

WATER PERMIT NO. 7163-3

Name of Applicant: **Travis or Kimberly Hymans**

Address: **PO Box 395, Hayti SD 57241** Phone: **605 783-2141**

Amount of Water Claimed: **0.1** Total Acres: **NA**

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

Water to be used for: **domestic** County: **Hamlin**

Type of Waste Disposal System: **NA**

Location: **1 mile northwest of Lake Norden**

PRIORITY Date Received: **9-29-09** Application/License Fee: **\$300**

Corrected Application Received: Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: **SW ¼ SW ¼ Sec 10-T113N-
R53W**

Land to be Irrigated: **NA**

Depth of Well: **102 feet deep**

Well Driller: **Kaiser Well Drilling**

Remarks:

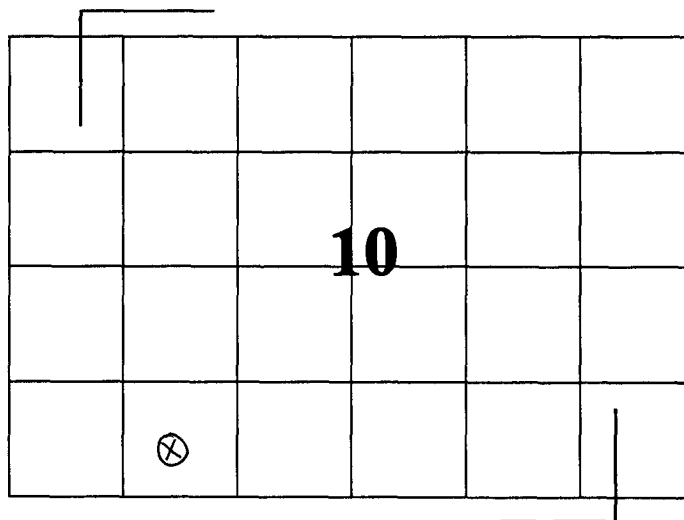
Type of Map: **plat**

Prepared by: **Mike Lapka, RLS**

Reviewed and the Number Assigned on: **9-29-09**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



SD EForm - 1585 V3
FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7163-3</u>	(office use only) Hydrologic Unit <u>10170201</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Estelline Journal</u>	

RECEIVED
SEP 29 2009
WATER RIGHTS PROGRAM

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

- | | | | |
|--|---|--|--|
| ☐ Municipal | ☐ Suburban Housing | ☐ Recreational | ☐ Institutional |
| ☐ Rural Water System | ☐ Commercial | ☐ Fish & Wildlife | ☐ Geothermal Heat |
| ☒ Domestic (over 18 gpm) | ☐ Industrial | ☐ Other _____ | |

Type of Application: (check one)
☒ **New** ☐ **Vested Right** (Use predates Mar 2, 1955) ☐ **Future Use Reservation**
☐ **Place to Beneficial Use Water Reserved by Future Use Permit No.** _____
☐ **Amendment/Correction to Permit No.** _____

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

- Name of Applicant Travis or Kimberly Hymans Phone (605) 783-2141
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 395 Hayti State SD 57241
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.1 *CFS or 45 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply New Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Hamlin
1 well in SW1/4 SW1/4 Section 10 Twp 113N R53W
- County or counties where water will be used Hamlin
- Annual period during which water is to be used Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA)

County of Hamlin SS

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, Kimberly Hymans, 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 Kimberly Hymans

Subscribed and sworn to before me this 17 day of Sept 2009

[Signature]
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7163-3**

Date of first receipt of application September 29, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7163-3 to Travis or Kimberly Hymans, PO Box 395, Hayti SD 57241 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. 7163-3 appropriates 0.10 cubic feet of water per second from one well completed into the Prairie Coteau Aquifer (102 feet deep) located in SW 1/4 SW 1/4 Sec 10-T113N-R53W.
2. The water appropriated shall be used for the purpose of domestic use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 7163-3 is November 23, 2009.
5. The date from which applicant may claim right is September 29, 2009.
6. One-fifth of the construction is to be completed on or before May 23, 2012.
7. All construction is to be completed on or before November 23, 2014.
8. Water is to be put to beneficial use on or before November 23, 2018.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

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.

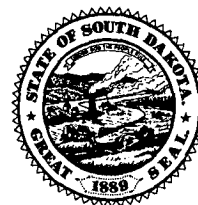
WATER MANAGEMENT BOARD

By: Garland Erbele

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

FEB 26 2010

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8½ Depth 102
- b) Casing Type PVC Diameter 5" Thickness 3/4" 40
- c) Screen Type PVC Diameter 5" Thickness SDR17
- d) Gravel Pack pear rock Length of Gravel Pack 15'
- e) Depth to Top of Water Bearing Material 92
- f) Depth to Water (ground surface to water level) 4'
- g) Distance to nearest existing domestic well:
- On applicants property 1000 On property owned by others 3000

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

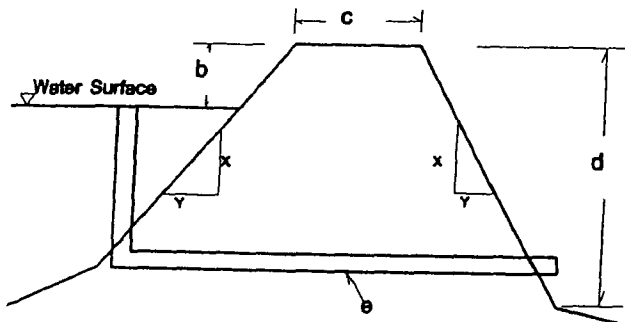
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

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

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



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/29, 20 09

RECEIVED OF Travis Hyman PO Box 395 Hayti SD 57241

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

Fee for Application for Permit No. <u>71163-3</u> to Appropriate Water, to construct and to put water to beneficial use	100	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>71163-3</u>	200	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. 04220

By Richard Eskdale
Chief Engineer

Map

RECEIVED

SEP 29 2009

WATER RIGHTS
PROGRAM

FSA Aerial Map

Page 1 of 1

Aerial Map

map center: 44° 36' 29.44, 97° 10' 43.67
scale: 1026010-113N-53W
Hamlin County
South Dakota

4/9/2009

Maps provided by:

©AgriData, Inc. 2009

www.AgrDataInc.com

Field borders provided by Farm Service Agency as of 5/23/2008. Aerial photography provided by Aerial Photography Field Office.

<http://www.suretymaps.com/suretylm/reports/fsamap.aspx?datakey=27F05663EB950DC2F...> 4/9/2009

Map

RECEIVED

SEP 29 2009

WATER RIGHTS
PROGRAM

From: G R O C & L LLP

6058860934

04/29/2009 14:51

#164 P.002/002

PLAT OF
LOTS 1 & 2, HYMANS ADDITION IN SECTION 10, TOWNSHIP 113 NORTH,
RANGE 53 WEST OF THE 5TH P.M., HAMLIN COUNTY, SOUTH DAKOTA.

THIS PLAT TO VACATE AND REPLAT "PLAT OF LEHTOLA ADDITION IN THE COUNTY OF HAMLIN Located in the SW¹/₄ of Section 10-T113N R62 West of the 6th P.M., HAMLIN COUNTY, SOUTH DAKOTA", FILED FOR RECORD AT 10:00 A.M., ON OCTOBER 17, 1976, IN PLAT BOOK D, PAGE 55.

April, 2009
Scale: 1"=200'
Monument Recovered
Monument Set
12" x 18" Capped Metal Pin 05/0
Bearings are based on Assumed Datum

LOT 1

LEHTOLA
ADDITION

New well

Lot 1 Contains 27.5 Acres
more or less of which 1.5
Acres more or less are Public
Road Right-Of-Way

Lot 2 Contains 3.8 Acres
more or less of which 0.2
Acres more or less is Public
Road Right-Of-Way.

Prepared By:

C
D

Civil
Design
Inc

Civil Engineers & Surveyors
Brookings, South Dakota
PH 605.636.3200



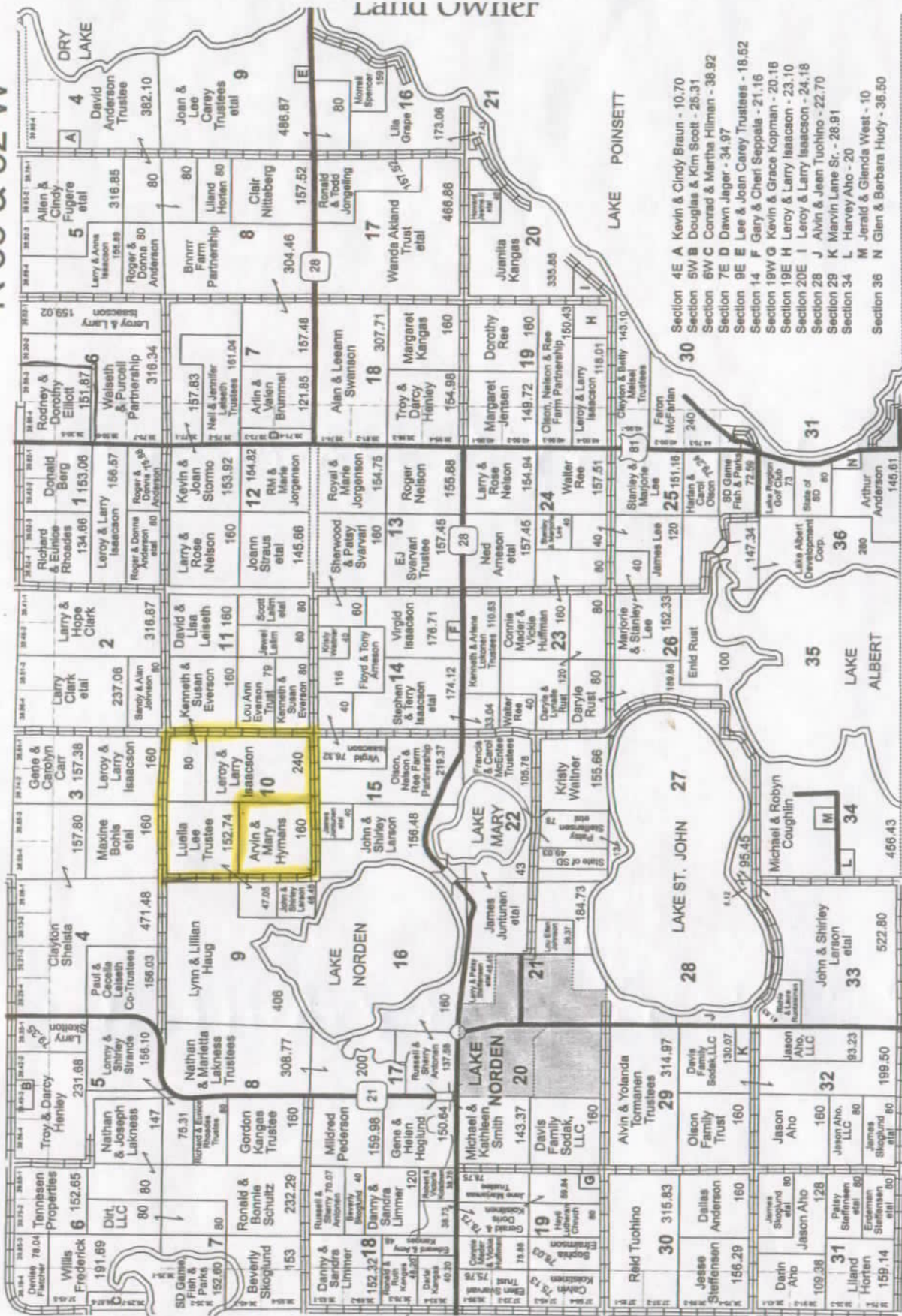
RECEIVED

SEP 29 2009

WATER RIGHTS
PROGRAM

T 113 N

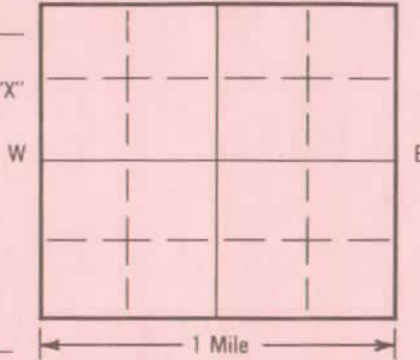
R 53 & 52 W



SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 SW 1/4 Sec 10 Twp 113N Rg 53W
 County Hamlin
 Please mark well location with an "X"



Well-Completion Date

8-18-09

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1000 ft. from old well (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Direct Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
Sch 40 LB/FT	5" IN	204 FT	92 FT	8 1/2" IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
Grout Well DF	8	5" lb./gal	0 ft.	80 ft.
		lb./gal	ft.	ft.

Describe grouting procedure pressure pull methodSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5 IN Length 10 FEETMaterial plasticSlot Size 1035 Set From 92 Feet to 102 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?

Laboratory sent to for water quality analysis

None
no pump installed

Well Owner: Travis and Kim Hyman
 Business Name:
 Address: PO Box 395
Hayti, SD 57241

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
yellow clay	1	10
yellow sand	10	18
Blue clay	18	87
yellow clay	87	92
yellow mixed gravel	92	102

STATIC WATER LEVEL 41 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: air lift☐ Bailed☐ Other

Pumping Level Below Land Surface

25 ft. After 2 Hrs. pumped 100 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

SEP 29 2009

WATER RIGHTS
PROGRAMThis well was drilled under license # 689

And this report is true and accurate.

Drilling firm Kaiser Well DrillingSignature of License Representative: [Signature]Signature of Well Owner or Equitable Property Holder: [Signature]Date: 9-11-09



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7163-3, Travis and Kimberly Hymans**

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. 7163-3, Travis and Kimberly Hymans, PO Box 395, Hayti SD 57241.

The Chief Engineer is recommending APPROVAL of Application No. 7163-3 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 qualification:

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.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 27, 2009

WATER PERMIT APPLICATION NO. 7163-3
TRAVIS OR KIMBERLY HYMANS
OCTOBER 6, 2008

Water Permit Application No. 7163-3 proposes to appropriate 0.10 cubic feet of water per second from an existing well (102 feet deep) completed into the Prairie Coteau aquifer. The well is located in the SW¹/₄ SW¹/₄ Section 10, T113N-R53W. The water is to be used for domestic use.

AQUIFER: Prairie Coteau (PCO)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The completion report that was submitted with this application indicates the well that is to be used to supply this appropriation is completed into "yellow medium gravel" that was encountered from 92-102 feet below grade. This sand and gravel layer is one of numerous bodies of glacial outwash (i.e. sand and gravel deposited by glacier meltwater streams) in Hamlin County that are not part of the surficial Big Sioux aquifer, and are not part of the basal Altamont aquifer. These intermediate deposits, once identified as "local glacial aquifers", (Kume, 1976), are included in what has been named the Prairie Coteau aquifer (Kume, 1985). The Prairie Coteau aquifer consists of deposits that are often lenticular, thin and discontinuous. The outwash sand and gravel bodies occur at various depths in the glacial drift and probably are not connected hydraulically. All totaled, the Prairie Coteau aquifer underlies 345,600 acres of Hamlin County and contains an estimated 778,000 acre-feet of recoverable water in storage (Hedges and others, 1982). The water in the Prairie Coteau aquifer is under confined (artesian) conditions. Recharge to the Prairie Coteau aquifer occurs through from infiltrating precipitation and lateral inflow from till adjacent to the aquifer.

WATER AVAILABILITY:

South Dakota Codified Law 46-6-3.1 requires that "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source."

Recharge:

Hedges and others, (1985) conclude that "for management and development programs the minimum recharge rate to confined aquifers is estimated to be 0.15 inches per year and the maximum rate is 0.60 inches per year."

Withdrawals:

There are no existing water rights/permits that appear to be supplied by this aquifer (Water Rights, 2009b) and only two of the domestic wells on file with the DENR-Water Rights Program (Water Rights, 2009c) look as if they may be completed into this aquifer. Consequently, the amount of water currently being pumped from this aquifer is minimal. If Water Permit Application No. 7163-3 is approved, the total annual withdrawal from the aquifer will be less than 100 ac-ft/yr (43 ac-ft/yr maximum from 7163-3 and 56 ac-ft/yr for all other domestic uses).

The areal extent of the outwash this application proposes as a supply has not been delineated. To obtain 100 ac-ft/yr recharge at the recharge rate prescribed by Hedges and others (1985), this

outwash deposit must underlie between 2,000 and 8,000 acres. This outwash body appears to be present in the domestic wells on file with the DENR-Water Rights Program that are located within approximately one mile of this well site (Water Rights, 2009c). The sand and gravel also may correlate with outwash identified in test holes drilled by the South Dakota Geological Survey (SDGS) located one mile northeast and two miles southeast of this well. The outwash at least occurs at approximately the same elevation as thin outwash deposits identified by the SDGS in test holes drilled approximately three miles north; approximately one mile northeast and approximately three miles southeast of this well (South Dakota Geological Survey, 2009). Information is not available to definitively correlate or determine a hydraulic connection between the sands and gravels encountered in the various borings. However, a review of the well and test hole data for the area (Water Rights, 2009c) and (South Dakota Geological Survey, 2009) provides reasonable assurance that the aquifer this application proposes to use is sufficient size so as to insure that withdrawals from it will not exceed recharge to the aquifer.

The water rights program does not monitor any observation wells completed into the Prairie Coteau aquifer in this area.

REVIEW OF EXISTING WATER RIGHTS:

There are not any existing appropriations from this aquifer. The nearest well that appears to be completed into the same aquifer is located approximately one-half mile north of the well that is to be used to supply this appropriation. Although the Prairie Coteau aquifer is under confined conditions at this site and drawdown from a pumped well may extend fairly far, well interference should not be an issue due to the distance and the low diversion rate requested.

WELL CONSTRUCTION:

This application proposes to use a well that was constructed in August 2009. The South Dakota Water Well Completion Report indicates the well was constructed in accordance with the SD Well Construction Standards.

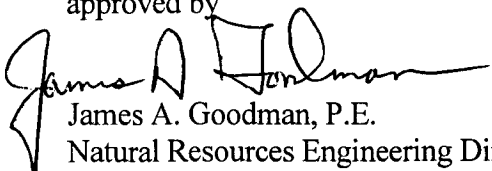
CONCLUSIONS:

1. The Prairie Coteau aquifer is a viable aquifer in this area.
2. The aquifer is under confined conditions at this site.
3. Well interference is not expected to be a concern
4. The well this application proposes to use has been constructed in accordance with the SD Well Construction Standards.



Ken Buhler
Natural Resources Engineering Specialist

approved by



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

REFERENCES:

- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography [Sic.] and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base: prepared for U.S. Army Corps of Engineers, contract DACW 45-80-C-0185
- Hedges, L.S., Allen, J., and Holly, D.E., 1985, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge: prepared for U.S. Army Corps of Engineers, contract DACW 45-80-C-0185
- Kume, J., 1976, Major Aquifers in Deuel and Hamlin Counties, South Dakota: South Dakota Geological Survey Information Pamphlet No. 11, 4 p., 5 figs.
- Kume, J., 1985, Water Resources of Deuel and Hamlin counties, South Dakota: USGS Water Resources Investigation 84-4069, 53 p.
- Water Rights, 2009a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2009b, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2009c, Water Well Completion Report Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 27, 2009

Estelline Journal
PO Box 159
Estelline SD 57234

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7163-3 to Appropriate Water to be published twice. Please publish the first notice on November 4, 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 Travis or Kimberly Hymans, PO Box 395, Hayti SD 57241 (Ph # 605-783-2141).

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. 7163-3

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

Date _____

We are in receipt of your letter of October 27, 2009 enclosing Notice to Appropriate Water by Application No. 7163-3 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
denr.sd.gov

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

October 27, 2009

Travis or Kimberly Hymans
PO Box 395
Hayti SD 57241

Dear Mr. & Mrs. Hymans:

Water Permit Application No. 7163-3 for domestic 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 Estelline Journal printed at Estelline SD (Ph # 605-873-2475). 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.

Instruction to Newspaper - Publish first Notice on November 4, 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. 7163-3 to Appropriate Water

Notice is given that Travis or Kimberly Hymans, PO Box 395, Hayti SD 57241 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second from one well completed into the Prairie Coteau Aquifer (102 feet deep) located in SW ¼ SW ¼ Sec 10-T113N-R53W for domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7163-3 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 23, 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 _____.

RECEIVED

NOV 17 2009

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SSI, LeeAnne Archercertify that the attached printed Notice was
takenfrom the Estelline Journalprinted and published in EstellineCounty of Hamlin andstate of South Dakota. The notice was
published

in the newspaper on the following two dates:

Nov. 4, 2009Nov. 11, 2009Cost of Printing \$ 38.61LeeAnne Archer
(Signature)Owner
(Title)11-11-09

(Date Signed)

NOTICE OF APPLICATION NO.
7163-3 TO APPROPRIATE WATER

Notice is given that Travis or Kimberly Hymans, PO Box 395, Hayti SD 57241 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second from one well completed into the Prairie Coteau Aquifer (102 feet deep) located in SW 1/4 SW 1/4 Sec 10-T113N-R53W for domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7163-3 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 23, 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 Nov. 4 and 11, 2009, at total cost of \$38.61.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 26, 2010

Travis or Kimberly Hymans
PO Box 395
Hayti SD 57241

Dear Mr. & Mrs. Hymans:

Enclosed is Water Permit No. 7163-3 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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7163-3

I have this day, May 2, 2022, made a thorough examination of the water use system constructed by Travis or Kimberly Hymans, PO Box 395, Hayti, SD 57241 of Permit No. 7163-3, bearing the priority of September 29, 2009 authorizing the diversion of 0.10 cu. ft. per second of the waters of the Prairie Coteau Aquifer for domestic use purposes, in Hamlin County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Kaiser Well Drilling, Inc
- 2) No. of Wells 1
- 3) Depth(s) 102 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 5 inches
- 2) Length 92 feet
- 3) Type Plastic

Screen:

- 1) Type Plastic
- 2) Length 10 feet
- 3) Static water level 4 feet

Pump:

- 1) Make Submersible
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 35 GPM

Motor:

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

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

- 1) Type Above ground black plastic
- 2) Size 1 inches
- 3) Length 200 feet

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Exceptions to compliance are: None

D. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: WELL LOCATION
2. From the SW corner Sec 10 T113N R53W 540 ft E & 340 ft N LAT 44.60161 LONG -97.18653 (SW ¼ SW ¼).
3. The works are capable of diverting and conveying to the place of use 0.078 cu. ft. per second of water which is to be used for domestic use.
The license should be issued for 0.78 cfs.

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

The well and domestic use locations was determined were the aid of FSA imagery and ArcMAP software.

The telephone number should be changed to 605/785-5601 and the address should be 45114 192nd Str, Lake Norden, SD 57248.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: November 15, 2022



0 0.05 0.1 0.2 0.3 0.4 Miles



Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

FEB 09 2023

7163-3

Travis or Kimberly Hymans
45114 192nd St
Lake Norden SD 57248

Dear Mr. or Ms. Hymans:

Enclosed is Water License No. 7163-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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

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

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7163-3

(1) Travis or Kimberly Hymans, 45114 192nd St., Lake Norden SD 57248 made Application No. 7163-3, September 29, 2009 for a water permit to divert 0.10 cubic feet of water per second from ground water, one well (Prairie Coteau Aquifer), Hamlin County, South Dakota for domestic use purposes. Permit No. 7163-3, with a priority date of September 29, 2009 was approved November 23, 2009 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before November 23, 2014 and for the application to beneficial use of water on or before November 23, 2018.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and are entitled to divert 0.078 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 540'E & 340'N of the SW corner of Section 10, T113N, R53W (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
Latitude 44.60161, Longitude -97.18653

(3) The permit holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Travis or Kimberly Hymans, 45114 192nd St., Lake Norden SD 57248 the holders and/or owners of Water Right No. 7163-3 are issued a license to appropriate water, the right to use 0.078 cubic feet of water per second (35 gallons per minute) from ground water, one well (Prairie Coteau Aquifer) with a priority date of September 29, 2009 from the location specified in (2) of this license for domestic purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7163-3 and subject to the following qualification:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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.

Eric Gronlund

Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

FEB 09 2023

date

