

**WATER PERMIT NO. 7904-3**

Name of Applicant: **Craig McInerney**

Address: **47484 317<sup>th</sup> St, Elk Point SD 57025** Phone: **712 301-2329**

Amount of Water Claimed: **1.78 cfs** Total Acres: **160 acres**

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

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

Type of Waste Disposal System:

Location: **8 miles north of Elk Point**

**PRIORITY** Date Received: **9-23-13** Application/License Fee: **\$ 1050**

Corrected Application Received: Period of Annual Use: **April 1 – Oct 31**

Remarks:

Diversion Point: **center of SE 1/4 Sec 11-T92N-R50W**

Land to be Irrigated: **SE 1/4 Sec 11-T92N-R50W**

Depth of Well: **200 feet deep**

Well Driller:

Remarks:

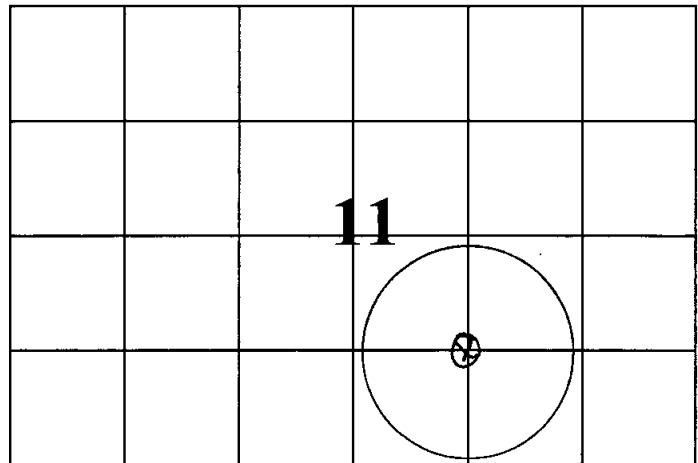
Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **9-23-13**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: \_\_\_\_\_



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

RECEIVED

SEP 23 2013

WATER RIGHTS  
PROGRAM

|                                                                                                                 |                                                          |                                                      |
|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|------------------------------------------------------|
| Mail to:<br>PMB 2020<br>DENR - Water Rights<br>523 E Capitol Ave<br>Pierre, SD 57501-3182<br>ph. (605) 773-3352 | No. <u>7904-3</u>                                        | (office use only)<br>Hydrologic Unit <u>10170203</u> |
|                                                                                                                 | Basin <u>Sioux River</u>                                 | <u>605-356-2632</u>                                  |
|                                                                                                                 | Newspaper <u>Leader-Courier, Box 310 Elk Point 57025</u> | <u>605-665-7811</u>                                  |
|                                                                                                                 | <u>Press &amp; Dakotan, 319 Walnut, Hankston 57078</u>   |                                                      |

## Application For Permit To Appropriate Water For Irrigation

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

(Use predates Mar 2, 1955)

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

1. Name to Appear on Irrigation Permit Craig McInerney  
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent \_\_\_\_\_  
(name and complete address if different than above name)
- Mailing Address 47484 317<sup>th</sup> St Elk Point S.D. 57025  
(Address) (City) (State) (Zip Code)
- Home Phone 605-356-2595 Cell 1-712-301-2329 Email grandmae@valyou.net
2. Amount of water claimed 1.78\*CFS or 800 \*\*GPM        \*\*\*AF Total Acreage 160  
(\*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 1 well in SE 1/4 of 11-92-50 (approximate center)  
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
- County Union
5. County or counties where water will be used Union
6. Annual period during which water is to be used April 1 through Oct. 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>S.W. 1/4 of SE 1/4 of 11-92-50</u> | <u>40</u> |                  |       |
| <u>N.W. 1/4 of SE 1/4 of 11-92-50</u> | <u>40</u> |                  |       |
| <u>NE 1/4 of SE 1/4 of 11-92-50</u>   | <u>40</u> |                  |       |
| <u>S.E. 1/4 of SE 1/4 of 11-92-50</u> | <u>40</u> |                  |       |

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

Drill well for farmland irrigationI, Craig McInerney, 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. 7904-3**

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Date of first receipt of application September 23, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7904-3 to Craig McInerney, 47484 317<sup>th</sup> St, Elk Point SD 57025 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. 7904-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (200 feet deep) located in the approximate center of the SE 1/4 Section 11 for irrigation of 160 acres located in the SE 1/4 Section 11; all in T92N-R50W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is September 23, 2013.
4. The date of approval of Permit No. 7904-3 is December 16, 2013.
5. One-fifth of the construction is to be completed on or before June 16, 2016.
6. All construction is to be completed on or before December 16, 2018.
7. Water is to be put to beneficial use on or before December 16, 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. 7904-3 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.

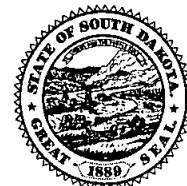
**WATER MANAGEMENT BOARD**

By: 

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

**DEC 27 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 0 Provide copy of log(s), if available. Drilled by \_\_\_\_\_c) Well Depth APP. 200' Depth to Top of Water Bearing Material N.A. Depth to Water from Surface N.A.

d) Distance to nearest existing domestic well:

On applicant's property APP 50-60 RdsOn property owned by others 3/4 of 17 1/2**2. Wastewater Disposal System Information**a) Type of System (i.e. septic tank, drain field) septic tankb) System Capacity (gallons) 800 Year Constructed UNKNOWN Before 1972c) Connected to the City of 0 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 &amp; Y Slope (e.g. 3 to 1 is a typical slope)

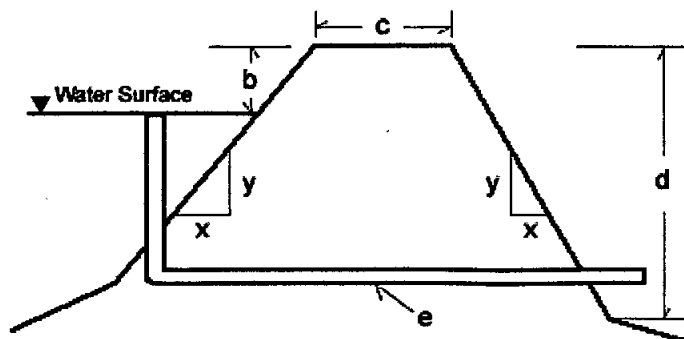
Upstream \_\_\_\_\_

Downstream \_\_\_\_\_

h) Surface Area of Impoundment \_\_\_\_\_

i) Storage \_\_\_\_\_ Acre Feet

j) Drainage Area Above Dam \_\_\_\_\_ Acres





United States Department of Agriculture  
Farm Service Agency

PLSS: 11\_92N\_50W  
Farm: 5526

**Union County**

1:8,730

April 30, 2012



**RECEIVED**

**Wetland Determination Identifiers**

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

**SEP 23 2013**

Common Land Units

**WATER RIGHTS PROGRAM**

Non Cropland

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

2010 Ortho-Photography - Not to Scale

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/23, 20 13

RECEIVED OF Craig McInerney 47484 317th St Elk Point SD 57025

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

|                                                                                                                        |       |         |
|------------------------------------------------------------------------------------------------------------------------|-------|---------|
| Fee for Application for Permit No. <u>7904-3</u> 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. <u>7904-3</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 | 1050 00 |

No. **06441**

By Jeanne Goodeman J  
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. 7904-3, Craig McInerney**

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. 7904-3, Craig McInerney, 47484 317<sup>th</sup> Street, Elk Point SD 57025.

The Chief Engineer is recommending APPROVAL of Application No. 7904-3 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. 7904-3 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  
November 20, 2013

## **REPORT TO THE CHIEF ENGINEER**

### **WATER PERMIT APPLICATION NO. 7904-3**

**CRAIG MCINERNEY**

**October 2, 2013**

Water Permit Application No. 7904-3 proposes to divert groundwater at a maximum rate of 1.78 cubic feet per second (cfs) from a single well to be completed into the Elk Point management unit of the Missouri aquifer. The well is expected to reach a depth of approximately 200 feet and will be located at the center of the SE ¼ of Section 11, T92N-R50W approximately 0.25 miles north and 0.25 miles west of the southeast corner of that section. The water will be used to irrigate 160 acres in the SE ¼ of Section 11, T92N-R50W in Union County. Although the SE ¼ of Section 11 does contain 160 acres, a six acre farmstead exists in the SE ¼ SE ¼ of Section 11, which will prohibit the pivot from completing a full rotation. Inspection and/or updated aerial photos of the completed system will be used to determine the actual number of acres being irrigated.

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

#### **GEOLOGY AND AQUIFER CHARACTERISTICS:**

The Elk Point Management unit of the Missouri aquifer is an alluvium mantled outwash consisting of a range of grades from fine sand to coarse gravel (Niehus, 1994; Stephens, 1967). The Missouri: Elk Point aquifer is located in southeastern South Dakota underlying portions of Yankton, Clay, and Union Counties and is estimated to have an area of 210,100 acres and contain 3,287,100 acre-feet (ac-ft) of recoverable water in storage (Hedges et al., 1982). The aquifer has connections to the Lower Vermillion Missouri and the Lower James Missouri aquifers to the north, in places overlies and is hydrologically connected to the Dakota aquifer, and is hydrologically connected to the Vermillion, Big Sioux, and Missouri Rivers (Stephens, 1967).

The proposed well is located approximately five miles to the west of the Big Sioux River and eight miles northeast of the Missouri River. The Missouri: Elk Point aquifer has local areas of confinement, but the aquifer is normally unconfined. Water levels in the area are consistent with unconfined levels observed in the aquifer, suggesting unconfined conditions in this area.

#### **SDCL 46-2A-9:**

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant proposed use, that the proposed diversion can be developed without unlawful impairment of the existing rights and that the proposed use is beneficial and in the public interest. This report will address the availability of unappropriated water in the aquifer and the potential for this permit to impair existing rights.

## **WATER AVAILABILITY:**

The probability of unappropriated water being available in an aquifer can be evaluated by considering SDCL 46-6-3.1, which stipulates “No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.” If the source of 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. In this instance, a public water system is not involved and the aquifer is not older or lower than the Greenhorn Formation. Therefore, the issue of recharge/withdrawal must be addressed.

## **HYDROLOGIC BUDGET:**

The Missouri: Elk Point aquifer is hydraulically connected to the Missouri River itself (Stonesifer, In Progress). Depending on climatic conditions, water in the aquifer either recharges the river or is recharged by the river. Regardless, given its connection to the Missouri River, water pumped from the aquifer will ultimately be sourced (if not directly) from the river.

The hydrologic budget of the Missouri: Elk Point aquifer was evaluated for groundwater appropriations on June 24, 2013 (Stonesifer, In Progress). As of that date, 81,108 ac-ft/yr had been appropriated through various water rights and permits. Natural recharge to the aquifer is estimated to be 69,382 ac-ft/yr, with an additional estimated 26,316 ac-ft/yr of stream induced recharge under the current water usage. Given the rates of usage and recharge, 14,590 ac-ft/yr are still available for potential appropriation.

Since June 24, 2013 water permits have been approved for the appropriation of an additional 1,119 ac-ft/yr for irrigation purposes (Water Rights, 2013b). Taking all diverted waters as well as incomplete permitted systems into account, water is currently available in the Missouri: Elk Point aquifer to supply the amount of water that Application No 7904-3 proposes to appropriate.

## **OBSERVATION WELL DATA:**

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

The SD DENR Water Rights Program monitors 38 observation wells completed into the Missouri: Elk Point aquifer (Water Rights, 2013a). The nearest observation well completed into the same formation is UN-77H and is located approximately 0.5 miles to the northeast of the proposed well construction site.

Although historic water levels of the Missouri: Elk Point aquifer in observation wells closer to the river closely reflect water levels in the Missouri River itself, observation well UN-77H is at a great enough distance from the river to essentially mute a direct relationship between the water levels within the river and the water levels within the aquifer at this location. Instead, water levels are controlled primarily by climatic conditions with slight variations due to seasonal pumping (see Figure 1). Typical of the water levels within the Missouri: Elk Point aquifer, full annual recovery of water levels depleted by irrigation is observed.

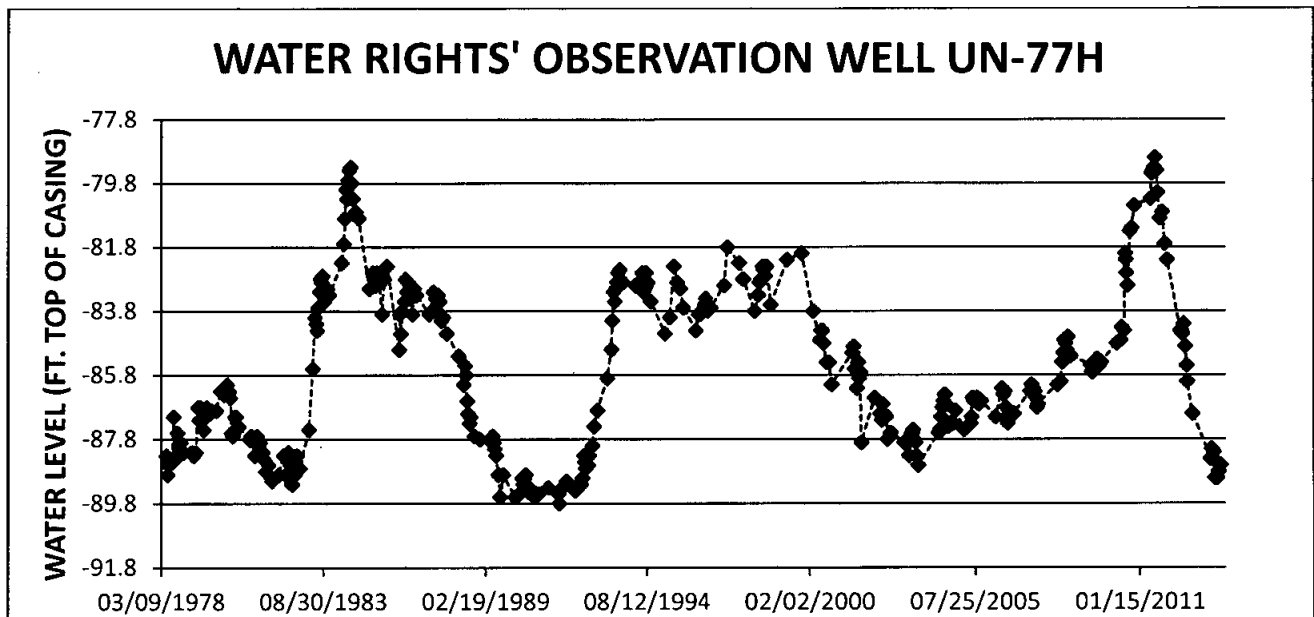


Figure 1: Historic water levels in Observation Well UN-77H.

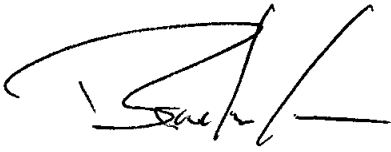
### EXISTING WATER RIGHTS:

The proposed well associated with Permit No. 7904-3 will be located approximately 0.5 miles to the east of a well associated with Water Rights No. 2242-3 and 0.5 miles to the west of a well associated with Water Right No. 1669-3 (Water Rights 2013b). Given the aquifer characteristics and the distance from the proposed well, nearby adequate wells as defined by ARSD 74:02:20(7) are not expected to be adversely or unlawfully impaired. Similarly, nearby domestic wells are not expected to be affected by the pumping of the proposed well, including the well located 1,000 feet to the southeast associated with the farmstead in the SE  $\frac{1}{4}$  of Sec 11.

### CONCLUSIONS:

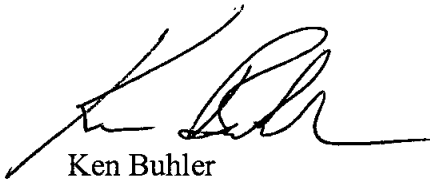
- 1) The water permit application proposes to withdraw groundwater from the Missouri: Elk Point aquifer at a rate of 1.78 cfs from a single well for the purpose of irrigating 180 acres.
- 2) Unappropriated water is available from the Missouri: Elk Point aquifer for the above purposes.

- 3) This proposed diversion will not adversely or unlawfully impair nearby existing adequate wells.

A handwritten signature in black ink, appearing to read 'Bracken Capen', with a large, sweeping initial 'B'.

Bracken Capen  
Natural Resources Engineer  
Water Rights Program

Approved by

A handwritten signature in black ink, appearing to read 'Ken Buhler', with a large, stylized initial 'K'.

Ken Buhler  
SD DENR-Water Rights Program

## REFERENCES:

- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and 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.
- Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota: U.S. Geological Survey Water Resources Investigations Report 93-4195, 57 p.
- Stephens, J.C., 1967. Geology and Hydrology of Clay County, South Dakota, Part II: Water Resources. South Dakota DENR-Geological Survey Bulletin 19, 62 p. Vermillion, South Dakota.
- Stonesifer, J.R., In Progress. Water Availability of the Missouri: Elk Point Aquifer. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- United States Geologic Survey. 2013. National Water Information System.
- Water Rights. 2013a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre South Dakota.

# AFFIDAVIT OF PUBLICATION

State of South Dakota )  
:SS  
County of Union )

Bruce L. Odson,

the publisher of the Leader-Courier, deposes and says that

## The Leader-Courier

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

### Notice of Application No. 7904-3

#### To Appropriate Water

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

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

on Thursday, the 28 day of November, 2013

and that the succeeding publications were

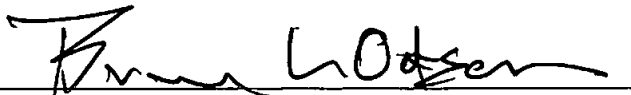
on Thursday, the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

on Thursday, the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

on Thursday, the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

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

\$ 23.18, that the full amount of the fee charged insures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.



Subscribed and sworn to before me

this 28 day of November, 2013

My commission expires 6-21-17

SUSAN ODSON  
NOTARY PUBLIC  
SOUTH DAKOTA

Notary Public

## NOTICE OF APPLICATION NO. 7904-3 TO APPROPRIATE WATER

Notice is given that Craig McInerney, 47484 317<sup>th</sup> St, Elk Point SD 57025 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (200 feet deep) located in the approximate center of the SE 1/4 Section 11 for irrigation of 160 acres located in the SE 1/4 Section 11; all in T92N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7904-3 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 December 16, 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. Publish Nov. 28, 2013. Published once at the total approximate cost of \$23.18 48-9-77

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PROGRAM

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WATER RIGHTS  
PROGRAM

**AFFIDAVIT OF PUBLICATION**

**YANKTON DAILY PRESS AND DAKOTAN**

12+5

NOTICE OF APPLICATION  
NO. 7904-3 to Appropriate Water

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

STATE OF SOUTH DAKOTA  
COUNTY OF YANKTON

**KELLY HERTZ** BEING FIRST DULY SWORN ON OATH DEPOSES  
AND SAYS THAT HE IS THE **MANAGING EDITOR** OF, YANKTON  
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE  
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER  
PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY  
AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID  
COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED  
**Notice of Application No. 7904-3**

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE  
NEWSPAPER ON THE 5th DAY OF December 2013  
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION  
OF SAID **NOTICE** TO WIT **\$25.49** ENSURES TO THE  
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO  
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS  
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF  
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 12/5/2013

FILED ON: 12/5/2013

SUBSCRIBED AND SWORN TO BEFORE ME THIS 5th DAY OF December

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

Notice is given that Craig McIn-  
erney, 47484 317th St, Elk Point  
SD 57025 has filed an application  
for a water permit to appropriate  
1.78 cubic feet of water per sec-  
ond from one well to be com-  
pleted into the Missouri:Elk Point  
Aquifer (200 feet deep) located in  
the approximate center of the SE  
1/4 Section 11 for irrigation of  
160 acres located in the SE 1/4  
Section 11; all in T92N-R50W.

Pursuant to SDCL 46-2A-2, the  
Chief Engineer recommends AP-  
PROVAL of Application No.  
7904-3 because 1) unappropriated  
water is available, 2) existing  
rights will not be unlawfully im-  
paired, 3) it is a beneficial use of  
water, and 4) it is in the public in-  
terest. In accordance with SDCL  
46-2A-23, the Chief Engineer will  
act on this application, as recom-  
mended, unless a petition is filed  
opposing the application or the  
applicant files a petition contest-  
ing the Chief Engineer's recom-  
mendation. 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 writ-  
ten petition with BOTH the appli-  
cant and Chief Engineer. The ap-  
plicant must file a petition if con-  
testing the Chief Engineer's rec-  
ommendation. The Chief Engi-  
neer'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 inter-  
ested person or the applicant must  
be filed by December 16, 2013.

The petition may be informal, but  
must include a statement describ-  
ing the petitioner's interest in the  
application, the petitioner's rea-  
sons for opposing or supporting  
the application, and the signature  
and mailing address of the peti-  
tioner or the petitioner's legal  
counsel, if legal counsel is ob-  
tained. Contact Eric Gronlund at  
the above Water Rights Program  
address to request copies of infor-  
mation pertaining to this applica-  
tion. Steven M. Pirner, Secretary,  
Department of Environment and  
Natural Resources.

Published once at the total ap-  
proximate cost of \$25.49.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

November 22, 2013

Leader-Courier  
PO Box 310  
Elk Point SD 57025

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7904-3 to Appropriate Water. Please publish the notice once on December 5, 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 Craig McInerney, 47484 317<sup>th</sup> St, Elk Point SD 57025 (Ph # 712-301-2329).

**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](http://denr.sd.gov)

November 22, 2013

Press & Dakotan  
319 Walnut  
Yankton SD 57078

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enclosures



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

[denr.sd.gov](http://denr.sd.gov)

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

November 22, 2013

Craig McInerney  
47484 317<sup>th</sup> St  
Elk Point SD 57025

Dear Mr. McInerney:

Water Permit Application No. 7904-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Leader-Courier printed at Elk Point SD (Ph # 605-356-2632) and the Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
(605) 773-3352  
enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish the Notice on December 5, 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. 7904-3 to Appropriate Water

Notice is given that Craig McInerney, 47484 317<sup>th</sup> St, Elk Point SD 57025 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (200 feet deep) located in the approximate center of the SE 1/4 Section 11 for irrigation of 160 acres located in the SE 1/4 Section 11; all in T92N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7904-3 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 December 16, 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](http://denr.sd.gov)

**DEC 27 2013**

Craig McInerney  
47484 317<sup>th</sup> St  
Elk Point SD 57025

Dear Mr. McInerney:

Enclosed is Water Permit No. 7904-3 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

7904-3

11-02

| Location <u>center</u> $\frac{1}{4}$ <u>S.E.</u> $\frac{1}{4}$ Sec <u>11</u> Twp <u>29N</u> Rg <u>50W</u><br><div style="text-align: center;">92</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |              | Well Owner: <u>Craig McInerney</u><br>Business Name: _____<br>Address1: <u>47484 317<sup>th</sup> St.</u><br>Address2: _____<br>City, State, Zip: <u>Elk Point S.D. 57025</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|------|---------------|-------------------------|--------------|-------------|---------------------------|--------------|--------------------|----------------|---------------|---------------|-------------------------|-------|-----|--------------------|----|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|
| County <u>Union</u><br><div style="text-align: center;">North</div> <div style="display: flex; align-items: center; justify-content: center;"> <div style="border: 1px solid black; width: 150px; height: 100px; position: relative;"> <div style="position: absolute; top: 0; left: 0; right: 0; border-bottom: 1px dashed black;"></div> <div style="position: absolute; left: 0; right: 0; bottom: 0; border-top: 1px dashed black;"></div> <div style="position: absolute; top: 50%; left: 50%; transform: translate(-50%, -50%); font-size: 2em;">*</div> </div> <div style="margin-left: 10px;">                 Please mark well location with an "X"             </div> </div> <div style="text-align: center; margin-top: 10px;"> </div> |              | <b>WELL LOG:</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">FORMATION</th> <th style="text-align: center;">FROM</th> <th style="text-align: center;">TO</th> </tr> </thead> <tbody> <tr> <td>Brown to Blue/gray Clay</td> <td style="text-align: center;">0</td> <td style="text-align: center;">76</td> </tr> <tr> <td>White/Black sand + Gravel</td> <td style="text-align: center;">76</td> <td style="text-align: center;">137</td> </tr> <tr> <td>Blue/Gray Clay</td> <td style="text-align: center;">137</td> <td style="text-align: center;">140</td> </tr> <tr> <td>Blue/gray sand + Gravel</td> <td style="text-align: center;">140</td> <td style="text-align: center;">197</td> </tr> <tr> <td>w/ Black/white mix</td> <td></td> <td></td> </tr> <tr> <td>Shale</td> <td style="text-align: center;">197</td> <td style="text-align: center;">203</td> </tr> </tbody> </table> |               | FORMATION     | FROM | TO            | Brown to Blue/gray Clay | 0            | 76          | White/Black sand + Gravel | 76           | 137                | Blue/Gray Clay | 137           | 140           | Blue/gray sand + Gravel | 140   | 197 | w/ Black/white mix |    |    | Shale                                                                                                                                                                                  | 197 | 203 |
| FORMATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | FROM         | TO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| Brown to Blue/gray Clay                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 0            | 76                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| White/Black sand + Gravel                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 76           | 137                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| Blue/Gray Clay                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 137          | 140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| Blue/gray sand + Gravel                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 140          | 197                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| w/ Black/white mix                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| Shale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 197          | 203                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| Well completion Date <u>02/14/14</u><br>Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)<br><u>2.5 mile</u> ft. from <u>septic</u> (identify source)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |              | <b>PROPOSED USE:</b><br><input type="checkbox"/> Domestic/Stock <input type="checkbox"/> Municipal <input type="checkbox"/> Business <input type="checkbox"/> Test Holes<br><input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Monitoring well                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| <b>METHOD OF DRILLING:</b><br><u>Reverse Rotary</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |              | <b>STATIC WATER LEVEL</b> <u>97</u> FEET<br>If flowing: closed in pressure _____ PSI<br>GPM flow _____ through _____ inch pipe<br>Controlled by <input type="checkbox"/> Valve <input type="checkbox"/> Reducers <input type="checkbox"/> Other _____<br>Reduced flow rate _____ GPM<br>Can well be completely shut in? _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| <b>CASING DATA:</b> <input type="checkbox"/> Steel <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Other<br>If other describe _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |              | <b>WELL TEST DATA:</b><br><input checked="" type="checkbox"/> Pumped    Describe: <u>Pumped w/ 6" water lube turbine pump</u><br><input type="checkbox"/> Bailed<br><input type="checkbox"/> Other _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>PIPEWEIGHT</th> <th>DIAMETER</th> <th>FROM</th> <th>TO</th> <th>HOLE DIAMETER</th> </tr> </thead> <tbody> <tr> <td><u>sch40</u> LB/FT</td> <td><u>16</u> IN</td> <td><u>0</u> FT</td> <td><u>100</u> FT</td> <td><u>28</u> IN</td> </tr> <tr> <td><u>50R26</u> LB/FT</td> <td><u>16</u> IN</td> <td><u>100</u> FT</td> <td><u>200</u> FT</td> <td><u>28</u> IN</td> </tr> <tr> <td>LB/FT</td> <td>IN</td> <td>FT</td> <td>FT</td> <td>IN</td> </tr> </tbody> </table>                                                                                                                                                                                         |              | PIPEWEIGHT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | DIAMETER      | FROM          | TO   | HOLE DIAMETER | <u>sch40</u> LB/FT      | <u>16</u> IN | <u>0</u> FT | <u>100</u> FT             | <u>28</u> IN | <u>50R26</u> LB/FT | <u>16</u> IN   | <u>100</u> FT | <u>200</u> FT | <u>28</u> IN            | LB/FT | IN  | FT                 | FT | IN | Pumping Level Below Land Surface<br><u>111</u> Ft. After <u>2</u> Hrs. pumped <u>900</u> GPM<br>_____ Ft. After _____ Hrs. pumped _____ GPM<br>If pump installed, pump rate: _____ GPM |     |     |
| PIPEWEIGHT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | DIAMETER     | FROM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | TO            | HOLE DIAMETER |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| <u>sch40</u> LB/FT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>16</u> IN | <u>0</u> FT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <u>100</u> FT | <u>28</u> IN  |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| <u>50R26</u> LB/FT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>16</u> IN | <u>100</u> FT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>200</u> FT | <u>28</u> IN  |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| LB/FT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | IN           | FT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | FT            | IN            |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| <b>GROUTING DATA:</b><br>Grout Type <u>Bentonite</u> No. of Sacks _____    Grout Weight <u>76</u> Lb/gal    From <u>76</u> Ft.    To <u>5</u> Ft.<br><div style="text-align: center;">Lb/gal    Ft.    Ft.</div> Describe grouting procedure <u>Pressure Grouted</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |              | <b>REMARKS</b><br><div style="text-align: center; font-weight: bold; font-size: 1.2em;">                         RECEIVED<br/>                         MAR 19 2014<br/>                         WATER RIGHTS PROGRAM                     </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| <b>SCREEN:</b> <input checked="" type="checkbox"/> Perforated pipe <input type="checkbox"/> Manufactured<br>Diameter <u>16</u> Inches    Length <u>40</u> Feet<br>Material <u>PVC</u><br>Slot Size <u>0.80"</u> Set From <u>160</u> Feet to <u>200</u> Feet<br>Other information _____                                                                                                                                                                                                                                                                                                                                                                                                                                                            |              | This well was drilled under license # <u>763</u><br>And this report is true and accurate.<br>Drilling firm: <u>Salmon Well Co.</u><br>Signature of License Representative: <u>Scott Salmon</u><br>Signature of Well Owner or Equitable Property Holder: <u>Craig McInerney</u><br>Date: <u>03/14/14</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| <b>WAS A PACKER OR SEAL USED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>If so, what material? _____<br>Describe packer(s) and location _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |              | Please return White Copy to DENR Water Rights                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |
| <b>DISINFECTION:</b> Was well disinfected upon completion?<br><input checked="" type="checkbox"/> Yes, How? <u>HTH Tablets</u><br><input type="checkbox"/> No, Why Not? _____<br>Lab sample sent to for water quality analysis _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |              | 523 E. Capitol Ave., Pierre SD 57501                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |               |      |               |                         |              |             |                           |              |                    |                |               |               |                         |       |     |                    |    |    |                                                                                                                                                                                        |     |     |

Please return White Copy to DENR Water Rights

523 E. Capitol Ave., Pierre SD 57501

3-25-14

RECEIVED  
MAR 19 2014  
WATER RIGHTS  
PROGRAM

# Drillers Log

## Salmon Well Company

Telephone 402-287-2236

Since 1914

Wakefield, NE 68784

Customer: Jonah Sundheim

Date: 02/14/14

Address: (Sundheim well Repair)

Phone: \_\_\_\_\_

Land Owner: Craig McInerney

County: Union (S.D.)

Drillers: Scott S. + Zach S.

Alt: 1000'

Legal: center Qtr of S.E. Qtr: Sec 11 Twp T92N R 50W GPS#: 21

Lat: N42° 47' 50.73" Long: W096° 42' 44.61"

| From | To  | Material Drilled                                                   | N ↑   |
|------|-----|--------------------------------------------------------------------|-------|
| 0    | 3   | Topsoil                                                            |       |
| 3    | 19  | Lt. Brown Clay w/ limestone mix                                    |       |
| 19   | 76  | Blue/Grey Clay rocks @ 55', 63', 75'                               |       |
| 76   | 117 | White/Black sand + Gravel w/ trace of Blue/Green                   | 5280' |
| 118  | 119 | Coal layer                                                         |       |
| 119  | 137 | Sand                                                               |       |
| 137  | 140 | Blue/Grey Clay                                                     |       |
| 140  | 145 | Sand                                                               |       |
| 145  | 150 | Sand + fine Gravel                                                 |       |
| 150  | 197 | Blue/Green sand + Gravel w/ some Black (Took water - drilled nice) |       |
| 197  | 200 | Shale (oil on pit) ^ 158'-160' coal layer                          |       |

|                    |      |                |                 |
|--------------------|------|----------------|-----------------|
| Depth of Well      | 200' | Borehole Size  | 28"             |
| Aquifer Thickness  | 47'  | Casing Size    | 16"             |
| Static Water Level | 97'  | Type of Casing | 2 sch 40 2 5/8" |
| Test Pumped (gpm)  | 900  | Screen Length  | 40'             |
| Pumping Level      | 111' | Slot Size      | .060"           |

7904-3  
RECEIVED

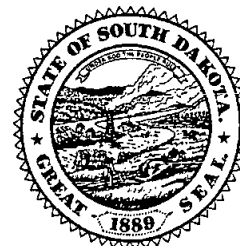
SEP 24 2014

WATER RIGHTS  
PROGRAMNOTICE OF COMPLETION OF WORKS AND  
APPLICATION OF WATER TO BENEFICIAL USEDate Sept. 20 - 2014TO: Water Rights Program, DENR  
523 E. Capitol  
Pierre, SD 57501-3181FROM: Craig McInerney  
(name)47484 317th St.  
(address)Elk Point S.D. 57025  
(city, state, zip)605-356-2595  
(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 7904-3 states that the water use system is to be constructed byDec. 16, 2018, and water is to be put to beneficial use by Dec 16, 2022  
(date) (date)The water use system was completed on May 1 - 2014  
(date)Applying the water to beneficial use was completed on July 1 - 2014  
(date)

You may schedule an investigation so that the water license may be issued.

Craig McInerney  
(signature)



**DEPARTMENT OF ENVIRONMENT  
and NATURAL RESOURCES**

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



September 24, 2014

7904-3

Craig McInerney  
47484 317<sup>th</sup> St  
Elk Point SD 57025

Dear Mr. McInerney:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system as authorized under Water Permit No. 7904-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

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



7904-3

**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

November 4, 2021

5014-3

5287-3

7904-3

Craig McInerney  
411 E Washington St  
Elk Point SD 57025-2250

Dear Mr. McInerney:

Enclosed is a "Notice" dated October 22, 2021 concerning the 2021 irrigation questionnaire.

The notice was originally mailed to 47484 317<sup>th</sup> St, Elk Point. The post office notified us that your address has changed, and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures

**Report of Examination of Works and/or Application of Water to  
Beneficial Use  
For Permit No. 7904-3**

I have this day, March 25, 2025, made a thorough examination of the water use system constructed by Craig McInerney of 47484 317<sup>th</sup> St, Elk Point SD 57025 holder of Permit No. 7904-3, bearing the priority of September 23, 2013 authorizing the diversion of 1.78 cu. ft. per second of the waters of groundwater, Missouri:Elk Point Aquifer for irrigation purposes, in Union County.

Inspection contact & relationship Craig McInerney, owner

**A. Works used to divert the water:**

**Well Information:**

- 1) Well Drilling Firm: Salmon Well Co.
- 2) No. of Wells 1
- 3) Depth(s) 200 feet
- 4) Well log is available Y If no, explain in comments  
Comments: none

**Casing:**

- 1) Diameter 16 inches
- 2) Length 160 feet
- 3) Type plastic

**Screen:**

- 1) Type PVC
- 2) Length 40 feet
- 3) Static water level 97 feet

**Pump:**

- 1) Make Layne Vertiline
- 2) Model 12PYB
- 3) Size 12 inch
- 4) Capacity 800 GPM

**Motor:**

- 1) Make GM
- 2) Model No. 1920755 8 Cyl Propane
- 3) Horsepower rating NA hp

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

- 1) Type Aluminum
- 2) Size 8 inches
- 3) Length 20 feet

Comments: none

**C. Works used to apply water to beneficial use:**

**Center pivot:**

- 1) Make Zimmatic - Bendable
- 2) Overall length 1290 feet
- 3) Number of towers 7 – bends at 4<sup>th</sup> tower
- 4) End gun Y
- 5) Capacity 800 GPM

**Chemigation Equipment:**

**D. Compliance with Permit Requirements:**

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

**E. Condition and Location:**

1. The system is in good, etc condition with the point(s) of diversion located as follows: from the SE corner of Sec 11 T92N-R50W 1320 ft W and 1320 ft N, latitude of 42.79729 and longitude of -96.71229 , near center of SE ¼ .
2. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation use. Water has been put to beneficial use to the maximum extent as follows: All land is located in Sec 11 T92N-R50W NW ¼ SE ¼ - 33 ac NE ¼ SE ¼ - 33 ac SE ¼ SE ¼ - 21 ac SW ¼ SE ¼ - 33 ac comprising a total of 120 acres of land and the license should be issued for 1.71 cfs.
3. All structures, wells and lands on map Y  
If no, describe: none

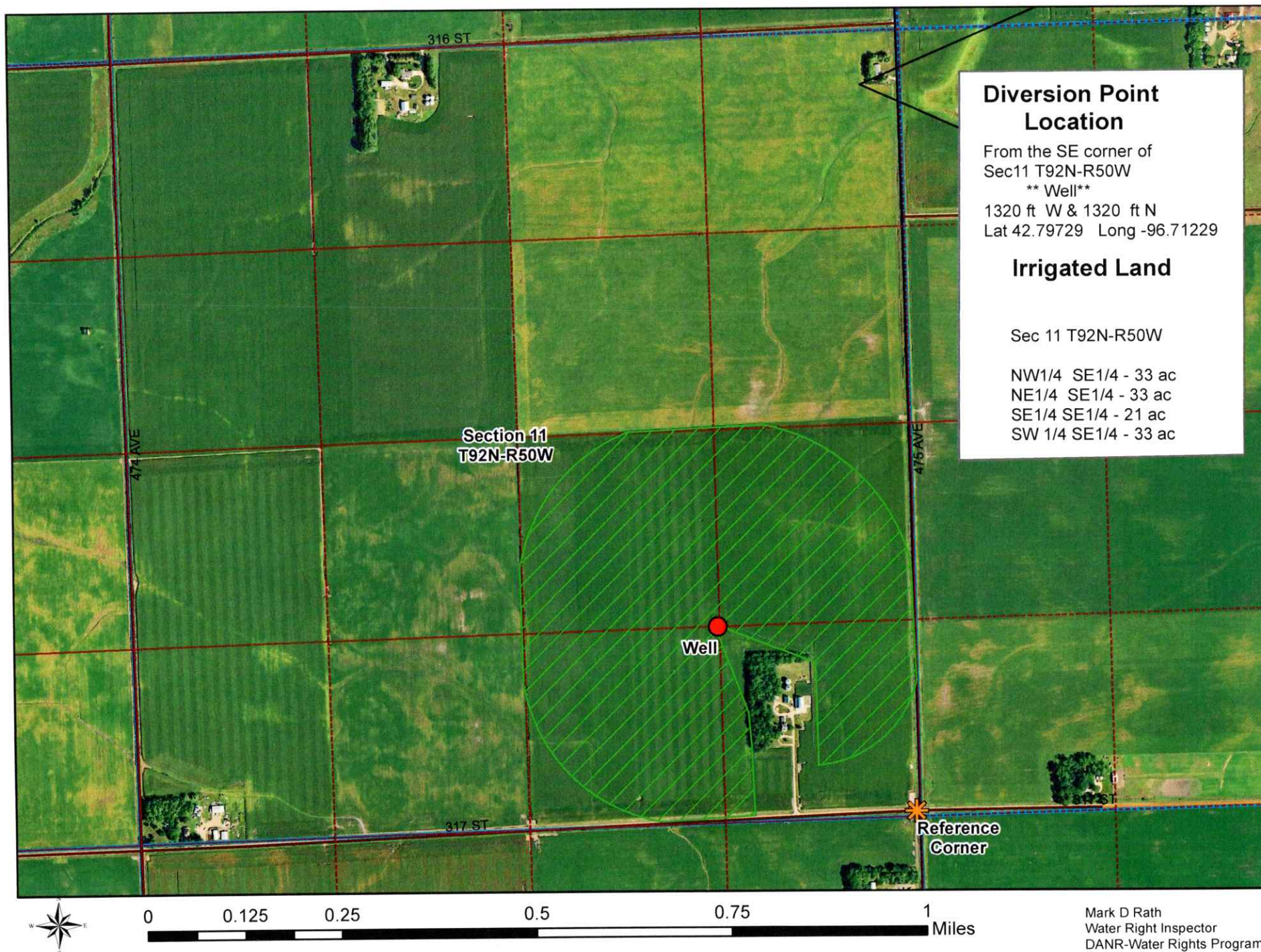
**F. Comments or other permit(s) associated with the project:**

none.



Mark D Rath  
Water Right Inspector  
DANR, Water Rights Program

Date report completed: May 13, 2025





**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

JUN 06 2025

Craig McInerney  
411 E Washington St  
Elk Point, SD 57025

No. 7904-3

Dear Mr. McInerney:

Enclosed is Water License No. 7904-3. 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. 7904-3 to be capable of diverting 1.78 cfs (approx. 800 gpm). Pursuant to SDCL 46-5-6 diversion of water under this license is limited to 1.71 cfs (approx. 768 gpm).

enclosures

**STATE OF SOUTH DAKOTA  
WATER LICENSE NO. 7904-3**

(1) Craig McInerney, 411 E Washington St, Elk Point, SD 57025, made Application No. 7904-3, September 23, 2013, for a water permit to divert 1.78 cubic feet of water per second from groundwater, one well (Missouri: Elk Point Aquifer), Union County, South Dakota for irrigation purposes. Permit No. 7904-3, with a priority date of September 23, 2013, was approved December 16, 2013, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 16, 2018, and for the application to beneficial use of water on or before December 16, 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 1.71 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,320 feet W and 1,320 feet N from the SE corner of Section 11, T92N, R50W  
(approx. center of SE  $\frac{1}{4}$ ) (Latitude 42.79729 and Longitude -96.71229)

(3) The amount of appropriation may not exceed 2 acre-feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.

(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 11, T92N, R50W  
NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  - 33 acres  
NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  - 33 acres  
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  - 33 acres  
SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  - 21 acres  
Total – 120 acres

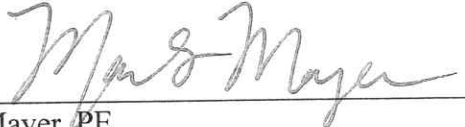
(5) Pursuant to South Dakota Water Law 46-5-30.1 Craig McInerney, the holder and/or owner of Water Right No. 7904-3 is issued a license to appropriate water, the right to use 1.71 cubic feet of water per second from groundwater, one well (Missouri: Elk Point Aquifer), with a priority date of September 23, 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. 7904-3 and subject to the following qualifications:

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

2. The well authorized by Permit No. 7904-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *(The well was drilled in 2014 by Salmon Well Co. 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

4/6/25  
date

