

# WATER PERMIT NO. 7251-3

Name of Applicant: Marvin Schumacher

Address: 19683 Hwy 1804, Pierre SD 57501 Phone:

Amount of Water Claimed: 1.78 cfs Total Acres: 120

Source of Water Supply: groundwater (2 wells)

Water to be used for: irrigation County: Hughes

Type of Waste Disposal System:

Location: 10 miles north of Pierre

PRIORITY Date Received: 5-12-11 Application/License Fee: \$950

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

Remarks: Add'l acreage and add'l well and corrects the location of acreage irrigated by Permit No. 1621-3

Diversion Point: SW ¼ SE ¼ Sec 2-T112N-R80W

Land to be Irrigated: SW ¼ Sec 2-T112N-R80W

Depth of Well: 100 feet deep

Well Driller: Manikowski Drilling

Remarks:

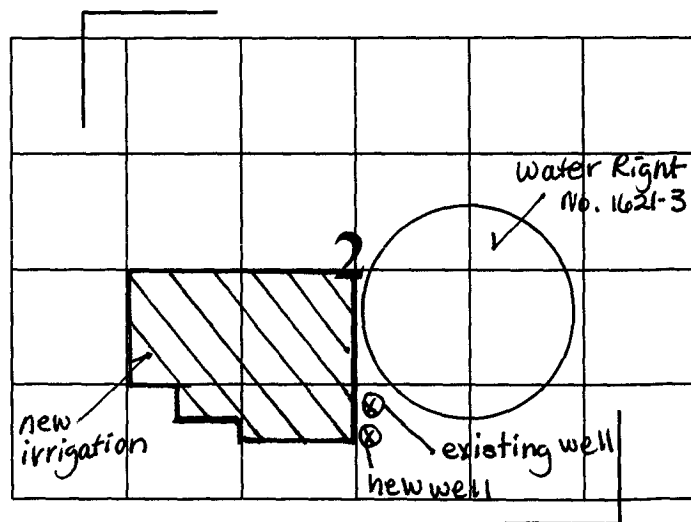
Type of Map: aerial

Prepared by: Eric Gronlund

Reviewed and the Number Assigned on: 5-12-11

By: Karen Schlaak

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



## FORM 2: Application for irrigation in South Dakota

(type or print)

|                                                                                                                 |                                             |                                 |
|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------|
| Mail to:<br>PMB 2020<br>DENR - Water Rights<br>523 E Capitol Ave<br>Pierre, SD 57501-3182<br>ph. (605) 773-3352 | No. <u>7251-3</u> (office use only)         | Hydrologic Unit <u>10130105</u> |
|                                                                                                                 | Basin <u>Missouri River</u>                 |                                 |
|                                                                                                                 | Newspaper <u>Capital Journal PO Box 878</u> |                                 |
|                                                                                                                 | <u>605-224-7301</u>                         | <u>5201</u>                     |

RECEIVED

MAY 12 2011

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.)

applying for irrigation in the SW 1/4 Section 2 T112N, R80W. Currently held under WR No. 1621-3.

However, there is a question on nonuse. To insure a water permit is in place applying for a new permit

1. Name of Applicant Marvin Schumacher Phone \_\_\_\_\_  
(check one) ☒ Owner ☐ Tenant/lessee  
Mailing Address 19683 Hwy 1804 Pierre SD 57501  
(Address) (City) (State) (Zip Code)

2. Amount of water claimed 1.78\*CFS or 800 \*\*GPM \*\*\*AF Total Acreage 120  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Grey Goose Aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Hughes  
SW 1/4 SE 1/4 Section 2, T112N, R80W

5. County or counties where water will be used Hughes6. Annual period during which water is to be used April 1 - October 31

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 |
|--------------------------------------|-------|------------------|-------|
| NW 1/4 SW 1/4 Section 2, T112N, R80W | 40    |                  |       |
| NE 1/4 SW 1/4 Section 2, T112N, R80W | 40    |                  |       |
| SW 1/4 SW 1/4 Section 2, T112N, R80W | 16    |                  |       |
| SE 1/4 SW 1/4 Section 2, T112N, R80W | 24    |                  |       |

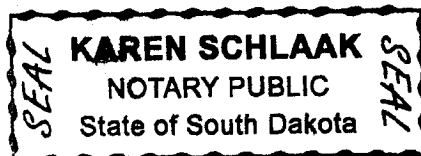
8. Give a description of the project. (Attach sheet if more space is needed)

May be in and utilize well under WR No. 1621-3

STATE OF SOUTH DAKOTA )  
County of Hughes ) SS

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

I, Marvin Schumacher, 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 Marvin SchumacherSubscribed and sworn to before me this 12<sup>th</sup> day of May 20 11

My commission expires 4/1/13

Karen Schlaak  
Notary Public signature

**SOUTH DAKOTA**  
**WATER PERMIT NO. 7251-3**

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Date of first receipt of application May 12, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7251-3 to Marvin Schumacher, 19683 Hwy 1804, Pierre SD 57501 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. 7251-3 appropriates 1.78 cubic feet of water per second (cfs) from one well to be completed into the Grey Goose Aquifer (approximately 100 feet deep) located in SW 1/4 SE 1/4 Section 2 for irrigation of 120 acres located in the SW 1/4 Section 2; all in T112N-R80W. Currently, Water Right No. 1621-3 appropriates water for irrigation of the SE 1/4 and S 1/2 NE 1/4 of Section 2 from this proposed well and an existing well 600 feet north in Section 2. The permit holder may operate both pivots using one and/or both wells.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is May 12, 2011.
4. The date of approval of Permit No. 7251-3 is July 11, 2011.
5. One-fifth of the construction is to be completed on or before January 11, 2014.
6. All construction is to be completed on or before July 11, 2016.
7. Water is to be put to beneficial use on or before July 11, 2020.
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. 7251-3 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

AUG 18 2011

date



## Supplemental Information

(type or print in ink)

### 1. Well Information - Proposed Construction

- a) Drill Hole Diameter \_\_\_\_\_ Depth approx. 100
- b) Casing Type \_\_\_\_\_ Diameter \_\_\_\_\_ Thickness \_\_\_\_\_
- c) Screen Type \_\_\_\_\_ Diameter \_\_\_\_\_ Thickness \_\_\_\_\_
- d) Gravel Pack \_\_\_\_\_ Length of Gravel Pack \_\_\_\_\_
- e) Depth to Top of Water Bearing Material \_\_\_\_\_
- f) Depth to Water (ground surface to water level) \_\_\_\_\_
- g) Distance to nearest existing domestic well:
- On applicant's property 1000 feet On property owned by others 1 mile west

### 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

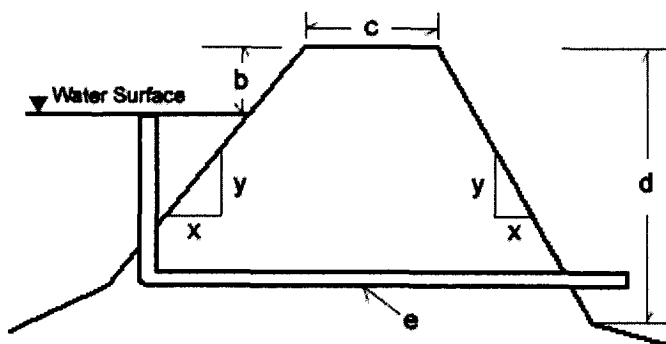
### 3. Dugout Information

- 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 (e.g. 3 to 1 is a typical slope)  
Upstream \_\_\_\_\_  
Downstream \_\_\_\_\_
- h) Surface Area of Impoundment \_\_\_\_\_
- i) Storage \_\_\_\_\_ Acre Feet
- j) Drainage Area Above Dam \_\_\_\_\_ Acres

Section 2  
T112N  
R50W

existing well

proposed second well (new)



WATER RIGHTS  
PROGRAM

  
Eric Gronlund PE  
Water Rights Program DENR  
May 12, 2011

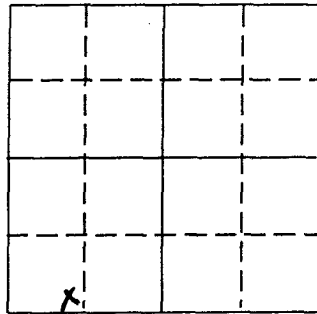
## SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW 1/4 SW 1/4 Sec 2 Twp 112 Rg 80County Hughes North

Please mark well location with an "X"

Well completion Date

5-18-11

Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? 2,500 ft. from septic tank (identify source)

## PROPOSED USE:

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

## METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe

| PIPEWEIGHT         | DIAMETER     | FROM         | TO           | HOLE DIAMETER  |
|--------------------|--------------|--------------|--------------|----------------|
| <u>SDR21 LB/FT</u> | <u>12 IN</u> | <u>+1 FT</u> | <u>79 FT</u> | <u>17.5 IN</u> |
| LB/FT              | IN           | FT           | FT           | IN             |
| LB/FT              | IN           | FT           | FT           | IN             |

## GROUTING DATA:

| Grout Type      | No. of Sacks | Grout Weight      | From        | To           |
|-----------------|--------------|-------------------|-------------|--------------|
| <u>Concrete</u> | <u>14</u>    | <u>9.5 Lb/gal</u> | <u>0</u> Ft | <u>60</u> Ft |
|                 |              | Lb/gal            | Ft          | Ft           |

Describe grouting procedure Grout Pumped thru tremie line bottom to topSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12 Inches Length 18 FeetMaterial stainless steelSlot Size 1090 Set From 79 Feet to 97 FeetOther information Red Flint #90 stat SandpackWAS 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 washed in☐ No, Why Not?

Lab sample sent to for water quality analysis

NOWell Owner: Mark Schumacher

Business Name:

Address1: 19683 Hwy 1804

Address2:

City, State, Zip: Pierre, SD 57501

## WELL LOG:

## DEPTH

| FORMATION              | FROM | TO  |
|------------------------|------|-----|
| Top Soil               | 0    | 1   |
| yellow clay            | 1    | 4   |
| Gravel and Rocks       | 4    | 9   |
| Gravel yellow clay Mix | 9    | 35  |
| Blue clay              | 35   | 62  |
| Brownish Coarse Sand   | 62   | 67  |
| Fine Sand (Silty)      | 67   | 75  |
| Coarse Sand and Gravel | 75   | 97  |
| Blueish Shale          | 97   | 100 |

STATIC WATER LEVEL 37.5 FEET

If flowing: closed in pressure

PSI

GPM flow through \_\_\_\_\_ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate \_\_\_\_\_ GPM

Can well be completely shut in?

## WELL TEST DATA:

☒ Pumped Describe: Submersible Pump☐ Bailed☐ Other

Pumping Level Below Land Surface

56 Ft. After 1 Hrs. pumped 850 GPM

Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

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

## REMARKS

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MAY 25 2011

WATER RIGHTS PROGRAM

This well was drilled under license # 285

And this report is true and accurate.

Drilling firm: Manikowski Well Drilling, Inc.

Signature of License Representative:

Byron Manikowski

Signature of Well Owner or Equitable Property Holder:

Date:

Please return WHITE COPY to: DENR Water Rights, 523 E. Capitol Ave., Pierre SD 57501

**RECEIPT**  
**WATER RIGHTS PROGRAM**  
South Dakota Department of Environment and Natural Resources

Date 5/12, 20 11

RECEIVED OF Marvin Schumacher 19683 SD Hwy 1804 Pierre SD 57501

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

|                                                                                                                        |       |        |
|------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>7251-3</u> to Appropriate Water, to construct and to put water to beneficial use | 750   | 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>7251-3</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 | 950 00 |

No. **04978**

By

Galad Erbe  
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)

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 7251-3, Marvin Schumacher**

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. 7251-3, Marvin Schumacher, 19683 Hwy 1804, Pierre SD 57501.

The Chief Engineer is recommending APPROVAL of Application No. 7251-3 because; 1) there is reasonable probability unappropriated is 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. 7251-3 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  
June 13, 2011

**Report on Water Permit Application No. 7251-3  
for Marvin Schumacher  
May 17, 2011**

Application No. 7251-3 proposes to appropriate 800 gallons per minute (1.78 cfs) from one well approximately 100 feet deep to be completed into the Grey Goose aquifer located in the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 2 to irrigate 120 acres located in the SW  $\frac{1}{4}$  of Section 2; all T112N-R80W in Hughes County. No test well information was submitted with this application. The annual period during which water will be used is May 1 through September 30.

**AQUIFER: Grey Goose**

This report will address the availability of unappropriated water from the Gray Goose aquifer.

**WATER AVAILABILITY**

**Aquifer Characteristics:**

The Grey Goose aquifer is a buried deposit of outwash sand and gravels that is under water table conditions and has an area of 110 square miles and contains an estimated 560,000 acre-feet of water in Hughes County (Hamilton, 1986). The aquifer extends into Sully County to the north and is hydraulically connected to Oahe Reservoir to the east. Recharge to the Grey Goose occurs through infiltration of precipitation and inflow from Oahe when the level of the lake is above the potentiometric surface of the aquifer (Hamilton, 1986). Groundwater movement is dictated by fluctuations in the water level of the reservoir. No test well information was submitted with this application but there is sufficient information available from nearby wells and/or permits to determine if water is available.

**Observation Well Data**

The Water Rights Program has two monitor wells within three miles of this application location. Monitor well HU-80A is located about one and a quarter miles to the south-southwest. Monitor well HU-80B is located over two and a half miles southeast of this application location. Hydrographs for these wells are included with this report.

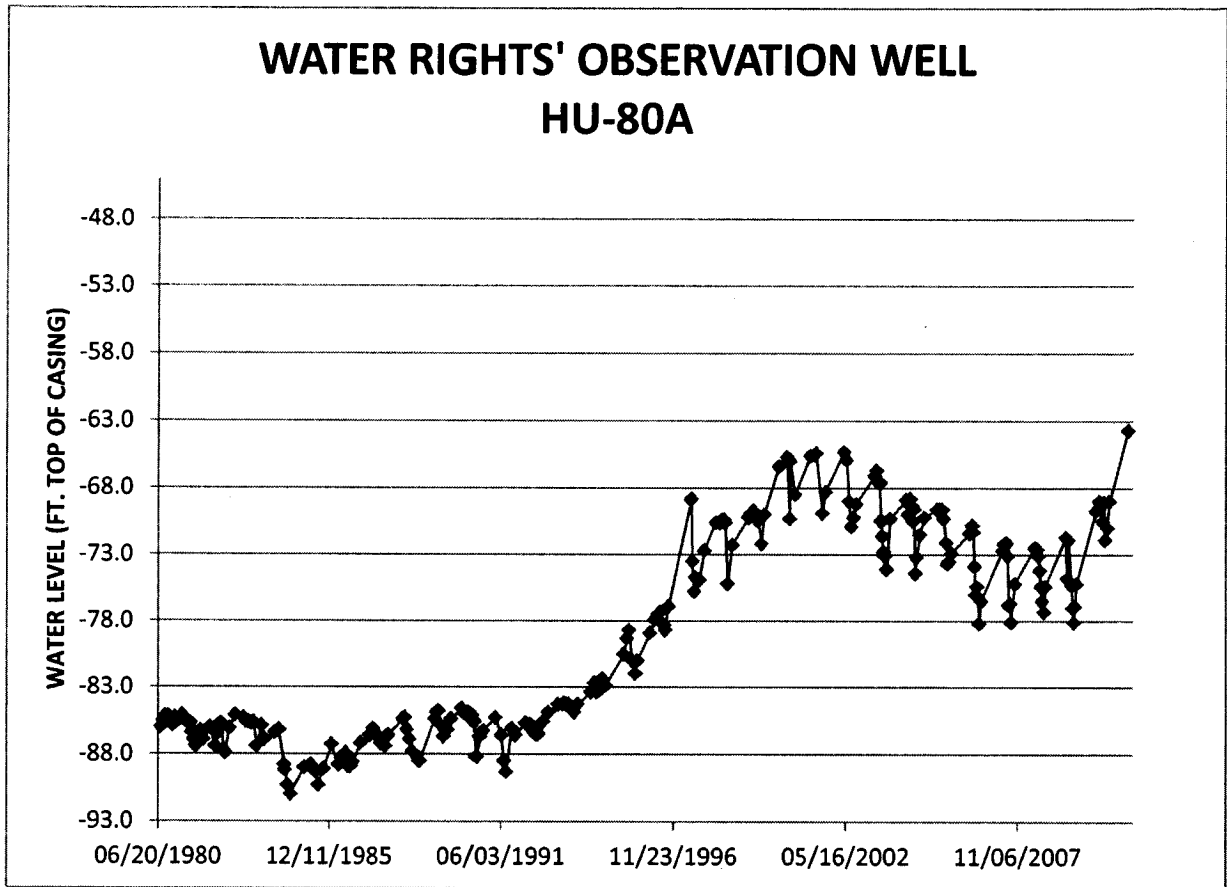


Figure 1. Hydrograph for Water Rights Observation Well HU-80A, completed into the Gray Goose Aquifer within one and a quarter mile of 7251-3

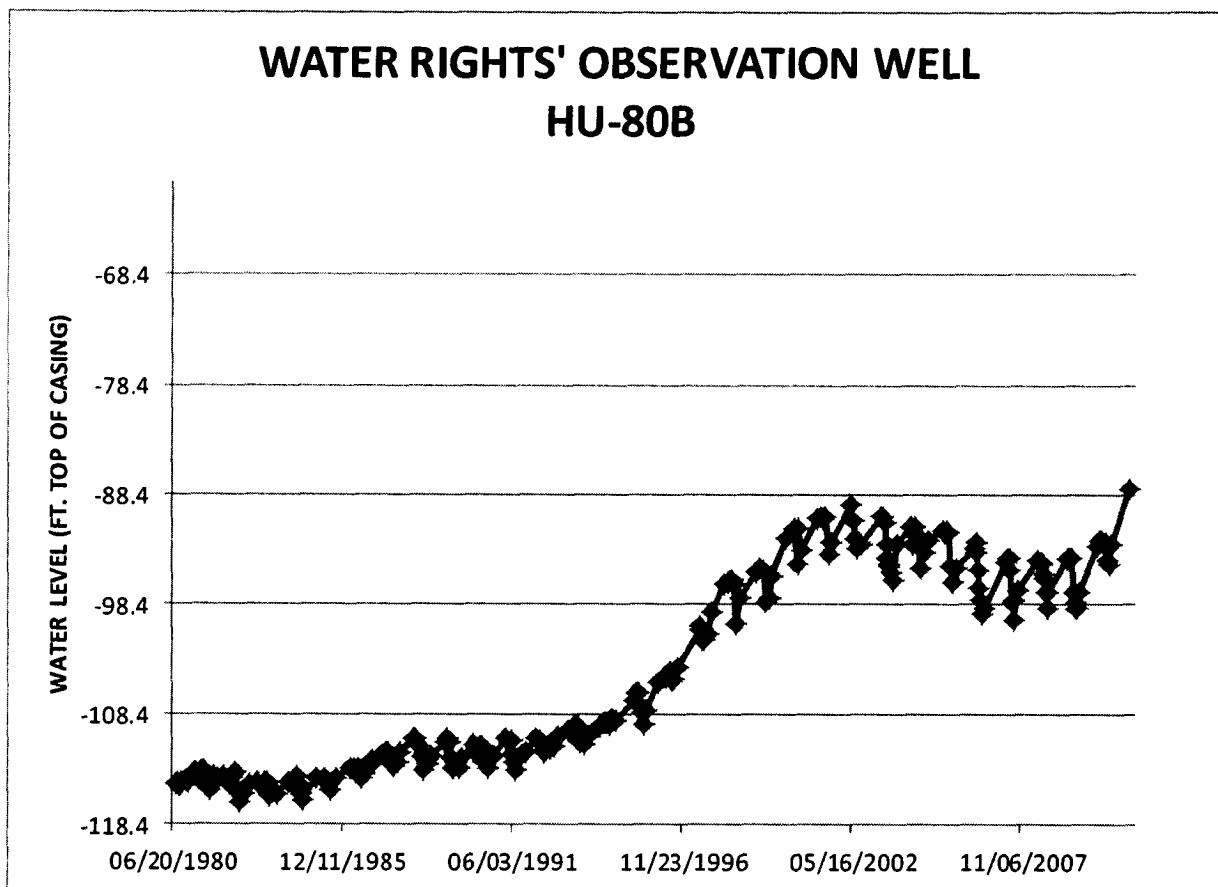


Figure 2. Hydrograph for Water Rights Observation Well HU-80B, completed into the Gray Goose Aquifer within three miles of 7251-3

In general, the hydrographs show that over the period of record, withdrawals have not exceeded recharge and water levels have generally risen since 1980.

#### **Review of Existing Water Permits/Rights/Water Use:**

In 2009, there were nine irrigation permits which diverted, or were authorized to divert water from the Gray Goose aquifer. The amount of water appropriated by these permits was 3572.00 ac-ft, and pumpage reported was 1393.48 ac-ft (Water Rights, 2011). There are currently four commercial permits which divert water from the Gray Goose aquifer; altogether, they are authorized to divert 2.965 cfs from the aquifer.

There are six existing water permits/rights located within one mile of this application including License No. 1621-3 to divert 3.55 cfs to irrigate 119 acres in the SW ¼ and 130 acres in the SE ¼ of Section 2, T112N-R80W. License No. 1987-3 is licensed to divert 3.08 cfs to irrigate 216 acres which includes 68 acres in the S ½ of the NE ¼ of Section 2, T112N-R80W.

Interference could occur during times of pumping and water levels do fluctuate as a result of area pumping but this does not affect the availability of water from the aquifer.

**Conclusions:**

1. Water is available from the Grey Goose aquifer.
2. The aquifer appears to be under water table conditions at this location. Drawdown will result from pumping. Interference is not expected to be a problem, but could occur.
3. If the well covered by this Permit adversely impacts the domestic supplies or interferes with prior water rights, restrictions or other arrangements may be required to protect these water supplies.
4. This well must be constructed in accordance with SD Well Construction Standards.



Hayes Haas  
Natural Resources Engineer

**Bibliography:**

Hamilton, L.J, 1986, Water Resources of Hughes County, South Dakota, USGS Water Resources Investigations Report 84-4195, USGS, Huron, SD 57350

Water Rights, 2011, Irrigation Records for the Gray Goose Aquifer, SD DENR, Water Rights Program, Pierre, SD, 57501

Water Rights, 2011, Water Rights Unpublished Observation Well Records, SD DENR, Water Rights Program, Pierre, SD, 57501

Form 8

RECEIVED  
JUL - 6 2011  
WATER RIGHTS  
PROGRAM

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )

County of Hughes ) SS

I, Marylinn Baker

certify that the attached printed Notice was taken

from the Capital Journal

printed and published in Pierre

County of Hughes and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 23, 2011

June 30, 2011

Cost of Printing \$58.30

Marylinn Baker  
(Signature)

Bookkeeper  
(Title)

7-1-11

(Date Signed)

### Wells.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7251-3 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 July 11, 2011.

SNAXLP 11457  
2dy 5/23, 5/30  
NOTICE OF  
APPLICATION  
NO. 7251-3 to  
Appropriate  
Water

Notice is given that Marvin Schumacher, 19683 Hwy 1804, Pierre SD 57501 has filed an application interest in the for a water permit application, the petition to appropriate 1.78 cubic feet of water per second supporting the application from one well location, and the to be completed signature and into the Grey mailing address of Goose Aquifer the petitioner or (approximately the petitioner's 100 feet deep) legal counsel, if located in SW 1/4 of Section 2, SE 1/4 of Section 2, T112N-R60W. Contact for irrigation of Eric Gronlund at 120 acres located the above Water in the SW 1/4 Rights Program Section 2; all in address to request copies of information. Currently, Water tion pertaining to Right No. 1621-3 this application.

appropriates water for irrigation of the SE 1/4 and S 1/2 NE 1/4 of Section 2 from this proposed well and an existing well 600 feet north in Section 2. The applicant may operate at the total both photos using proximate cost of one and/or both \$58.30.

Steven M. Pimer,  
Secretary,  
Department of  
Environment and  
Natural  
Resources.

Published twice



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)

June 15, 2011

Capital Journal  
PO Box 878  
Pierre SD 57501

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7251-3 to Appropriate Water to be published twice. Please publish the first notice on June 23, 2011 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 Marvin Schumacher, 19683 Hwy 1804, Pierre SD 57501 (Ph # 605-224-2817).

**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. 7251-3

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

Date \_\_\_\_\_

We are in receipt of your letter of June 15, 2011 enclosing Notice to Appropriate Water by Application No. 7251-3 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.

June 15, 2011

Marvin Schumacher  
19683 Hwy 1804  
Pierre SD 57501

Dear Mr. Schumacher:

Water Permit Application No. 7251-3 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 Capital Journal printed at Pierre SD (Ph # 605-224-7301). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
(605) 773-3352  
[eric.gronlund@state.sd.us](mailto:eric.gronlund@state.sd.us)

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 June 23, 2011 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. 7251-3 to Appropriate Water

Notice is given that Marvin Schumacher, 19683 Hwy 1804, Pierre SD 57501 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Grey Goose Aquifer (approximately 100 feet deep) located in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 2 for irrigation of 120 acres located in the SW  $\frac{1}{4}$  Section 2; all in T112N-R80W. Currently, Water Right No. 1621-3 appropriates water for irrigation of the SE  $\frac{1}{4}$  and S  $\frac{1}{2}$  NE  $\frac{1}{4}$  of Section 2 from this proposed well and an existing well 600 feet north in Section 2. The applicant may operate both pivots using one and/or both wells.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7251-3 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 July 11, 2011.

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 \_\_\_\_\_.

**Report of Examination of Works and/or Application of Water to Beneficial Use  
For Permit No. 7251-3**

I have this day, September 3, 2015, made a thorough examination of the water use system constructed by Marvin Schumacher, 19683 Hwy 1804, Pierre, SD 57501 of Permit No. 7251-3, bearing the priority of May 12, 2011 authorizing the diversion of 1.78 cu. ft. per second of the waters of Grey Goose Aquifer for irrigation purposes, in Hughes County.

Inspection contact & relationship     **Marvin Schumacher, permit holder**  
to permit holder, if applicable:

**A. Works used to divert the water:**

**Well Information:**

- 1) Well Drilling Firm: Manikowski Drilling
- 2) No. of Wells 1
- 3) Depth(s) 97 feet
- 4) Well log is available Yes

Comments:     Old well abandoned, used new well for both CP's

**Casing:**

- 1) Diameter 12 inches
- 2) Length 79 feet
- 3) Type PVC

**Screen:**

- 1) Type SS
- 2) Length 18 feet
- 3) Static water level 37.5 feet

**Pump:**

- 1) Make Franklin
- 2) Model Submersible
- 3) Capacity 800 GPM

**Motor:**

- 1) Make Franklin
- 2) Model No. Submersible
- 3) Horsepower rating 40 hp

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

- 1) Type PVC & Transite      2) Size 8 inches      3) Length 4250 feet

Comments: Water Right 1621-3 has 1600' of 8" transite pipe from abandoned well to center pivot. Water Permit 7251-3 installed approximately 1000' of 8" PVC from the new well to the abandoned well and connected to the transite pipe. Approximately 1650' of 8" PVC was installed from the new well to new center pivot.

**C. Works used to apply water to beneficial use:**

**Center pivot (7251-3):**

- 1) Make Valley
- 2) Overall length 1100 feet
- 3) Number of towers 6
- 4) End gun Yes
- 5) Capacity 800 GPM

**Center pivot (1621-3):**

- 1) Make Valley
- 2) Overall length 1280 feet
- 3) Number of towers 7
- 4) End gun Yes
- 5) Capacity 800 GPM

Comments: Original well under Water Right 1621-3 has been abandoned and center pivot is being fed from new well installed under Water Permit 7251-3.

**Chemigation Equipment:**

- 1) Does chemigate No

**D. Compliance with Permit Requirements:**

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes. Water Right 1621-3 began irrigating in 1970, and Water Permit 7251-3 began irrigating in 2012.

List any extended period of nonuse: None

- 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: West 2535', North 615' from SE corner Sec 2-T112N-R80W; Lat 44.5347/Long -100.42117; SW ¼ SE ¼ Sec 2-T112N-R80W.
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:

All land is located in Sec 2-T112N-R80W

Water Permit No. 7251-3/85 ac

NW ¼ SW ¼ - 19 ac

NE ¼ SW ¼ - 34 ac

SE ¼ SW ¼ - 22ac

SW ¼ SW ¼ - 10 ac

Water Right No. 1987A-3/36 ac

SW ¼ NE ¼ - 17 ac

SE ¼ NE ¼ - 19 ac

Water Right No. 1621-3/94 ac

NW ¼ SE ¼ -35 ac

NE ¼ SE ¼ - 40 ac

SE ¼ SE ¼ - 10 ac

SW ¼ SE ¼ - 9 ac

comprising a total of 215 acres of land and the license should be issued for 1.78 cfs.

3. All structures, wells and lands on map Yes

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

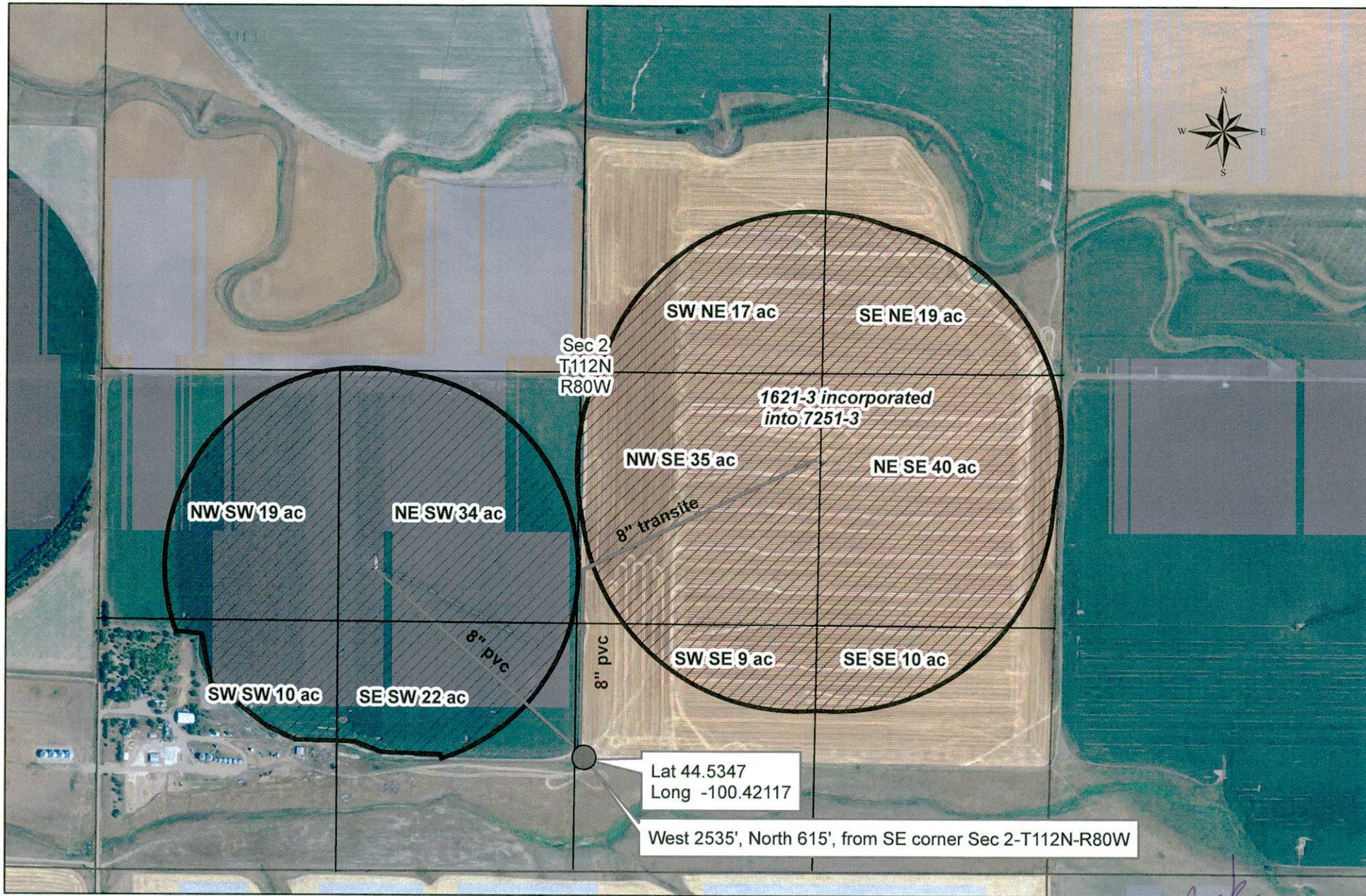
Appropriate portions of Water Right No. 1621-3 and Water Right No. 1987-A3 will be incorporated into 7251-3. Existing well under 1621-3 was abandoned and new well is used for both CP's.



Harold Holoch, PE  
Water Rights Inspector  
DENR, Water Rights Program

Date report completed: December 3, 2015

7251-3



SCALE



TOTAL ACRES = 215



*Sign Back for*

Harold Holoch, PE  
Water Rights Inspector  
September 3, 2015

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

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Date 9-2-15

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

FROM: Marv Schumacher  
(name)  
19683 Hwy 1804  
(address)  
Pierre, SD 57501 605 224-2817  
(city, state, zip) (phone)

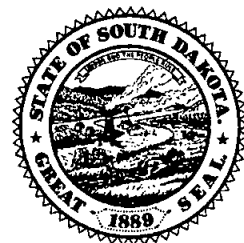
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

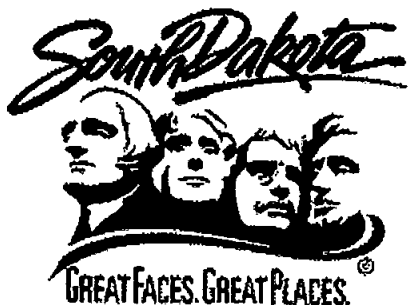
Water Permit No. 7251-3 states that the water use system is to be constructed by  
7-11-16 (date), and water is to be put to beneficial use by 7-11-20 (date).

The water use system was completed on 12-1-11 (date).

Applying the water to beneficial use was completed on 5-1-12 (date).

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





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

MAY 03 2016

1621-3  
1987A-3  
7251-3

Marvin Schumacher  
19683 Hwy 1804  
Pierre SD 57501

Dear Mr. Schumacher:

Enclosed is Water License No. 7251-3. 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. 7251-3, 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.

Upon licensing, the applicable portions of Water Right Nos. 1621-3 and 1987A-3 were incorporated into No. 7251-3. 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,

Jeanne Goodman, Chief Engineer  
Water Rights Program  
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA**  
**WATER LICENSE NO. 7251-3**

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(1) Marvin Schumacher, 19683 Hwy 1804, Pierre SD 57501 made Application No. 7251-3, May 12, 2011 for a water permit to divert 1.78 cubic feet of water per second from ground water, one well (Gray Goose Aquifer), Hughes County, South Dakota for irrigation purposes. Permit No. 7251-3, with a priority date of May 12, 2011 was approved July 11, 2011 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 11, 2016 and for the application to beneficial use of water on or before July 11, 2020.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on December 2, 2015. The "*Notice*" stated the water use system was completed in December, 2011 and the water placed to beneficial use in May, 2012.

Water Permit No. 7251-3 was obtained to authorize an additional well and acreage to an existing system authorized under Water Right Nos. 1621-3 and 1987A-3. Water Right No. 1621-3, with a priority date of October 7, 1968 authorizes irrigation of the SE ¼ Section 2, T112N, R80W. Water Right No. 1987A-3, with a priority date of April 26, 1973, authorizes irrigation of the S ½ NE ¼ Section 2, T112N, R80W.

The investigation of the water use system found the original well had been abandoned and only the new well authorized under No. 7251-3 was being used to supply both pivots. The applicable portions of Water Right Nos. 1621-3 and 1987A-3 are incorporated into Water License No. 7251-3. Priority dates are described in (3) of this license.

(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 point is 2,535 feet west and 615 feet north of the SE corner of Section 2, T112N, R80W (SW ¼ SE 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:

|                       |           |           |                                        |
|-----------------------|-----------|-----------|----------------------------------------|
| T112N, R80W Section 2 | NW ¼ SW ¼ | 19 acres  | May 12, 2011 Priority date (7251-3)    |
|                       | NE ¼ SW ¼ | 34 acres  | "                                      |
|                       | SE ¼ SW ¼ | 22 acres  | "                                      |
|                       | SW ¼ SW ¼ | 10 acres  | "                                      |
|                       | SW ¼ NE ¼ | 17 acres  | April 26, 1973 Priority date (1987A-3) |
|                       | SE ¼ NE ¼ | 19 acres  | "                                      |
|                       | NW ¼ SE ¼ | 35 acres  | October 7, 1968 Priority date (1621-3) |
|                       | NE ¼ SE ¼ | 40 acres  | "                                      |
|                       | SE ¼ SE ¼ | 10 acres  | "                                      |
|                       | SW ¼ SE ¼ | 9 acres   | "                                      |
|                       | Total     | 215 acres |                                        |

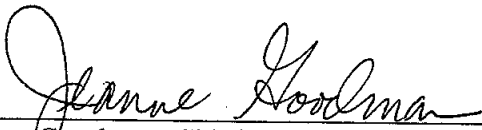
continued

Water License No. 7251-3

(4) Pursuant to South Dakota Water Law 46-5-30.1 Marvin Schumacher, 19683 Hwy 1894, Pierre SD 57501 the holder and/or owner of Incorporated Water Right No. 7251-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water, one well (Gray Goose Aquifer) with priority dates of October 7, 1968 (SE ¼); April 26, 1973 (S ½ NE ¼) and May 12, 2011 (SW ¼) 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 Incorporated Water Right No. 7251-3 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 7251-3 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. ***Well drilled by Manikowski Drilling in May, 2011. A copy of the well completion report is on file with the Water Rights Program.***
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

MAY 03 2016  
date





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
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[www.state.sd.us/denr](http://www.state.sd.us/denr)

AUG 18 2011

Marvin Schumacher  
19683 Hwy 1804  
Pierre SD 57501

Dear Mr. Schumacher:

Enclosed is Water Permit No. 7251-3 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