

WATER PERMIT NO. 7793-3

Name of Applicant: **Darrell Osborn**

Address: **28838 463rd Ave, Centerville SD 57014**

Phone: **605 351-1598**

Amount of Water Claimed: **1.89 cfs**

Total Acres: **140**

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

Water to be used for: **irrigation**

County: **Turner**

Type of Waste Disposal System:

Location: **6 miles north of Centerville**

PRIORITY

Date Received: **3-15-13**

Application/License Fee: **\$ 1050**

Corrected Application Received:

Period of Annual Use: **Mar 1- Oct 31**

Remarks:

Diversion Point: **E**
SW 1/4 NW 1/4 Sec 24-T97N-
R52W

Land to be Irrigated: **NW 1/4, W 1/2 NE 1/4 Sec**
24-T97N-R52W

Depth of Well: **60 feet deep**

Well Driller:

Remarks:

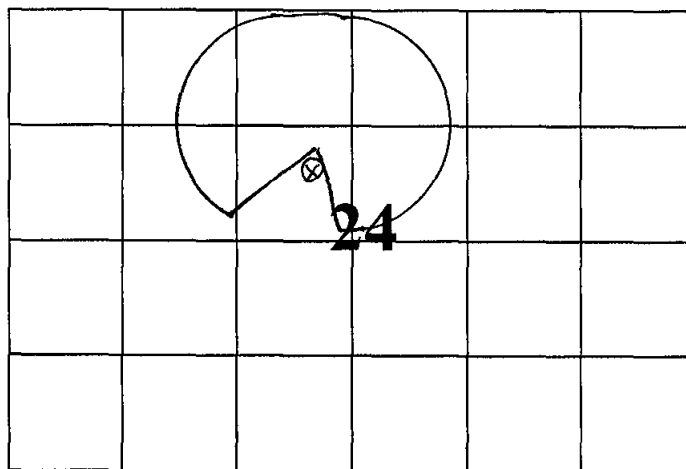
Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **3-15-13**

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>7793-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u> <u>605-766 7827</u>
	Newspaper <u>Village Ent/Harley Leader Box 4 Centerville</u> <u>605-381-2200</u> <u>57014</u>
	<u>Argus Leader Box 50345 Falls 57117</u>

RECEIVED
MAR 15 2013
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

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

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

1. Name to Appear on Irrigation Permit Darrell or Candice Osborn
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent _____
(name and complete address if different than above name)
- Mailing Address 28838 463 Ave Centerville SD 57014
605 (Address) (City) (State) (Zip Code)
- Home Phone 563-3266 Cell 351-1598 Email _____
2. Amount of water claimed 1.89 *CFS or 850 **GPM ***AF Total Acreage 140
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Parker/Centerville Aquifer
4. Location of point of diversion SE 1/4 of NW 1/4 24-TN-97-52
(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 March 1 - October 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>NW 1/2 NE 1/4 24</u>	<u>75</u>		
<u>NW 1/4 24</u>	<u>65</u>		
<u>all in T97-R52</u>			

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

Develop Center Pivot Irrigation

I, Darrell Osborn, 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. 7793-3**

Date of first receipt of application March 15, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7793-3 to Darrell or Candice Osborn, 28838 463rd Ave, Centerville SD 57014 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7793-3 appropriates 1.89 cubic feet of water per second from one well to be completed into the Parker-Centerville Aquifer (60 feet deep) located in the SE 1/4 NW 1/4 Section 24 for irrigation of 140 acres located in the NW 1/4, W 1/2 NE 1/4 Section 24; all in T97N-R52W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: March 1 – October 31.
3. The date from which applicant may claim right is March 15, 2013.
4. The date of approval of Permit No. 7793-3 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. 7793-3 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 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 60 Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____

d) Distance to nearest existing domestic well: 1/2 mile

On applicant's property _____

On property owned by others Ferd Hybertson

2. Wastewater Disposal System Information

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

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System

3. Dugout Information

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

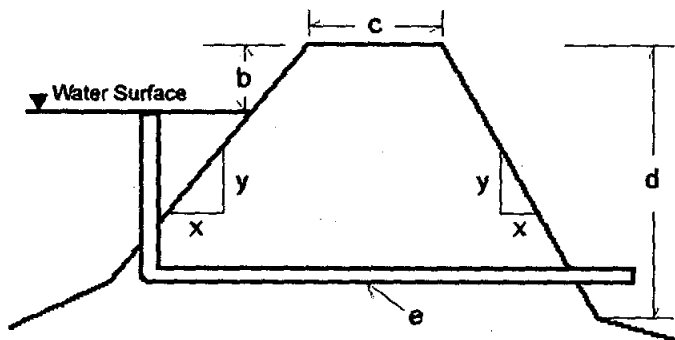
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



NW 1/4 24-97-52-65A

Sec 14
T097N
R52W

Sec 13
T097N
R52W

Sec 18
T097N
R51W

NE 1/4

24-97-52-76A



Sec 23
T097N
R52W

Sec 24
T097N
R52W

Sec 19
T097N
R51W

Darrell Osborn

2883B 463 Ave
Centerville 57014

Sec 26
T097N
R52W

Sec 25
T097N
R52W

Sec 30
T097N
R51W

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/15, 20 13

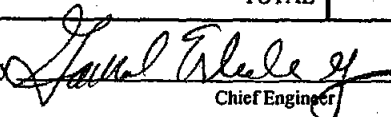
RECEIVED OF Darrell Osborn 28838 463rd Ave Centerville SD 57014

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	850	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. _____	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	1050 00

No. 06245

By


Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7793-3, Darrell or Candice Osborn**

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. 7793-3, Darrell or Candice Osborn, 28838 463rd Avenue, Centerville SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 7793-3 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. 7793-3 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. 7793-3
DARRELL OR CANDICE OSBORN
March 28, 2013

Water Permit Application No. 7793-3 proposes to appropriate water from one well completed into the Parker-Centerville aquifer at a maximum diversion rate of 1.89 cubic feet of water per second (cfs). The well will be located in the SE ¼ NW ¼ of Section 24, in T97N-R52W and will be approximately 60 feet deep. This application proposes to irrigate 140 acres located in the NW ¼, W ½ NE ¼ of Section 24, in T97N-R52W in Turner County.

AQUIFER: Parker-Centerville aquifer (PAC)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Parker-Centerville aquifer is a surficial, glacial aquifer composed of fine sand to coarse gravel (Lindgren, 1990). The aquifer generally lies on till and is generally separated from the underlying Upper Vermillion-Missouri aquifer by a layer of till (Lindgren, 1990). The aquifer is hydraulically connected to the Vermillion East Fork and Vermillion West Fork aquifers as well as the Vermillion River (Lindgren, 1990). The Parker-Centerville aquifer merges with the Lower Vermillion-Missouri aquifer to form a single aquifer. The proposed well site is located in eastern Turner County approximately one half mile west of the Turner and Lincoln county line and less than one half mile east of the Vermillion River. The aquifer is primarily unconfined, and is unconfined in the area of this application. The Parker-Centerville aquifer encompasses regions of Clay, Lincoln, and Turner Counties. The aquifer underlies approximately 42,000 acres of the counties and contains an estimated 126,300 acre-feet of recoverable water in storage in the counties (Hedges and others, 1982). There was not a test hole log submitted with this application, but nearby well sites report an average saturated thickness of approximately 36 feet as shown in Table 1 (Water Rights, 2013a).

Well Log Identification	Saturated Thickness (ft)
Observation Well TU-78A	34
Observation Well LN-78A	28
Observation Well LN-78C	55
Observation Well LN-78D	33
Lithologic Log 097N52W25AB	32

Table 1. Reported saturated thickness for nearby wells (Water Rights, 2013a).

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 280 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."

Recharge versus Discharge:

Recharge:

Recharge to the Parker-Centerville aquifer occurs through direct infiltration and precipitation where the aquifer is near land surface (Lindgren, 1990). Recharge is also provided to the aquifer from the West Fork Vermillion and East Fork Vermillion aquifers as well as during times of high flow and stage from the Vermillion River (Lindgren, 1990). The average annual recharge rate to the Parker-Centerville aquifer is estimated to be 4.9 in/yr based on observation well analysis (Hedges and others, 1985). Given the area of the aquifer of 42,000 acres, average annual recharge is estimated to be 17,150 ac-ft/yr.

Discharge:

Discharge from the Parker-Centerville aquifer is by evapotranspiration, discharge to the Vermillion River, and withdrawal from wells (Lindgren, 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 125 water rights/permits appropriating water from the Parker-Centerville aquifer. Two of these water rights/permits are for the City of Hurley for municipal purposes, but the rest are for irrigation.

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 340 ac-ft/yr based on current water appropriations.

The annual reported water use from the Parker-Centerville aquifer for irrigation purposes is displayed in Table 2. The average annual use due to irrigation over the period of record is 9,780 ac-ft/yr.

YEAR	NO. OF PERMITS	APPROPRIATION (AC-FT/YR)	PUMPAGE REPORTED (AC-FT/YR)
2011	123	43376.18	11315.29
2010	123	43376.18	391.54
2009	125	43850.18	7259.88
2008	123	43746.5	13223.74
2007	120	43371.3	11995.27
2006	117	42604.3	15303.9
2005	119	43163.7	13450.04
2004	117	43078.7	14668.26
2003	116	43463.7	12471.27
2002	114	42820.7	13865.24
2001	113	42860.7	12238.24
2000	113	42860.7	12955.37
1999	112	42540.7	11027.27
1998	108	42294.9	10072.16
1997	110	42639.9	11585
1996	107	41895.9	10896.58
1995	108	42405.9	9664
1994	111	43603.9	10724.11
1993	110	43781.8	1918.5
1992	111	43356.8	3909.4
1991	110	45435.8	11186.3
1990	110	45435.8	12200.5
1989	110	46476.8	13958.8
1988	108	46488.8	13558.25
1987	111	47892.8	8619.9
1986	113	48252.8	6120
1985	112	47722.8	6514.5
1984	111	47712.8	5152
1983	110	47480.8	5523.29
1982	111	48320.8	6493.92
1981	121	49051	9321
1980	110	46189	7675
1979	114	45949	7481
MIN	107	41895.90	391.54
MAX	125	49051.00	15303.90
AVE	113.67	44651.56	9779.99

Table 2. Irrigation from the Parker-Centerville aquifer (Water Rights, 1979-2011).

Comparison of the estimated average annual withdrawal from the Parker-Centerville aquifer with the estimated average annual recharge for the aquifer indicated that the average annual withdrawals from the aquifer do not exceed the average annual recharge to the aquifer. Therefore, unappropriated water is available from the Parker-Centerville aquifer. Specifically, unappropriated water is available for this application.

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that "the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity

of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge to the aquifer”.

The SD DENR-Water Rights Program monitors 23 observation wells completed into the Parker-Centerville aquifer with three of these observation wells located in the aquifer within one mile of the proposed well site (Water Rights, 2013b). Hydrographs for these wells are shown in Figures 1, 2 and 3.

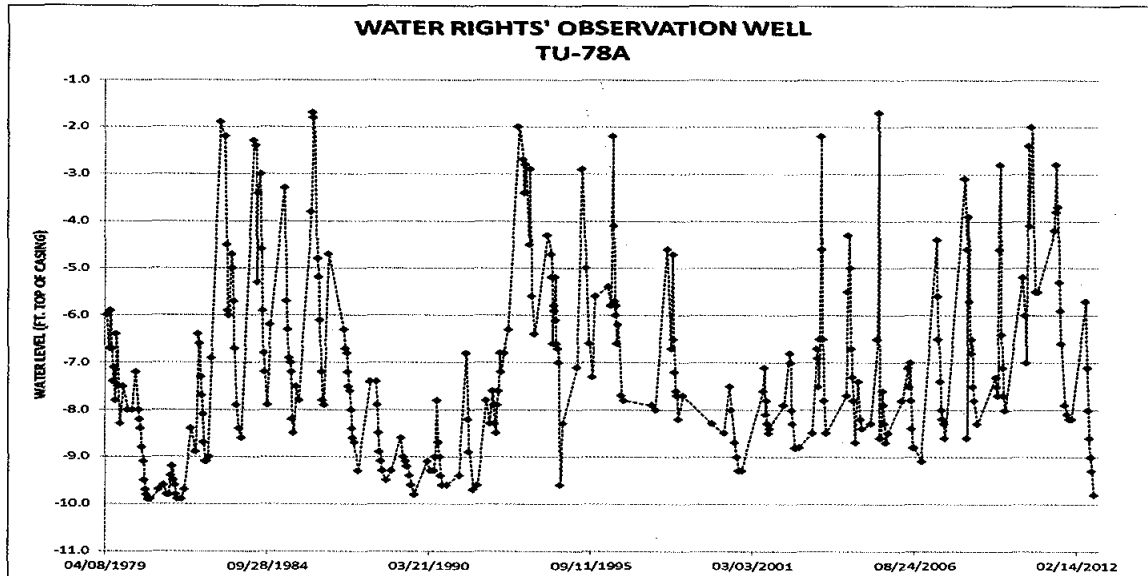


Figure 1. Hydrograph for SD DENR-Water Rights' Observation Well TU-78A completed into the Parker-Centerville aquifer approximately one half mile northwest of the well site proposed by Application No. 7793-3 (Water Rights, 2013a).

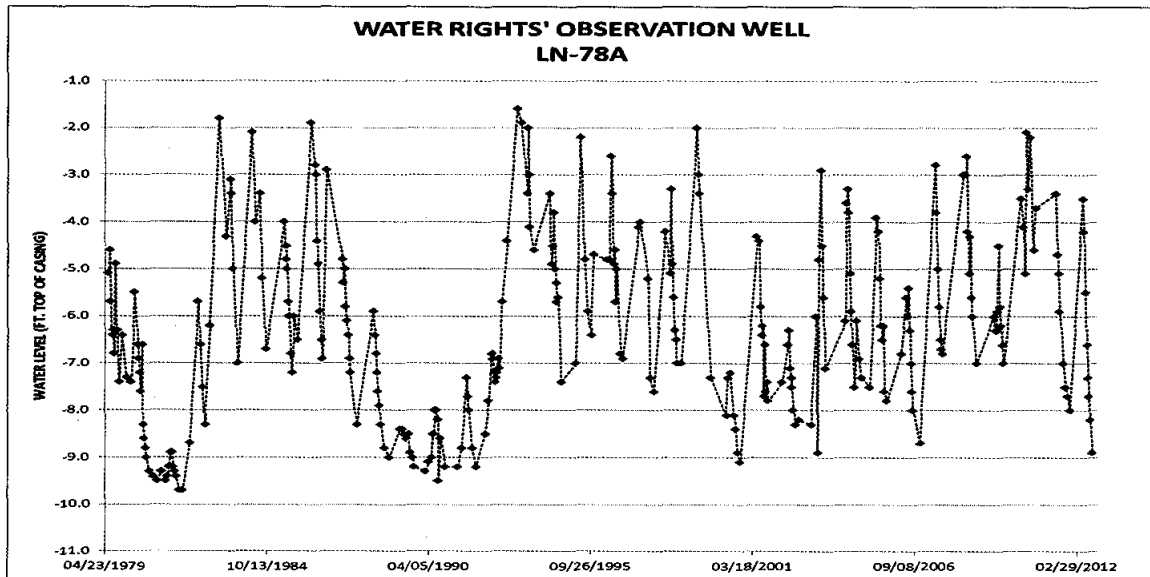


Figure 2. Hydrograph for SD DENR-Water Rights' Observation Well LN-78A completed into the Parker-Centerville aquifer less than one mile northeast of the well site proposed by Application No. 7793-3 (Water Rights, 2013a).

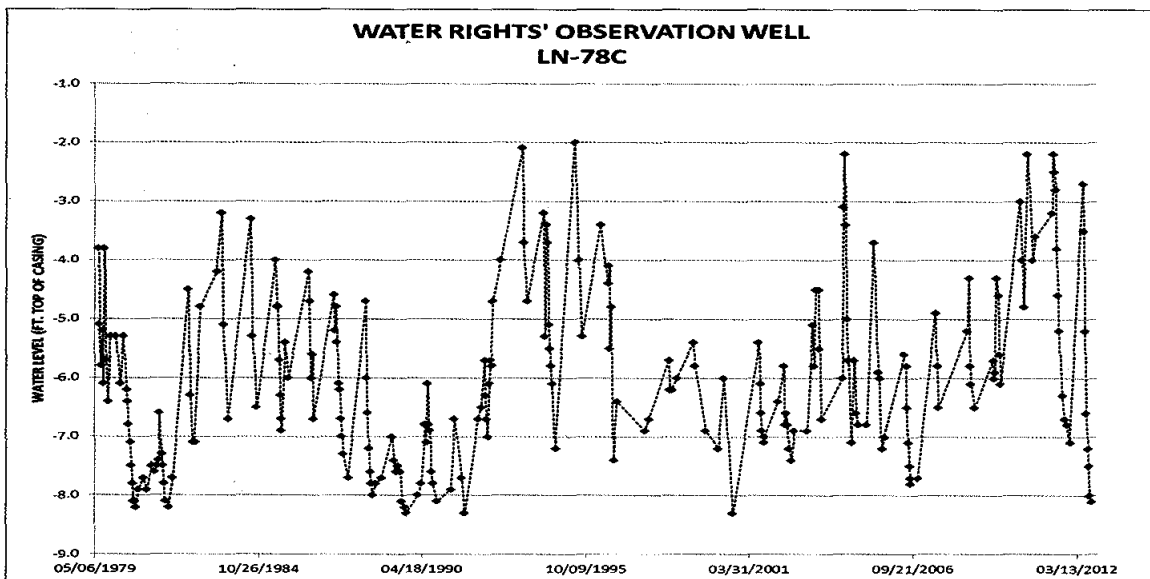


Figure 3. Hydrograph for SD DENR-Water Rights' Observation Well LN-78C completed into the Parker-Centerville aquifer less than one mile southeast of the well site proposed by Application No. 7793-3 (Water Rights, 2013a).

The observation well data shows the aquifer responds well to climatic conditions with rising water levels during wet years and gradually declining water levels during dry years. The water level data shows that over the period of record, in general, discharge has not exceeded recharge. The observation well data shows that at the current level of development, climatic conditions greatly mask the temporal effects of well withdrawals. Therefore, recharge to and natural discharge from the Parker-Centerville aquifer significantly exceeds pumping, recognizing that

natural discharge from the aquifer can be captured for pumping. The hydrographs document that there is unappropriated water available from the aquifer to support this appropriation.

EXISTING WATER RIGHTS:

The proposed well site is located in eastern Turner County approximately one half mile west of the Turner and Lincoln county line and less than one half mile east of the Vermillion River. The nearest water right/permit is Water Right No. 1388-3, for John L Vasgaard, located more than one and one quarter miles northwest and up-gradient from the proposed well site. Based on the observation well data and the distance between wells, drawdown is not expected to be significant nor likely to cause adverse impacts to existing water rights or domestic wells.

Observation well TU-78A is located within one mile of Water Right No. 1388-3, and the hydrograph, shown in Figure 1, reports approximately seven feet of drawdown at this distance due to pumping. With 36 feet of saturated material available, this drawdown is not expected to be significant. Figure 4 shows the nearby existing water rights located in the Parker-Centerville aquifer. The locations of the existing water rights/permits were determined using the best data reasonably available.



Figure 4. Existing water rights/permits located within close proximity to the well site proposed by Application No. 7793-3 (Water Rights, 2013c).

CONCLUSIONS:

1. This application proposes to appropriate water 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 unconfined 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 wells.



Nicole Van Dyk
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185

Hedges, L.S., Allen, J., Holly D.E., 1985, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185

Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 90-4093, 100 p.

Water Rights, 1979-2011, Irrigation Questionnaire Summaries 1979-2011, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2013a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2013b, Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2013c, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

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 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 (\$ 205)

(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 HILL

NOTARY PUBLIC
SOUTH DAKOTA**NOTICE OF APPLICATION NO. 7793 to Appropriate Water**

Notice is given that Darrell or Candice Osborn, 28838 463rd Ave, Centerville SD 57014 has filed an application for a water permit to appropriate 1.89 cubic feet of water per second from one well to be completed into the Parker-Centerville Aquifer (60 feet deep) located in the SE 1/4 NW 1/4 Section 24 for irrigation of 140 acres located in the NW 1/4, W 1/2 NE 1/4 Section 24; all in T97N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7793-3 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. Pimer, Secretary, Department of Environment and

Natural Resources.

Published once at the total approval.

CUSTOMER NUMBER:	078200	Argus Leader P.O. Box 677349, Dallas, TX 75267-7349	
AD ORDER NUMBER:	1415237		
	5/16, 2013		\$63.02pd

Bill Darrell or Candace Osborn
28838 463rd Ave
Centerville, SD 57014

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: 1415237

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

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. 7793-3 to Appropriate
Water

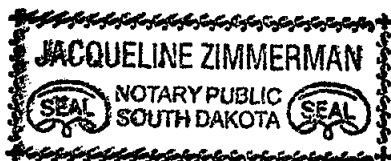
Notice is given that Darrell or Candace Osborn, 28838 463rd Ave, Centerville SD 57014 has filed an application for a water permit to appropriate 1.89 cubic feet of water per second from one well to be completed into the Parker-Centerville Aquifer (60 feet deep) located in the SE 1/4 NW 1/4 Section 24 for irrigation of 140 acres located in the NW 1/4, W 1/2 NE 1/4 Section 24; all in T97N R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7793-3 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.
1415237 May 18, 2013





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

May 10, 2013

Viborg Enterprise/Hurley Leader
PO Box H
Centerville SD 57014

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7793-3 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 Darrell or Candice Osborn, 28838 463rd Ave, Centerville SD 57014 (Ph # 605-563-3266).

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 10, 2013

Argus Leader
PO Box 5034
Sioux Falls SD 57117

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7793-3 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 Darrell or Candice Osborn, 28838 463rd Ave, Centerville SD 57014 (Ph # 605-563-3266).

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

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

May 10, 2013

Darrell or Candice Osborn
28838 463rd Ave
Centerville SD 57014

Dear Sir:

Water Permit Application No. 7793-3 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. 7793-3 to Appropriate Water

Notice is given that Darrell or Candice Osborn, 28838 463rd Ave, Centerville SD 57014 has filed an application for a water permit to appropriate 1.89 cubic feet of water per second from one well to be completed into the Parker-Centerville Aquifer (60 feet deep) located in the SE 1/4 NW 1/4 Section 24 for irrigation of 140 acres located in the NW 1/4, W 1/2 NE 1/4 Section 24; all in T97N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7793-3 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 _____.



**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

Darrell or Candice Osborn
28838 463rd Ave
Centerville SD 57014

Dear Sir:

Enclosed is Water Permit No. 7793-3 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

SD EForm - 1621LD V1

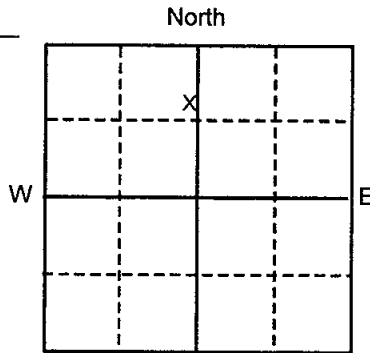
11-02

7793-3

Location NE 1/4 NW 1/4 Sec 24 Twp 97N Rg 52W

County TURNER

Please mark well location with an "X"



Well Completion Date

December 1, 2014



Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
1,000.0 ft. from SEPTIC (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:
REVERSE ROTARY

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>160.0</u> LB/FT	<u>16.00</u> IN	<u>0.0</u> FT	<u>20.0</u> FT	<u>28.00</u> IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>BENTONITE</u>	<u>20</u>	<u>9.4</u> Lb/gal	<u>0.0</u> Ft	<u>20.0</u> Ft

Describe grouting procedure

TREMIE PIPE AND GROUT PUMP

SCREEN:

☒ Perforated pipe ☐ Manufactured
Diameter 16.00 Inches Length 30.0 Feet

Material PVC

Slot Size 85 Set From 20.0 Feet to 50.0 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? CHLORINE TABLETS

Lab to which water quality sample sent for analysis

Well Owner: DARRELL OSBORN

Business Name:

Address: 28838 463RD AVE

City, State, Zip: CENTERVILLE SD 57014

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	5
CLAY	5	10
SAND/GRAVEL	10	45
CLAY	45	50

STATIC WATER LEVEL 9.0 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: TURBINE PUMP AND MOTOR
☐ Bailed
☐ Other

Pumping Level Below Land Surface

20.0 Ft. After 2.0 Hrs. pumped 900.0 GPM

28.0 Ft. After 1.0 Hrs. pumped 1,500.0 GPM

If pump installed, pump rate: GPM

REMARKS

RECEIVED

FEB 17 2015

WATER RIGHTS PROGRAM

This well was drilled under license # 805 and this report is true and accurate.

Drilling firm: SAM HEINE WELL CO.,LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:



7793-3
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 15, 2016

NOTICE

TO: DARRELL & CANDICE OSBORN, 28838 463 AVE, CENTERVILLE, SD 57014

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7623-3 & 7793-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 7623-3 & 7793-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 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) 7623-3 & 7793-3 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 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

January 21, 2016

7623-3
7793-3

Darrell Osborn
28838 463rd Ave
Centerville SD 57014

Dear Mr. Osborn:

I am writing to acknowledge receipt of the information for your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Permit Nos. 7623-3 and 7793-3. 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
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: DARRELL & CANDICE OSBORN, 28838 463 AVE, CENTERVILLE, SD 57014

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7793-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 7793-3 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) 7793-3 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 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 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: <https://danr.sd.gov/iq> using this password: WKNXUM**

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 15, 2023

7793-3

Candice Osborn
28838 463rd Ave
Centerville SD 57014

Dear Ms. Osborn:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Permit No. 7793-3. 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