

WATER PERMIT NO. 7791-3

Name of Applicant: Shon Sawyer

Address: 28122 Hwy 19, Hurley SD 57036 Phone: 605 351-1416

Amount of Water Claimed: 1.78 cfs Total Acres: 70

Source of Water Supply: groundwater ^{two} ~~(one well)~~

Water to be used for: irrigation County: Turner

Type of Waste Disposal System:

Location: 4 miles north of Hurley

PRIORITY Date Received: 3-7-13

Application/License Fee: \$ 950

Corrected Application Received: 3-14-13

Period of Annual Use: May 1 – September 30

Remarks: Requesting diversion rate greater than statutory limit

Amended application 4/15/13

Diversion Point: S-1/2 SE 1/4 Sec 2-T98N-R53W
NE 1/4 SE 1/4 and SW 1/4 SE 1/4

Land to be Irrigated: SE 1/4 Sec 2-T98N-R53W

Depth of Well: 40 feet deep

Well Driller: Jon Reinert

Remarks:

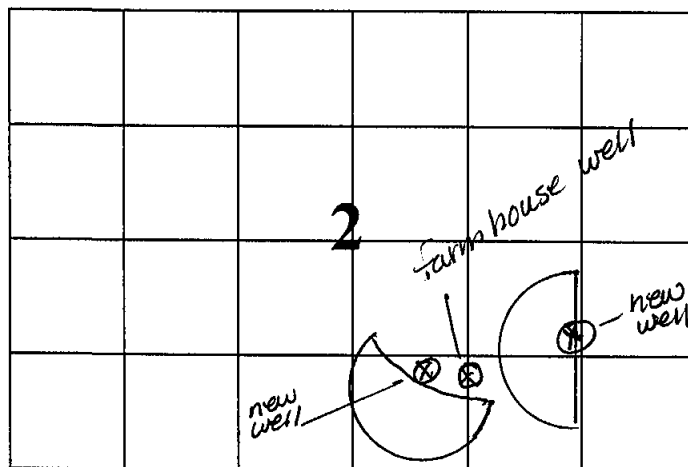
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 3-14-13

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

(office use only)
No. 7791-3 Hydrologic Unit 10170102
Basin N Vermillion River 605-766-7827
Newspaper Viking Ent/Hurley Leader, Box H Centerville 57014
605-331-2200
Argue Leader, Box 5034, Fargo 58117

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MAR - 7 2013
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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 Shon Sawyer
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent _____
(name and complete address if different than above name)
Mailing Address 28122 Hwy 19 Hurley SD 57036
(Address) (City) (State) (Zip Code)
Home Phone X Cell 605 351 1416 Email _____
2. Amount of water claimed 1.0 *CFS or 450 **GPM ***AF Total Acreage 70
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply well
4. Location of point of diversion 2 wells SW1/4 SE1/4 NE1/4 SE1/4 02-9853P
(example - 3 wells in SW1/4 NE1/4 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 May 1 - Sept. 30
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
02-098-53P SE1/4 SW corner	35	(slightly less due to CRP trees)	
02-098-53P SE1/4 NE corner	35	(" " " " " ")	

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

Drilled well in 2002 for domestic & future irrigation, well is in shallow aquifer, water needed from existing well to supply 2 separate smaller pivots at different times.

I, Shon D. Sawyer, 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. 7791-3

Date of first receipt of application March 7, 2013.

Date of return to applicant for corrections, amendments or changes March 7, 2013.

Date of receipt of corrected application April 15, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7791-3 to Shon Sawyer, 28122 Hwy 19, Hurley SD 57036 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. 7791-3 appropriates 1.0 cubic feet of water per second from two wells to be completed into the Parker:Centerville Aquifer (40 feet deep) located in the NE 1/4 SE 1/4 and SW 1/4 SE 1/4 Section 2 for irrigation of 70 acres located in the SE 1/4 Section 2; 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: May 1 – September 30.
3. The date from which applicant may claim right is March 7, 2013.
4. The date of approval of Permit No. 7791-3 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 wells 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 wells authorized by Permit No. 7791-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 

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 ____ 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 Jon Aainers 2002
- c) Well Depth 40 Depth to Top of Water Bearing Material 10 Ft Depth to Water from Surface 14 Ft
- d) Distance to nearest existing domestic well:

On applicant's property same On property owned by others none

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) septic & drain field
- b) System Capacity (gallons) 1000 gallon Year Constructed 2002
- c) Connected to the City of λ Sanitary System

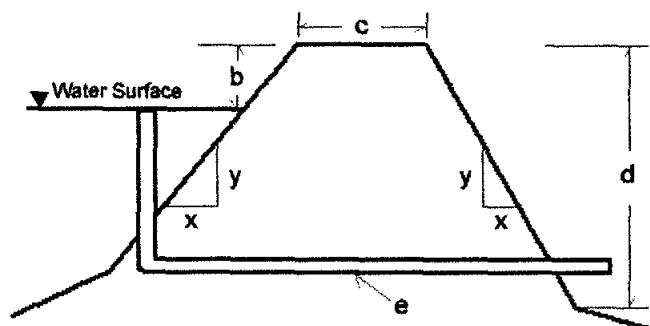
3. Dugout Information

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

4. Water Storage Dams

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

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



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

Supplemental Information

(type or print)

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

- a) If new wells, how many 2 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 Jan Reiners
- c) Well Depth 40 Depth to Top of Water Bearing Material 14 Depth to Water from Surface 10
- d) Distance to nearest existing domestic well:
On applicant's property yes On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) both
- b) System Capacity (gallons) 1000 Year Constructed 2002
- c) Connected to the City of X Sanitary System

3. Dugout Information

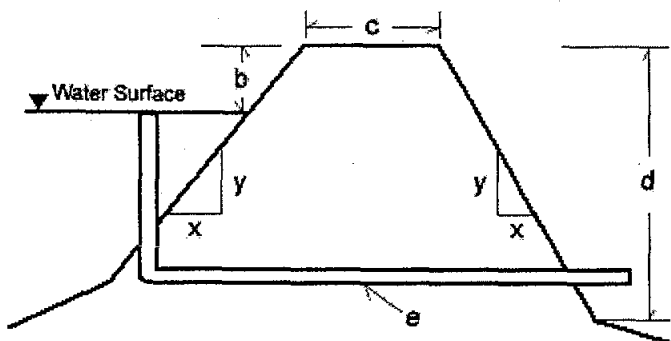
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Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



Sec 34
T099N
R53W

Sec 35
T099N
R53W

Sec 36
T099N
R53W

Sec 3
T098N
R53W

Sec 2
T098N
R53W

Sec 1
T098N
R53W

Sec 10
T098N
R53W

Sec 11
T098N
R53W

Sec 12
T098N
R53W

Irrigated

Irrigated

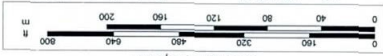


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1" = 466.7 ft

Scale 1 : 5,600



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Farmers
Implement and Irrigation
Brookings, SD

Total Irrigated Area : 37.1 ac
Total : 876.4 ft
110 | SR100 EndGun
54.8 | 7K-8K Overhang
204.9 | 7K-8K Span
204.9 | 7K-8K Span
204.9 | 7K-8K Span
204.9 | 7K-8K Span
2 Pivot + Flex Point

Total Irrigated Area : 37.6 ac
Total : 973.5 ft
110 | SR100 EndGun
27.4 | 7K-8K Overhang
184.8 | 7K-8K Span
184.8 | 7K-8K Span
184.8 | 7K-8K Span
184.8 | 7K-8K Span
184.8 | 7K-8K Span
204.9 | 7K-8K Span
2 Pivot + Flex Point

Turner County
02-98-534
SE 1/4

45690
28074

existing well
CPR
Tree
Bolt

SAVIER
Sawyer



Reiners Well Drilling
45805 281st St
Hurley, S.D. 57036

407673

Customer's

Order No.

Date

8/12

20

02

Name

Shon Sawyer

Address

28108 Hwy 19
Hurley

SOLD BY

CASH

C.O.D.

CHARGE

ON ACCT.

MDSE. RETD.

PAID OUT

QUAN.

DESCRIPTION

PRICE

AMOUNT

40ft test hole

120

41ft well

2870

10 ton per rock

100

3090

Tax

92.70

3182.70

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ALL claims and returned goods MUST be accompanied by this bill.

Rec'd By

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/7, 20 13

RECEIVED OF J & S 28122 SD Hwy 19 Hurley SD 57036

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

Fee for Application for Permit No. <u>77911-3</u> to Appropriate Water, to construct and to put water to beneficial use	750	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>77911-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	950 00

No. 06221

By General Edulley
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

March 7, 2013

Shon Sawyer
28122 Hwy 19
Hurley SD 57036

Dear Mr. Sawyer:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Turner County. As stated in our phone conversation this morning, in order to complete the application, the following is required.

- Enclosed is the map submitted with the application. The map needs to reference a government section corner or quarter corner including section, township and range. For your use, I have enclosed a map with those designations. Please outline the 70 acres to be irrigated and mark the well location with an "X". Please return both maps.
- State Statutes limit diversions to 1 cubic feet of water per second (cfs) for each 70 acres irrigated. This would mean that you are allowed approximately 1.0 cfs or 450 gpm to irrigate the total 70 acres. We understand that in order to accommodate certain irrigation methods, a greater diversion rate is required. Please justify in writing your request for a diversion rate greater than the statutory limit (please explain diversion rate requirement for the project).
- If available, please submit the well log for the existing well. I have reviewed our files and do not find a well log for your well.

If you have any questions, please contact me.

Sincerely,

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

enclosures

Water Rights Program

When applying for the permit
I assumed most 7 tower
pivots (160 acres) used 800 gpm.
This proposed plan would
have a 4 tower & a 5 tower
pivots. I thought one would
need 800 gpm if they
were run at same time

Shirley Layman

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There is currently one existing well for domestic use. In talking to irrigation company, they said I should have applied for a shallow well for each smaller pivot. Then there would be no need to bury pipe thru the lower lying ~~area~~ area in the NW corner of this quarter. Also 400 gpm would be adequate

Shirley Long

Sawyer

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Water Rights Program - File Documentation

NAME: Shon Sawyer

ADDRESS: Hurley SD

DATE: 4-15-13 **COUNTY:** Turner **TELEPHONE:** 605 351-1415

RE: Amended application

COMMENTS:

I called Show Sawyer regarding amending his application. Mr. Sawyer stated after consulting with his well driller, he is now amending his application to two wells. The existing well identified on the map is the farmstead well and will not be used for irrigation purposes. The location of the two new wells are identified on the map.

Mr. Sawyer also stated he would like to change his application from 800 gpm to 450 gpm (the statutory limit).

Karen Schlaak

Karen Schlaak
Water Rights Program



**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. 7791-3, Shon Sawyer**

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. 7791-3, Shon Sawyer, 28122 Hwy 19, Hurley SD 57036.

The Chief Engineer is recommending APPROVAL of Application No. 7791-3 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 wells 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 wells authorized by Permit No. 7791-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
May 9, 2013

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7791-3
SHON SAWYER
APRIL 5, 2013

Water Permit Application No. 7791-3 proposes to appropriate water from two wells to be completed into the Parker Centerville aquifer at a total combined maximum diversion rate of 1.00 cubic feet of water per second (cfs). One well will be located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2 and the other will be near the southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, both in T98N-R53W, Turner County. The wells are expected to be approximately 40 feet deep. This application proposes to irrigate 70 acres located in the SE $\frac{1}{4}$ of Section 2, T98N-R53W.

AQUIFER: Parker Centerville (PAC)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Parker Centerville aquifer is a surficial aquifer composed of fine to coarse sand and fine to coarse gravel (Niehus, 1997). The Parker Centerville aquifer underlies approximately 47,360 acres of Turner County (Lindgren and Hansen, 1990), 16,000 acres of Lincoln County (Niehus, 1997), and 3,700 acres of Clay County (Hedges and others, 1982). The aquifer generally lies below the flood plain of the Vermillion River (Lindgren and Hansen, 1990) but also extends northeast into Lincoln County (Niehus, 1997). Lindgren and Hansen (1990) reported the average saturated thickness in Turner County is 34 feet, and a review of nearby water rights shows a variation from less than 20 feet to greater than 45 feet. The aquifer can be at the ground surface in the Vermillion River valley but can be overlain by as much as 50 feet of glacial till in the southeastern extent of the aquifer (Lindgren and Hansen, 1990). The aquifer is hydraulically connected at its northern boundary to the East and West Fork Vermillion aquifers and is also hydraulically connected to the Vermillion River (Lindgren and Hansen, 1990). The aquifer is generally under unconfined (water-table) conditions and is under water-table conditions in the area of this application. Based on nearby well logs, depth to the water table in the area of this application is expected to be between 10 and 20 feet (Water Rights, 2013b).

SDCL 46-2A-9.

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

WATER AVAILABILITY:

This application proposes to appropriate water from the Parker Centerville aquifer. If this application is approved, it is likely that the actual water use will be less than 140 acre feet per year (ac-ft/yr). The probability of unappropriated water available from the aquifer can be evaluated using SDCL 46-6-3.1 which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the

average estimated annual recharge of water to the groundwater source.” 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 and recharge must be considered.

Recharge versus Discharge:

Recharge:

Recharge to the Parker Centerville aquifer in Lincoln County occurs through infiltration of precipitation (Niehus, 1997). Recharge in Turner County occurs from infiltration of precipitation, from the East Fork Vermillion aquifer, the West Fork Vermillion aquifer, and seepage from the Vermillion River during times of high flow (Lindgren and Hansen, 1990). The average annual recharge rate to the Parker Centerville aquifer is estimated to be 4.9 inches per year based on observation well analysis (Hedges and others, 1985). Given the area of the management unit in Clay, Lincoln, and Turner Counties of 67,060 acres, average annual recharge to the aquifer is estimated to be 27,380 ac-ft/yr. Recharge in Turner County is estimated to be 19,330 ac-ft/yr.

Discharge:

Discharge from the Parker Centerville aquifer is by evapotranspiration, leakage to the underlying Upper Vermillion-Missouri aquifer, discharge to the Vermillion River during low flow, withdrawal from wells, and subsurface outflow (Lindgren and Hansen, 1990). There are a number of completion reports on file with the SD DENR-Water Rights Program for domestic use wells completed into the Parker Centerville aquifer (Water Rights, 2013b), and there are currently 127 water rights/permits appropriating water from the Parker Centerville aquifer of which 116 are in Turner County alone (Water Rights, 2013c). The distribution of these appropriations for the entire aquifer and their types are shown in Table 1.

Water Rights/Permits	Number
Irrigation	125
Municipal	2

Table 1. Water Rights from the Parker Centerville aquifer (Water Rights, 2013c).

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

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

The expected water use for non-irrigation purposes from the Parker Centerville aquifer is less than 339 ac-ft/yr based on current water appropriations. Turner County water rights account for all of this use.

The annual reported water use from the Parker Centerville aquifer for irrigation purposes in Turner County is displayed in Table 2. The average irrigation pumpage reported over the 1979 to 2011 period of record for the entire aquifer is less than 9,780 ac-ft/yr.

YEAR	NO. OF PERMITS	APPROPRIATION (AC-FT/YR)	PUMPAGE REPORTED (AC-FT/YR)
1979	107	43,438.00	7,370.00
1980	103	43,678.00	7,518.00
1981	114	46,540.00	9,262.00
1982	105	45,944.80	6,328.53
1983	104	45,104.80	5,509.15
1984	104	45,096.80	5,152.00
1985	105	45,106.80	6,410.50
1986	106	45,636.80	6,037.00
1987	105	45,516.80	8,522.90
1988	102	44,112.80	13,174.05
1989	103	44,020.80	13,703.30
1990	103	42,979.80	11,851.50
1991	103	42,979.80	10,902.30
1992	104	42,900.80	3,841.50
1993	103	41,325.80	1,918.50
1994	101	40,674.50	10,097.34
1995	101	40,674.50	8,840.44
1996	99	38,792.50	10,800.16
1997	102	39,428.50	11,360.00
1998	101	39,491.50	9,974.33
1999	104	40,025.30	10,963.24
2000	104	40,025.30	12,790.11
2001	105	40,319.30	12,146.38
2002	106	40,257.30	13,630.28
2003	107	40,337.30	12,246.82
2004	108	40,361.30	14,219.78
2005	109	40,731.30	13,059.99
2006	111	41,346.30	14,700.98
2007	110	41,022.30	11,630.52
2008	112	41,176.30	13,067.24
2009	114	41,286.98	7,138.05
2010	112	40,834.98	391.48
2011	112	40,834.98	11,230.43
MIN	99	38,792.5	391.5
MAX	114	46,540.0	14,701.0
AVE	105.7	42,181.9	9,569.4

Table 2. Irrigation from the Parker Centerville aquifer in Turner County (Water Rights, 1980-2012).

Observation Well Data:

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

The DENR-Water Rights Program monitors 23 observation wells completed into the Parker Centerville aquifer with three of these observation wells located within about 1.5 miles of the well site proposed by this application (Water Rights, 2013a). Hydrographs for these wells are shown in Figures 1 through 3.

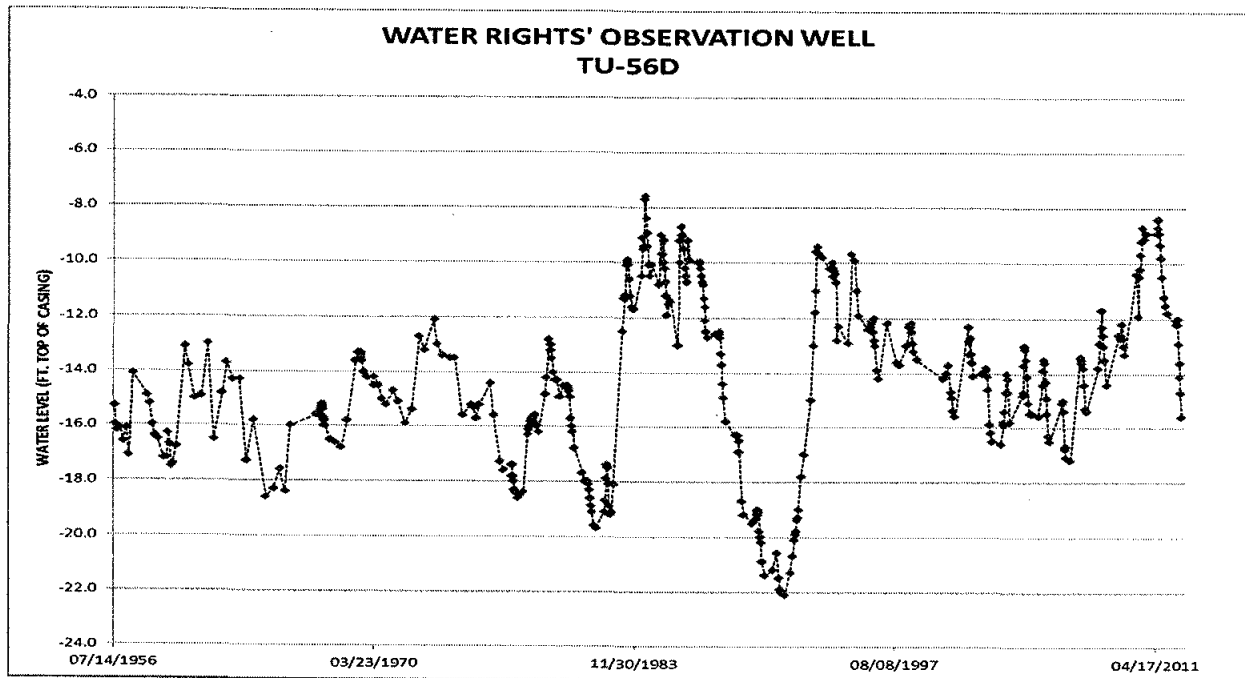


Figure 1. Hydrograph for DENR-Water Rights Observation Well TU-56D completed into the Parker Centerville aquifer approximately 0.4 miles northeast of the well site proposed by Application No. 7791-3 (Water Rights, 2013b).

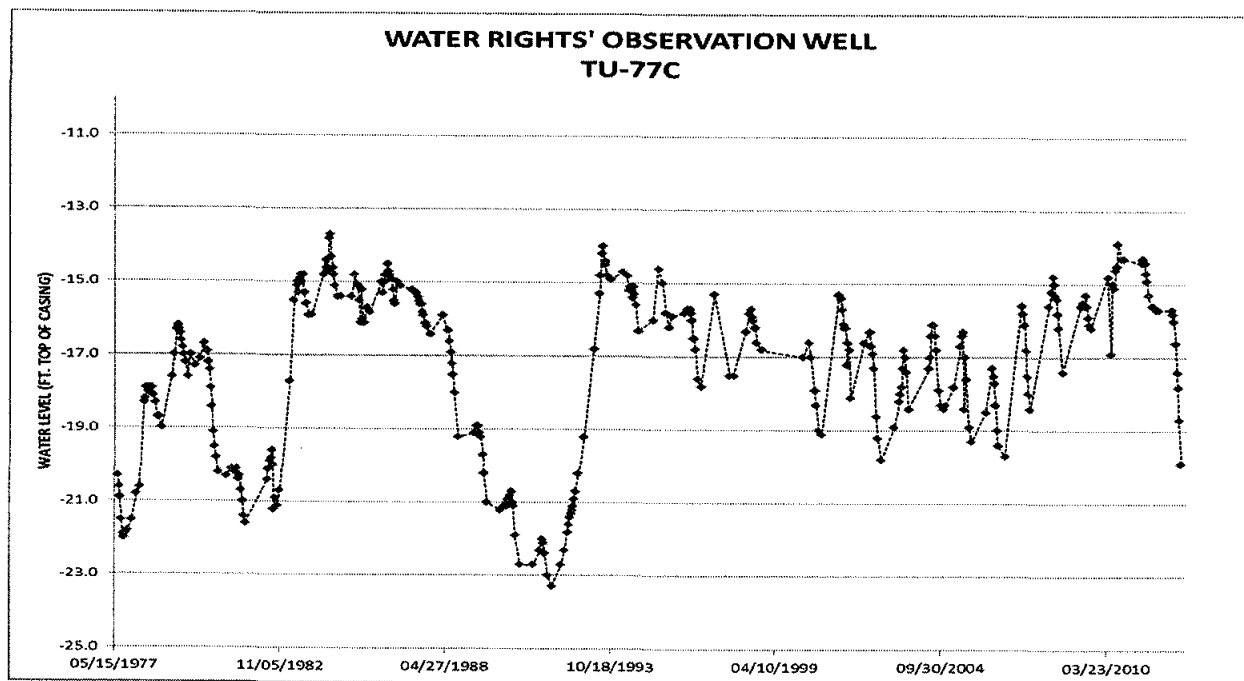


Figure 2. Hydrograph for DENR- Water Rights Observation Well TU-77C completed into the Parker Centerville aquifer approximately 1.4 miles southeast of the well site proposed by Application No. 7791-3 (Water Rights, 2013b).

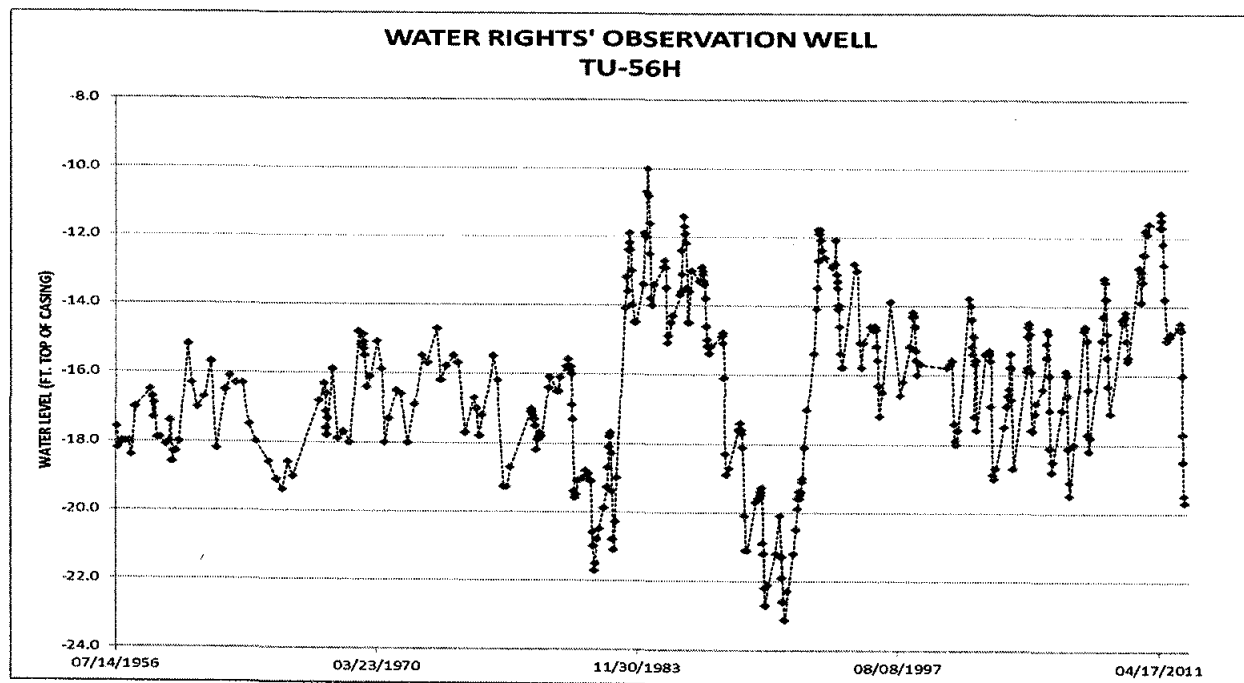


Figure 3. Hydrograph for DENR- Water Rights Observation Well TU-56H completed into the Parker Centerville aquifer approximately 1.4 miles southeast of the well site proposed by Application No. 7791-3 (Water Rights, 2013b).

The observation well data shows the aquifer responds well to climatic conditions with rising water levels during wet years and gradually declining water levels during dry years and that at the current level of development, climatic conditions mask the temporal effects of well withdrawals. Based on the observation well record, it is likely that there is unappropriated water available from the aquifer.

EXISTING WATER RIGHTS:

The well sites proposed by this application are located about two miles southwest of the Vermillion River and about one mile northeast of the western edge of the Parker Centerville aquifer, in a portion of the aquifer that is about four miles wide. There are 18 water rights/permits authorizing wells within about one and one quarter miles of either proposed well site (Water Rights, 2013a and 2013b). The rights are listed in Table 3.

Permit No.	Name	Status	Type	CFS	Acres
144-3	Jon Benson	LC	IRR	1.9	160
181-3	James Bondesen	LC	IRR	1.75	160
199-3	Harriette/James Mershon	LC	IRR	2.00	160
515-3	Bruce D Peterson	LC	IRR	1.92	135
1773-3	Jerry Adrian	LC	IRR	1.88	144
1784-3	Diane Reiners	LC	IRR	1.89	132
1931-3	Roger R Ihnen	LC	IRR	1.9	132
2063-3	Jerry Adrian	LC	IRR	1.03	72
2898-3	Darrel Westerman	LC	IRR	1.88	134
3246-3	Ralph E Duxbury	LC	IRR	2.54	178
3805-3	M K or Ruth Rundell	LC	IRR	3.00	283
4646A-3	William A Stoddard	LC	IRR	1.67	150
4738-3	Stanley/Linda K Harris	LC	IRR	1.66	150
5261-3	Paul Petersen	LC	IRR	1.77	136
7096-3	James Bondesen	PE	IRR	1.00	35
7101-3	Diane Reiners	PE	IRR	0.23	20.34
LC = Water Right, PE = Water Permit, IRR = Irrigation					

Table 3. Water rights / permits located within one and one quarter miles of the well sites proposed by Water Permit No. 7791-3 (Water Rights, 2013c).

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. With that in mind, a standard permit qualification to most groundwater permits/rights states that:

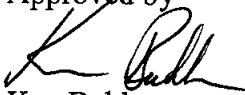
"The well approved under this permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior rights."

Depending on the characteristics of the Parker Centerville aquifer at the proposed well site, some existing well owners may need to lower their pumps to accommodate for lower water levels. When considering SDCL 46-6-6.1 and ARSD 74:02:04:20(7) in combination with observation well measurements, the proposed appropriation is not likely to lead to significant interference or adversely affect existing wells.

CONCLUSIONS:

1. This application proposes to appropriate water from two wells at a total maximum diversion rate of 1.00 cfs for irrigation from the Parker Centerville aquifer.
2. There is a reasonable probability that unappropriated water is available from the Parker Centerville aquifer to supply this proposed appropriation.
3. The Parker Centerville aquifer is under unconfined (water-table) conditions in this area, and drawdown from pumping is not expected to be significant very far from a production well.
4. There is a reasonable probability that the well proposed by this application will not adversely impact existing water rights or domestic users.


Dan Gerhardt
SD DENR-Water Rights Program

Approved by

Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Bugliosi, E.F., 1986, Water Resources of Yankton County, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 84-4241. 41 p.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Hedges, L.S., Allen, J., Holly D.E., 1985, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Lindgren, Richard J., Hansen, Donald S., 1990, Water Resources of Hutchinson and Turner Counties, South Dakota; U.S. Geological Survey, Huron, SD.
- Niehus, C.A., 1997, Major Aquifers in Lincoln and Union Counties, South Dakota, U.S. Geological Survey Information Pamphlet 49, prepared in cooperation with the S.D. Geological Survey and Lincoln and Union Counties.
- Water Rights, 1980-2012, Irrigation Questionnaire Summaries 1979-2011, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013b, Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013c, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

RECEIVED

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 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 (\$ 19.92)

(x) Allyson M. Hill Allyson M. Hill

Subscribed and sworn to before me this 3 day of

June, 2013

Notary Public

My commission expires 11/14/2018

SHANE I

SEAL NOTARY P
SOUTH DA

NOTICE OF APPLICATION NO. 7791-3 to Appropriate Water

Notice is given that Shon Sawyer, 28122 Hwy 19, Hurley SD 57036 has filed an application for a water permit to appropriate 1.0 cubic feet of water per second from two wells to be completed into the Parker-Centerville Aquifer (40 feet deep) located in the NE 1/4 SE 1/4 and SW 1/4 SE 1/4 Section 2 for irrigation of 70 acres located in the SE 1/4 Section 2; all in T98N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7791-3 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.

CUSTOMER NUMBER:	078200	Argus Leader P.O. Box 677349, Dallas, TX 75267-7349	
AD ORDER NUMBER:	1415242		
	5/16, 2013		\$62.37pd

Bill Shon Sawyer
28122 Hwy 19
Hurley, SD 57036

RECEIVED
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: 1415242

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 ,

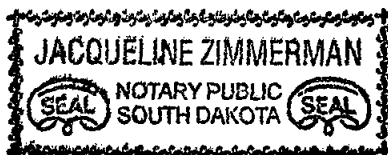
and that \$62.37pd was charged for publishing the same

Linda Schulte
Subscribed and sworn to before me 5/16/2013

J. Zimmerman

Notary Public, South Dakota

My Commission expires December 22, 2015



NOTICE OF APPLICATION
NO. 7791-3 to Appropriate Water

Notice is given that Shon Sawyer, 28122 Hwy 19, Hurley SD 57036 has filed an application for a water permit to appropriate 1.0 cubic feet of water per second from two wells to be completed into the Parker Centerville Aquifer (40 feet deep) located in the NE 1/4, SE 1/4 and SW 1/4, SE 1/4, Section 2 for irrigation of 70 acres located in the SE 1/4, Section 2; all in T98N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7791-3 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 \$62.37.
1415242 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. 7791-3 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 Shon Sawyer, 28122 Hwy 19, Hurley SD 57036 (Ph # 605-351-1416).

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

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.**

May 9, 2013

Shon Sawyer
28122 Hwy 19
Hurley SD 57036

Dear Mr. Sawyer:

Water Permit Application No. 7791-3 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. 7791-3 to Appropriate Water

Notice is given that Shon Sawyer, 28122 Hwy 19, Hurley SD 57036 has filed an application for a water permit to appropriate 1.0 cubic feet of water per second from two wells to be completed into the Parker:Centerville Aquifer (40 feet deep) located in the NE 1/4 SE 1/4 and SW 1/4 SE 1/4 Section 2 for irrigation of 70 acres located in the SE 1/4 Section 2; all in T98N-R53W.

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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

Shon Sawyer
28122 Hwy 19
Hurley SD 57036

Dear Mr. Sawyer:

Enclosed is Water Permit No. 7791-3 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

7791-3

07-92

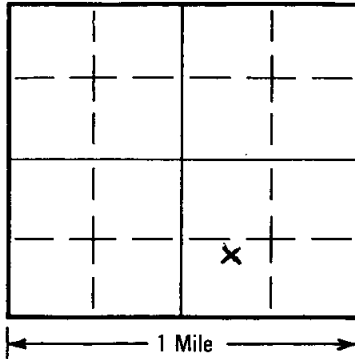
Location SW 1/4 SE 1/4 Sec 2 Twp T-98N Rg 53County Turner North

Please mark well location with an "X"

W

E

Well-Completion Date

7/20/13

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 600 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>18</u>	FT <u>0</u>	FT <u>23</u>	IN <u>30</u>
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 12' to 43'
concrete 8' to 12' topsoil 0-8'SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 18 IN Length 20 FEETMaterial plasticSlot Size .085 Set From 23 Feet to 43 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

YES, How: __________
NO, Why Not? _____Laboratory sent to for water
quality analysis _____Well Owner: Shon Sawyer

Business Name: _____

Address: 28122 SD Hwy 19
Hurley SD 57036

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Topsoil</u>	<u>0</u>	<u>5'</u>
<u>gravel</u>	<u>5'</u>	<u>13'</u>
<u>Water bearing sand & gravel</u>	<u>13'</u>	<u>43'</u>

STATIC WATER LEVEL 13' 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 600 GPM

REMARKS

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: _____

Shon SawyerDate: 2-12-14

4-8-14

Schlaak, Karen

From: Gronlund, Eric
Sent: Monday, July 20, 2015 10:41 AM
To: Schlaak, Karen
Subject: FW: Water on road

Follow-up with letters

-----Original Message-----

From: kknittel@gwtc.net [mailto:kknittel@gwtc.net]
Sent: Monday, July 20, 2015 10:18 AM
To: Gronlund, Eric
Subject: Water on road

July 17th 7:30am
T98N R53W section 2 SW 1/4
Hurley twp Turner county
Water was going on Hwy 19

5261-3
Paul Petersen

July 19th 11:30 M
T98N R53W section 2 SE 1/4
Hurley twp Turner county
Water was on 280th street

7791-3
Shon Sawyer

Kelly Knittel
Freeman SD
605 925-4388



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

July 22, 2015

3903-3
6433-3
7791-3

Shon Sawyer
28122 Hwy 19
Hurley SD 57036

Dear Mr. Sawyer:

The Department of Environment and Natural Resources (DENR) has again this season received information alleging the irrigation systems located in the SE 1/4 Section 1 and the SE 1/4 Section 2; all in T98N-R53W had irrigation water from the end guns overspraying on the road. The water right for the system in Section 2 is held in your name under Water Permit No. 7791-3 and the system in Section 1 is held in the name of Burnette Sawyer under Water Right No. 3903-3 and Water Permit No. 6433-3 with you listed as the operator.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

If you don't believe your irrigation systems are causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

July 30, 2015

3903-3

6433-3

7791-3

Shon Sawyer
28122 Hwy 19
Hurley SD 57036

Dear Mr. Sawyer:

The Department of Environment and Natural Resources (DENR) has received another inquiry alleging the irrigation systems located in the SE 1/4 Section 1 and SE 1/4 Section; all in T98N-R53W had irrigation water from the end guns hitting the road this morning.

As stated in our July 22, 2015 letter to you, a water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun over spray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

Again, if you don't believe your irrigation systems are causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

Schlaak, Karen

From: Gronlund, Eric
Sent: Thursday, July 30, 2015 10:43 AM
To: 'kknittel@gwtc.net'
Cc: Schlaak, Karen
Subject: RE: Water on 280 th street

DENR continues to work with the water right holders to get the endgun stops properly adjusted. This has been in the form of a letter regarding alleged overspray and the need to correct the problem. I have also contacted the highway superintendent in Turner County in an effort to find out if this is a prevalent problem in the county and asking if this is a chronic problem in the area. We have also welcomed Turner County's assistance in documenting the occurrence. I have not yet received a response. DENR has also issued press release regarding the issue.

DENR needs to have the endgun overspray documented by a state staff person or local government such as highway department or law enforcement to take formal more action such as issue an order. This can prove difficult since by the time DENR is informed of the occurrence and were to send someone on-site, the pivot would likely not be in rotation along the roadway.

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

-----Original Message-----

From: kknittel@gwtc.net [<mailto:kknittel@gwtc.net>]
Sent: Thursday, July 30, 2015 10:25 AM
To: Gronlund, Eric
Subject: Water on 280 th street

July 30 around 8:00am
T98N R53W sec 2 SE1/4
T98N R53W sec 1 SE1/4
Hurley twp Turner county

Both of these were spraying water on the 280th at this morning.

I have reported the one in sec 1 on July 14th and I reported the one in sec 2 on July 19. I also know that I have reported some other ones more then one time this year. I would like to know what is being done about the ones that are not doing anything to fix the problem.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

No. 7791-3

August 17, 2015

Shon Sawyer
28122 Hwy 19
Hurley SD 57036

Dear Mr. Sawyer:

The Department of Environment and Natural Resources (DENR) is writing regarding ongoing issues with end gun overspray from your irrigation system located in the SE ¼ Section 2, T98N, R53W. Water Permit No. 7791-3 was issued to you in 2013 for irrigation at this location.

DENR received the recent complaint on August 17th alleging that overspray was occurring at 11:35 PM on Friday, August 14, 2015. The complaint states that water being sprayed on the road caused the driver of a car when hit by water to swerve into the complainant's lane.

This is the third complaint regarding this system this irrigation season. DENR wrote you on July 22th and 30th when complaints were received alleging end gun overspray from the center pivot was occurring on to 280th Street. This is a new system and certainly should have an end gun stop that is operational when approaching a roadway.

DENR recognizes a landowner's desire to optimize production and we understand that end gun stops can malfunction. We want to work with irrigators to voluntarily correct the problems. However, DENR cannot allow unchecked overspray that is a waste of water and is on property not covered by the water right. It is your responsibility to operate and monitor the irrigation system; especially the end gun, to make sure it is not applying water where it is not allowed. If you cannot successfully get end gun stops to operate in a manner where there is not direct spray on the roadway, you must take steps to disable the end gun or alter the pivot's operation or rotation to insure overspray does not occur. Please contact me at the number below or by email when you have the stop on the end gun functioning or have adjusted pivot operation to prevent overspray.

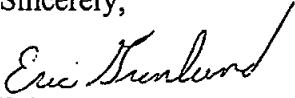
On two occasions this summer, DENR staff traveled to Turner County specifically to observe irrigation overspray. We will continue throughout the remainder of this irrigation season to check systems in the area. If these systems are found to be overspraying, the Chief Engineer will issue a formal order that you control the overspray. Failure to comply with the Chief Engineer's Order will result in the Water Rights Program scheduling a hearing before the Water Management Board for enforcement action. This can result in the suspension of the water right or a civil fine imposed for each violation.

(continued)

This letter will go into the administrative record for this water permit. If unchecked overspray continues into future years, this letter serves as DENR's notice of the Chief Engineer's intent to issue a formal order to cease overspraying and potentially scheduling a hearing before the Water Management Board.

I look forward to hearing from you by August 27, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Gronlund", with a stylized flourish at the end.

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

Gronlund, Eric

From: kknittel@gwtc.net
Sent: Monday, August 17, 2015 10:12 AM
To: Gronlund, Eric
Subject: Water on road

On August 14th at 11:35pm I called 911 about water being sprYed on the road again a car was coming towards me and when they got hit by the water they couldn't see and swerved into my lane. This happened on 280th st..

T98N R53W

Sec 2

SE 1/4

Hurley Twp Turner county

When I called 911 I told them what I just told you, that water was going on the road. They said that they would send out a deputy not look at it. I don't know what else to do.

Kelly Knittel
Freeman SD
605-929-6340



7791-3
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 26, 2018

NOTICE

TO: SHON SAWYER, 28122 HWY 19, HURLEY, SD 57036
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7791-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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) 7791-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 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:

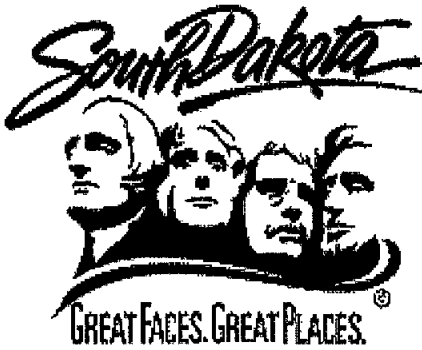
1. Suspend or cancel Permit No(s) 7791-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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 7, 2018** 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.

7791-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 2018

Shon, Julie & Burnette Sawyer
28122 Hwy 19
Hurley SD 57036

RE: Irrigation Questionnaires for Water Permit/Right Nos. 456-3, 510-3, 3903-3, 6433-3,
7791-3 and 7910-3

Dear Shon, Julie & Burnette:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for the above listed Water Permits and Water Rights. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



7791-3
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 25, 2019

NOTICE

TO: SHON SAWYER, 28122 HWY 19, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7791-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 7791-3 qualification:

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

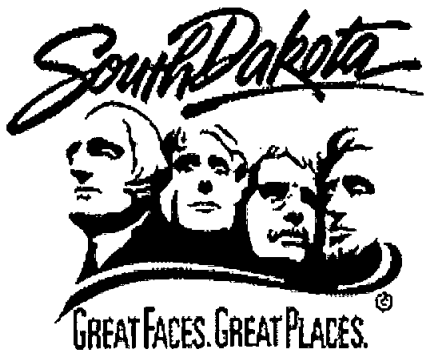
The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant 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) 7791-3 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 6, 2019** 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
www.denr.sd.gov

February 14, 2019

Shon, Julie & Burnette C Sawyer
28122 Hwy 19
Hurley SD 57036

RE: Water Permit or Right Nos. 456-3, 3903-3, 6433-3 & 7910-3 (Burnette Sawyer)
Water Right No. 510-3 (Julie K Sawyer) and
Water Permit No. 7791-3 (Shon Sawyer)

Dear Shon, Julie & Burnette:

I am writing to acknowledge receipt of your 2018 irrigation questionnaires.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for the above listed Water Permits and Water Rights. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "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 20, 2023

NOTICE

TO: Shon Sawyer, 28122 Hwy 19, Hurley SD 57036
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 456-3, 510-3 & 3903-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4645A-3, 6433-3, 7791-3 & 7910-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 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) 4645A-3, 6433-3, 7791-3 & 7910-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 456-3, 510-3 & 3903-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: <https://danr.sd.gov/iq> using this password: JDLTIJ**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre SD 57501 (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 7, 2023

Shon Sawyer
28122 Hwy 19
Hurley SD 57036

RE: Water Permit/Right Nos. 456-3, 510-3, 3903-3, 4645A-3, 6433-3, 7791-3 & 7910-3

Dear Mr. Sawyer:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Permit/Right Nos. 456-3, 510-3, 3903-3, 4645A-3, 6433-3, 7791-3 & 7910-3. 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,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



7791-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 23, 2023

Shon Sawyer
28122 Hwy 19
Hurley SD 57036

7791-3

Dear Mr. Sawyer:

I am writing in regard to your Water Permit No. 7791-3. The water permit authorizes diversion of water from groundwater, two wells, completed into the Parker: Centerville Aquifer, for the irrigation of 70 acres in the SE ¼ of Section 2, T98N, R53W.

In reviewing your 2022 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Permit No. 7791-3 allows you to use up to 2 acre-feet (ac-ft) (24 inches) of water, per acre, per year. On the questionnaire you reported substantially more water use. The following information is what was reported and what is authorized:

- 70 acres irrigated
- Reported water use – 193.5 ac-ft of water (approximately 33 inches)
- Authorized water use – 140 acre-feet (70 acres x 2 ac-ft per year)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 24 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. Often, irrigators do not keep track of their days or hours actually pumped and estimate numbers for the questionnaires in an effort to get them completed and back in on time. While we appreciate returning the forms in a timely manner each year, we need the forms to reflect accurate information to ensure everyone is limiting their use to the amount of water appropriated to them.

The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water permit and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 19, 2024

NOTICE

TO: SHON SAWYER, 28122 HWY 19, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaires

Our records indicate your 2023 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 456-3, 510-3 & 3903-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4645A-3, 6433-3, 7791-3 & 7910-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 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) 4645A-3, 6433-3, 7791-3 & 7910-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 456-3, 510-3 & 3903-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: DCALGZ**

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 23, 2024

456-3, 510-3
3903-3, 4645A-3,
6433-3, 7791-3 & 7910-3

Shon Sawyer
28122 HWY 19
Hurley SD 57036

Dear Mr. Sawyer:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 456-3, 510-3, 3903-3, 4645A-3, 6433-3, 7791-3 & 7910-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7791-3

I have this day, November 12, 2024, made a thorough examination of the water use system constructed by Shon Sawyer 45690 280th St, Hurley, SD 57036 of Permit No. 7791-3, bearing the priority of March 7, 2013 authorizing the diversion of 1.0 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) 43 feet
- 4) Well log is available Y

Comments: xx

Casing:

- 1) Diameter 18 inches
- 2) Length 23 feet
- 3) Type Plastic

Screen:

- 1) Type Plastic
- 2) Length 20 feet
- 3) Static water level 13 feet

Pump:

- 1) Make Submersible
- 2) Model UInknown
- 3) Size Unknown
- 4) Capacity 650 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 PVC 2) Size 8 inches 3) Length 100, 1600 & 1600 feet

Comments: **Three (3) different pivots**

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make 3 - Valleys
 2) Overall length 700, 850, 850 feet
 3) Number of towers 4, 5, 5
 4) End gun Y
 5) Capacity 650 GPM

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by N

Exceeding the 1 cfs/70 ac criterion

- 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 SE corner Sec 2 T98N R53W, 820 ft N & 1400 ft W, Lat 43.33191 Long -97.06848 (SW 1/4 SE 1/4).

2. The works are capable of diverting and conveying to the place of use 1.44 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:

legal description/acreage
All land in Sec 2 T98N R53W
NE 1/4 SE 1/4 - 20 acres
SE 1/4 SE 1/4 - 28 acres
SW 1/4 SE 1/4 - 22 acres

legal description/acreage

comprising a total of 70 acres of land and the license should be issued for 1.0 cfs

3. All structures, wells and lands on map Y

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

FSA maps and the ArcGIS program were used to construct the attached well location and irrigated area map which was used to estimate irrigated acreage.

The flow rate reported on the 2023 Irrigation Questionnaire was used to establish the system flow capacity.

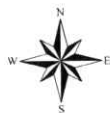
The contact person for the Permit is Mr. Shon Sawyer, 45690 280th St, Hurley, SD 57036 and his phone number is 605/351-1416.

I talked to Mr. Shon Sawyer on the phone regarding permit details.

A handwritten signature in black ink, appearing to read "Darrell DeBoer", written over a horizontal line.

Darrell DeBoer
Water Rights Inspector
DENR, Water Rights Program

Date report completed: November 19, 2024



0 385 770 1,540 2,310 3,080 Feet



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

JUN 02 2025

Shon Sawyer
28122 Hwy 19
Hurley, SD 57036

No. 7791-3

Dear Mr. Sawyer:

Enclosed is Water License No. 7791-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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

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

Sincerely,

Mark Mayer, PE
Director of Office of Water
(605) 773-3352

Note: The inspection found your system for Water Right No. 7791-3 to be capable of diverting 1.44 cfs (approx. 646 gpm). Pursuant to SDCL 46-5-6 diversion of water under this license is limited to 1.0 cfs (approx. 449 gpm).

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7791-3**

(1) Shon Sawyer, 28122 Hwy 19, Hurley, SD 57036, made Application No. 7791-3, March 7, 2013, for a water permit to divert 1.0 cubic feet of water per second from groundwater, two wells (Parker Centerville Aquifer), Turner County, South Dakota for irrigation purposes. Permit No. 7791-3, with a priority date of March 7, 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 1.0 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 820 feet N and 1,400 feet W from the SE corner of Section 2, T98N, R53W (SW ¼ SE ¼)
(Latitude 43.33191 and Longitude -97.06848)

(3) The amount of appropriation may not exceed 2 acre-feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.

(4) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate to following land:

Section 2, T98N, R53W
NE ¼ SE ¼ - 20 acres
SW ¼ SE ¼ - 22 acres
SE ¼ SE ¼ - 28 acres
Total – 70 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Shon Sawyer, the holder and/or owner of Water Right No. 7791-3 is issued a license to appropriate water, the right to use 1.0 cubic feet of water per second from groundwater, one well (Parker Centerville Aquifer), with a priority date of March 7, 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. 7791-3 and subject to the following qualifications:

1. The wells 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 wells authorized by Permit No. 7791-3 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. *(One well was drilled in 2013 by Reiners Well Drilling. A copy of the well completion report is on file with the Water Rights Program.)*
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Mark Mayer, PE
Director of Office of Water

6/2/25

date

