

WATER PERMIT NO. 7624-3

Name of Applicant: **Dave Forna**

Address: **48247 SD 105, Jefferson SD 57038** Phone: **712 251-8236**

Amount of Water Claimed: **2.0 cfs** Total Acres: **120 acres**

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

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

Type of Waste Disposal System:

Location: **1/2 mile south of Jefferson**

PRIORITY Date Received: **12-26-12**

Application/License Fee: **\$ 950**

Corrected Application Received: **1-9-13**

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

Remarks:

Diversion Point: **SE 1/4 NW 1/4 Sec 19-T90N-**
R48W

Land to be Irrigated: **S 1/2 NW 1/4, N 1/2 SW 1/4,**
NW 1/4 SE 1/4 Sec 19-T90N-R48W

Depth of Well: **3**
121 feet deep

Well Driller:

Remarks:

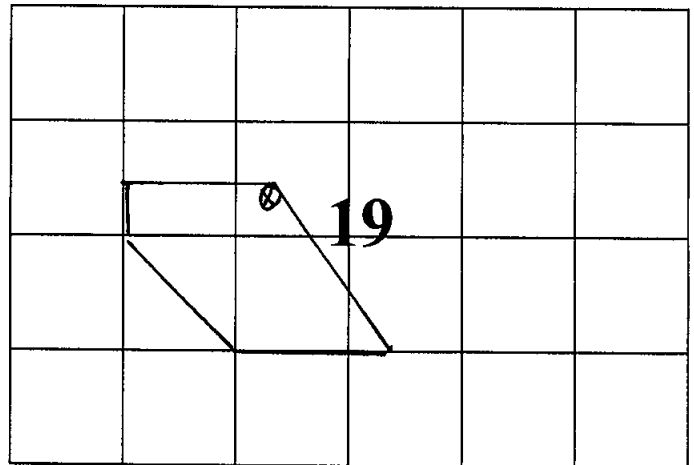
Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **1-10-13**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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

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DEC 26 2012

WATER RIGHTS
PROGRAM

605-665-7811

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7624-3</u> (office use only) <u>10170101</u>
	Basin <u>Missouri River</u> <u>605-356-2632</u>
	Newspaper <u>Leader-Opinion Box 310 Elk Point 57025</u>
	<u>Pressor Dakotan 319 Walnut Yankton 57098-</u>

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

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

1. Name of Applicant DAVE Fornia Phone cell# 912-251-8236 605 966 5350 Home
- Mailing Address 49247 SD105 Jetterson State S.D. 5703P
- (check one) ☒ Owner ☐ Tenant/lessee
- (Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed *CFS or 900 **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 Irrigation well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
- SE 1/4 of the NW1/4 section 19 T90N R-48W
- County Union
5. County or counties where water will be used Union
6. Annual period during which water is to be used Summer May 1 - Sept. 30
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
- (Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>SE 1/4 of NW 1/4 sec 19 T90 R49</u>	<u>40</u>		
<u>N 1/2 of SW 1/4 sec 19 T90 R49</u>	<u>60</u>		
<u>NW 1/4 SE 1/4 Sec 19 T90 R49</u>	<u>20</u>		

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

Requesting greater Diversion Rate than Statutory limit

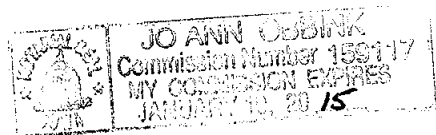
Towa
STATE OF ~~SOUTH DAKOTA~~ SS
County of Sioux

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, Dave Fornia, 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 [Signature]

Subscribed and sworn to before me this 21 day of December 20 12



[Signature]
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7624-3**

Date of first receipt of application December 26, 2013.

Date of return to applicant for corrections, amendments or changes January 2, 2013.

Date of receipt of corrected application January 9, 2013.

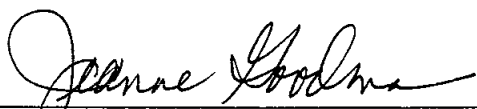
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7624-3 to Dave Forna, 48247 SD 105, Jefferson SD 57038 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7624-3 appropriates 2.0 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (131 feet deep) located in the SE 1/4 NW 1/4 Section 19 for irrigation of 120 acres located in the S 1/2 NW 1/4, N 1/2 SW 1/4, NW 1/4 SE 1/4 Section 19; all in T90N-R48W.
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 December 26, 2013.
4. The date of approval of Permit No. 7624-3 is March 18, 2013.
5. One-fifth of the construction is to be completed on or before September 18, 2015.
6. All construction is to be completed on or before March 18, 2018.
7. Water is to be put to beneficial use on or before March 18, 2022.
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. 7624-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7624-3 authorizes a maximum diversion rate of 2.0 cfs for the irrigation of 120 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

APR 26 2013

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 15" Depth 121'
- b) Casing Type PVC Diameter 12" Thickness SCH 40
- c) Screen Type 60 slot Diameter 12" Thickness SCH 40
- d) Gravel Pack Yes Length of Gravel Pack 91'
- e) Depth to Top of Water Bearing Material 68'
- f) Depth to Water (ground surface to water level) 22'
- g) Distance to nearest existing domestic well:

On applicants property approx. 1/4 mile

On property owned by others _____

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 _____

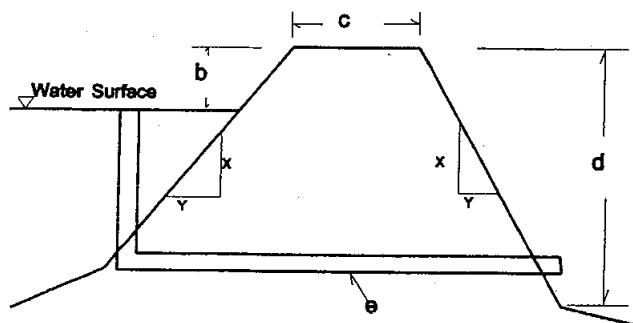
3. Dugout Information

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

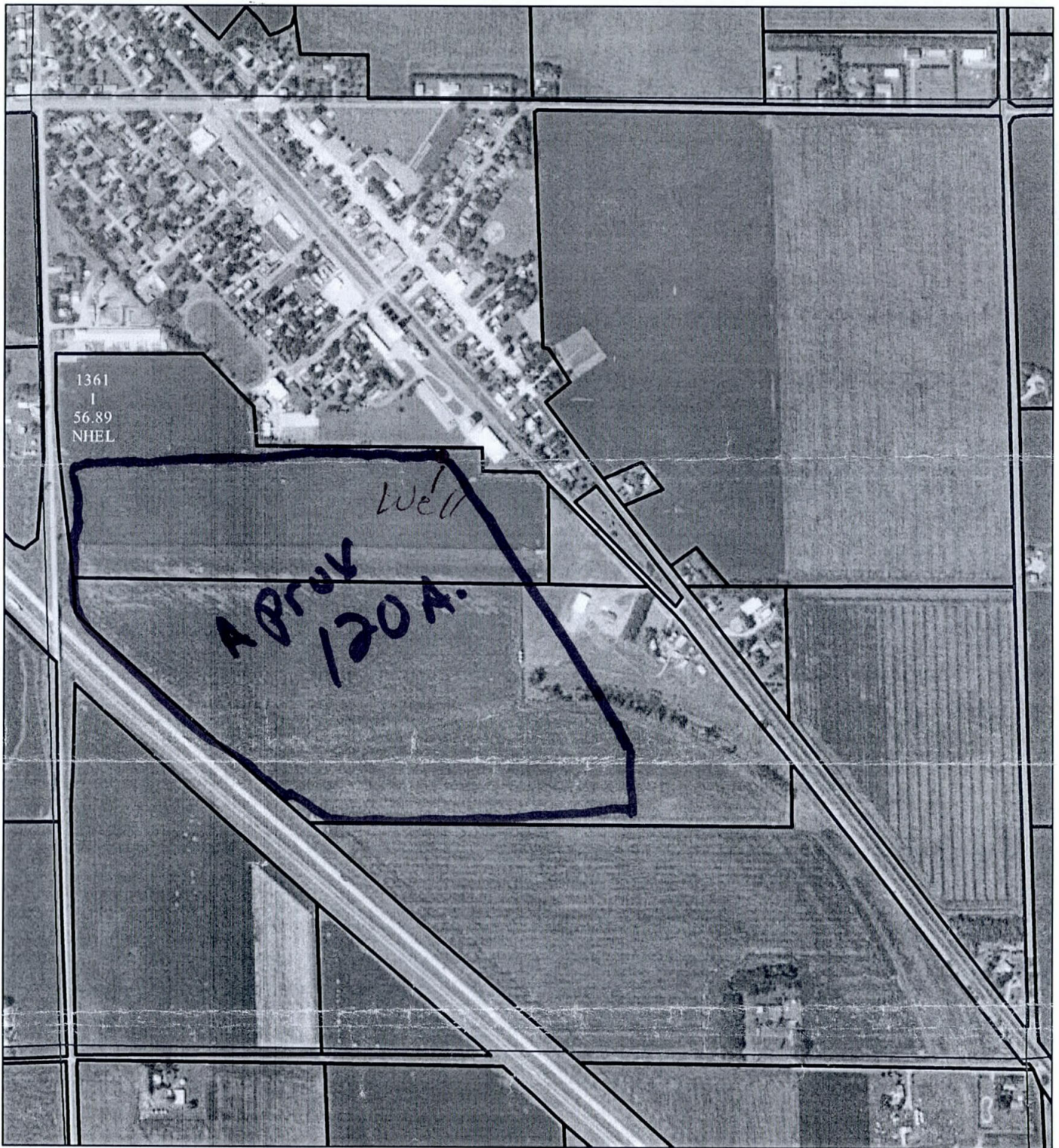
4. Water Storage Dams

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

PLSS: 19_90N_48W
Farm: 762

Union County

1:9,042

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May 01, 2012

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

□ Common Land Units

▨ Non Cropland

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

2010 Ortho-Photography - Not to Scale

Well Log - Fornia Well drilled 11/8/12

0 – 4'

Top soil

4' – 7'

Yellow clay

7' – 68'

Brown clay

68' – 130'

Med. to course gravel

130' – 131'

Rocks

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WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date

12-31, 20 12

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David Fornia, 48247 SD 105m Jefferson BB 57038

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

Fee for Application for Permit No. <u>7624-3</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>7624-3</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. 05823

By

Harland Ebele

Chief Engineer

1/KS



January 2, 2013

Dave Fornia
48247 SD 105
Jefferson SD 57038

Dear Mr. Fornia:

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

- Enclosed is the aerial photo map submitted with the application. Please outline the 120 acres to be irrigated.
- Item No. 2, Amount of water claimed states 900 gallons per minute (gpm). State Statutes limit diversions to 1 cubic foot of water per second (cfs) for each 70 acres irrigated. This would mean that you are allowed approximately 1.71 cfs or 770 gpm to irrigate the total 120 acres. We understand that in order to accommodate certain irrigation methods, a greater diversion rate is required. Please justify in writing your request for a diversion rate greater than the statutory limit (please explain diversion rate requirement for the project).

If you have any questions, please contact me.

Sincerely,

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

enclosure

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

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SIOUX FERTILIZER

Hawarden, Iowa 51023 • 712-552-1710

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Karew:

Because of the length of
the system and it is not going
to be making a complete circle
thats what the manufacturer said
it should take to run the system

Thank You
Dave Lorn

SOYBEANS - CORN

Box A / Dike, Iowa 50624 / 800-772-2721 / www.krugerseed.com



**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. 7624-3, Dave Fornia**

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. 7624-3, Dave Fornia, 48247 SD 105, Jefferson SD 57038.

The Chief Engineer is recommending APPROVAL of Application No. 7624-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7624-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7624-3 authorizes a maximum diversion rate of 2.0 cfs for the irrigation of 120 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. 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
February 21, 2013

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7624-3
DAVE FORNIA
February 15, 2013

Water Permit Application No. 7624-3 proposes to appropriate up to 240 acre-feet annually (ac-ft/yr) at a maximum diversion rate of 2.0 cubic feet of water per second (cfs) from one well to be completed into the Missouri: Elk Point aquifer. The well will be located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19 and is expected to be approximately 131 feet deep. This application proposes to irrigate 120 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T90N-R48W in Union County. The applicant is requesting a diversion rate greater than the statutory limit.

AQUIFER: Elk Point management unit of the Missouri aquifer (M: EP)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Elk Point management unit of the Missouri aquifer is a surficial aquifer composed of unconsolidated glacial outwash material ranging from fine sand to coarse gravel (Niehus, 1994). The aquifer generally lies below the flood plains of the Missouri and Big Sioux Rivers in the southern part of Union County (Niehus, 1994). The existing well site is located approximately seven and one quarter miles east of the Missouri River and less than three miles west of the Big Sioux River. The aquifer directly overlies and is hydraulically connected to the Dakota aquifer, and is hydraulically connected to the Big Sioux aquifer in the northeast and the Lower Vermillion-Missouri aquifer in the north (Niehus, 1994). The aquifer is primarily unconfined in Union County, but is confined in the area of this application. The Elk Point management unit of the Missouri aquifer encompasses regions of Clay, Union, and Yankton Counties. The Missouri: Elk Point aquifer underlies approximately 99,600 acres of Union County alone and contains an estimated 1,494,600 acre-feet of recoverable water in storage in the county (Hedges and others, 1982). Niehus estimated that the aquifer underlies approximately 115,200 acres of Union County and contains an estimated 1.5 million acre-feet of water in storage (1994). The maximum thickness of the Missouri aquifer is 146 feet with an average thickness of 84 feet (Niehus, 1994). The saturated thickness at the proposed well site is approximately 62 feet, and there is approximately 46 feet of artesian head pressure available.

SDCL 46-2A-9

In accordance with SDCL 46-2A-9, a permit may be issued to appropriate water only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will review the availability of unappropriated water and existing rights within the Missouri: Elk Point aquifer.

WATER AVAILABILITY:

This application proposes to appropriate up to 240 ac-ft/yr from the Missouri: Elk Point aquifer. If this application is approved, it is likely that the actual water use will be less than the appropriated amount. The probability of unappropriated water available from the aquifer can be

evaluated using SDCL 46-6-3.1 which requires “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 versus Discharge:

Recharge:

Recharge to the Missouri: Elk Point aquifer occurs through infiltration and percolation of precipitation falling in areas where the aquifer is near land surface (Niehus, 1994). Recharge is also provided to the aquifer from the Big Sioux, Lower Vermillion-Missouri, and Dakota aquifers as well as during times of high flow and stage from the Missouri and Big Sioux Rivers (Niehus, 1994). The average annual recharge rate to the Missouri: Elk Point aquifer is estimated to be 3.8 in/yr based on observation well analysis (Hedges and others, 1985). Given the area of the management unit in Union County of 115,200 acres by Niehus, average annual recharge to the aquifer in Union County is estimated to be 36,480 ac-ft/yr (1994).

Discharge:

Discharge from the Missouri: Elk Point aquifer is by evapotranspiration, discharge to the Big Sioux and Missouri Rivers during low flow and to the underlying Dakota aquifer, and withdrawal from wells (Niehus, 1994). There are a number of completion reports on file with the SD DENR-Water Rights Program for domestic use wells completed into the Missouri: Elk Point aquifer (Water Rights, 2013b) and there are currently 507 water rights/permits appropriating water from the Missouri: Elk Point aquifer (Water Rights, 2013c). There are 297 water rights/permits appropriating water from this aquifer in Union County (Water Rights, 2013c). The distribution of these appropriations and their types are shown in Table 1.

Water Rights/Permits	Number
Commercial	3
Domestic	1
Industrial	2
Irrigation	286
Municipal	4
Recreational	1

Table 1. Water rights/permits from the Missouri: Elk Point aquifer in Union County (Water Rights, 2013c).

The amount of water that can be expected to be withdrawn through water rights/permits authorizing water use for non-irrigation purposes at the current appropriation level can be estimated by assuming:

1. Water rights/permits limited by an annual volume will pump the entire volume appropriated.
2. Water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time.

The expected water use for non-irrigation purposes, from the Missouri: Elk Point aquifer in Union County, is less than 5,700 ac-ft/yr based on current water appropriations.

The annual reported water use from the Missouri: Elk Point aquifer for irrigation purposes in Union County is displayed in Table 2. The average annual use due to irrigation over the period of record is 10,778 ac-ft/yr.

YEAR	NO. OF PERMITS	APPROPRIATION (AC-FT/YR)	PUMPAGE REPORTED (AC-FT/YR)
1979	206	93310.02	7066
1980	210	94734.88	10063
1981	227	100428.6	8422
1982	209	91841.78	15429.85
1983	211	90519.28	6520.91
1984	211	93088.86	5746.3
1985	215	92328.88	10087.3
1986	215	90739.58	3191.3
1987	216	91579.88	9082
1988	218	92063.68	22195.3
1989	226	93847.88	18658.2
1990	230	95368.88	12730.5
1991	230	95168.88	11601.6
1992	228	94037.88	1010.6
1993	230	93782.3	1145.2
1994	226	90715.45	7721.45
1995	226	90563.45	13798.95
1996	229	92881	5121.58
1997	237	94643	11404
1998	244	96201.8	7259.62
1999	240	93873.8	10741.15
2000	240	93320.4	20369.1
2001	242	93065.6	12284.62
2002	241	92346	15353.97
2003	240	91692	19653
2004	244	92572	16550.28
2005	251	94321.6	17322.4
2006	256	95252.6	18149.43
2007	257	95974.6	18817.78
2008	261	97230.6	6141.62
2009	264	98914.6	3214.82
2010	267	99102.6	1518.01
2011	272	100120.6	7289.7
MIN	206	90519.28	1010.60
MAX	272	100428.60	22195.30
AVE	233.91	94110.09	10777.62

Table 2. Irrigation from the Missouri: Elk Point aquifer in Union County (Water Rights, 1979-2011).

Comparison of the estimated average annual withdrawal from the Missouri: Elk Point aquifer in Union County with the estimated average annual recharge for the aquifer in Union County indicated that the average annual withdrawals from the aquifer do not exceed the average annual recharge to the aquifer. There are a number of new permits and pending applications from the Missouri: Elk Point aquifer. Once they are developed, the average pumping for irrigation

purposes is expected to increase significantly. Since January 1, 2012, there have been 45 permits issued from the Missouri: Elk Point aquifer authorizing irrigation for a total of 5,546.1 acres. The pending permits for appropriation of water from the Missouri: Elk Point aquifer are outlined in Table 3.

Permit No.	Diversion Rate (cfs)	Acres
7447-3	1.78	160
7460-3	3.11	264
7454-3	1.78	171
7527-3	1.11	117.5
7553-3	1.55	136
7563-3	2.22	95
7554-3	1.89	136

Table 3. List of pending permits and their appropriations from the Missouri: Elk Point aquifer (Water Rights, 2013a).

The average annual withdrawal is still expected to be significantly less than the average annual recharge; therefore, unappropriated water is available from the Missouri: Elk Point aquifer. Specifically, unappropriated water is available for the 240 ac-ft/yr appropriation proposed by this application.

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that “the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge to the aquifer”.

The SD DENR-Water Rights Program monitors 37 observation wells completed into the Missouri: Elk Point aquifer with three of these observation wells located within one and three quarter miles of the proposed well site (Water Rights, 2013b). Hydrographs for these wells are shown in Figures 1, 2 and 3.

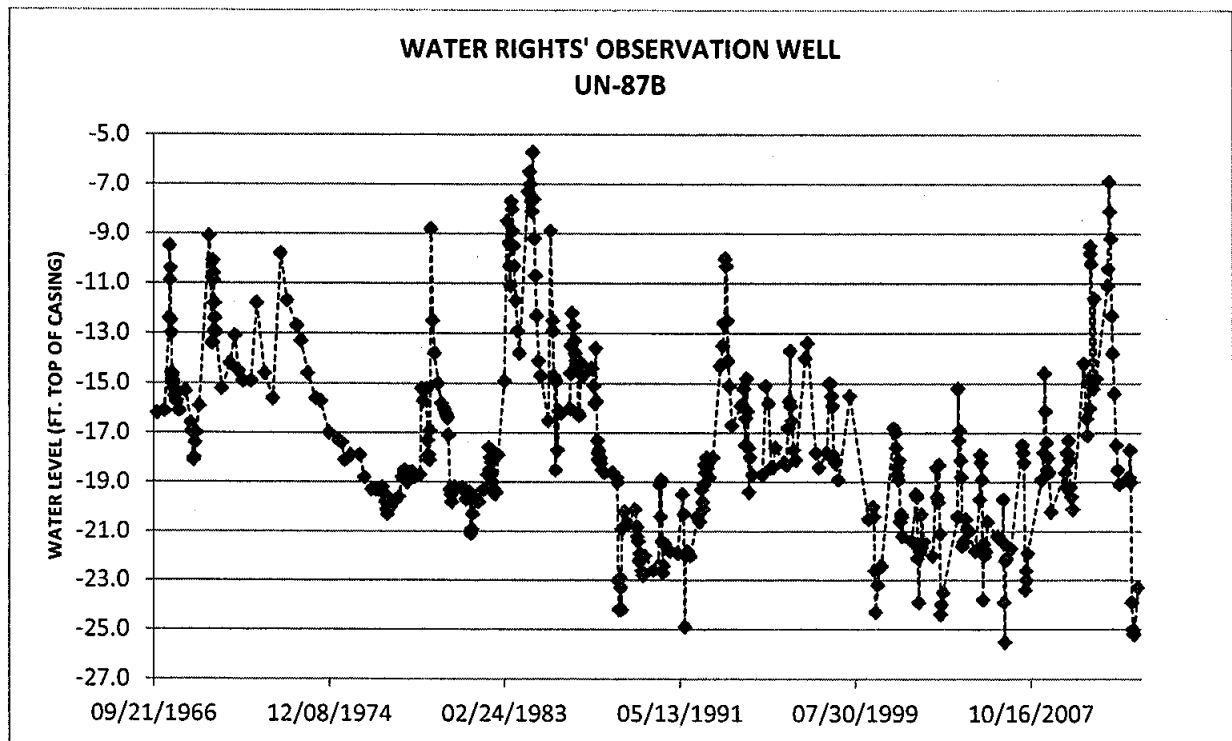


Figure 1. Hydrograph for SD DENR-Water Rights Observation Well UN-87B completed into the Missouri: Elk Point aquifer approximately three quarter miles northeast of the well site proposed by Application No. 7624-3 (Water Rights, 2013a).

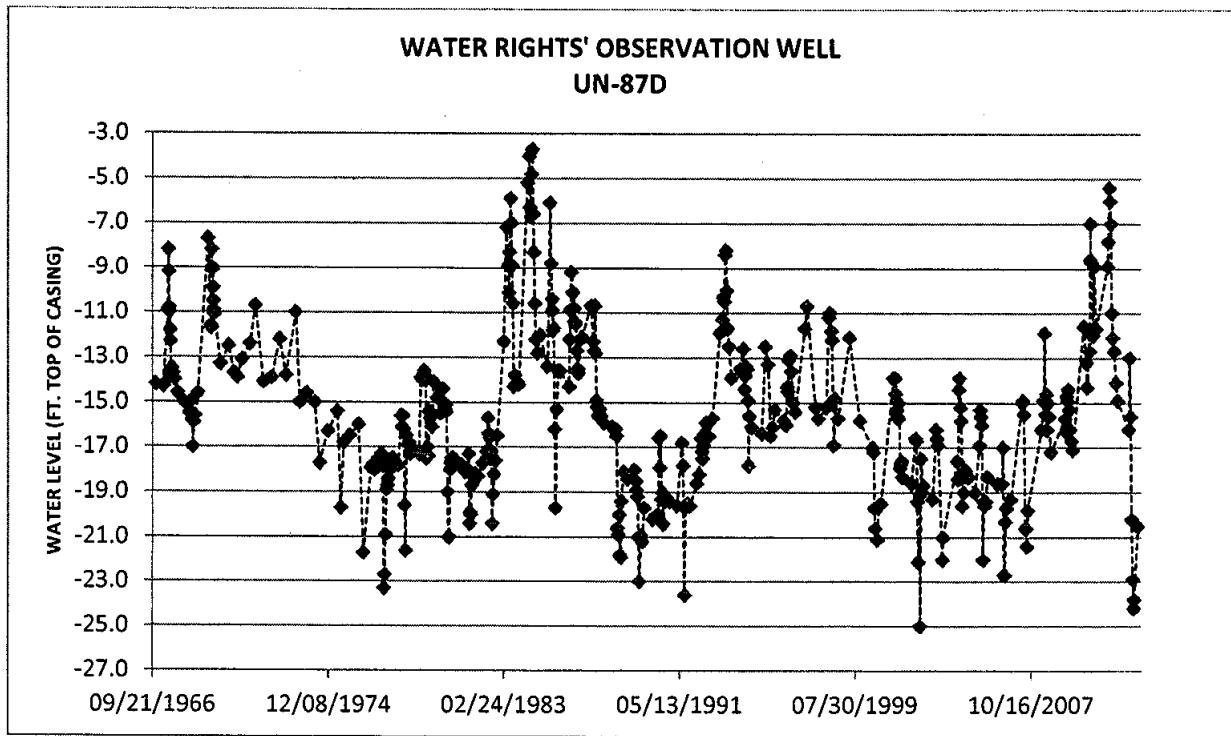


Figure 2. Hydrograph for SD DENR-Water Rights Observation Well UN-87D completed into the Missouri: Elk Point aquifer approximately one and one half miles northwest of the well site proposed by Application No. 7624-3 (Water Rights, 2013a).

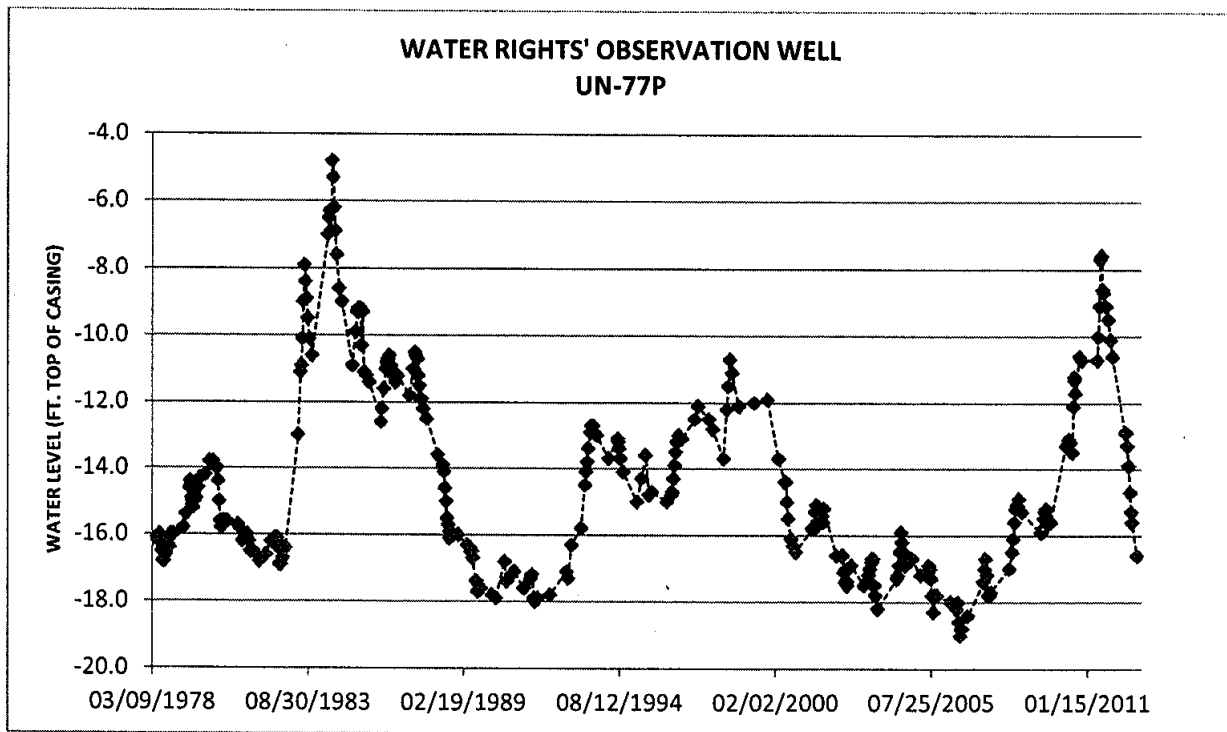


Figure 3. Hydrograph for SD DENR-Water Rights Observation Well UN-77P completed into the Missouri: Elk Point aquifer less than one and three quarter miles southwest of the well site proposed by Application No. 7624-3 (Water Rights, 2013a).

The observation well data shows the aquifer responds well to climatic conditions with rising water levels during wet years and gradually declining water levels during dry years. The water level data shows that over the period of record, in general, discharge has not exceeded recharge. The observation well data shows that at the current level of development, climatic conditions greatly mask the temporal effects of well withdrawals. Therefore, recharge to and natural discharge from the Missouri: Elk Point aquifer significantly exceeds pumping. Recognizing that natural discharge from the aquifer can be captured for pumping. The hydrographs document that there is unappropriated water available from the aquifer to support this appropriation.

EXISTING WATER RIGHTS:

The well site proposed by this application is located approximately seven and one quarter miles east of the Missouri River and less than three miles west of the Big Sioux River in a portion of the Missouri: Elk Point aquifer that extends west of the Big Sioux River for approximately ten miles to the edge of the aquifer at the Missouri River. There are eleven water rights/permits that have diversion points within a one mile radius of the proposed well site. The nearest water right/permit is Water Right No. 1786-3, for Robert/Theresa Geary, located more than 1,100 feet east and down-gradient from the proposed well site. At the distance between wells, drawdown is not expected to be significant nor likely to cause adverse impacts to existing water rights.

The precise drawdown cannot be quantified without aquifer testing. With that in mind, a standard permit qualification to most groundwater permits/rights states that:

“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”.

SDCL 46-6-6.1 does not protect artesian head pressure as a means of delivery and the Water Management Board has consistently recognized that to place water to maximum beneficial use a certain amount of drawdown may occur. To balance interests between irrigation use and delivery of water by artesian pressure, the Water Management Board has defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) as:

“a well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner's needs”

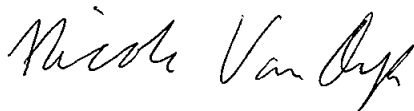
In reality, the assurance of reasonable domestic use provided by SDCL 46-6-6.1 and ARSD 74:02:04:20(7) generally ensures not only that interference will not be adverse to domestic well users but also in existing appropriative rights (i.e. in most cases, the protection afforded to adequate domestic wells by water law, would lead to enforcement of the “standard permit qualification” before there is a reduction of needed water supplies to appropriative rights). Although drawdown is expected to be minimal, as shown by the observation well hydrographs, some drawdown will occur. Depending on the extent of drawdown, some existing well owners may need to lower their pumps to accommodate for deeper water levels. However, when considering the statute and rule, there is a reasonable probability that any well interference from these proposed applications will not be adverse to adequate domestic wells.

SDCL 46-5-6

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of one cubic foot of water per second for every seventy acres, or “the equivalent thereof”. The statute provides that the Water Management Board may allow a greater diversion if the method of irrigation so requires. Water Permit Application No. 7624-3 proposes to divert at a rate of 1.17 cfs per 70 acres due to the length of the irrigation system and the fact that it will not make a full rotation. The diversion rate is required to properly operate the irrigation system and is reasonable for the proposed use.

CONCLUSIONS:

1. This application proposes to appropriate up to 240 acre-feet annually for irrigation from the Missouri: Elk Point aquifer.
2. There is a reasonable probability that unappropriated water is available from the Missouri: Elk Point aquifer to supply this proposed appropriation.
3. Although the Missouri: Elk Point aquifer is confined in this area, drawdown from pumping is not expected to adversely impact existing water rights or domestic wells.



Nicole Van Dyk
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., 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 and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Hedges, L.S., Allen, J., 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; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 93-4195, 57 p.
- Water Rights, 1979-2011, Irrigation Questionnaire Summaries 1979-2011, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013b, Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013c, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

AFFIDAVIT OF PUBLICATION

RECEIVED State of South Dakota)

MAR 11 2013

County of Union)

:ss

WATER RIGHTS
PROGRAM

Kelly Kruithoff,

an employee of the Leader-Courier, deposes and says that

The Leader-Courier

is a legal weekly newspaper of a general circulation, printed and published in Elk Point, County of Union, State of South Dakota, and has been such legal newspaper during the time hereinafter mentioned, and that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

Notice of Application No. 7624-3

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in

each week for 1 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two hundred paid copies weekly, and had been published in the said County of Union for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Elk Point, the said place of publication; that the first publication of said notice in said newspaper was

on Thursday, the 7 day of March, 2013

and that the succeeding publications were

on Thursday, the _____ day of _____, _____

on Thursday, the _____ day of _____, _____

on Thursday, the _____ day of _____, _____

that the fees for the printing and publishing of said notice and advertisement in said newspaper as aforesaid were

\$ 27.16, that the full amount of the fee charged insures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Kelly Kruithoff

Subscribed and sworn to before me

this 7 day of March, 2013

My commission expires 6-21-17

[Signature]

Notary Public

NOTICE OF APPLICATION NO. 7624-3

TO APPROPRIATE WATER

Notice is given that Dave Fornia, 48247 SD 105, Jefferson SD 57038 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Missouri Elk Point Aquifer (131 feet deep) located in the SE 1/4 NW 1/4 Section 19 for irrigation of 120 acres located in the S 1/2 NW 1/4, N 1/2 SW 1/4, NW 1/4 SE 1/4 Section 19, all in T90N-R48W. The applicant is requesting a diversion rate greater than the statutory limit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7624-3 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 March 18, 2013.

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 March 7, 2013

Published once at the total approximate cost of \$27.16

10-12-73

RECEIVED

MAR 11 2013

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

Department of Environment and Natural Resources
PMB 2020
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

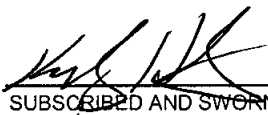
STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE MANAGING EDITOR OF, YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY
AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID
COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED
Notice of Application No. 7624-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 7th DAY OF March 2013
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID **NOTICE** TO WIT \$26.48 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 3/7/2013

FILED ON: 3/7/2013


SUBSCRIBED AND SWORN TO BEFORE ME THIS 7th DAY OF March

NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 8/19/2015

2013

Notice is given that Dave Fornia, 48247 SD 105, Jefferson SD 57038 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (131 feet deep) located in the SE 1/4 NW 1/4 Section 19 for irrigation of 120 acres located in the S 1/2 NW 1/4, N 1/2 SW 1/4, NW 1/4 SE 1/4 Section 19; all in T90N-R48W. The applicant is requesting a diversion rate greater than the statutory limit.

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Published once 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

February 26, 2013

Leader Courier
PO Box 310
Elk Point SD 57025

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7624-3 to Appropriate Water. Please publish the notice once on March 7, 2013. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Dave Forna, 48247 SD 105, Jefferson SD 57038 (Ph # 605-996-5350).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 26, 2013

Press & Dakotan
319 Walnut
Yankton SD 57078

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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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.

February 26, 2013

Dave Fornia
48247 SD 105
Jefferson SD 57038

Dear Mr. Fornia:

Water Permit Application No. 7624-3 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 Leader Courier printed at Elk Point SD (Ph # 605-356-2632) and the Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper(s) 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. 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

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 the Notice on March 7, 2013. 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. 7624-3 to Appropriate Water

Notice is given that Dave Fornia, 48247 SD 105, Jefferson SD 57038 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (131 feet deep) located in the SE 1/4 NW 1/4 Section 19 for irrigation of 120 acres located in the S 1/2 NW 1/4, N 1/2 SW 1/4, NW 1/4 SE 1/4 Section 19; all in T90N-R48W. The applicant is requesting a diversion rate greater than the statutory limit.

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Published once at the total approximate cost of_____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

APR 26 2013

Dave Fornia
48247 SD 105
Jefferson SD 57038

Dear Mr. Fornia:

Enclosed is Water Permit No. 7624-3 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,

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

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

7624-3

07-92

Location SE 1/4 NW 1/4 Sec 19 Twp 89N Rg 48W

County

North

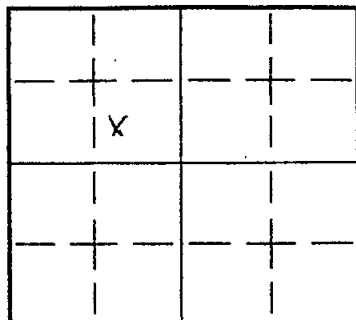
Union

Please mark well location with an "X"

W

E

Well-Completion Date

11-8-12

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1500 ft. from Septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SC44</u> LB/FT	<u>12</u> IN	<u>0</u> FT	<u>121</u> FT	<u>17 1/2</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	_____	_____ lb./gal	<u>30</u> ft	<u>10</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Installed with grout
tremie from 30' up.SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 12 IN Length 40 FEETMaterial PVCSlot Size .60 Set From 81 Feet to 121 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: _____

____ NO, Why Not? _____

Laboratory sent to for water
quality analysis _____Well Owner: David Fornia

Business Name: _____

Address: 48247 SD 105
Jefferson, SD 57038

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top soil</u>	<u>0</u>	<u>4</u>
<u>Yellow clay</u>	<u>4</u>	<u>7</u>
<u>Brown clay</u>	<u>7</u>	<u>68</u>
<u>Med to coarse gravel</u>	<u>68</u>	<u>130</u>
<u>Rocks</u>	<u>130</u>	<u>131</u>

STATIC WATER LEVEL 22 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: Not completed at
☐ Bailed this time
☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 900 GPM

REMARKS

RECEIVED

FEB 11 2013

WATER RIGHTS
PROGRAMThis well was drilled under license # 667

And this report is true and accurate.

Drilling firm Dakota Drilling & Backhoe, Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: _____

**Report of Examination of Works and/or Application of Water to
Beneficial Use
For Permit No. 7624-3**

I have this day, March 26, 2025, made a thorough examination of the water use system constructed by Dave Fornia of 48247 SD 105, Jefferson SD 57038 holder of Permit No. 7624-3, bearing the priority of December 26, 2013 authorizing the diversion of 2.0 cu. ft. per second of the waters of groundwater, Missouri: Elk Point Aquifer for irrigation purposes, in Union County.

Inspection contact & relationship Dave Fornia, owner

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Dakota Drilling & Backhoe, Inc
- 2) No. of Wells 1
- 3) Depth(s) 121 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 12 inches
- 2) Length 81 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 40 feet
- 3) Static water level 22 feet

Pump:

- 1) Make Grundfos
- 2) Model submersible
- 3) Capacity 800 GPM

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

- 1) Type steel
- 2) Size 10 inches
- 3) Length 20 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make T-L
- 2) Overall length 2010 feet
- 3) Number of towers 11

- 4) End gun Y
- 5) Capacity 800 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
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: from the NW corner of Sec 19 T90N-R48W 2180 ft E and 2000 ft S, latitude of 42.59966 and longitude of -96.55866 , SE ¼ NW ¼ .
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 use. Water has been put to beneficial use to the maximum extent as follows: All land is located in Sec 19 T90N-R48W
SE ¼ NW ¼ - 20 ac SW ¼ NW ¼ - 23 ac NW ¼ SW ¼ - 23 ac NE ¼ SW ¼ - 40 ac
NW ¼ SE ¼ - 14 ac
comprising a total of 120 acres of land and the license should be issued for 1.78 cfs.
3. All structures, wells and lands on map Y
If no, describe: none

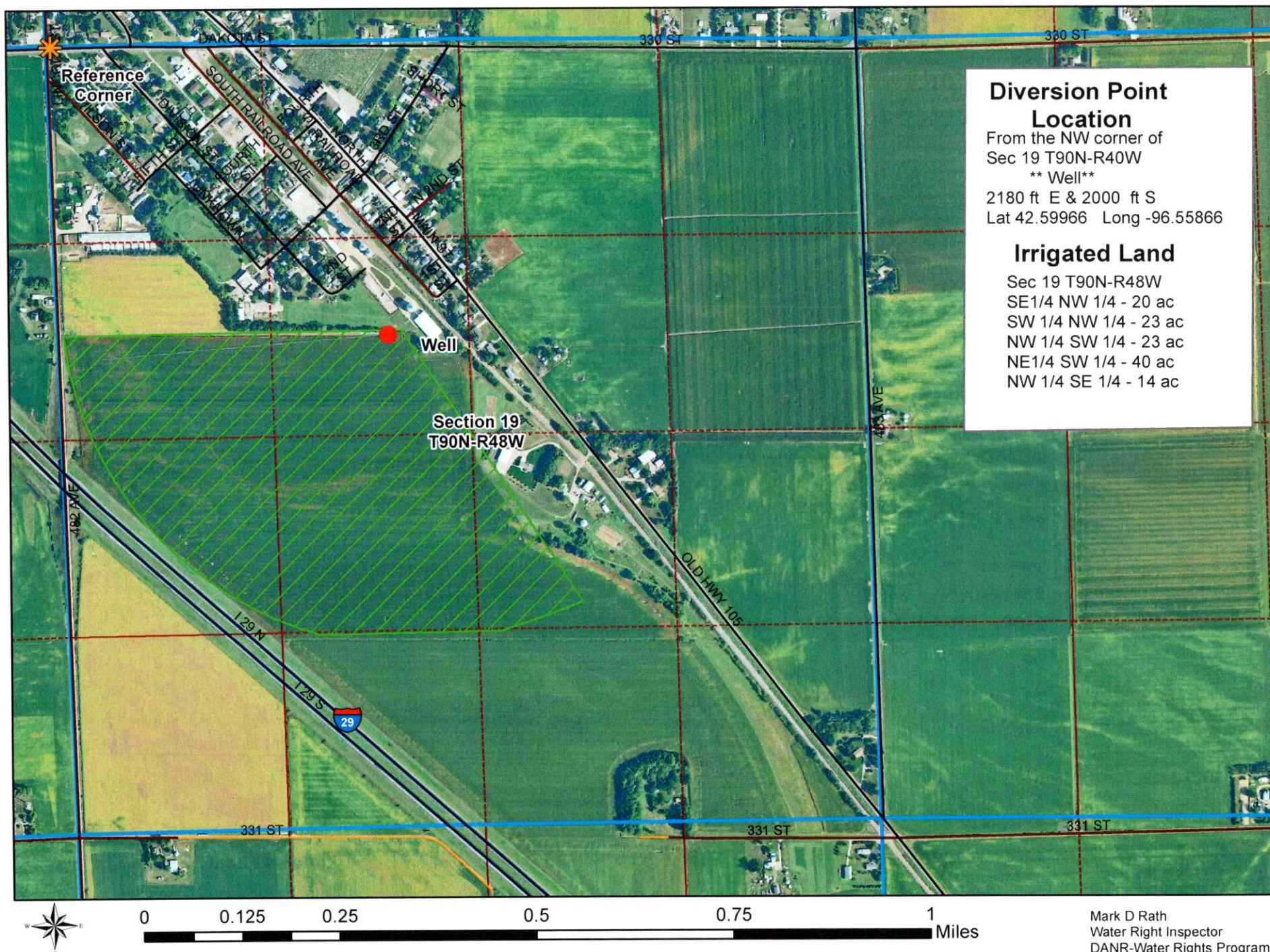
F. Comments or other permit(s) associated with the project:

none.



Mark D Rath
Water Right Inspector
DANR, Water Rights Program

Date report completed: 5/11/2025





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUN 06 2025

Dave Fornia
48247 SD 105
Jefferson, SD 57038

No. 7624-3

Dear Mr. Fornia:

Enclosed is Water License No. 7624-3. 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: Permit No. 7624-3 mis-identified the priority date. This license has corrected the priority date to December 26, 2012*.

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7624-3**

(1) Dave Fornia, 48247 SD 105, Jefferson, SD 57038, made Application No. 7624-3, December 26, 2012*, for a water permit to divert 2.0 cubic feet of water per second from groundwater, one well (Missouri: Elk Point Aquifer), Union County, South Dakota for irrigation purposes. Permit No. 7624-3, with a priority date of December 26, 2012, was approved March 18, 2013, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 18, 2018, and for the application to beneficial use of water on or before March 18, 2022.

(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:

- 2,180 feet E and 2,000 feet S from the NW corner of Section 19, T90N, R48W (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
(Latitude 42.59966 and Longitude -96.55866)

(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 19, T90N, R48W

SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 23 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 20 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 23 acres

NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 14 acres

Total – 120 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Dave Fornia, the holder and/or owner of Water Right No. 7624-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater, one well (Missouri: Elk Point Aquifer), with a priority date of December 26, 2012*, 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. 7624-3 and subject to 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.

continued

2. The well authorized by Permit No. 7624-3 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 well was drilled in 2012 by Dakota Drilling & Backhoe Inc. A copy of the well completion report is on file with the Water Rights Program.)*

3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7624-3 authorizes a maximum diversion rate of 2.0 cfs for the irrigation of 120 acres with an annual volume not to exceed 2 acre-feet of water per acre per year. *(The diversion rate was reduced from 2.0 cfs to 1.78 cfs, based on the system as constructed.)*

4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Mark Mayer, PE
Director of Office of Water



date

