

Laboratory sent to for water quality analysis

Ing.

Well Owner: Dan Syhre

Business Name: \_\_\_\_\_

Address: 2534 Killdeer Ave.

Denver, Iowa 50622

## WELL LOG:

| FORMATION           | DEPTH |    |
|---------------------|-------|----|
|                     | FROM  | TO |
| Topsoil             | 0     | 2  |
| Sandy Clay          | 2     | 4  |
| Rocky Gravel        | 4     | 17 |
| Coarse Rocky Gravel | 17    | 40 |
|                     |       |    |
|                     |       |    |
|                     |       |    |
|                     |       |    |

STATIC WATER LEVEL 17' Feet

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_

Reduced Flowrate \_\_\_\_\_ GPM

Can well be completely shut in? \_\_\_\_\_

## WELL TEST DATA:

☒ Pumped

Describe: Submersible

☐ Bailed☐ Other

Pumping Level Below Land Surface

3' ft. After 2 Hrs. pumped 450 GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate \_\_\_\_\_ GPM

## REMARKS

Good Well

RECEIVED  
JAN 11 2010  
WATER RIGHTS  
PROGRAM

This well was drilled under license # 111

And this report is true and accurate.

Drilling firm Lacey Well Drilling, Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 12-31-2009

**Permit No. 7132-3**  
**Sioux 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, September 14, 2011, made a thorough examination of the water use system constructed by Dan Syhre, 2534 Killdeer Avenue, Denver IA 50622 holder of Permit No. 7132-3, bearing the priority of March 5, 2009 authorizing the diversion of 1.67 cu. ft. per second from the Big Sioux:Aurora Aquifer for irrigation purposes, in Brookings County.

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

A. Works used to divert the water:

**One well is in place with a 50 HP submersible pump that produces 1.45 cfs (650 gpm)**

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

**Well head is located approximately 200 feet northwest from pivot center.**

C. Works used to apply water to beneficial use:

**A 6 tower Valmont center pivot**

The system is in the following condition excellent. The point of diversion (well) is located specifically - Lat 44.29432 Lon -96.68367 --- approx. 840' South and 1,010' east of NW corner Section 35, T110N, R49W (NW ¼ NW ¼ ) The works are capable of diverting a total of 1.45 cfs from a well which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

**All in Section 35, T110N, R49W**

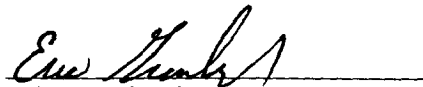
|           |                 |
|-----------|-----------------|
| NW ¼ NW ¼ | <b>27acres</b>  |
| NE ¼ NW ¼ | <b>33 acres</b> |
| SW ¼ NW ¼ | <b>18 acres</b> |
| SE ¼ NW ¼ | <b>22 acres</b> |

This breakdown of acres is a best estimate based on 1) information provided and 2) viewing the 2010 FSA aerial using ArcMap,

comprising a total of 100 acres of land and the license should be issued for 1.43 cfs based on the capacity of the one well.

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: none Date Report Completed: December 12, 2011



Eric Gronlund

Natural Resources Engineer

DENR, Water Rights Program

## FIELD INVESTIGATION REPORT FOR PERMIT NO. 7132-3

|                                                                                          |                                                               |
|------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| DATE OF INVESTIGATION:                                                                   | <b>September 14, 2011</b>                                     |
| NAME & ADDRESS OF PERMIT HOLDER                                                          | <b>Dan Syhre<br/>2534 Killdeer Avenue<br/>Denver IA 50622</b> |
| NAME & ADDRESS OF INVESTIGATION CONTACT/<br>RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE | <b>Chuck Friedrich</b>                                        |
| DIVERSION POINT LEGAL LOCATIONS                                                          | <b>NW ¼ NW ¼ Section 35, T110N, R49W</b>                      |

Mr. Friedrich's father accompanied me on the licensing investigation

### WELL INFORMATION:

- 1) Well Drilling Firm: **Lacey Well Drilling**
- 2) No. of Wells 1
- 3) Depth(s) 40
- 4) Well log is available Yes
- 5) Comment:

### Casing:

- 1) Diameter 12 inches
- 2) Length 32 feet
- 3) Type steel

### Screen:

- 1) Type stainless steel
- 2) Length 8 feet
- 3) Static water level 17 feet

### Pump:

- 1) Make Submersible
- 2) Model \_\_\_\_\_
- 3) Size
- 4) Capacity 650 GPM

### Motor:

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

### SYSTEM TYPE:

#### Center pivot:

- 1) Make Valmont
- 2) Overall length approx. 1200 feet
- 3) Number of towers 6 tower
- 4) Distance between towers \_\_\_\_\_ feet
- 5) End gun Yes (approx. 100)
- 6) High or low pressure 30 psi
- 7) Capacity 650 GPM

**CHEMIGATION EQUIPMENT: No**

**PERMIT QUALIFICATIONS:**

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

**COMMENTS:**

- Notice of Completion of Works filed by Mr. Friedrich at time of inspection
- Irrigation questionnaire reflect that irrigation began in 2010.

**NOTICE OF COMPLETION OF WORKS AND  
APPLICATION OF WATER TO BENEFICIAL USE**

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

Date Sept 14 2011

FROM: Dan Syhre  
(name)

(address)

(city)

(state)

(zip)

(phone)

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

Water Permit No. 7132-3 states that the water use system is to be constructed by

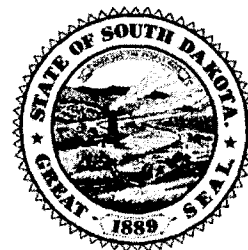
Aug 20 2014, and water is to be put to beneficial use by Aug 20 2018  
(date) (date)

The water use system was completed on 2010  
(date)

Applying the water to beneficial use was completed on 2010  
(date)

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

*System complete  
Danny Syhre by Chuck  
Friedrich*





Well - Lat 44.29432 Lon -96.68367 — approx. 840' South and 1,010' east of NW corner Section 35, T110N, R49W



*Eric Gronlund*  
Eric Gronlund  
Water Rights Program, DENR  
License Inspection - September 14, 2011



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
<http://denr.sd.gov>

JAN 12 2012

7132-3

Dan Syhre  
2534 Killdeer Ave  
Denver IA 50622

Dear Mr. Syhre:

Enclosed is Water License No. 7132-3. 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. 7132-3, 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

**STATE OF SOUTH DAKOTA  
WATER LICENSE NO. 7132-3**

(1) Dan Syhre, 2534 Killdeer Ave. Denver IA 50622 made Application No. 7132-3, March 5, 2009 for a water permit to divert 1.67 cubic feet of water per second from ground water (one well – Big Sioux:Aurora Aquifer), Brookings County, South Dakota for irrigation purposes. Permit No. 7132-3, with a priority date of March 5, 2009 was approved August 20, 2009 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 20, 2014 and for the application to beneficial use of said water on or before August 20, 2018.

A "Notice of Completion of Works and Application of Water to Beneficial Use" was completed on September 14, 2011 at the time of inspection. The water use system was completed and water placed to beneficial use in 2010.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.43 cubic feet of water per second for beneficial use.

The location of the diversion point is 840 feet south and 1,010 feet east of the NW corner of Section 35, T110N, R49W (NW ¼ NW ¼).

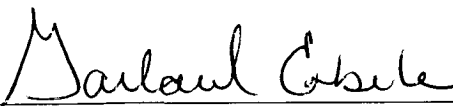
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

|                        |           |           |
|------------------------|-----------|-----------|
| T110N, R49W Section 35 | NW ¼ NW ¼ | 27 acres  |
|                        | NE ¼ NW ¼ | 33 acres  |
|                        | SW ¼ NW ¼ | 18 acres  |
|                        | SE ¼ NW ¼ | 22 acres  |
|                        | Total     | 100 acres |

(4) Pursuant to South Dakota Water Law 46-5-30.1 Dan Syhre, 2534 Killdeer Ave. Denver IA 50622 the holder and/or owner of Water Right No. 7132-3 is issued a license to appropriate water, the right to use 1.43 cubic feet of water per second from ground water (one well – Big Sioux:Aurora Aquifer) with a priority date of March 5, 2009 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7132-3 and subject to the following qualification:

- 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. 7132-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. ***The well was drilled in 2009 by Lacey Well Drilling – copy of log on file with the Water Rights Program.***
- 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

JAN 12 2012  
date

