

WATER PERMIT NO. 7786-3

Name of Applicant: Kurt Schneiderman

Address: 28265 470th Ave, Lennox SD 57039 Phone: 605 940-3595

Amount of Water Claimed: 1.11 cfs Total Acres: 60

Source of Water Supply: dugout or well

Water to be used for: irrigation County: Turner

Type of Waste Disposal System:

Location: 2 miles east of Hurley

PRIORITY Date Received: 3-8-13 Application/License Fee: \$ 700

Corrected Application Received: Period of Annual Use: April 1 – September 30

Remarks:

Diversion Point: SE 1/4 NE 1/4 Sec 25-T98N-
R53W

Land to be Irrigated: E 1/2 NE 1/4 Sec 25-T98N-
R53W

Depth of Well: 40 feet deep

Well Driller:

Remarks:

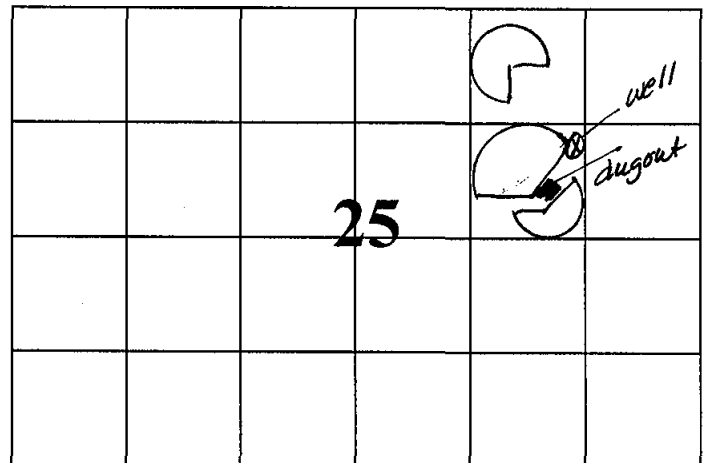
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 3-11-13

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7786-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u> <u>605-766-7827</u>
	Newspaper <u>Viborg Ent/Hurly Leader, Box 14 Centerville 57014</u> <u>605-331-2200</u>
	<u>Argus Leader, Box 5034 Sioux Falls 57117</u>

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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 to Appear on Irrigation Permit Kurt Schneiderman
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent Kurt Schneiderman
(name and complete address if different than above name)

Mailing Address 28265-470th Ave Lennox SD 57039
(Address) (City) (State) (Zip Code)

Home Phone 605-372-4903 Cell 605-940-3595 Email Kandis@iw.net

2. Amount of water claimed 1.11 *CFS or 500 **GPM ***AF Total Acreage 60
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Either / or well Dugout

4. Location of point of diversion SE 1/4 of NE 1/4 section 25 98N 53W
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

County Turner

5. County or counties where water will be used Turner

6. Annual period during which water is to be used April 1 thru September 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 NE 1/4 sec 25 98N 53W</u>	<u>30</u>		
<u>NE 1/4 of NE 1/4 sec 25 98N 53W</u>	<u>30</u>		

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

To construct a few little center pivots to enhance the productivity of this land by using the dugout marked if not to dig a well.

I, Kurt Schneiderman, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

**SOUTH DAKOTA
WATER PERMIT NO. 7786-3**

Date of first receipt of application March 8, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7786-3 to Kurt Schneiderman, 28265 470th Ave, Lennox SD 57039 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. 7786-3 appropriates 1.11 cubic feet of water per second (cfs) from a dugout and/or one well to be completed into the Parker:Centerville Aquifer (40 feet deep) located in the SE 1/4 NE 1/4 Section 25 for irrigation of 60 acres located in the E 1/2 NE 1/4 Section 25; all in T98N-R53W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is March 8, 2013.
4. The date of approval of Permit No. 7786-3 is May 28, 2013.
5. One-fifth of the construction is to be completed on or before November 28, 2015.
6. All construction is to be completed on or before May 28, 2018.
7. Water is to be put to beneficial use on or before May 28, 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. 7786-3 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. 7786-3 authorizes a maximum diversion rate of 1.11 cfs for the irrigation of 60 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

JUN 24 2013

date



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 1 Have test holes been drilled ☐ Yes ☒ No Drilled by _____
(if yes, please provide copies of logs)

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

c) Well Depth 40' Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____

d) Distance to nearest existing domestic well:

On applicant's property None On property owned by others 1/2 mile

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

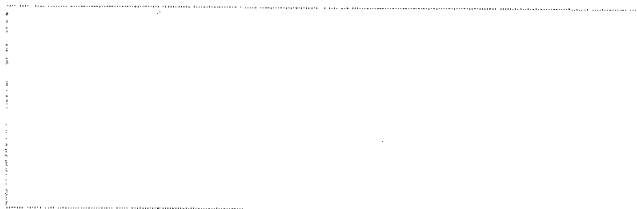
a) Surface Dimensions 100' x 200' Depth 15'-20'

b) Depth to water (ground surface to water level) 6'-8'

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)

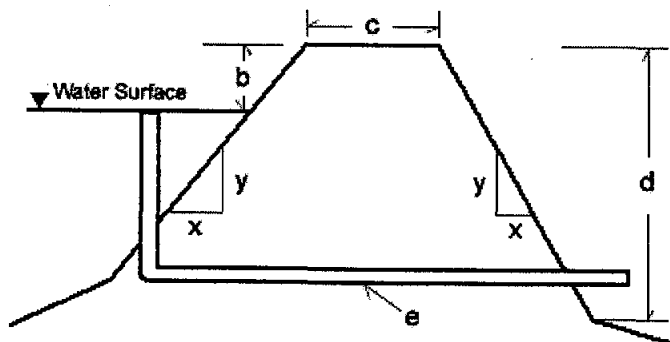
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

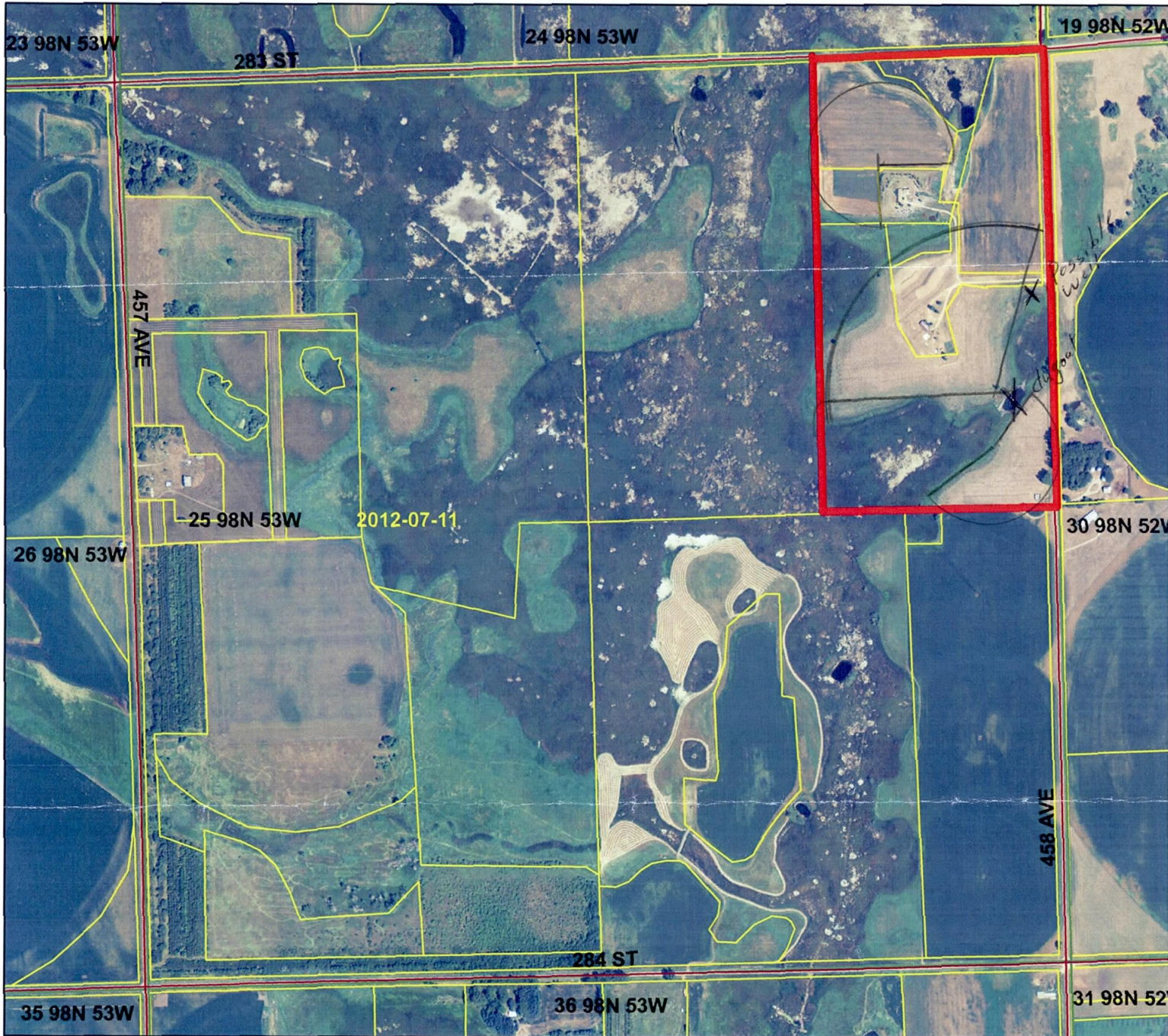
j) Drainage Area Above Dam _____ Acres



Irrigation Map

Field Office: Parker FO
Certified By: Merris Miller
Legal Desc: E1/2, NE 1/4 25-98-53

Agency: USDA-NRCS
Certified Date: -
Tract: -



0 250 500 1,000 1,500 2,000
Feet

Sect 25-98-53

Merris Miller

MERRIS MILLER, DC
USDA-NRCS

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RECEIPT

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South Dakota Department of Environment and Natural Resources

Date 3/11, 20 13

RECEIVED OF Kurt Schniederma 28265 470th Ave Lennox SD 57039

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

Fee for Application for Permit No. <u>7786-3</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>7786-3</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	700 00

No. 06220

By

David Erdreich
Chief Engineer



**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. 7786-3, Kurt Schneiderman**

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. 7786-3, Kurt Schneiderman, 28265 470th Avenue, Lennox SD 57039

The Chief Engineer is recommending APPROVAL of Application No. 7786-3 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. 7786-3 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. 7786-3 authorizes a maximum diversion rate of 1.11 cfs for the irrigation of 60 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.

Jeanne Goodman, Chief Engineer
May 9, 2013

NOTE: Please read the staff report thoroughly. The use of the dugout may become self-prohibiting due to drawdown effects due to pumping and groundwater inflow rate. It may be necessary to construct a well completed in the Parker Centerville Aquifer to supply the requested diversion rate. In addition, the dugout will likely not be protected from impairment issues such as drawdown from neighboring wells. If approved, the water permit will be issued for a five year construction period. After that time, you will be limited to the system as developed.

REPORT TO THE CHIEF ENGINEER

WATER PERMIT APPLICATION NO. 7786-3

Kurt Schneiderman

April 2, 2013

Water Permit Application No. 7786-3 proposes to withdraw groundwater at a maximum diversion rate of 1.11 cubic feet of water per second (cfs) from a dugout and/or one well to be completed into the Parker Centerville aquifer. The well is expected to be approximately 40 feet deep and located in the SE¼ NE¼ of Section 25, T98N-R53W. Water will be used to irrigate 60 acres located in the E½ NE¼ of Section 25, T98N-R53W, in Turner County. The application proposes a diversion rate in excess of the statutory limit.

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, Lincoln, and Clay Counties; these areas are quantified in Table 1. In relation to the proposed diversion point(s), the Parker Centerville aquifer connects to the Vermillion East Fork and Vermillion West Fork aquifers to the north and to the Lower Vermillion Missouri aquifer to the south. The Niobrara Formation lies in the same general altitude interval of the Parker Centerville aquifer west of this area and is likely hydraulically connected (Shulz, 1993). The Parker Centerville aquifer could also be hydraulically connected to the underlying Upper Vermillion Missouri aquifer and the Vermillion River. Groundwater movement is southeast and towards the river (Lindgren & Hansen, 1990).

Table 1: Areas of the Parker Centerville aquifer (Hedges and others, 1982; Lindgren and Hansen, 1990; Niehus, 1997)

County	Lincoln	Turner	Clay	Total
Area (acres)	16,000	47,360	3,700	67,060

In the area of the proposed diversion point(s), the Parker Centerville aquifer is approximately 50 feet thick (Geological Survey, 2013; Water Rights, 2013b; Water Rights, 2013c). The static water level of the aquifer in the area is generally between five and ten feet below ground surface (Water Rights, 2013a).

The proposed dugout, which is expected to be 15 to 20 feet deep, will likely encounter the Parker Centerville aquifer. Water levels in this aquifer can naturally fluctuate several feet. This fluctuation could be exasperated due to pumpage from other nearby wells, specifically those from irrigation use water rights/permits. Also, the pumpage from the dugout will eventually be self-prohibiting when considering possible drawdown effects, diversion rate, and groundwater inflow rate. Therefore, the water availability in this dugout could become inadequate for the proposed use, and the proposed well is likely necessary. In addition, a dugout is not an adequate well according to the State of South Dakota, and probably not protected from impairment issues.

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:

If this application is approved, the actual water use will likely be less than 120 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." If the source of the water is older or lower than the greenhorn formation and a public water system has applied for a permit, the Board need not consider the recharge/withdrawal issue. Here, a public water system is not involved and the aquifer is not older or lower than the greenhorn formation therefore withdrawal/recharge issue must be considered.

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 2 shows the recharge, in ac-ft/yr, based on the area of the aquifer.

Table 2: Recharge to the Parker Centerville aquifer (Hedges and others, 1982; Lindgren and Hansen, 1990; Niehus, 1997)

County	Lincoln	Turner	Clay	Total
Recharge (ac-ft/yr)	6,533	19,339	1,511	27,383

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 and four pending water permit applications. There are no future use permits (Water Rights, 2013b).

All but two water rights/permits are for irrigation. Currently, there are 114 water rights/permits in Turner County, 11 in Clay County, and none in Lincoln County. The irrigation development of the Parker Centerville aquifer over the period of record, 1979 to 2011, has remained at the same general level. The annual withdrawal from the aquifer by irrigation use water rights/permits fluctuates, which is probably mostly dependent on annual growing season climatic conditions. Table 3 shows the annual irrigation use (Water Rights, 1980-2012). Since 2011, two water

permits have been authorized and four water permit applications are pending, so average irrigation pumpage could increase (Water Rights, 2013b).

Table 3: Irrigation pumpage reported from Parker Centerville aquifer (Water Rights, 1980-2012)

Pumpage (ac-ft/yr) \ County	Lincoln	Turner	Clay	Total
Average	0.0	9734.8	191.1	9543.7
Maximum	0.0	15140.0	449.0	14701.0
Minimum	0.0	391.1	0.0	391.0

Both of the nonirrigation use water rights/permits are authorized to the City of Hurley for municipal use. However, they city is now connected to a rural water system, and the water rights are maintained for stand-by purposes. Therefore, withdrawal due to municipal use is not expected to be significant to the hydrologic budget (Water Rights, 2013b).

In addition, 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.

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 the 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 24 observation wells in the Parker Centerville aquifer. The nearest observation well, TU-77J, is located approximately one and one quarter mile southeast of the proposed diversion point(s). The associated hydrograph is shown in Figure 1 (Water Rights, 2013a).

The observation well data documents cyclic conditions of water levels, recharging during wet years and declining during dry years. In general, water levels in all wells in the Parker Centerville aquifer have remained fairly steady. 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 the proposed appropriation.

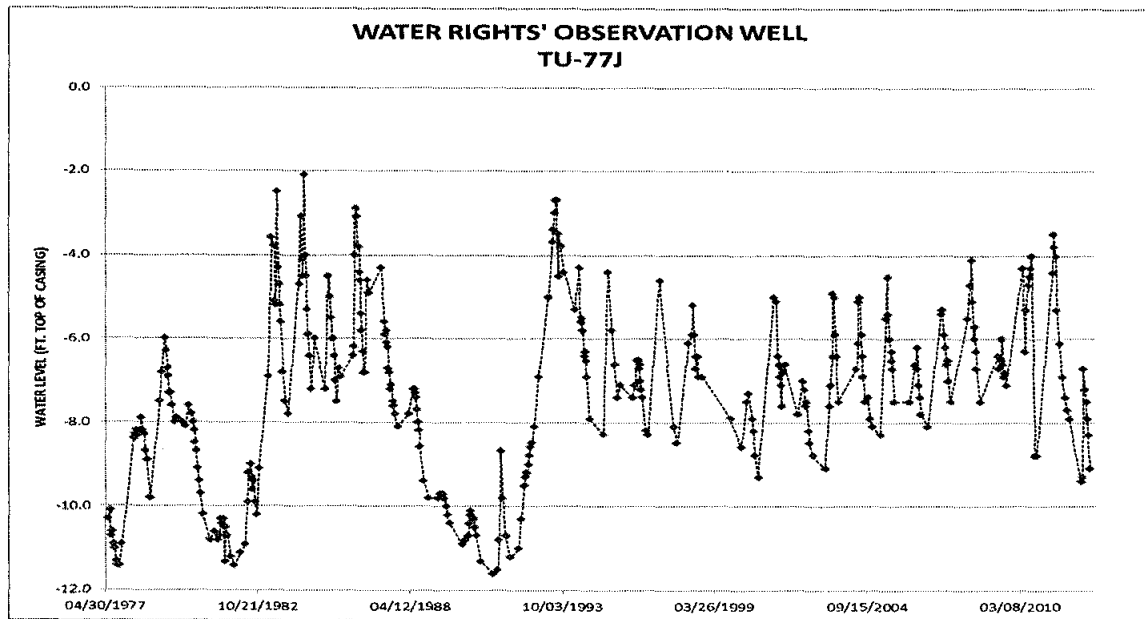


Figure 1: Hydrograph for observation well TU-77J (Water Rights, 2013a)

EXISTING WATER RIGHTS:

If approved, the well will be located near other wells that obtain water from the same aquifer. Within two miles of the proposed diversion point(s), there are 30 water rights/permits appropriating water from the Parker Centerville aquifer. Within one mile, there are six water rights/permits appropriating water from the aquifer (Water Rights, 2013b). There are also several well completion reports on record with the SD DENR-Water Rights Program for domestic wells in the area of the proposed diversion point(s) that could be completed into the Parker Centerville aquifer (Water Rights, 2013c). The nearest water rights/permits, Nos. 2690-3 and 187-3, are located approximately one half mile from the proposed diversion point(s).

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 cumulating 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 the 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

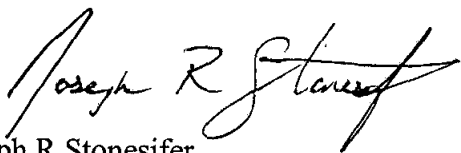
Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of one cubic foot of water per second for every 70 acres, or "the equivalent thereof." The statute

provides that the Water Management Board may allow a greater diversion if the method of irrigation so requires.

This water permit application proposes to divert at a rate of 1.11 cfs per 60 acres, equaling 1.30 cfs per 70 acres. Justification for the diversion rate in excess of the statutory limit was not provided. The application indicates that the proposed pivot will not make a full rotation. This requested diversion rate is probably an operational requirement of the equipment that is unrelated to the amount of rotation and subsequent area of land irrigated.

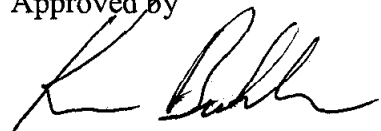
CONCLUSIONS:

1. The water permit application proposes to withdraw groundwater at a maximum diversion rate of 1.11 cfs from one dugout and/or one well to be completed into the Parker Centerville aquifer in Turner County for the irrigation of 60 acres.
2. There is a reasonable probability that unappropriated water is available from the Parker Centerville aquifer to supply the proposed appropriation.
3. There is a reasonable probability that this proposed well will not adversely or unlawfully impair existing nearby wells.
4. This application has requested an additional diversion rate in excess of one cfs per 70 acres.



Joseph R Stonesifer
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon. 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., and Holly, D.E. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 7: Ground Water Recharge. South Dakota DENR-Geological Survey, Vermillion, South Dakota.
- Lindgren, R.J., and Hansen, D.S. 1990. Water Resources of Hutchinson and Turner Counties, South Dakota. Water-Resources Investigations Report 90-4093, United State Geological Survey, Huron, South Dakota.
- Niehus, C.A., 1994. Water Resources of Lincoln and Union Counties, South Dakota. Water Resources Investigations Report 93-44195, United State Geological Survey, Rapid City, South Dakota.
- Schulz, L.D. 1993. Investigation of Ground-Water Resources in the Vicinity of Hurley, South Dakota. Open-File Report 66-UR, SD DENR-Geological Survey Program, Vermillion, South Dakota.
- Water Rights. 1980-2012. "Annual Irrigation Summary by Aquifer": SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- 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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JUN - 4 2013

WATER RIGHTS
PROGRAM**AFFIDAVIT OF PUBLICATION**

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF TURNER)

Allyson M. Hill, being first duly sworn, on oath says the VIBORG ENTERPRISE is a WEEKLY newspaper published in VIBORG in said county of TURNER, State of South Dakota; and that she is authorized to and does make this affidavit on behalf of said VIBORG ENTERPRISE; that affiant has personal knowledge of all facts stated in this affidavit; that said newspaper is a legal newspaper as defined by SDCL 17-2-2.1 through 17-2-2.4 inclusive as amended, has a bona fide circulation of at least two hundred copies WEEKLY, has been published in the English language within said county and has been admitted to the United States mail under the second class mailing privilege, for at last one year continuously next prior to the publication of the notice herein mentioned and was and is printed wholly or in part in an office maintained at said place of publication; that said notice, a printed copy of which taken from the paper in which the same was published is hereto attached and is made part of this affidavit, was published in said newspaper

1 time(s) as follows: that the first publication of said

notice in said newspaper aforesaid was on Thursday

the 16 day of May, 2013,

and that the succeeding publications were severally

on Thursday, the ____ day of _____, 2013;

on Thursday, the ____ day of _____, 2013;

on Thursday, the ____ day of _____, 2013;

on Thursday, the ____ day of _____, 2013;

Affiant further says that the full amount of the fees charged for the publication of said notice inures to the benefit of the publishers of said newspaper; that no agreement of understanding for the division thereof has been made with any other person, that no part therefore has been agreed to be paid to any person whomsoever; and that the fees charged for the publication thereof are:

DOLLARS (\$ 20.22)

(x)

Allyson M. Hill

Subscribed and sworn to before me this 3 day of

June, 2013

Notary Public

My commission expires 11/14/2018

SHANE HILL

NOTARY PUBLIC
SOUTH DAKOTA**NOTICE OF APPLICATION NO. 7786-3 to Appropriate Water**

Notice is given that Kurt Schneiderman, 28265 470th Ave, Lennox SD 57039 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from a dugout and/or one well to be completed into the Parker-Centerville Aquifer (40 feet deep) located in the SE 1/4 NE 1/4 Section 25 for irrigation of 60 acres located in the E 1/2 NE 1/4 Section 25; all in T98N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7786-3 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, Ross 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 28, 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 \$20.22

CUSTOMER NUMBER:	078200	Argus Leader
AD ORDER NUMBER:	1415244	
	5/16, 2013	P.O. Box 677349, Dallas, TX 75267-7349
		\$63.02pd

Kurt Scheidermann
28265 470th Ave
Lennox, SD 57039

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MAY 20 2013

WATER RIGHTS
PROGRAM

DETACH THIS STUB AND RETURN WITH PAYMENT

PAYMENT DUE UPON RECEIPT

AFFIDAVIT OF PUBLICATION-

Customer Number: 078200

Invoice Number: 1415244

Argus Leader

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

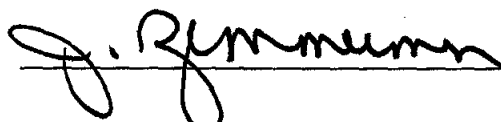
COUNTY OF MINNEHAHA } ss

Linda Schulte being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Thursday the 16 day of May 2013 ,
 _____ the _____ day of _____ 2013 ,
 _____, the _____ day of _____ 2013
 _____, the _____ day of _____ 2013 ,
 _____, the _____ day of _____ 2013 ,
 _____, the _____ day of _____ 2013 ,
 _____, the _____ day of _____ 2013 ,

and that \$63.02pd was charged for publishing the same


 Subscribed and sworn to before me 5/16/2013


 Notary Public, South Dakota

My Commission expires December 22, 2015

**NOTICE OF APPLICATION
NO. 7786-3 to Appropriate**

Water

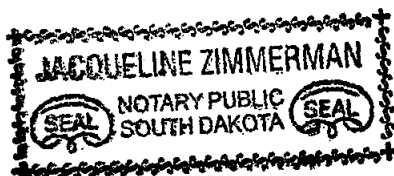
Notice is given that Kurt Schneiderman, 28265 470th Ave, Lennox SD 57039 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from a dugout and/or one well to be completed into the Parker-Centerville Aquifer (40 feet deep) located in the SE 1/4 NE 1/4 Section 25 for irrigation of 60 acres located in the E 1/2 NE 1/4 Section 25; all in T98N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7786-3 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 28, 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 \$63.02.
1415244 May 16, 2013





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

May 9, 2013

Viborg Enterprise/Hurley Leader
PO Box H
Centerville SD 57014

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7786-3 to Appropriate Water. Please publish the notice once on May 16, 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 Kurt Schneiderman, 28265 470th Ave, Lennox SD 57039 (Ph # 605-372-4903).

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

May 9, 2013

Argus Leader
PO Box 5034
Sioux Falls SD 57117

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

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**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.**

May 9, 2013

Kurt Schneiderman
28265 470th Ave
Lennox SD 57039

Dear Mr. Schneiderman:

Water Permit Application No. 7786-3 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 Viborg Enterprise/Hurley Leader printed at Centerville SD (Ph # 605-766-7827) and the Argus Leader printed at Sioux Falls SD (Ph # 605-331-2200). 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 16, 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. 7786-3 to Appropriate Water

Notice is given that Kurt Schneiderman, 28265 470th Ave, Lennox SD 57039 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from a dugout and/or one well to be completed into the Parker:Centerville Aquifer (40 feet deep) located in the SE 1/4 NE 1/4 Section 25 for irrigation of 60 acres located in the E 1/2 NE 1/4 Section 25; all in T98N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7786-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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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

JUN 24 2013

Kurt Schneiderman
28265 470th Ave
Lennox SD 57039

Dear Mr. Schneiderman:

Enclosed is Water Permit No. 7786-3 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

7786-3

07-92

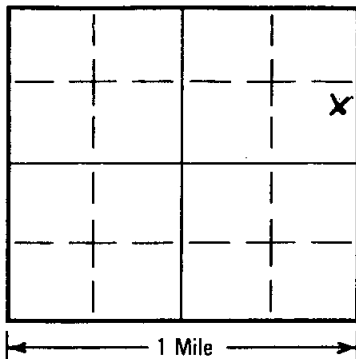
Location SE 1/4 NE 1/4 Sec 25 Twp 98 Rg 53County Turner

Please mark well location with an "X"

W

E

Well Completion Date

8/20/13

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 700 ft. from house (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Boring MachineCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>18</u> IN	<u>0</u> FT	<u>27</u> FT	<u>30</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
_____	_____	_____ lb./gal	_____ ft	_____ ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure peg rock 10' to 47'
concrete 6' to 10' topsoil 0' to 6'SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 18" IN Length 20' FEETMaterial plasticSlot Size .085 Set From 27 Feet to 47 FeetOther information seeWAS 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: Kurt Schneiderman

Business Name: _____

Address: 28265 470th Av
Lennox SD. 57039

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Topsoil</u>	<u>0'</u>	<u>6'</u>
<u>clay + gravel mix</u>	<u>6'</u>	<u>12'</u>
<u>water bearing sand + gravel</u>	<u>12'</u>	<u>47'</u>

STATIC WATER LEVEL 11 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: _____☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 500 GPM

REMARKS

RECEIVED

MAR 19 2014

WATER RIGHTS PROGRAM

RECEIVED

MAR 19 2014

WATER RIGHTS PROGRAM

This well was drilled under license # 478

And this report is true and accurate.

Drilling firm Reiners Well Drilling

Signature of License Representative

Signature of Well Owner or Equitable Property Holder:

Date: 12-30-13

4-8-14

7786-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 5, 2018

Kurt Schneiderman
28279 466th Ave
Lennox SD 57039-5632

RE: Water Permit/Right Nos. 166-3, 187-3, 2690-3 & 7786-3

Dear Mr. Schneiderman:

Enclosed is a "Notice" dated October 30, 2018 concerning the 2018 irrigation questionnaires.

The notice was originally mailed to 28265 470th Ave, Lennox SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures

7786-3



DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

October 28, 2020

166-3
187-3
2690-3
7786-3

Kurt Schneiderman
28265 470th Ave
Lennox SD 57039-5714

Dear Mr. Schneiderman:

Enclosed is a "Notice" dated October 23, 2020 concerning the 2020 irrigation questionnaires for a water permit listed in your name and three listed under Russell Schneiderman.

The notice was originally mailed to 28279 466th Ave, Lennox. The post office notified us that your address has changed, and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent.

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

enclosures

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7786-3

I have this day, April 16, 2025, made a thorough examination of the water use system constructed by Kurt Schneiderman, 28265 470th Ave, Lennos, SD 57039 of Permit No. 7786-3, bearing the priority of March 8, 2013 authorizing the diversion of 1.11 cu. ft. per second of the waters of the Parker Centerville Aquifer for irrigation purposes, in Turner County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Reiners Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 47 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 18 inches
- 2) Length 27 feet
- 3) Type PVC

Screen:

- 1) Type Platic
- 2) Length 20 feet
- 3) Static water level 11 feet

Pump:

- 1) Make Submersible
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 500 GPM

Motor:

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

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

- 1) Type Buried PVC
- 2) Size 6 inches
- 3) Length Unknown feet

Comments: **Difficult to determine actual piping layout. Six (6) inch PVC from the well pump**

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make 2 – Valleys & 2 - Reinkes
- 2) Overall length 360 & 940 Valleys : 300 & 500 Reinkes feet
- 3) Number of towers 2 & 6: 2 & 3
- 4) End gun Y
- 5) Capacity _____ GPM (SEE SECTION F)

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: WELL LOCATION
From the NE corner Sec 25 T98N R53W, 1010 ft S & 80 ft W, Lat 43.28259 Long -97.04294 (SE 1/4 NE 1/4)
2. The works are capable of diverting and conveying to the place of use 1.11 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>legal description/acreage</u>	<u>legal description/acreage</u>
All land in Sec 25 T98N R53W	
NE 1/4 NE 1/4 - 21 acres	
SE 1/4 NE 1/4 - 21 acres	

comprising a total of 42 acres of land and the license should be issued for 1.11 cfs

3. All structures, wells and lands on map Y

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

FSA photographs and the ArcGIS software were used to estimate the irrigated acreage and to construct the map.

The pump discharge reported in a recent Irrigation Questionnaire was used to establish the flow capacity for the system.

Did not establish the location of the underground piping system. Had a problem determining how the system worked when talking to Mr. Schneiderman on the phone. Do not know the flow capacity for each individual center pivot.

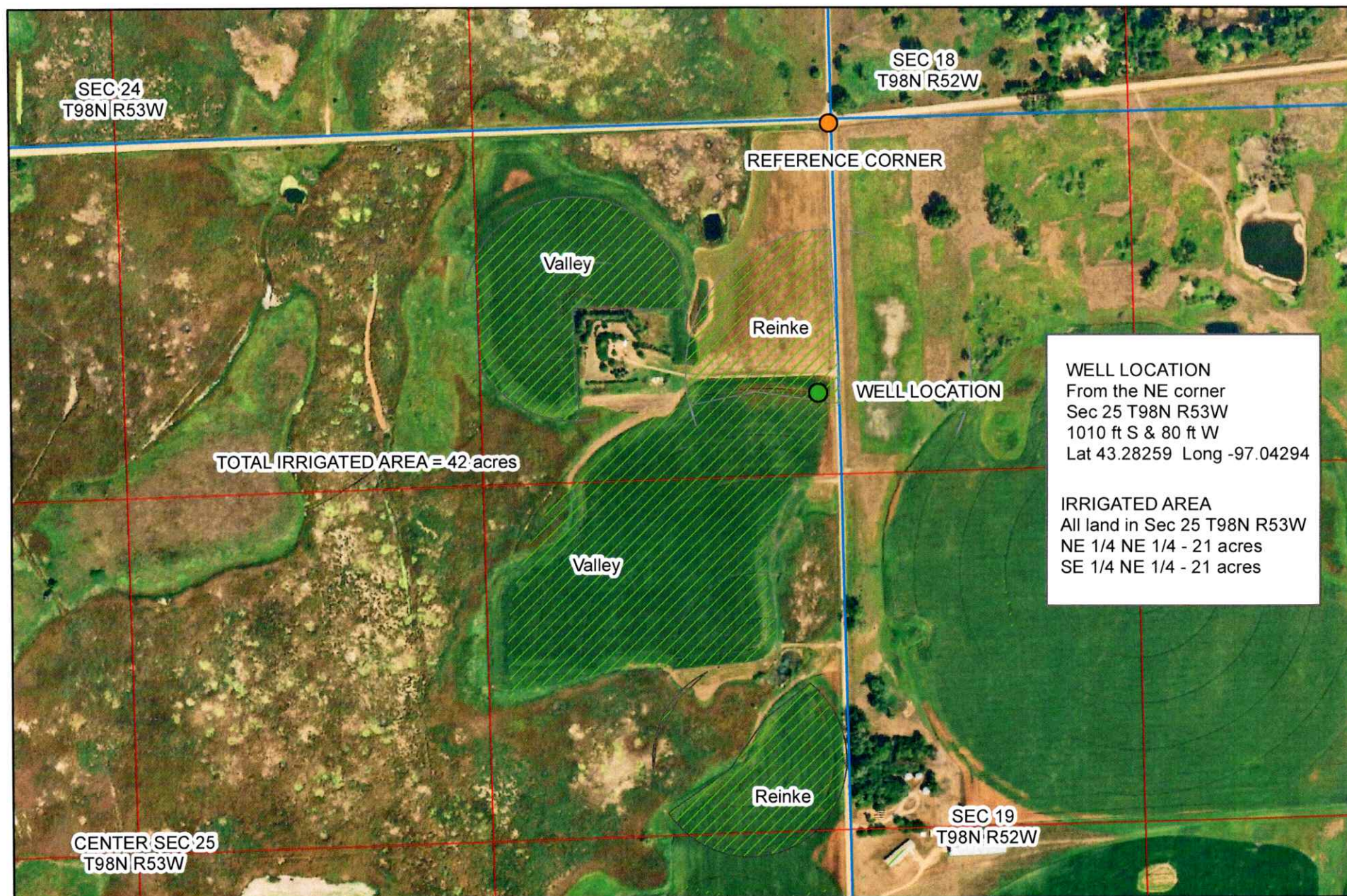
The mailing address and the telephone number in the permit materials are current.

I visited with Mr. Kurt Schneiderman, owner (605/940-3595) on the phone a day after the field visit.



Darrell DeBoer
Water Rights Inspector
DENR, Water Rights Program

Date report completed: April 21, 2025



0 410 820 1,640 2,460 3,280 Feet



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUN 04 2025

Kurt Schneiderman
28265 470th Ave
Lennox, SD 57039

No. 7786-3

Dear Mr. Schneiderman:

Enclosed is Water License No. 7786-3. 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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7786-3**

(1) Kurt Scheiderman, 28265 470th Ave, Lennox, SD 57039, made Application No. 7786-3, March 8, 2013, for a water permit to divert 1.11 cubic feet of water per second from groundwater, a dugout and/or one well (Parker Centerville Aquifer), Turner County, South Dakota for irrigation purposes. Permit No. 7786-3, with a priority date of March 8, 2013, was approved May 28, 2013, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 28, 2018, and for the application to beneficial use of water on or before May 28, 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 1.11 cubic feet of water per second for beneficial use. The location of the diversion point is:

- **Well:** 1,390 feet S and 80 feet W from the NE corner of Section 25, T98N, R53W (SE $\frac{1}{4}$ NE $\frac{1}{4}$) (Latitude 43.28259 and Longitude -97.04294)

(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: April 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 25, T98N, R53W
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 21 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 21 acres
Total – 42 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Kurt Scheiderman, the holder and/or owner of Water Right No. 7786-3 is issued a license to appropriate water, the right to use 1.11 cubic feet of water per second from groundwater, one well (Parker Centerville Aquifer), with a priority date of March 8, 2013, 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. 7786-3 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.

2. The well authorized by Permit No. 7786-3 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 2013 by Reiners Well Drilling. A copy of the well completion report is on file with the Water Rights Program.)*

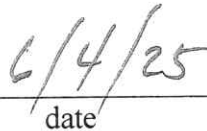
continued

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. 7786-3 authorizes a maximum diversion rate of 1.11 cfs for the irrigation of 60 acres with an annual volume not the exceed 2 acre-feet of water per acre per year. *(The number of acres authorized for irrigation under Water Right 7786-3 was reduced to 42, 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

