

WATER PERMIT NO. 7151-3

Name of Applicant: Allen Merrill

Address: 2756~~6~~7 Walnut Ave, Parker SD 57053

Phone: 605 297-3213

Amount of Water Claimed: 1.78

Total Acres: 320

Source of Water Supply: groundwater (two wells)

Water to be used for: irrigation

County: Turner

Type of Waste Disposal System: NA

Location: ½ southeast of Parker

PRIORITY

Date Received: 6-15-09

Application/License Fee: \$375

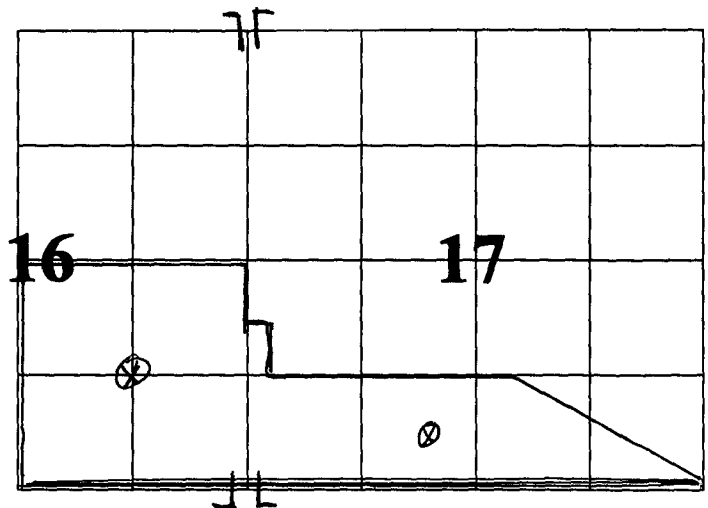
Corrected Application Received: 7-6-09

Period of Annual Use: May 1 – September 30

Remarks:

Diversion Point: center of the SE ¼ Sec 17 and
SE ¼
center of SW ¼ Sec 16; all in T99N-R53W

Land to be Irrigated: SE ¼ Sec 17 and S ½ SW
1/4, NW ¼ SW ¼, S ½ SE ¼ Sec 16; all in T99N-
R53W



Depth of Well: 100 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Judith Emil, Turner Co FSA

Reviewed and the Number Assigned on: 7-7-09

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>7151-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>New Era PO Box 579 Parker</u> <u>605-297-4419 (Thurs)</u> <u>57053</u>

RECEIVED
JUN 15 2009
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 Allen Merrill Phone 605-297-3213
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 27567 Walnut Ave Parker SD 57053
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.78*CFS or 800 **GPM ***AF Total Acreage 210 320
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Turner
2 wells in center SE 1/4 of 17-099-53 primary
1 well in SE 1/4 of 16-099-53 if needed
- County or counties where water will be used Turner
- Annual period during which water is to be used May - Sept.
- 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
SE 1/4 of SE 1/4 of Sec 17-099-53	40	SE 1/4 of SW 1/4 of Sec 16-099-53	40
SW 1/4 of SE 1/4 of Sec 17-099-53	40	SW 1/4 of SW 1/4 of Sec 16-099-53	40
NW 1/4 of SE 1/4 of Sec 17-099-53	40	NW 1/4 of SW 1/4 of Sec 16-099-53	40
WE 1/4 of SE 1/4 of Sec 17-099-53	40	SE 1/4 SE 1/4 of SW 1/4 of Sec 16-099-53	30

- Give a description of the project. (Attach sheet if more space is needed) SW 1/4 SE 1/4 Sec 16 99 53 40

Develop 2 center pivot system for purpose of irrigation crop for our dairy.

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, Allen Merrill, 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 Allen Merrill

Subscribed and sworn to before me this 12th day of June 20 09

[Signature]
Notary Public signature

My Commission Expires: 10/22/09

**SOUTH DAKOTA
WATER PERMIT NO. 7151-3**

Date of first receipt of application June 15, 2009.

Date of return to applicant for corrections, amendments or changes June 16, 2009.

Date of receipt of corrected application July 6, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7151-3 to Allen Merrill, 27567 Walnut 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. 7151-3 appropriates 1.78 cubic feet of water per second from two wells to be completed into the Vermillion: West Fork Aquifer (approximately 100 feet deep) located in center of the SE $\frac{1}{4}$ Section 17 and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16 to irrigate 320 acres located in the SE $\frac{1}{4}$ Section 17 and S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16; all in T99N-R53W.
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 June 15, 2009.
4. The date of approval of Permit No. 7151-3 is November 16, 2009.
5. One-fifth of the construction is to be completed on or before May 16, 2012.
6. All construction is to be completed on or before November 16, 2014.
7. Water is to be put to beneficial use on or before November 16, 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 7151-3 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

DEC 23 2009
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 100'
- b) Casing Type PVC Diameter 16" Thickness 3/4"
- c) Screen Type PVC Diameter 16" Thickness 3/4"
- d) Gravel Pack 1/8-3/16 Per Rock Length of Gravel Pack 45'
- e) Depth to Top of Water Bearing Material 44'
- f) Depth to Water (ground surface to water level) 55'
- g) Distance to nearest existing domestic well:

On applicants property greater 2500 ft

On property owned by others greater 2500 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

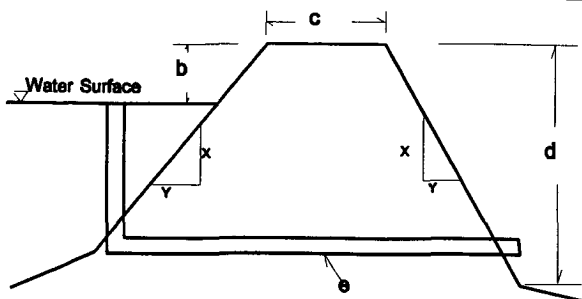
3. Dugout Information

- 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.

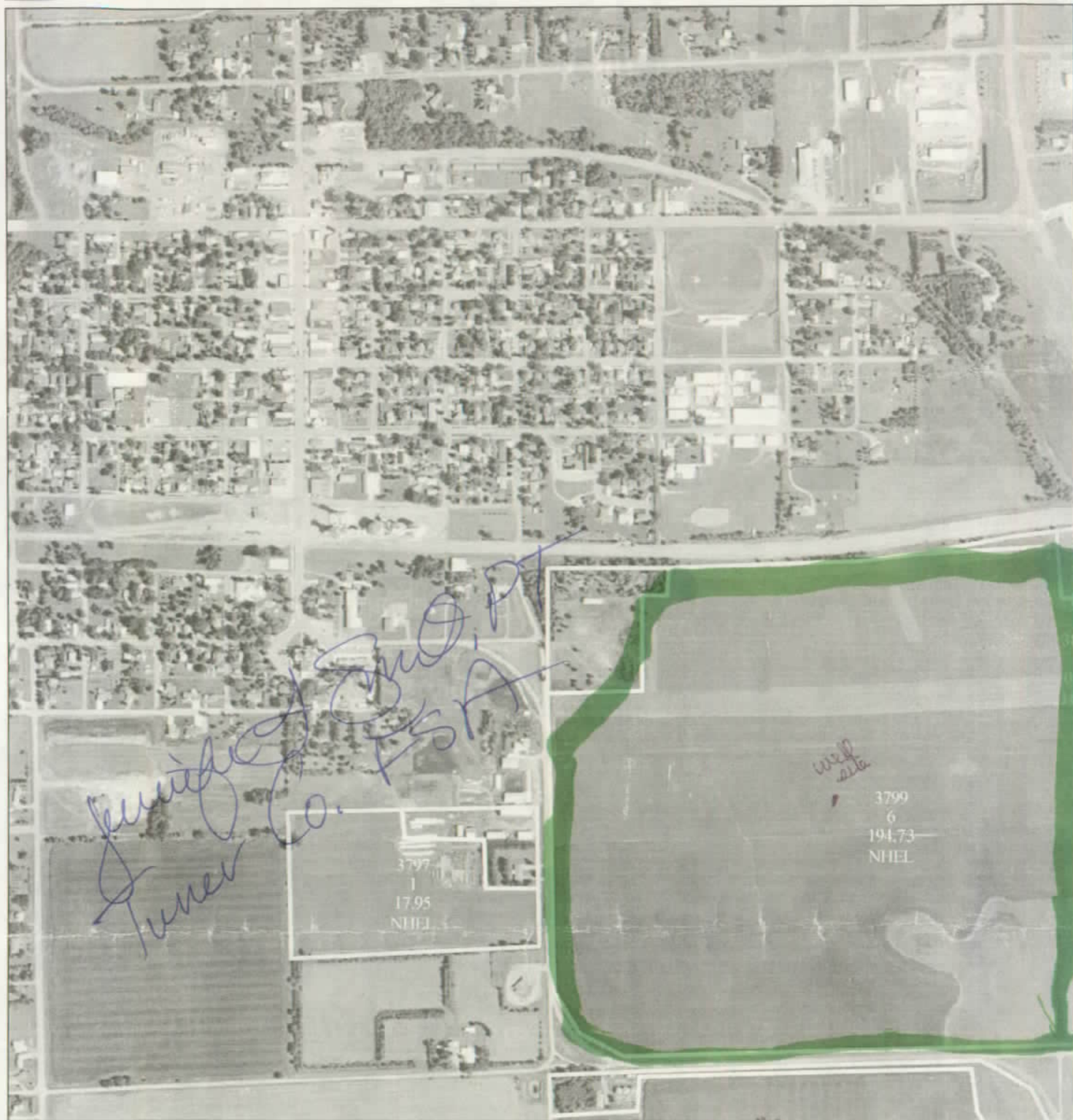
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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



United States Department of Agriculture Farm Service Agency



South Dakota
Turner County

RECEIVED
JUN 15 2009
WATER RIGHTS
PROGRAM

Allen Merrill, owner
Farm Number
6021
Township-Range-Section
99N53W17

Legend

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions
- CLU Field Boundary
- Tract Boundary

RECEIVED
JUL 6 2009
WATER RIGHTS
PROGRAM

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership, either it depicts the information provided by the producer and/or the 2008 certified 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.

1:8,224. This map does not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) boundaries and determination, or contact NRCS.

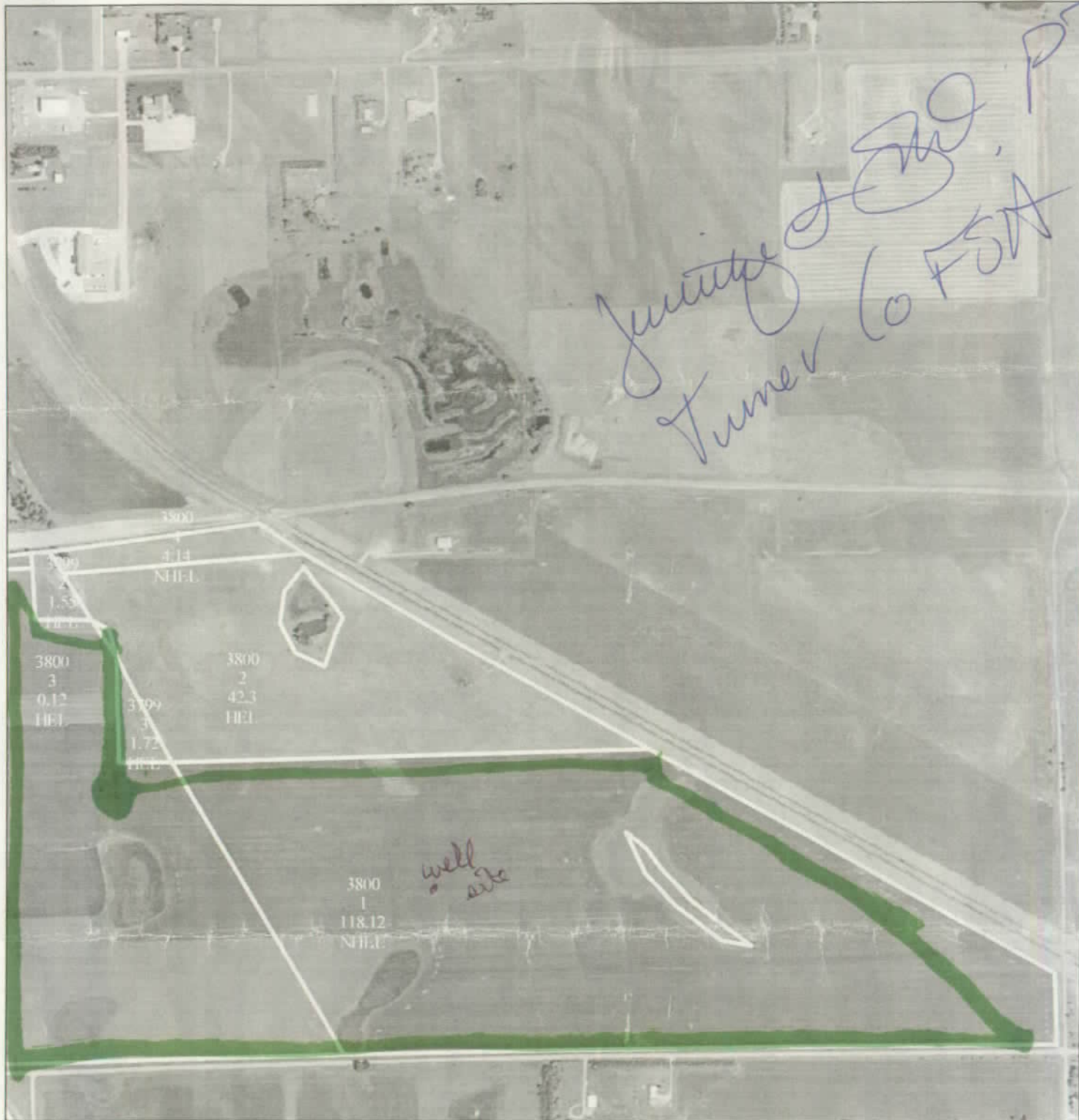
asked Dick Hammond for text log date log, didn't receive.

Apr 21, 2009

Allen



United States Department of Agriculture Farm Service Agency



Allen Merrill & Robert Merrill

FSA **South Dakota**
RECEIVED
JUL - 6 2009
Turner County

RECEIVED
JUN 15 2009
WATER RIGHTS PROGRAM

Farm Number
6021
Township-Range-Section
99N53W16

- Legend
- Restricted Use
 - ▽ Limited Restrictions
 - Exempt from Conservation Compliance Provisions
 - CLU Field Boundary
 - Tract Boundary

1:8,261

Wetland 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 2008 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. 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.

Apr 21, 2009

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 6/15, 2009

RECEIVED OF Merrill Farms Inc 27567 Walnut Ave Parker SD 57053

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

Fee for Application for Permit No. <u>7151-3</u> to Appropriate Water, to construct and to put water to beneficial use	325	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>7151-3</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	375 00

No. 04129

By Garland Erbele
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

June 16, 2009

Allen Merrill
27567 Walnut Ave
Parker SD 57053

Dear Mr. Merrill:

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

- Enclosed are the aerial photo maps submitted with the application. Please outline the acres to be irrigated in each section.
- If available, please submit a well log or test hole log signed by a licensed South Dakota well driller.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7151-3, Allen Merrill**

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. 7151-3, Allen Merrill, 27567 Walnut Avenue, Parker SD 57053.

The Chief Engineer is recommending APPROVAL of Application No. 7151-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 7151-3 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 18, 2009

REPORT ON WATER PERMIT APPLICATION NO. 7151-3

For Allen Merrill
September 2, 2009

Application No. 7151-3 proposes to appropriate 1.78 cfs (800 gpm) from two wells approximately 100 feet deep located in the center of the SE $\frac{1}{4}$ of section 17 and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 16 to irrigate 320 acres located in the SE $\frac{1}{4}$ of section 17 and the S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 16; all in T99N R53W in Turner County.

AQUIFER – VERMILLION WEST FORK (VWF)

The Vermillion West Fork is a predominantly surficial outwash (sand and gravel) under water table conditions in Turner County. However, at this site the aquifer appears to be buried but apparently still under water table conditions. The aquifer underlies about 18 square miles and contains an estimated 51,000 acre-feet of water in storage in Turner County (Lindgren, 1990). The aquifer extends into McCook County to the north blends into the Vermillion East Fork aquifer to the east and blends into the much larger Parker Centerville aquifer to the south. The aquifer is also hydraulically connected to the West Fork and East Fork of the Vermillion River. Ground water movement is probably from west to east and locally toward the river (Lindgren, 1990). The aquifer covers a relatively small land area and appears to be relatively thin over this area and therefore would be more dependent upon flows in the river. Also the area of this application was not mapped as aquifer. It appears that the aquifer does underlie a larger area than is mapped in the county study. As usual with this type of aquifer, test drilling is needed to explore the best site in the aquifer to develop a production well.

Test well drilling on the property and records of nearby domestic wells all indicate that this site is probably underlain by the Vermillion West Fork aquifer. Although the information does look favorable for development nothing is for sure. Production testing to determine well yields is the next step for this area. Because the sand and gravel is relatively thin and the water levels are expected to be relatively deep (only twenty to thirty feet of saturated thickness) it may prove necessary to put in more wells to obtain the amount of water requested.

Recharge to the aquifer has been estimated to be moderate in the range of 2.0 to 5.6 inches per year (Hedges, 1982). The nearby Parker Centerville aquifer has an estimated recharge rate of 4.9 inches per year and is similar geologically and hydrologically to the Vermillion West Fork aquifer. A good volume recharge estimate using the recharge rate for the Parker Centerville aquifer would be 4,700 acre feet per year. This recharge rate is reasonable.

Water use from the aquifer (for irrigation purposes) and from a total of eight individual permits/rights was 558 acre-feet in 2008, 484 acre-feet in 2007, 511 acre-feet in 2006, 442 acre-feet in 2005, and 479 acre-feet in 2004. The only other permit/right holder from the aquifer is the City of Parker with Water Right No. 4797-3 for 1.6 cfs and Future Use

Permit No. 4798-3 for 340 acre-feet annually. A total use for the City of Parker based upon these permits would be expected to be about 1,035 acre-feet annually. This estimate is based upon the assumption of a maximum use of about 60% of the 1.6 cfs diversion rate annually. The combined water use from irrigation and optimizing water use from the city would be about 1,530 acre-feet annually. The recharge potential to the aquifer is more than sufficient to sustain the existing permits plus this application.

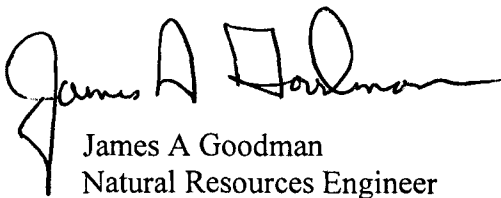
The Water Rights Program monitors an observation well TU-80CR located one to two miles northeast of this application depending upon which of the two proposed wells were measured from. Water levels for this well show good response to climatic conditions that is rising water levels during wet years (recharge) and gradually declining water levels during dry years. A hydrograph of this observation well is included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are eight irrigation permits/rights from the Vermillion West Fork aquifer. Also the town of Parker holds water rights for 1.6 cfs and a Future Use of 340 acre feet annually. The nearest existing permitted wells to this application would be Parker city wells. These wells are located about three-quarters mile north and northeast of these proposed well sites. Interference is not expected to be a concern. Drawdown created by pumping should not extend very far from individual production wells.

CONCLUSIONS

1. Water is available from the Vermillion West Fork aquifer.
2. The aquifer appears to be under water table conditions at this site. Drawdown created by pumping is not expected to be significant. Interference is not a concern.
3. The well(s) authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. The information available indicates the aquifer is larger than mapped for the county study. Also it appears the saturated thickness of the aquifer may be about 30 feet. Without proper testing of a production well it can not be determined if a well will produce the amount of water requested. This application only requests a diversion rate of 1.78 cfs which would only be sufficient to operate one full size center pivot at a time.

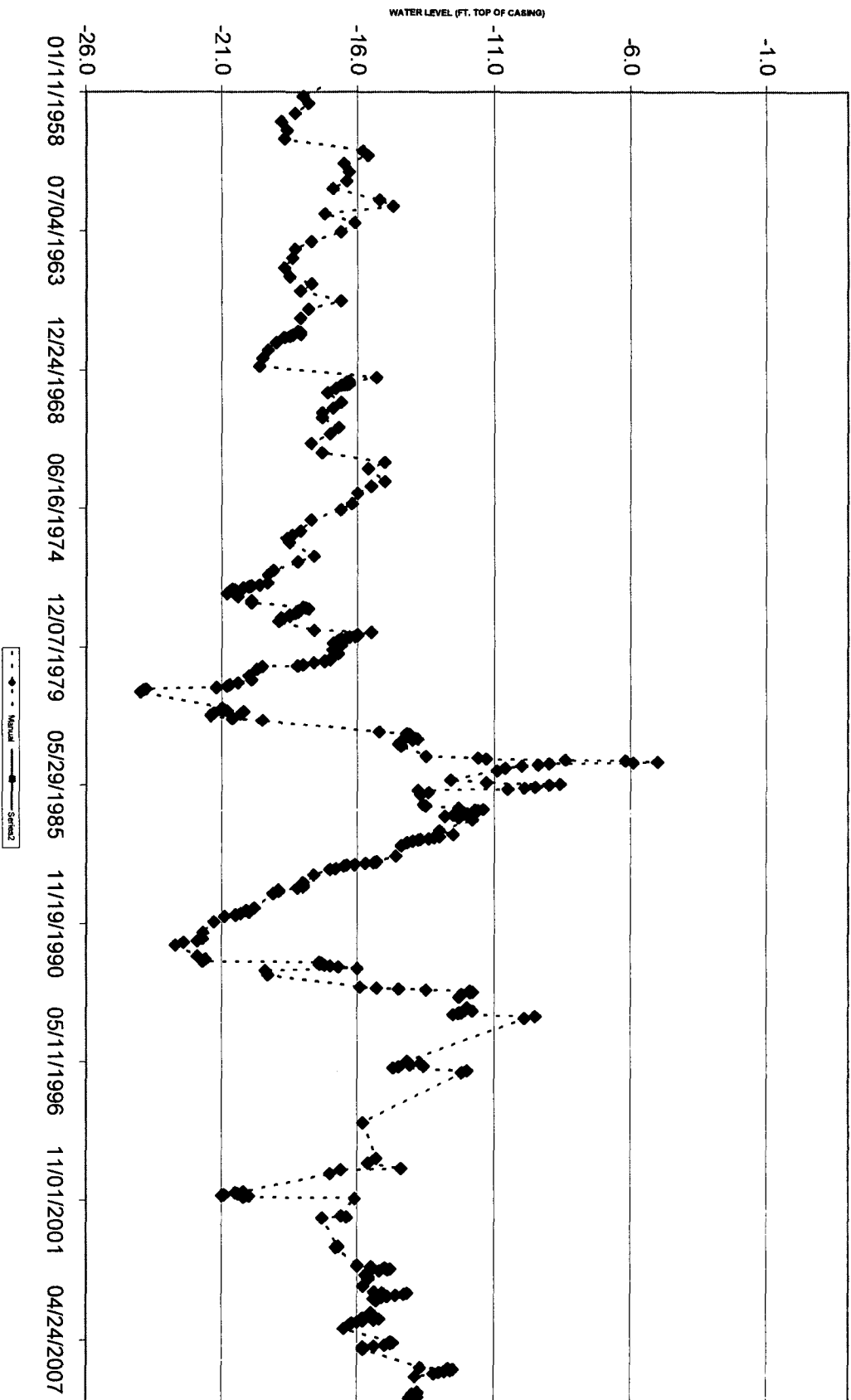


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S. and others, 1982, Evaluation of Ground Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, 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 Rights, 2009, Unpublished Observation Well Data for Turner County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
TU-80CR





**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 18, 2009

Allen Merrill
27567 Walnut Ave
Parker SD 57053

Dear Mr. Merrill:

Water Permit Application No. 7151-3 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 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 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 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 applications.

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 18, 2009

The New Era
PO Box 579
Parker SD 57053

ATTENTION: Legal Public Notice

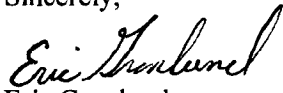
Enclosed is a Notice on Application No. 7151-3 to Appropriate Water to be published twice. Please publish the first notice on September 24, 2009 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Allen Merrill, 27567 Walnut Ave., Parker SD 57053 (Ph # 605-297-3213).

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. 7151-3

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

Date _____

We are in receipt of your letter of September 18, 2009 enclosing Notice to Appropriate Water by Application No. 7151-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on September 24, 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.

NOTICE OF APPLICATION NO. 7151-3 to Appropriate Water

Notice is given that Allen Merrill, 27567 Walnut Ave, Parker SD 57053 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from two wells to be completed into the Vermillion: West Fork Aquifer (approximately 100 feet deep) located in center of the SE $\frac{1}{4}$ Section 17 and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16 to irrigate 320 acres located in the SE $\frac{1}{4}$ Section 17 and S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16; all in T99N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7151-3 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 October 12, 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
denr.sd.gov

October 22, 2009

Allen Merrill
27567 Walnut Ave
Parker SD 57053

Dear Mr. Merrill:

The Notice of Application No. 7151-3 was published with an error in the legal description of the lands to be irrigated. A comma was missing between the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16; all in T99N-R53W (copy attached).

Therefore, the notice must to be readvertised to correct the error. The notice has been sent to The New Era with instructions to publish the corrected notice on November 29 and November 5, 2009. A copy of the notice is enclosed.

The cost of publication of this notice will be paid by the Water Rights Program. Please contact us if you have any questions.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

October 22, 2009

The New Era
PO Box 579
Parker SD 57053

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7151-3 to Appropriate Water to be published twice. Please publish the first notice on October 29 and November 5, 2009. The text of the notice has been e-mailed to your paper.

This notice was originally published on September 24 and October 1, 2009, but due to an error in the legal description of the lands to be irrigated the notice must be published again.

Please BILL the Water Right Program, 523 E Capitol, Pierre SD 57501 for the cost of publication.

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. 7151-3

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

Date _____

We are in receipt of your letter of October 22, 2009 enclosing Notice to Appropriate Water by Application No. 7151-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

NOTICE OF APPLICATION NO. 7151-3 to Appropriate Water

Notice is given that Allen Merrill, 27567 Walnut Ave, Parker SD 57053 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from two wells to be completed into the Vermillion:West Fork Aquifer (approximately 100 feet deep) located in center of the SE $\frac{1}{4}$ Section 17 and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16 to irrigate 320 acres located in the SE $\frac{1}{4}$ Section 17 and S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16; all in T99N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7151-3 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 November 16, 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 _____.

Affidavit of Publication

RECEIVED

NOV 30 2009

WATER RIGHTS
PROGRAM

STATE OF SOUTH DAKOTA
COUNTY OF TURNER

} :SS

I, **Robin Schneider** 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, New Century 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 herunto 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 the affidavit and the advertisement headed:

Legal #4778 Notice of application No. 7151-3 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 29th day of October, 2009

On Thursday, the 5th day of November, 2009

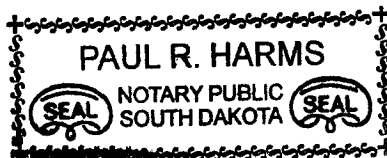
That \$59.50 being the full amount of the fees for publication of the attached notice insures solely for the benefits of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

My Commission
Expires:
February 10, 2012

Robin Schneider
Subscribed and sworn to before me this 16th
Day of November 2009
Paul R Harms
Notary Public, Turner County, South Dakota

See attached

Publication Fee \$
Notary Fees \$
Total \$



**Notice of application No.
7151-3 to appropriate
water**

Notice is given that Allen Merrill, 27567 Walnut Ave, Parker SD 57053 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from two wells to be completed

RECEIVED
NOV 30 2009
WATER RIGHTS
PROGRAM

into the Vermillion West Fork Aquifer (approximately 100 feet deep) located in center of the SE 1/4 Section 17 and SE 1/4 SW 1/4 Section 16 to irrigate 320 acres located in the SE 1/4 Section 17 and S 1/2 SW 1/4, NW 1/4 SW 1/4, S 1/2 SE 1/4 Section 16; all in T99N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7151-3 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.

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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 \$59.50.

(#4778, 10/29/09, 11/05/09,
The New Era)

12/02/2009

PAYMENT REQUEST FORM

PAYEE: The New Era
PO Box 579
Parker SD 57053

FROM: DENR Water Rights Program
523 E. Capitol Ave
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Legal public notice for 7151-3 Merrill

AMOUNT: \$59.50

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

David E. [Signature] 12/2

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

DEC 23 2009

Allen Merrill
27567 Walnut Ave
Parker SD 57053

Dear Mr. Merrill:

Enclosed is Water Permit No. 7151-3 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

7151-3

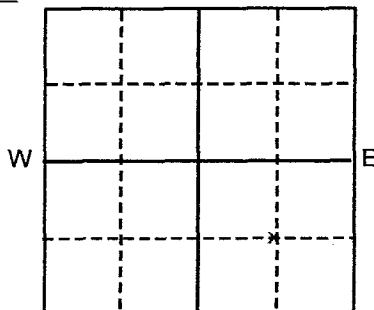
SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location nw 1/4 se 1/4 Sec 17 Twp 99n Rg 53wCounty turner

North

Please mark well
location with an "X"

Well Completion Date

August 25, 2010

1 Mile

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

1,750.0 ft. from feed lot (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

bucket drill

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	63.0 FT	22.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
bent grt	20	9.5 Lb/gal	0.0 Ft	58.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☒ Perforated pipe ☐ Manufactured
 Diameter 16.00 Inches Length 29.0 Feet
Material pvcSlot Size 0.80 Set From 63.0 Feet to 92.0 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 to which water
quality sample sent for analysisWell Owner: Robert Merrill/ Alan MerrillBusiness Name: Merrill FarmsAddress: 27567 Walnut AveCity, State, Zip: Parker, SD 57053

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
clay, reddish brown, pebbly (till)	0	44
gravel, medium, sandy	44	61
sand, med to coarse	61	68
gravel, medium to coarse, sandy	68	94

STATIC WATER LEVEL 53.0 FEETIf flowing: closed in pressure PSIGPM flow through Inch pipeControlled by ☐ Valve ☐ Reducers ☐ Other Reduced flow rate GPM

Can well be completely shut in?

RECEIVED

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

65.0 Ft. After 6.0 Hrs. pumped 300.0 GPM Ft. After Hrs. pumped GPMIf pump installed, pump rate: GPM

FEB - 4 2011

WATER RIGHTS
PROGRAM

REMARKS

This well was drilled under license # 666 and this report is true and accurate.Drilling firm: Hammond Wetmore Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

August 29, 2010

3550-3, 7151-3, 7173-3,
7294-3, 7311-3, 7312-3
7438-3

**Water Rights Program
File Documentation**

File: Water Right/Permit Nos. 3550-3, 7151-3, 7173-3, 7294-3, 7311-3, 7312-3, & 7438-3

Date: 2024 June 21

County: Turner

RE: Aquifer designation

COMMENTS:

Water Right No. 3550-3 was advertised as appropriating water from "groundwater" and designated to belong to the Vermillion West Fork aquifer when the Water Rights Program named aquifers [1]. Water Permit Nos. 7151-3, 7173-3, 7294-3, 7311-3, 7312-3, and 7438-3 were advertised as appropriating water from the Vermillion West Fork aquifer [1]. In her review for Water Permit No. 8742-3, Kilts [2] delineated the Parker-Centerville aquifer based on best information available and this delineation included the above-mentioned permit numbers. Subsequently, the Water Rights Program is administratively changing the aquifer designation for the above water right permit numbers to the Parker-Centerville aquifer. This change of aquifer designation, to the Parker-Centerville aquifer, does not represent a physical change in the water source. It is an update to the name of the aquifer materials to reflect the currently best available information for aquifer extents. This update to the aquifer name does not authorize any increase in the amount of water appropriated by these water right permit numbers, relocation of existing wells, or completion of additional wells into the aquifer. Going forward, issuance of any pertinent documents will reflect the updated aquifer designation.



Kim Drennon
Natural Resources Engineer



Eric Gronlund
Chief Engineer

References

- [1] Water Rights Program, "Water Right Permit Files," SD DANR, Joe Foss Bldg., Pierre, South Dakota, 2024.
- [2] W. Kilts, "Report to the Chief Engineer on Water Permit Application No. 8742-3," SD DANR Water Rights Program, Joe Foss Bldg., Pierre, South Dakota, 2023.

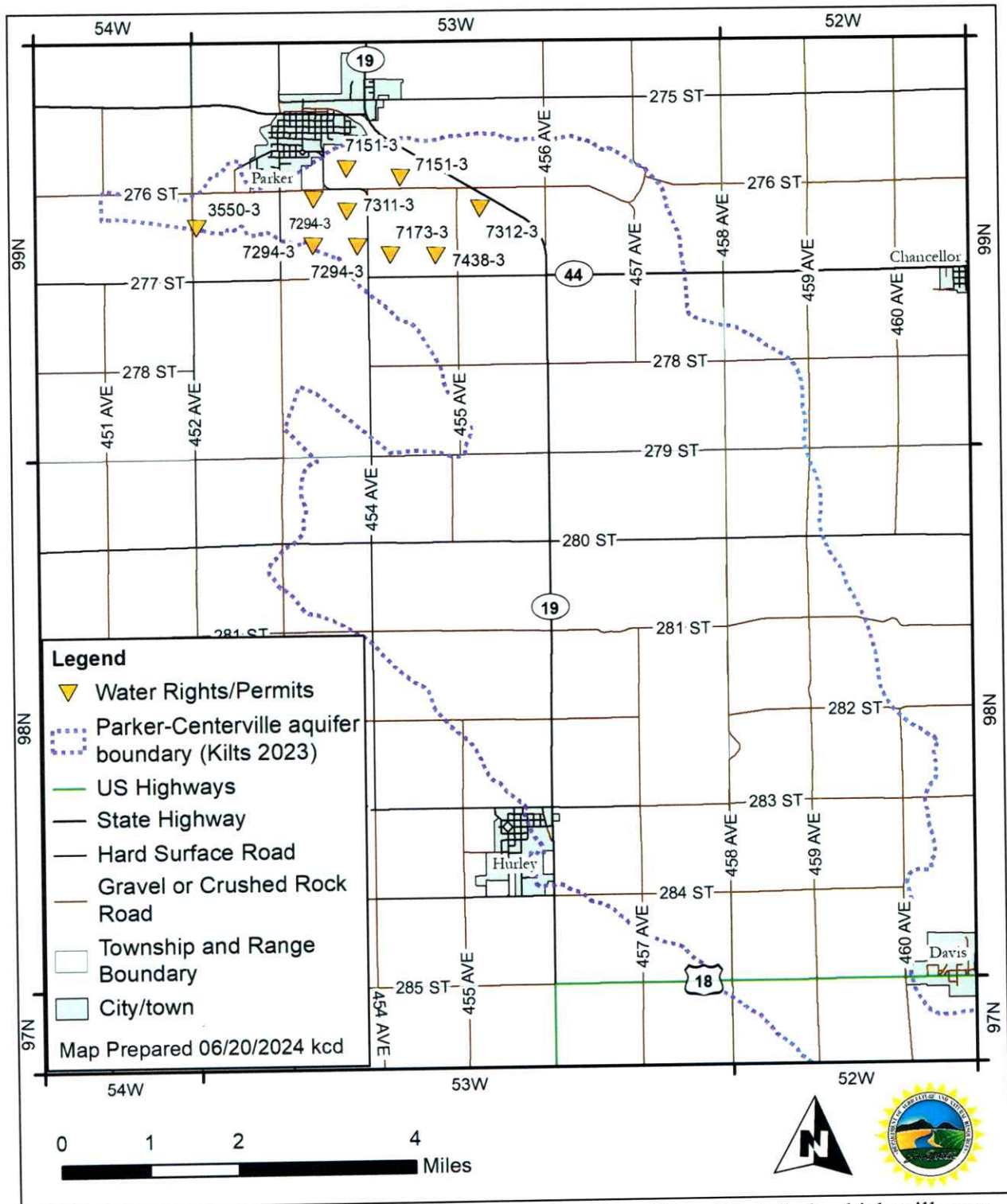


Figure 1: Water right permits previously categorized as Vermillion: West Fork which will now be categorized as Parker-Centerville.

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7151-3

I have this day, October 23, 2024, made a thorough examination of the water use system constructed by Allen Merrill, 27567 Walnut Ave, Parker, SD 57053 of Permit No. 7151-3, bearing the priority of June 15, 2009 authorizing the diversion of 1.78 cu. ft. per second of the waters of the Parker Centerville 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 2
- 3) Depth(s) "W" 92 & "E" 87 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 16 inches
- 2) Length 63 & 67 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 29 & 20 feet
- 3) Static water level 47 & 53 feet

Pump:

- 1) Make Submersibles
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 400 each GPM

Motor:

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

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

- 1) Type Sec 16 - PVC
- 2) Size 8 inches
- 3) Length 200 feet

- 1) Type Sec 17 - PVC 2) Size 8 inches 3) Length 100 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley (Sec 16)
- 2) Overall length 1150 feet
- 3) Number of towers 6 + corner leg
- 4) End gun Y
- 5) Capacity 400 GPM

Center pivot:

- 6) Make Zimmatic (Sec 17)
- 7) Overall length 1300 feet
- 8) Number of towers 7
- 9) End gun Y
- 10) Capacity 400 GPM

Chemigation Equipment:

- 1) Does chemigate N

D. 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

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: WELL LOCATIONS
Well #1: 1,330 ft N & 1,320 ft W from the SE corner Sec 17 T99N R53W (approx. center of SE ¼), Lat 43.39110 Long -97.12717
Well #2: 1,140 ft N & 1,515 ft E from the SW corner Sec 16 T99N R53W (SE ¼ SW ¼), Lat 43.39039 Long -97.11635
2. The works are capable of diverting and conveying to the place of use 1.78 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:

legal description/acreage

Land in Sec 17 T99N R53W

NW 1/4 SE 1/4 - 32 acres

NE 1/4 SE 1/4 - 35 acres

SE 1/4 SE 1/4 - 32 acres

SW 1/4 SE 1/4 - 27 acres

legal description/acreage

Land in Sec 16 T99N R53W

NW 1/4 SW 1/4 - 18 acres

NE 1/4 SW 1/4 - 30 acres

SE 1/4 SW 1/4 - 36 acres

SW 1/4 SW 1/4 - 23 acres

NW 1/4 SE 1/4 - 1 acre

SW 1/4 SE 1/4 - 3 acres

comprising a total of 237 acres of land and the license should be issued for 1.78 cfs

3. All structures, wells and lands on map Y

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

FSA maps and the ArcGIS program were used to construct the attached well location and irrigated area map which was used to estimate irrigated acreage.

The flow rate reported on the 2023 Irrigation Questionnaire was used to establish the system flow capacity.

The address in the permit application is current.

I talked to Mr. Allen Merrill (605/929-6406) on the phone regarding Permit details.



Darrell DeBoer
Water Rights Inspector
DENR, Water Rights Program

Date report completed: October 24, 2024



WELL LOCATIONS
 From the SE corner
 Sec 17 T99N R53W
WELL #1
 1330 ft N & 1320 ft W
 Lat 43.39110 Long -97.12717
 From the SW corner
 Sec 16 T99N R53W
WELL #2
 1140 ft N & 1515 ft E
 Lat 43.39039 Long -97.11635

IRRIGATED AREA
 Land in Sec 17 T99N R53W
 NW 1/4 SE 1/4 - 32 acres
 NE 1/4 SE 1/4 - 35 acres
 SE 1/4 SE 1/4 - 32 acres
 SW 1/4 SE 1/4 - 27 acres
 Land in Sec 16 T99N R53W
 NW 1/4 SW 1/4 - 18 acres
 NE 1/4 SW 1/4 - 30 acres
 SE 1/4 SW 1/4 - 36 acres
 SW 1/4 SW 1/4 - 23 acres
 NW 1/4 SE 1/4 - 1 acre
 SW 1/4 SE 1/4 - 3 acres



0 650 1,300 2,600 3,900 5,200 Feet



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

APR 07 2025

Allen Merrill
27567 Walnut Ave
Parker, SD 57053

No. 7151-3

Dear Mr. Merrill:

Enclosed is Water License No. 7151-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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

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

Sincerely,

Mark Mayer, PE
Director of Office of Water
(605) 773-3352

Note: While the original permit was issued for appropriations from the Vermillion: West Fork Aquifer, the aquifer designation has been changed to the Parker Centerville Aquifer, based on the best information available. Redesignation of the appropriated aquifer does not represent a physical change in water source.

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7151-3**

(1) Allen Merrill, 27567 Walnut Ave, Parker, SD 57053, made Application No. 7151-3, June 15, 2009, for a water permit to divert 1.78 cubic feet of water per second from groundwater, two wells (Parker Centerville Aquifer), Turner County, South Dakota for irrigation purposes. Permit No. 7151-3, with a priority date of June 15, 2009, was approved November 16, 2009, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 16, 2014, and for the application to beneficial use of water on or before November 16, 2018.

(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 1.78 cubic feet of water per second for beneficial use. The location of the diversion points are:

- 1,330 feet N and 1,320 feet W from the SE corner Section 17, T99N, R53W
(approx. center of SE ¼) (Latitude 43.39110 and Longitude -97.12717)
- 1,140 feet N and 1,515 feet E from the SW corner Section 16, T99N, R53W (SE ¼ SW ¼)
(Latitude 43.39039 and Longitude -97.11635)

(3) The amount of 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.

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

Section 17, T99N, R53W	Section 16, T99N, R53W
NE ¼ SE ¼ - 35 acres	NE ¼ SW ¼ - 30 acres
NW ¼ SE ¼ - 32 acres	NW ¼ SW ¼ - 18 acres
SW ¼ SE ¼ - 27 acres	SW ¼ SW ¼ - 23 acres
SE ¼ SE ¼ - 32 acres	SE ¼ SW ¼ - 36 acres
	NW ¼ SE ¼ - 1 acre
	SW ¼ SE ¼ - 3 acres

Total – 237 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Allen Merrill, the holder and/or owner of Water Right No. 7151-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater, two wells (Parker Centerville Aquifer), with a priority date of June 15, 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. 7151-3 and subject to the following qualifications:

continued

Qualifications

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 7151-3 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. *(The wells were drilled in 2010 and 2011 by Hammond Wetmore Drilling LLC. Copies of the well completion reports are on file with the Water Rights Program.)*
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Mark Mayer, PE
Director of Office of Water



date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 30th, 2025

7151-3

Allen Merrill
27567 Walnut Ave
Parker, SD 57053

Dear Mr. Merrill:

I am writing to you today in response to the 2025 Irrigation Questionnaire information submitted to us online for Water Right No. 7151-3.

Water Right No. 7151-3(copy enclosed) authorized diversion of 1.78 cubic feet of water per second (800 gpm) from ground water, one well (Parker Centerville Aquifer) for irrigation of 237 acres located in the SE1/4 Section 17, SW1/4 Section 16 & W1/2 SE1/4 Section 16: all in T99N, R53W.

On this year's questionnaire you reported the irrigation of 300 acres. If an additional 63 acres have been developed for irrigation, additional permitting would be required.

Please contact me to either revise your 2025 Irrigation Questionnaire or discuss additional permitting.

Sincerely,

Shannon Konst
Water Rights Program
Shannon.konst@state.sd.us
(605) 773-3352

enclosure