

WATER PERMIT NO. 7750-3

Name of Applicant: **Duane E Auch**

Address: **29896 463rd Ave, Centerville SD 57014** Phone: **605 670-2043**

Amount of Water Claimed: **0.02 cfs** Total Acres: **10 acres**

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

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

Type of Waste Disposal System:

Location: **4 miles south of Centerville**

PRIORITY Date Received: **2-11-13** Application/License Fee: **\$ 700**

Corrected Application Received: **2-28-13** Period of Annual Use: **March 1 – November 30**

Remarks: **Additional acres and add'l dugout to Water Permit No. 6607-3**

Diversion Point: **(dugout) NW 1/4 SW 1/4 Sec 12-T95N-R52W**

Land to be Irrigated: **W 1/2 SW 1/4 Sec 12-T95N-R52W**

Depth of Well: **30 feet deep**

Well Driller:

Remarks:

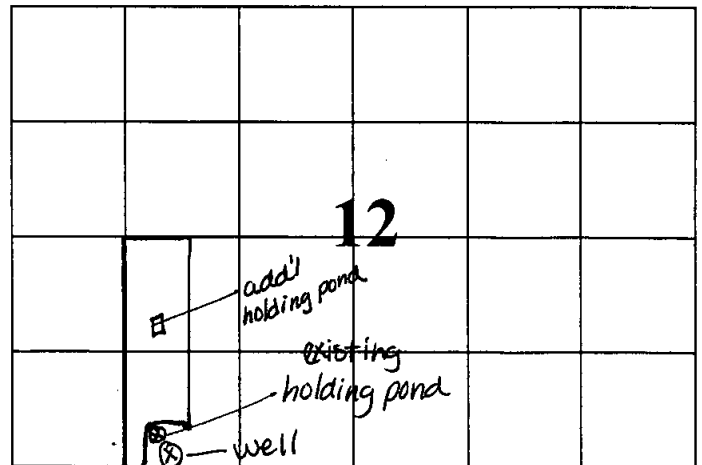
Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **2-28-13**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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

(office use only)
No. 7750-3 Hydrologic Unit 10170102
Basin Vermillion River 605-624-2695
Newspaper Plain Talk 201 W Cherry St Vermillion
605-665-7811 57069
Press & Dakotan 319 Walnut Yankton 57078

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Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 6607-3
(Use predates Mar 2, 1955)

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

The application is to increase the maximum number of acres to 10 acres. Also, a second water storage dugout is added.

1. Name to Appear on Irrigation Permit Duane E. Auch

(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

Mailing Address 29896 463rd Avenue Centerville SD 57014
(Address) (City) (State) (Zip Code)

Home Phone 605-563-2092 Cell 605-670-2043 Email duaneauch@afo.net

2. Amount of water claimed 0.02 *CFS or 10 **GPM ***AF Total Acreage 8.5 add'
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply farm well and any rainfall collected in the dugouts

4. Location of point of diversion one well in SW 1/4 section 12 - T95N-R52W

(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

dugout NW 1/4 SW 1/4 Sec 12 - T95N - R52W County Clay

5. County or counties where water will be used Clay

6. Annual period during which water is to be used March through November 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)

<u>W 1/2</u>	Land Description	Acres	Land Description	Acres
	SW 1/4 section 12 - T95N-R52W	<u>8.5</u>		

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

Water will be pumped from the farmstead well to one of two holding dugouts. A larger pump will pump the water out to the field to a trailing gun or tow line sprinklers. The land will be used for small crop research plots. The plot area may be rotated each year to different parts of the farm. The maximum irrigated area on the farm will be 10 acres.

I, Duane E. Auch, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

Duane E Auch 2-6-13

Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☐ Drilling new well(s) ☒ Using existing well(s)

a) If new wells, how many ____ Have test holes been drilled ☐ Yes ☐ No Drilled by _____
(if yes, please provide copies of logs)

b) If existing wells, how many 1 Provide copy of log(s), if available. Drilled by unknown

c) Well Depth 30 ft.(?) Depth to Top of Water Bearing Material 15 ft.(?) Depth to Water from Surface 20 ft.(?)

d) Distance to nearest existing domestic well:

On applicant's property no other wells On property owned by others 1/4 mile

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) septic tank with drain field

b) System Capacity (gallons) 1,000.00 Year Constructed 1998

c) Connected to the City of not applicable Sanitary System

3. Dugout Information

a) Surface Dimensions 30 ft. by 50 ft. and 60 ft. by 120 ft. Depth 6-8 ft.

b) Depth to water (ground surface to water level) 20 ft. (? seasonal)

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)

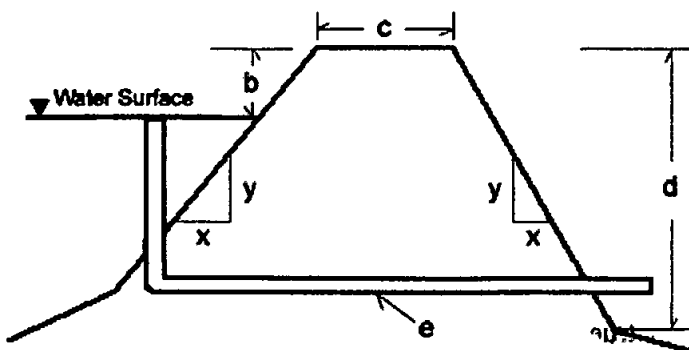
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



SOUTH DAKOTA
WATER PERMIT NO. 7750-3

Date of first receipt of application February 11, 2013.

Date of return to applicant for corrections, amendments or changes February 21, 2013.

Date of receipt of corrected application February 28, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7750-3 to Duane E Auch, 29896 463rd Ave, Centerville SD 57014 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. 7750-3 authorizes irrigation of 8.5 additional acres and an additional holding pond. Water Permit No. 6607-3 authorizes 0.02 cubic feet of water per second (cfs) from one well completed in the Parker:Centerville Aquifer located in the SW 1/4 SW 1/4 Section 12 to irrigate a 1.5 acre agronomic research plot located in the SW 1/4 SW 1/4 Section 12; all in T95N-R52W. Water may be diverted to a small holding pond (less than 1.0 acre-feet) prior to being applied to the land. This permit authorizes irrigation of an additional 8.5 acres located in the W 1/2 SW 1/4 Section 12 with the additional holding pond located in the NW 1/4 SW 1/4 Section 12; all in T95N-R52W. The maximum diversion rate from holding ponds to land is 0.39 cfs. This permit and Water Permit No. 6607-3 combined, will authorize 0.02 cfs diversion from the well to irrigate 10 acres.
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: March 1 – November 30.
3. The date from which applicant may claim right is February 11, 2013.
4. The date of approval of Permit No. 7750-3 is May 20, 2013.
5. One-fifth of the construction is to be completed on or before November 20, 2015.
6. All construction is to be completed on or before May 20, 2018.
7. Water is to be put to beneficial use on or before May 20, 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 Water Permit Nos. 6607-3 and 7750-3 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. 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. 7750-3 authorizes a maximum application rate of 0.39 cfs from the dugouts for the irrigation of 10 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. 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

JUN 21 2013

date

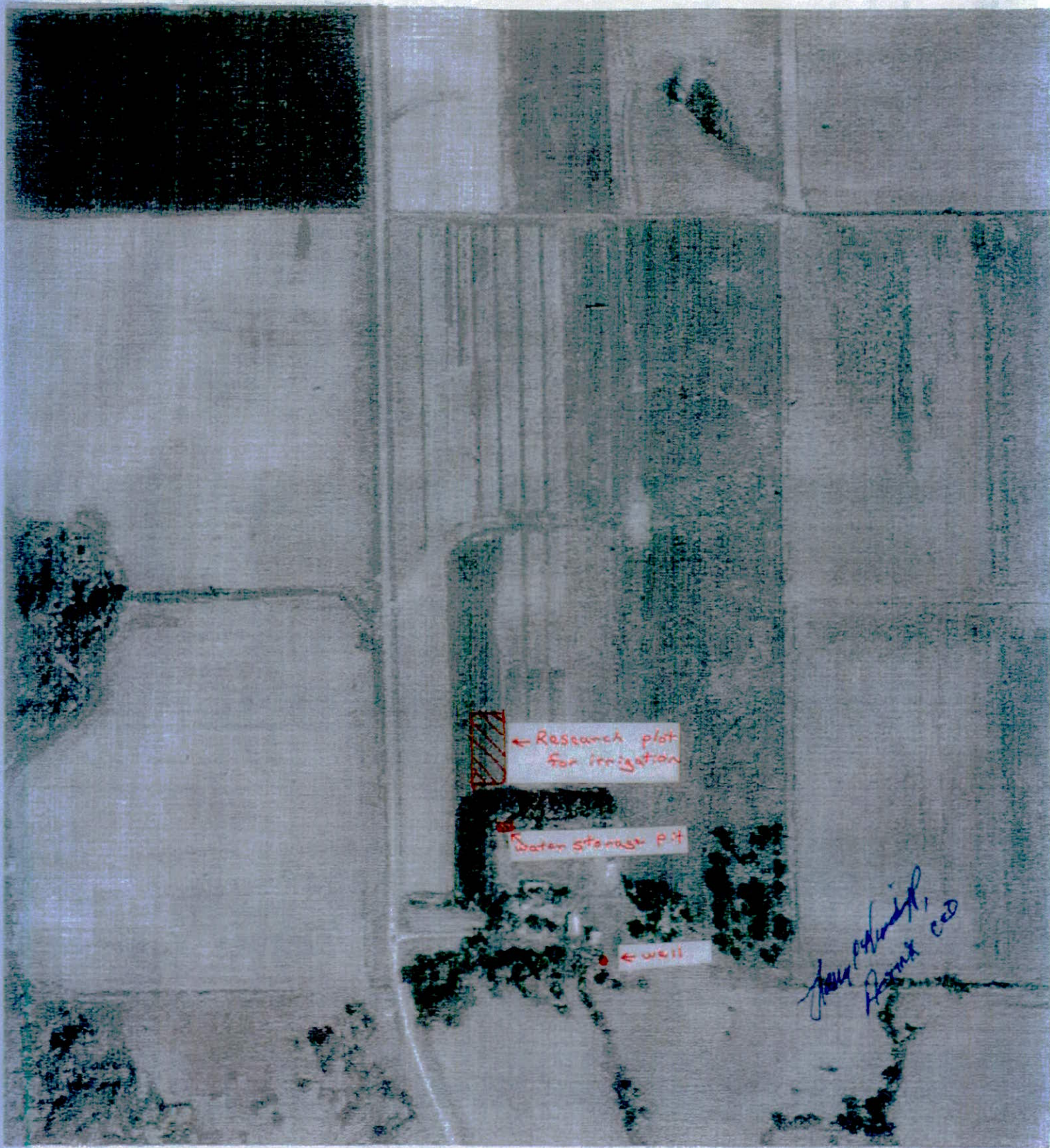




Duane E. Auch
29896 463rd Avenue
Centerville, SD 57014
N43.05555 W-096.94232
SW1/4 section 12 T95N-R52W
Permit no.: 6607-3

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Duane Auch
29896 463rd Avenue, Centuryville, SD 57014
w $\frac{1}{2}$, SW $\frac{1}{4}$ Section 12, T25-N, R-52-W



0 200M

0 200yd

6607-3

Sec 35
T096N
R52W

Sec 36
T096N
R52W

Sec 31
T096N
R51W

Sec 2
T095N
R52W

Sec 1
T095N
R52W

Sec 6
T095N
R51W

Sec 11
T095N
R52W

Sec 12
T095N
R52W

Sec 7
T095N
R51W

Sec 14
T095N
R52W

Sec 13
T095N
R52W

Sec 18
T095N
R51W

Sec 23
T095N
R52W

Sec 24
T095N
R52W

Sec 19
T095N
R51W

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WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/28, 20 13

RECEIVED OF Duane Auch 29896 463rd Ave Centerville SD 57014

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	200	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>7750-3</u>		
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	200 00

No. 06182

By David E. White
Chief Engineer

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WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/11, 20 13

RECEIVED OF Duane E Auch 29896 463rd Ave Centerville SD 57014

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

Fee for Application for Permit No. <u>7750-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	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>7</u>		
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	500 00

No. 06120

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 21, 2013

Duane E Auch
29896 463rd Ave
Centerville SD 57014

Dear Mr. Auch:

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

- We have received the \$500 application filing fee. The license fee of \$200 is also required at this time. Please submit an additional \$200.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

Gronlund, Eric

From: Duane Auch <duaneauch@afo.net>
Sent: Tuesday, March 05, 2013 9:50 AM
To: Gronlund, Eric
Subject: RE: question on water permit application

Eric,

I have not purchased a pump but will probably get one with a maximum output of 175 gpm.

Thank you,

Duane Auch
South Dakota Ag Research, Inc.

From: Gronlund, Eric [<mailto:Eric.Gronlund@state.sd.us>]
Sent: Monday, March 04, 2013 8:15 AM
To: duaneauch@afo.net
Subject: question on water permit application

Mr. Auch:

Regarding your water permit application, what will be the maximum pump rate in gallons per minute that you intend from the holding ponds to the land?

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7750-3, Duane E Auch**

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. 7750-3, Duane E Auch, 29896 463rd Avenue, Centerville SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 7750-3 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 Water Permit Nos. 6607-3 and 7750-3 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. 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. 7750-3 authorizes a maximum application rate of 0.39 cfs from the dugouts for the irrigation of 10 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Eric Brunland
for Jeanne Goodman, Chief Engineer
April 26, 2013

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7750-3
DUANE E. AUCH
APRIL 24, 2013

Water Permit Application No. 7750-3 proposes to appropriate water for the irrigation of 8.5 acres from a new holding pond using an existing well authorized under Water Permit No. 6607-3. Water Permit No. 6607-3 authorizes a maximum diversion rate of 0.02 cubic feet of water per second (cfs) from one well (30 feet) to a holding pond (less than 1.0 acre-feet) located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12 to irrigate 1.5 acres located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T95N-R52W in Clay County. The 8.5 acres are located in the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 12 and the new holding pond (less than 1.0 acre-feet) is expected to be located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T95N-R52W. The maximum diversion rate from the holding ponds to the land will be 0.39 cfs. This is in excess of the statutory limit of one cfs per 70 acres. This application, if approved, and Water Permit No. 6607-3 combined will authorize a diversion of 0.02 cfs from one well to two holding ponds where water will be diverted at 0.39 cfs for the irrigation of 10 acres.

AQUIFER: Parker-Centerville aquifer (PAC)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Parker-Centerville is a surficial outwash consisting of fine sand to coarse gravel and is unconfined in the area of the proposed well site. The aquifer underlies portions of Turner (47,360 acres), Lincoln (16,000 acres), and Clay (3,700) Counties (Hedges et. al., 1982; Lindgren and Hansen, 1990; Niehus, 1997). The aquifer can generally be encountered within 50 feet of ground surface (Jensen, 2000). The water level in the aquifer can be encountered from ground surface to 30 feet below grade, but is generally from 10 to 20 feet below grade (Water Rights, 2013a).

The Parker-Centerville aquifer is hydraulically connected to the Vermillion East Fork and Vermillion West Fork aquifers in north-central Turner County and in places to the underlying Upper Vermillion Missouri aquifer (Lindgren and Hansen, 1990). The aquifer is also hydraulically connected to the West and East Fork of the Vermillion River (Lindgren and Hansen, 1990). The Parker-Centerville aquifer blends into the Lower Vermillion Missouri aquifer approximately one-half mile south of the well site. Generally, the ground water movement in the aquifer is from the north to the south.

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a 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 address the availability of unappropriated water and existing rights from the aquifer that are pertinent to this application.

WATER AVAILABILITY:

This application proposes to appropriate water from the Parker Centerville aquifer. If this application is approved, the actual water use will likely be less than 17 acre-feet per year (ac-ft/yr). The probability of unappropriated water available from an aquifer can be evaluated by considering 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 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.”

Hydrologic Budget:

Recharge:

Recharge to the Parker Centerville aquifer occurs due to infiltration of precipitation in areas where the aquifer is at or near land surface. Hedges and others (1985) estimated the recharge rate of this aquifer to be 4.9 inches per year (in/yr). Table 1 shows the recharge, in ac-ft/yr, based on the area of the aquifer.

County	Clay	Lincoln	Turner	Total
Area (ac)	3700	16000	74360	94060
Recharge (ac-ft/yr)	1510.8	6533.3	30363.7	38407.8

Table 1- Recharge to the Parker Centerville aquifer (Hedges et.al., 1982; Lindgren and Hansen, 1990; Niehus, 1997)

Discharge:

Discharge from the Parker Centerville aquifer occurs due to evapotranspiration in areas where the aquifer is near land surface, outflow to the Vermillion River, and well withdrawals from municipal and irrigation use. Currently there are 127 water rights/permits appropriating from this aquifer (Water Rights, 2013b). Only two permits are for non-irrigation purposes. Water Right Nos. 517A-3 and 517B-3 City of Hurley. Hurley is connected to TM Rural Water (Friedeman, 2013).

The amount of water that can be expected to be withdrawn by the non-irrigation use water rights/permits can be estimated by assuming water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate at 60 percent of the time. Therefore, the total annual withdrawal from the Parker Centerville aquifer by non-irrigation use, if Hurley were to use their water rights, is expected to be less than 339 ac-ft/yr; all of which is withdrawn in Turner County (Water Rights, 2013b).

There are many well completion reports on file with the SD DENR-Water Rights Program for domestic wells that appear to be completed into the Parker Centerville aquifer (Water Rights, 2013c). The annual withdrawal due to domestic use is not significant to the hydrologic budget of the aquifer.

The irrigation development of the Parker Centerville aquifer over the period of record, 1979 to 2011, has remained at the same general level. For irrigation use from this aquifer, there are currently 114 water rights/permits in Turner County, 11 water rights/permits in Clay County, and no water rights/permits in Lincoln County (Water Rights, 1980-2011). The historic irrigation

water use from the Parker-Centerville aquifer as reported to the SD DENR-Water Rights Program through annual irrigation questionnaires is shown table 2.

Year	No. of Permits Reporting	Appropriation (ac-ft/yr)	Pumpage (ac-ft/yr)
2011	123	43376.18	11315.29
2010	123	43376.18	391.54
2009	125	43828.18	7259.88
2008	123	43717.5	13223.74
2007	120	43342.3	11995.27
2006	121	43666.3	15303.9
2005	119	43051.3	13450.04
2004	117	43064.3	14668.26
2003	116	43040.3	12473.27
2002	114	42828.3	13989.85
2001	113	42890.3	12356.4
2000	112	42596.3	13101.48
1999	112	42569.3	11118.75
1998	109	42062.5	10200.86
1997	110	41999.5	11525
1996	107	41363.5	10930.35
1995	109	43245.5	8933.39
1994	108	43005.5	10214.36
1993	111	43781.8	1918.5
1992	111	45356.8	3909.4
1991	110	45435.8	11186.3
1990	110	45435.8	12200.5
1989	110	46476.8	13958.8
1988	108	46488.8	13558.25
1987	111	47892.8	8619.9
1986	113	48252.8	6120
1985	112	47722.8	6514.5
1984	111	47712.8	5152
1983	110	47480.8	5523.29
1982	111	48320.8	6493.92
1981	121	49051	9321
1980	110	46189	7675
1979	114	45949	7481
Min	107	41363.5	391.54
Max	125	49051	15303.9
Avg	113.76	44683.96	9760.12

Table 2- Historic irrigation water use from the Parker Centerville aquifer (Water Rights, 1979-2012)

Hydrologic Budget:

The average annual withdrawal from the Parker Centerville aquifer is estimated to be less than the estimated annual recharge, both in total and by county. Therefore, there is a reasonable probability that unappropriated water is available from the Parker Centerville aquifer for this proposed appropriation.

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 of the aquifer.”

The SD DENR-Water Rights Program monitors 23 observation wells in the Parker Centerville aquifer. The nearest observation wells are TU-77N and TU-57D, approximately 2.9 miles northwest and 5.2 miles north-northwest of the well site, respectively (Water Rights, 2013a)

In general, the observation well data shows that water levels have remained fairly stable over the period of record. The observation well data does document cyclic conditions of water levels, recharging during wet years and declining during dry years. This data documents that, at the current level of development, temporal well withdrawal is masked by climatic conditions. Therefore, recharge to and natural discharge from the Parker Centerville aquifer significantly exceeds pumping, indicating that unappropriated water is available from the aquifer to support this proposed appropriation.

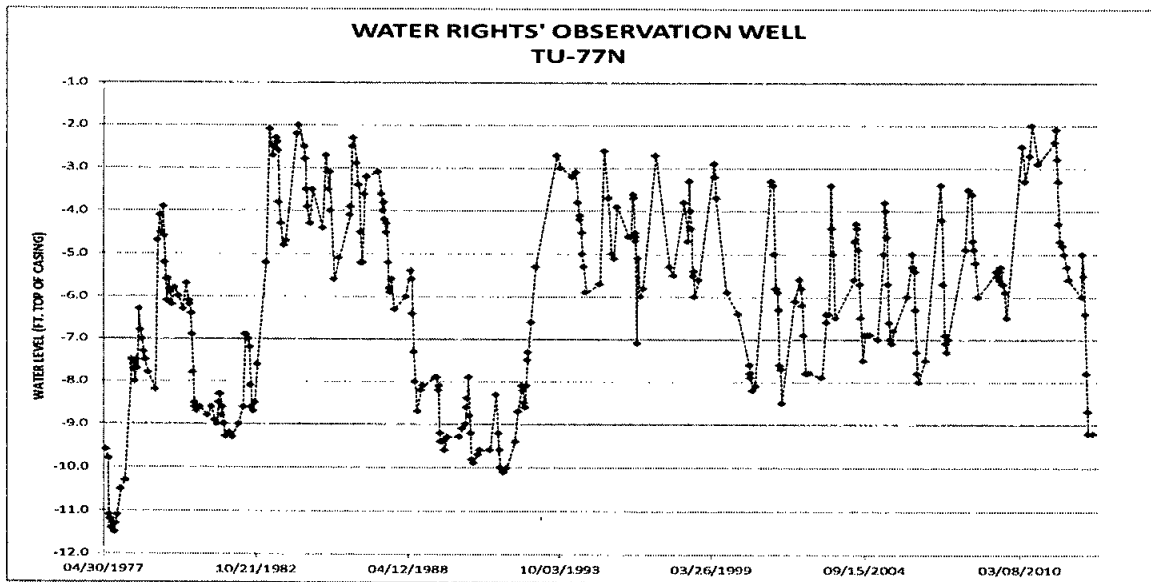


Figure 1- Hydrograph for observation well TU-77N (Water Rights, 2013a)

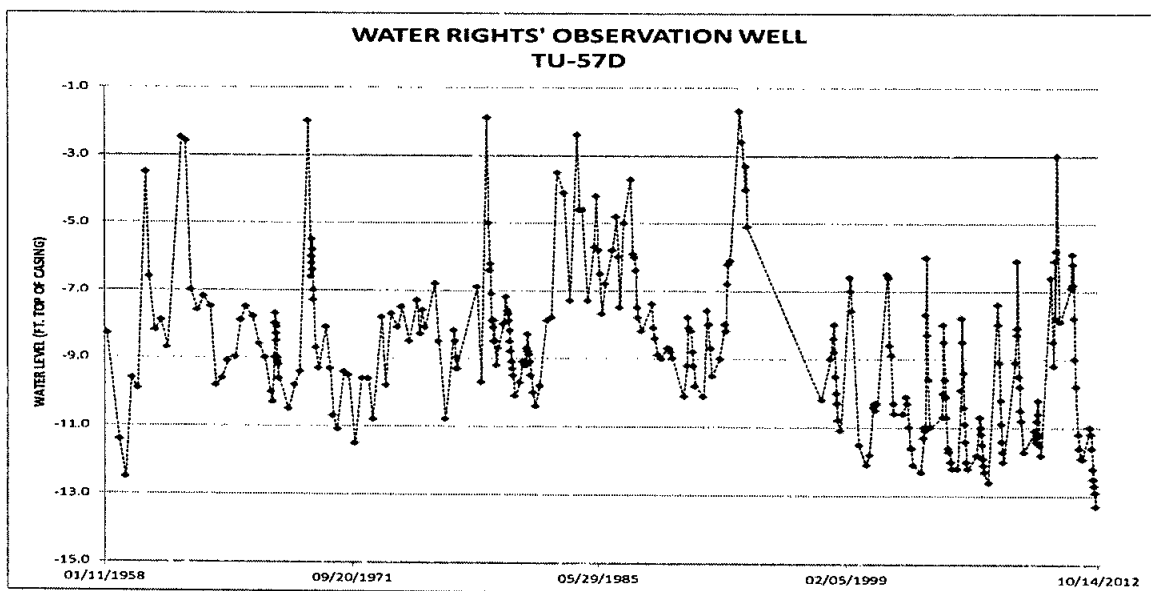


Figure 2- Hydrograph for observation well TU-57D (Water Rights, 2013a)

EXISTING WATER RIGHTS:

There are seven water rights/permits, not including the applicant's existing water permit, appropriating water from the Parker-Centerville aquifer within approximately 1.5 miles of the well site (Water Rights, 2013b). There are also five water rights/permits from the Lower Vermillion Missouri (Water Rights, 2013b). The hydraulic connection between the Parker-Centerville and Lower Vermillion Missouri aquifers is significant enough in this area that consideration of possible impairment to these water rights is warranted. There are no appropriative rights within approximately 0.8 miles of the well site except Water Permit No. 6607-3 held by the applicant. Table 3 shows the water rights/permits within approximately 1.5 miles of the well site with wells completed into hydraulically connected aquifers. There are also several well completion reports on record with the SD DENR-Water Rights Program for domestic wells within 1.5 miles of the proposed well sites that could be completed into the Parker Centerville aquifer, but none are within three-quarters of a mile (Water Rights, 2013c). Most of the development is northwest and southwest of the well site.

Permit No.	Name	Status	Aquifer	Type	CFS	Acres
182-3	W.E. & W. Jerald Hansen	LC	PAC	IRR	2.05	145
229-3	Hansen Properties	LC	LVM	IRR	3.42	240
974-3	Hansen Properties	LC	LVM	IRR	0	90
3049-3	Mary White	LC	PAC	IRR	1.78	135
3157-3	Gary Andersen	LC	PAC	IRR	1.3	105
5267-3	Mary White	LC	PAC	IRR	0.43	30
5844-3	Richard H. Myers	PE	PAC	IRR	1.71	120
6566-3	Hansen Properties	PE	LVM	IRR	1.22	86
6567-3	Hansen Properties	PE	LVM	IRR	0.56	39
6568-3	Hansen Properties	PE	PAC	IRR	2.38	167
6607-3	Duane E. Auch	PE	PAC	IRR	0.02	1.5
7003-3	Hansen Properties	PE	LVM	IRR	0.11	0
7010-3	Gary Andersen	PE	PAC	IRR	0.48	110.6
LC= Water Right, PE= Water Permit, PAC= Parker-Centerville, LVM= Lower Vermillion Missouri, IRR= Irrigation						

Table 3- Water Rights within 1.5 miles of the well site (Water Rights, 2013b)

To place water to maximum beneficial use, a certain amount of drawdown may occur. The water table conditions of the aquifer in this area dictate that drawdown due to pumping would not be significant far from the proposed well site. However, the close proximity and concentration of high capacity wells pumping from this relatively thin aquifer could lead to water level declines being compounded and magnified. Drawdown cannot be precisely quantified without aquifer testing in the area.

While the withdrawals would not exceed recharge of the aquifer as a whole, this cumulative impact of withdrawals could lead to a reduction of water levels to the extent that local water rights/permits can no longer pump at their developed, or "historically established," diversion rates. If approved, the water permit should include a qualification that the well owner should 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 46-5-6

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of one cfs per second for every 70 acres, or "the equivalent thereof." The statute does provide that the Water Management Board may allow a greater diversion if the method of irrigation so requires. Water Permit Application 7750-3 proposes to divert at 0.39 cfs (175 gpm) from holding ponds for the irrigation of up to 10 acres, or the equivalent of 2.73 cfs per 70 acres. The applicant stated that the irrigation was for agronomic research plots. During the inspection of Water Permit No. 6607-3 in July of 2012, the applicant stated that his irrigation system and pump rate were highly variable dependent upon what crop in the research plots and that he needed a "fairly large" pump rate (in excess of 75 gpm) to properly operate the big gun irrigation system. This reasoning seems valid.

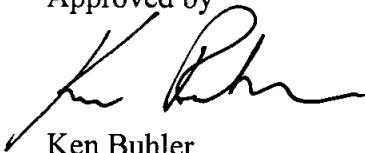
CONCLUSIONS:

1. The application proposes to appropriate water for the irrigation of 8.5 acres from a new holding pond using an existing well authorized under Water Permit No. 6607-3.
2. Water Permit No. 6607-3 authorizes the appropriation of water at a maximum diversion rate of 0.02 cfs for the irrigation of 1.5 acres from the Parker-Centerville aquifer.
3. This application, if approved, and Water Permit No. 6607-3 combined will authorize a diversion of 0.02 cfs from one well to irrigate 10 acres with a maximum diversion rate from the holding ponds of 0.39 cfs.
4. From the hydrologic budget and the observation well data, there is a reasonable probability that unappropriated water is available from the Parker Centerville aquifer to supply this proposed appropriation.
5. There is a reasonable probability this proposed diversion will not adversely impact existing appropriative or domestic users.
6. The applicant requested a diversion rate exceeding the statutory limit. Based on information gathered during a July 2012 inspection of Water Permit No. 6607-3, the system and pump rate change dependent on crop, but his main system, a big gun, needed at least 75 gpm to operate properly. That reasoning seems valid.



Adam Mathiowetz
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

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- Water Rights. 2013a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013c. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

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MAY 17 2013

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

PLAIN TALK

DENR
Division of Environmental Services
Water Rights Program
Joe Foss Building, 523 East Capitol
Pierre, SD 57501

STATE OF SOUTH DAKOTA
COUNTY OF CLAY

TERA SCHMIDT BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT SHE IS THE CLASSIFIED MANAGER OF YANKTON
MEDIA INC., A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
PLAIN TALK, A LEGAL WEEKLY NEWSPAPER PUBLISHED AND CIRCULATED
IN THE CITY OF VERMILLION, 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 TO APPROPRIATE WATER

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 10 DAY OF May 2013
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$32.94 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: 5/10/13

FILED ON: 5/10/13

NOTICE OF APPLICATION
NO. 7750-3 to Appropriate
Water

Notice is given that Duane E Auch, 29896 463rd Ave, Centerville SD 57014 has filed an application for a water permit to irrigate 8.5 additional acres and an additional holding pond. Water Permit No. 6607-3 authorizes 0.02 cubic feet of water per second (cfs) from one well completed in the Parker-Centerville Aquifer located in the SW 1/4 SW 1/4 Section 12 to irrigate a 1.5 acre agromomic research plot located in the SW 1/4 SW 1/4 Section 12; all in T95N-R52W. Water may be diverted to a small holding pond (less than 1.0 acre-feet) prior to being applied to the land. This application proposes to irrigate an additional 8.5 acres located in the W 1/2 SW 1/4 Section 12 with the additional holding pond located in the NW 1/4 SW 1/4 Section 12; all in T95N-R52W. The maximum diversion rate from holding ponds to land is 0.39 cfs. This application, if approved, and Water Permit No. 6607-3 combined, will authorize 0.02 cfs diversion from the well to irrigate 10 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7750-3 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 May 20, 2013.

The petition may be informal, but must include a statement describing the petitioner's interest in

Tere A. Schmidt
SUBSCRIBED AND SWORN TO BEFORE ME THIS
13th DAY OF May
Bryan S. Schell
NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 8/19/2015

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 once at the total approximate cost of \$32.94.

Published: May 10, 2013

RECEIVED

MAY 13 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. 7750-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 10th DAY OF May 2013
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$31.44 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: 5/10/2013

FILED ON: 5/10/2013

SUBSCRIBED AND SWORN TO BEFORE ME THIS 10th DAY OF May 2013

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

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. Pimer, Secretary, Department of Environment and Natural Resources.
Published once at the total approximate cost of \$31.44.

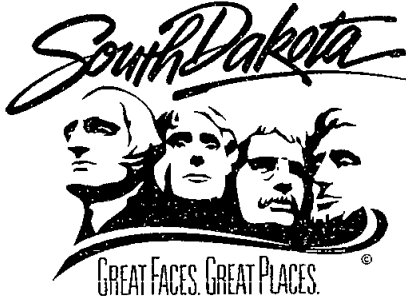
5+10
NOTICE OF APPLICATION
NO. 7750-3 to Appropriate Water

Notice is given that Duane E Auch, 29896 463rd Ave, Centerville SD 57014 has filed an application for a water permit to irrigate 8.5 additional acres and an additional holding pond. Water Permit No. 6607-3 authorizes 0.02 cubic feet of water per second (cfs) from one well completed in the Parker/Centerville Aquifer located in the SW 1/4 SW 1/4 Section 12 to irrigate a 1.5 acre agromomic research plot located in the SW 1/4 SW 1/4 Section 12; all in T95N-R52W. Water may be diverted to a small holding pond (less than 1.0 acre-feet) prior to being applied to the land. This application proposes to irrigate an additional 8.5 acres located in the W 1/2 SW 1/4 Section 12 with the additional holding pond located in the NW 1/4 SW 1/4 Section 12; all in T95N-R52W. The maximum diversion rate from holding ponds to land is 0.39 cfs. This application, if approved, and Water Permit No. 6607-3 combined, will authorize 0.02 cfs diversion from the well to irrigate 10 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7750-3 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 May 20, 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

April 29, 2013

Plain Talk
201 W Cherry St
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7750-3 to Appropriate Water. Please publish the notice once on May 10, 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 Duane E Auch, 29896 463rd Ave, Centerville SD 57014 (Ph # 605-563-2092).

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

April 29, 2013

Press & Dakotan
319 Walnut
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7750-3 to Appropriate Water. Please publish the notice once on May 10, 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 Duane E Auch, 29896 463rd Ave, Centerville SD 57014 (Ph # 605-563-2092).

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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

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

April 29, 2013

Duane E Auch
29896 463rd Ave
Centerville SD 57014

Dear Mr. Auch:

Water Permit Application No. 7750-3 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 Plain Talk printed at Vermillion SD (Ph # 605-624-2695) 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 May 10, 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. 7750-3 to Appropriate Water

Notice is given that Duane E Auch, 29896 463rd Ave, Centerville SD 57014 has filed an application for a water permit to irrigate 8.5 additional acres and an additional holding pond. Water Permit No. 6607-3 authorizes 0.02 cubic feet of water per second (cfs) from one well completed in the Parker:Centerville Aquifer located in the SW 1/4 SW 1/4 Section 12 to irrigate a 1.5 acre agronomic research plot located in the SW 1/4 SW 1/4 Section 12; all in T95N-R52W. Water may be diverted to a small holding pond (less than 1.0 acre-feet) prior to being applied to the land. This application proposes to irrigate an additional 8.5 acres located in the W 1/2 SW 1/4 Section 12 with the additional holding pond located in the NW 1/4 SW 1/4 Section 12; all in T95N-R52W. The maximum diversion rate from holding ponds to land is 0.39 cfs. This application, if approved, and Water Permit No. 6607-3 combined, will authorize 0.02 cfs diversion from the well to irrigate 10 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7750-3 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 May 20, 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 once at the total approximate cost of _____.



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and NATURAL RESOURCES**

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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

JUN 21 2013

Duane E Auch
29896 463rd Ave
Centerville SD 57014

Dear Mr. Auch:

Enclosed is Water Permit No. 7750-3 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



7750-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 20, 2017

NOTICE

TO: DUANE E AUCH, 29896 463 AVE, CENTERVILLE, SD 57014

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6607-3 & 7750-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6607-3 & 7750-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6607-3 & 7750-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 31, 2017

6607-3
7750-3

Duane E Auch
29896 463rd Ave
Centerville SD 567104

Dear Mr. Auch:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 6607-3 and Water Permit No. 7750-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: DUANE E AUCH, 29896 463 AVE, CENTERVILLE, SD 57014

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6607-3 & 7750-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6607-3 & 7750-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6607-3 & 7750-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: IFWDLF**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 19, 2025

6607-3

7750-3

Duane Auch
29896 463rd Ave
Centerville SD 57014

Dear Mr. Auch:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 6607-3 & 7750-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us