

WATER PERMIT NO. 8073-3

Name of Applicant: Larry Skorepa

Address: 29922 435th Ave, Utica SD 57067 Phone: 605 661-6453

Amount of Water Claimed: 1.77 cfs Total Acres: 120 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Yankton

Type of Waste Disposal System:

Location: 5 miles north of Utica

PRIORITY Date Received: 1-12-15 Application/License Fee: \$ 950

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

Remarks: Requesting diversion rate greater than statutory limit

Diversion Point: SW 1/4 SW 1/4 Sec 8-T95N-
R56W

Land to be Irrigated: SW 1/4 Sec 8 and N 1/2 NW
1/4 Sec 17; all in T95N-R56W

Depth of Well: 300 feet deep

Well Driller: Hammond Wetmore Drilling

Remarks:

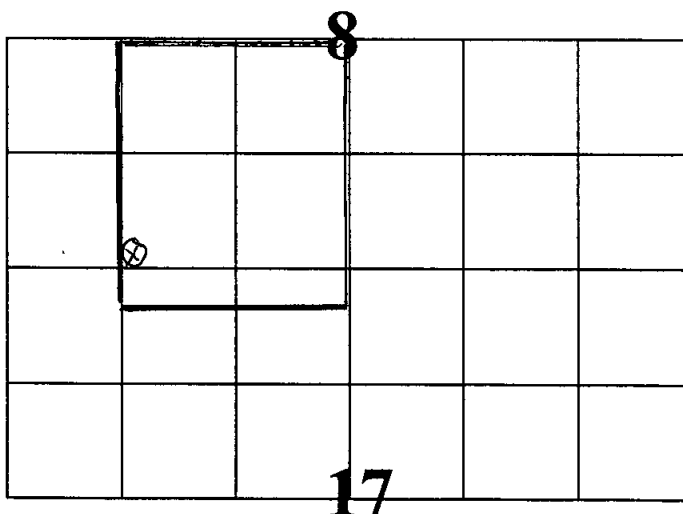
Type of Map: topo

Prepared by:

Reviewed and the Number Assigned on: 1-13-15

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8073-3</u> (office use only) Hydrologic Unit <u>10160011</u>
	Basin <u>James River</u>
	Newspaper <u>Press & Dakotan</u>
	<u>319 Walnut, Yankton 57078</u> <u>605-665 7811</u>

RECEIVED
JAN 12 2015
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

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

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

1. Name to Appear on Irrigation Permit Larry Skorepa

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

(name and complete address if different than above name)

Mailing Address 29922 435th Ave Utica SD 57067
(Address) (City) (State) (Zip Code)

Home Phone _____ Cell 605-661-6453 Email _____

2. Amount of water claimed 1.77 *CFS or 800 **GPM ***AF Total Acreage 120
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply 1 well completed in the Lower James Missouri: South Aquifer

4. Location of point of diversion 1 well in T95n-R56w-8 sw sw

(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Yankton

5. County or counties where water will be used Yankton

6. Annual period during which water is to be used May 1-September 30

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
T95n-R56w-8 SW 1/4 SW	40	T 95N R56W - 17 NE 1/4 NW	8
T95n-R56w-8 NW 1/4 SW	40	T 95N R56W - 17 NW 1/4 NW	7
T95n-R56w-8 NE 1/4 SW	15		
T95N R56W - 8 1/4 SE 1/4 SW	10		

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

Center pivot irrigation of the above listed property

*Requesting Diversion rate greater than statutory limit
water may also be used for domestic use at farmstead*

I, Larry Skorepa Larry Skorepa, 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. 8073-3

Date of first receipt of application January 12, 2015.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8073-3 to Larry Skorepa, 29922 435th Ave, Utica SD 57067 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. 8073-3 appropriates 1.77 cubic feet of water per second (cfs) from one well to be completed into the Lower James Missouri:Scotland Aquifer (300 feet deep) located in the SW 1/4 SW 1/4 Section 8 for irrigation of 120 acres located in the SW 1/4 Section 8 and N 1/2 NW 1/4 Section 17; all in T95N-R56W. Water from this well may also be used to supply year round domestic use to the permit holder's farmstead.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is January 12, 2015.
4. The date of approval of Permit No. 8073-3 is March 16, 2015.
5. One-fifth of the construction is to be completed on or before September 16, 2017.
6. All construction is to be completed on or before March 16, 2020.
7. Water is to be put to beneficial use on or before March 16, 2024.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

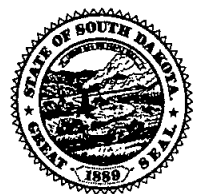
QUALIFICATIONS

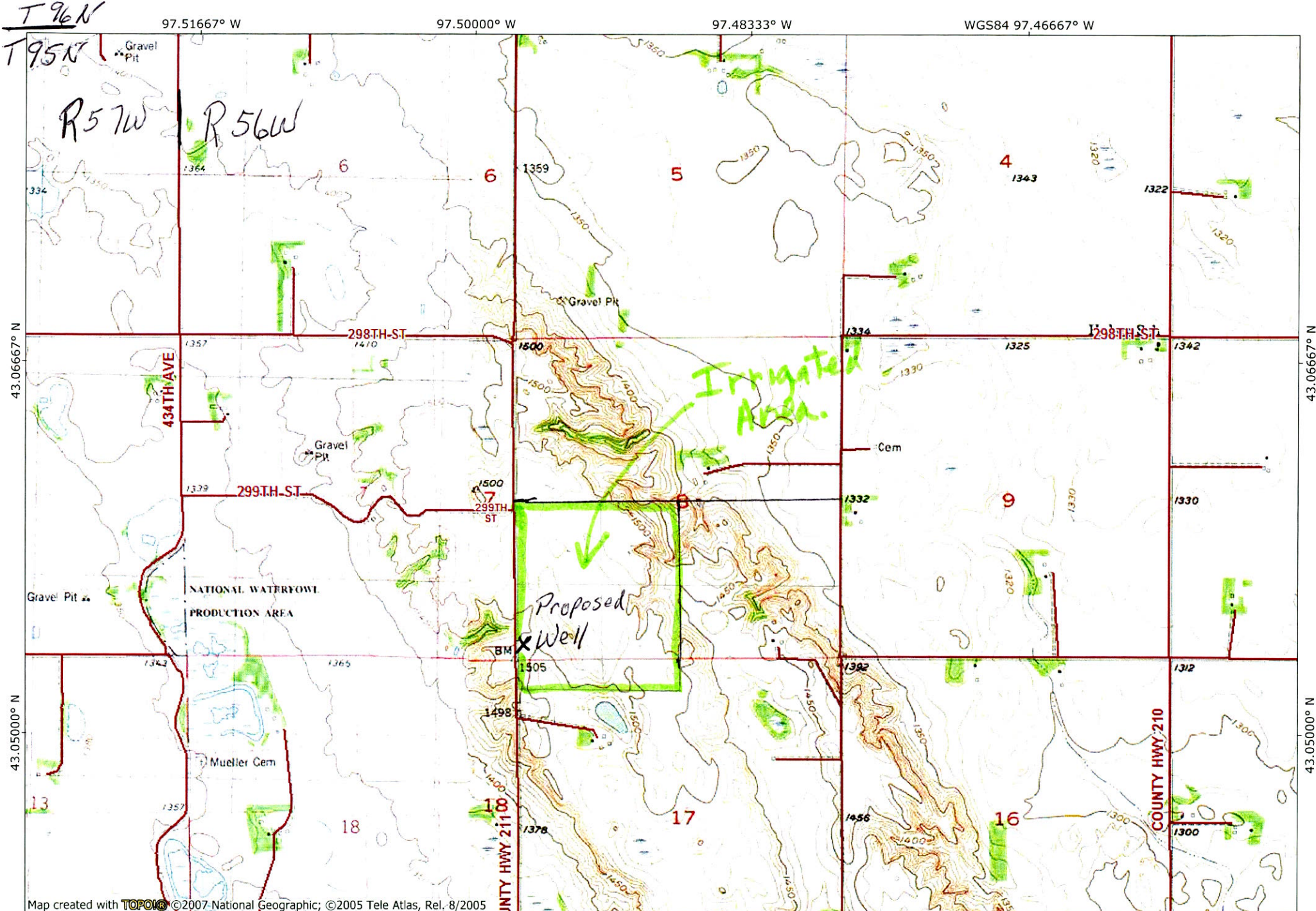
1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 8073-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 8073-3 authorizes a maximum diversion rate of 1.77 cfs for the irrigation of 120 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

APR 13 2015
date





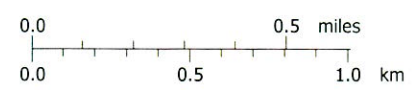
Map created with **TOPOIG** ©2007 National Geographic; ©2005 Tele Atlas, Rel. 8/2005



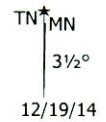
RECEIVED

JAN 12 2015

WATER RIGHTS PROGRAM

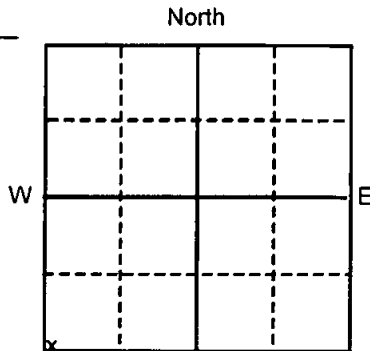


RH Hammond
CP6 8272



SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location sw 1/4 sw 1/4 Sec 8 Twp 95n Rg 56wCounty YanktonPlease mark well
location with an "X"

Well Completion Date

September 8, 2014

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?

2,500.0 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Direct Rotary

CASING DATA:

☐ Steel ☐ Plastic ☐ Other
 If other describe none

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
bentonite	20	9.5 Lb/gal	0.0 Ft	300.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Tremie method

SCREEN:

☐ Perforated pipe ☐ Manufactured
 Diameter _____ Inches Length _____ Feet
 Material _____
 Slot Size _____ Set From _____ Feet to _____ Feet
 Other information _____

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?☐ No, Why Not?Lab to which water
quality sample sent for analysisWell Owner: Larry Skorepa

Business Name:

Address: 29922 435 aveCity, State, Zip: Utica SD 57067

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Topsoil	0	2
Clay, brown, silty, pebbly, rocky	2	38
Gravel, brown, sandy	38	161
Gravel, gray, sandy, some chalk	161	220
Gravel, gray, sandy, coarse	220	300

STATIC WATER LEVEL 225.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe:
☐ Bailed
☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

JAN 12 2015

WATER RIGHTS
PROGRAMThis well was drilled under license # 666 and this
report is true and accurate.Drilling firm: Hammond Wetmore Drilling, llc

Signature of license Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

12/22/2014

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/13, 20 15

RECEIVED OF Larry Skorepa 29922 435th Ave Utica SD 57067

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

Fee for Application for Permit No. <u>8073-3</u> to Appropriate Water, to construct and to put water to beneficial use	750	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>8073-3</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	200 00

No. 07122

By Jessie Goodman
Chief Engineer

Permit No. 8073-3

Water Rights Program - DENR Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit No. 8073-3, Larry Skorepa

ADDRESS: COUNTY: Yankton County

DATE: January 14, 2015 TELEPHONE: 605 661-6453

RE: clarification of area to be irrigated

I contacted Mr. Skorepa regarding his application. I stated the map showed the portion to be irrigated in Section 17 to be in the northern portion of the N $\frac{1}{2}$ NW $\frac{1}{4}$. However the acreage breakdown indicated the area to be irrigated as the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 17 which based on the map is where shelter belts are located.

Mr. Skorepa indicated that his current intention is to install a windshield wiper center pivot that would primarily have coverage in the SW $\frac{1}{4}$ of Section 8 but will extend into the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 17. It is not his intention to remove any portion of the shelter belt as those trees are in their prime. The end gun may apply some water to the trees in the northern portion of the shelterbelt. Based on this Mr. Skorepa requested that I amend the acreage breakdown accordingly to represent the irrigated acres will include the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 17.

Mr. Skorepa stated that he didn't know if the well would even produce enough water to supply a center pivot so he may need to look towards other irrigation equipment.

He indicated that his farm place is solely served by B-Y Rural Water and he may connect the farm place to the irrigation well. I stated I would amend the application accordingly to include supplying water to the farm place.

NAME: Eric Gunderson



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8073-3, Larry Skorepa**

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. 8073-3, Larry Skorepa, 29922 435th Avenue, Utica SD 57067.

The Chief Engineer is recommending APPROVAL of Application No. 8073-3 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. 8073-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 8073-3 authorizes a maximum diversion rate of 1.77 cfs for the irrigation of 120 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


Jeanne Goodman, Chief Engineer
February 25, 2015

**REPORT TO THE CHIEF ENGINEER
WATER PERMIT APPLICATION NO. 8073-3
LARRY SKOREPA
FEBRUARY 4, 2015**

Water Permit Application No. 8073-3 proposes to appropriate water from the Scotland Management Unit of the Lower James Missouri aquifer at a maximum diversion rate of 1.77 cubic feet per second (cfs) from a single well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T95N-R56W. The well is expected to be completed to a depth of approximately 300 feet below ground surface and will be used to irrigate 40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 15 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 10 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 8 in addition to eight acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and seven acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 17 for a total of 120 acres in Sections 8 and 17, T95N-R56W. Water from this well may also be used for domestic purposes. The applicant is requesting a diversion rate greater than the statutory limit.

AQUIFER: Scotland Management Unit of the Lower James Missouri aquifer (LJM:S)

GEOLOGY AND AQUIFER CHARACTERISTICS:

In the 1971 groundwater assessment of Bon Homme County, the outwash deposit that the proposed well is to be completed into was referred to as part of the Tyndall-Scotland aquifer (Jorgenson, 1971). Hedges and others (1982) further delineated the aquifers in the area and determined that this outwash was part of the Scotland management unit of the Lower James Missouri aquifer. Then, Bugliosi (1986) completed a groundwater assessment of Yankton County that included the Lower James Missouri aquifer but did not refer to the aquifer's management units (see Figure 1). The South Dakota Department of Environment and Natural Resources Water Rights Program and Water Management Board conform to Hedges and Others (1985) nomenclature and recognize this water bearing unit as the Scotland Management Unit, separate from the rest of the Lower James Missouri aquifer (see Figure 2).

The area that this application proposes to divert from is consistent with Hedges and others (1982) delineation of the Scotland Management Unit of the Lower James Missouri aquifer. The Scotland Management Unit is a buried outwash deposit consisting of sand and gravel with groundwater flow towards the James River (Bugliosi, 1986). The management unit lies in northwestern Yankton County and extends into northeast Bon Homme County and into southern Hutchinson County. In total, the Lower James Missouri: Scotland aquifer is estimated to underlie 72,800 acres and contain 1,110,650 acre-feet (ac-ft) of recoverable water in storage (Hedges and others, 1982). However, the amount of water in storage is likely greater than the estimate made by Hedges and others (1982) as water levels in observation wells completed into the management unit have gone up since the time that the report was written (Water Rights, 2015a). Despite the acceptance of Hedges and Others (1985) separation of the management unit and the aquifer, the Scotland Management Unit is hydraulically connected to the Lower James Missouri aquifer to the north and to the east of the proposed well site. Hedges and Others (1982) define one potential criterion for the border between a management unit and the rest of an aquifer as a thinning or constriction of the water bearing unit. This allows hydraulic connection but still

restricts the amount of water flowing from the management unit to the rest of the aquifer or vice versa.

Bugliosi (1986) documented unconfined conditions under high points in Yankton County including the James Ridge, located on the northwest side of T95N-R56W. The location of the test hole log submitted with this application is within the area of the James Ridge. Consistent with the location, the test hole log shows unconfined conditions at this location, thought to be the Scotland Management Unit of the Lower James Missouri, present at 220-300 feet below ground surface in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T95N-R56W with a static water level of 225 feet below grade. Because the test hole is located on the James Ridge, the depth is greater than other wells completed into the management unit in the vicinity. The elevation of the water bearing material, relative to mean sea level, is consistent with other wells in the area completed into the Scotland Management Unit of the Lower James Missouri aquifer.

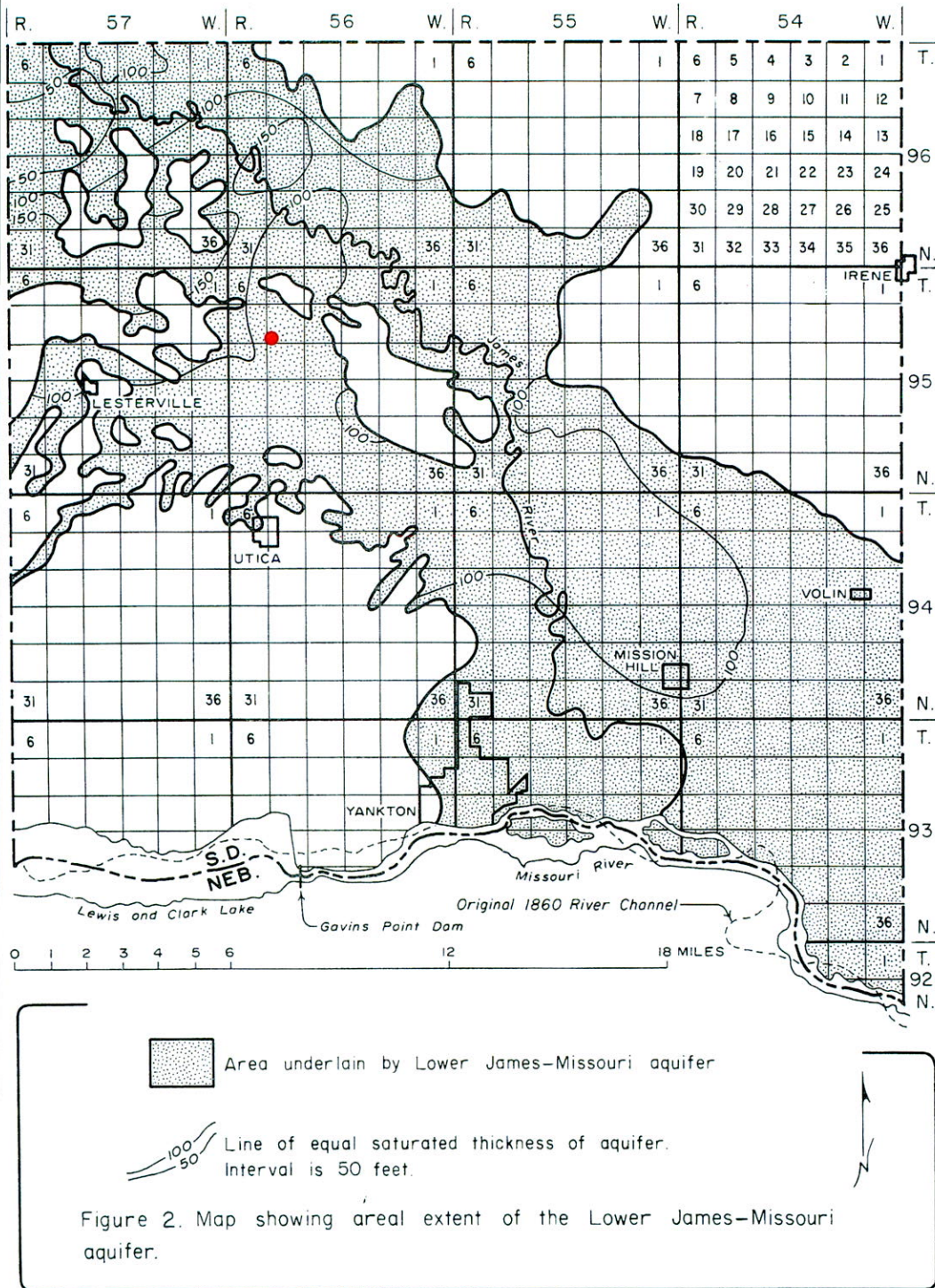


Figure 1: Aerial extent and potentiometric surface of the Lower James Missouri aquifer (as of 1983) in Yankton County including proposed well site, shown in red. Bugliosi (1983) does not differentiate between the Lower James Missouri aquifer as a whole and the Scotland Management Unit. Taken from Bugliosi, E.F. 1983. Major Aquifers in Yankton County, South Dakota. Information Pamphlet No. 28. S.D. Geological Survey, Vermillion, South Dakota.

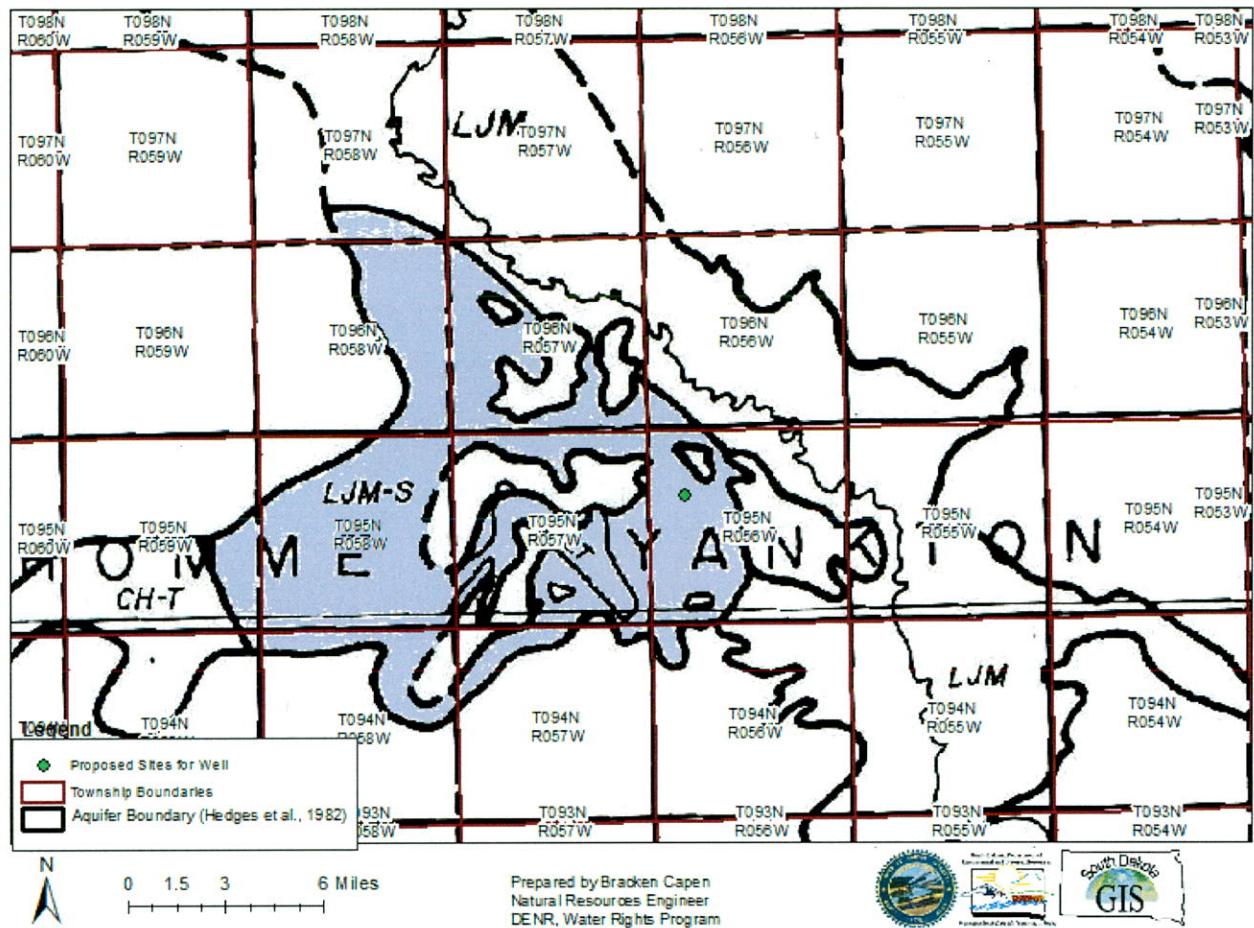


Figure 2: Hedges and Others (1985) delineation of the Scotland Management Unit (LJM-S) shown in purple, the rest of the Lower James Missouri aquifer (LJM), as well as the Tyndall Management Unit of the Choteau aquifer to the southwest (CH-T). Modified to include proposed well site.

SDCL 46-2A-9

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

WATER AVAILABILITY:

The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1, which requires that 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. If the source of the groundwater is older or lower than the Greenhorn formation and will be used for a public water system, recharge and withdrawal does not need to

be considered. Here, a public water system is not involved and the aquifer is above the Greenhorn formation. So, recharge and withdrawal must be considered.

In applying SDCL 46-6-3.1, the Sixth Judicial Circuit Court ruled in 2005 that if the Water Management Board uses average annual recharge, then it should also use average annual withdrawals to determine if unappropriated water is available from the aquifer (*Hines v. South Dakota Dept. of Environ. and Nat'l. Resources, Hughes County 04-37*) (Memorandum Decision, April 29, 2005).

A 2012 First Judicial Circuit Court's rulings basically stated that data must be presented to show it is probable the average annual recharge exceeds the average annual discharge by at least the amount requested by the water permit application being considered (*Hanson County Dairy v. Robert Bender and Stace Nelson*) (Memorandum Decision, April 11, 2012).

Later in 2012, the First Judicial Circuit Court stated that in deciding whether or not it is probable that the quantity of water withdrawn will exceed the quantity of the average estimated annual recharge is to be based according to the best information reasonably available, and that nothing in South Dakota law requires a recharge study (*Longview Farms, LLP v. South Dakota Dept. of Environ. and Nat'l. Resources*), (Memorandum Decision, May 17, 2012).

Recharge:

Recharge to the Lower James Missouri aquifer including the Scotland Management Unit occurs through infiltration of precipitation where the aquifer is at or near land surface in the James River flood plain, upward leakage from the bedrock aquifers, inflow from surface water, and inflow from the surrounding glacial aquifers (Bugliosi, 1986; Hansen, 1983; Lindgren and Hansen, 1990).

Hedges and others (1985) estimated the recharge rate of the Lower James Missouri aquifer through regional flow-net analysis to be 1.5 inches per year (in/yr). In applying this total recharge rate estimate to the area of the management unit, recharge is estimated to be 9,100 ac-ft/yr in the Scotland. However, Hedges and others (1985) explain that the flow-net analysis is only intended to help assist in evaluation of natural recharge rates determined by other methods.

Alternatively, Hedges and others (1985) suggest a recharge rate range of 0.15 to 0.60 in/yr to confined glacial aquifers in eastern South Dakota. If the entire area of the aquifer is assumed to be confined, recharge is then estimated to be 910 to 3,640 ac-ft/yr in the Scotland Management Unit. It is known that portions of the Scotland are unconfined, one of which this application proposes to divert from. Consequently, the assumption that the entire management unit is confined is conservative in terms of recharge. Given the conservative nature of this assumption and the uncertainty of the flow net analysis, this range in recharge rates will be used in this report in considering water availability from the Scotland Management Unit of the Lower James Missouri aquifer. Actual recharge is expected to be greater than this range.

Discharge:

Discharge from the Lower James Missouri aquifer occurs through evapotranspiration in areas where the aquifer is at or near land surface, seepage to surface waters, and well withdrawals

(Bugliosi, 1986; Hansen, 1983; Lindgren and Hansen, 1990). Currently there are 16 water rights/permits appropriating water from the Scotland Management Unit (Water Rights, 2015b).

While there are many domestic wells on file, many are no longer used as primary water sources since rural water systems have been introduced in the area. Considering this, and the relatively small withdrawal of a domestic well, the annual quantity of water withdrawn by domestic wells is not expected to be significant to the hydrologic budget of the aquifer (Water Rights, 2015c).

The amount of water that can be expected to be withdrawn by non-irrigation water rights/permits at the current appropriation amount, which are all limited by diversion rate, can be estimated by assuming these water rights/permits pump at the maximum authorized diversion rate 60 percent of the time. This amounts to 47.8 ac-ft/yr in the Scotland Management Unit (Water Rights, 2015b).

The historic irrigation water use from water rights/permits authorized from the Scotland Management Unit of the Lower James Missouri aquifer is shown in Table 1. Average irrigation withdrawals over the period of record from water rights/permits completed into the Scotland Management Unit equals 299.2 ac-ft/yr. However, the number of water permits authorized to pump water from the Lower James Missouri aquifer and the total amount of water appropriated under these permits has increased dramatically in the last six years both in the Scotland Management Unit and the aquifer as a whole. The average amount withdrawn for irrigation uses over this time period is 514.2 ac-ft/yr for the management unit. This number increases to 562.0 ac-ft/yr when non-irrigation water permits/rights are included. These amounts are expected to be a more accurate estimate of average future use.

Hydrologic Budget:

The average total withdrawal from the Scotland Management Unit is estimated to be 347.0 ac-ft/yr. However, given the recent increase in water permits/rights mentioned in the previous paragraph, 562.0 ac-ft/yr is expected to be more accurate. Hedges and others' (1982) flow net analysis determined a recharge estimate of 9,100 ac-ft/yr in the Scotland Management Unit. Applying Hedges and others' (1982) suggested confined recharge range and conservatively assuming the aquifer is fully confined yields a range from 910 to 3,640 ac-ft/yr for the management unit. Within the Scotland Management Unit, average expected withdrawals do not exceed even the lowest end of the estimated recharge. Therefore, there is a reasonable probability that unappropriated water is available from the Scotland Management Unit of the Lower James Missouri aquifer to support the proposed appropriation.

Year	Number of Permits	Appropriation (ac-ft/yr)	Reported Withdrawals (ac-ft/yr)
1979	3	1050.0	118.00
1980	3	1050.0	73.00
1981	5	2025.0	119.00
1982	5	2026.0	125.95
1983	7	2230.4	119.45
1984	6	2146.0	186.00
1985	6	2146.0	241.00
1986	7	2230.4	190.00
1987	7	2230.4	194.40
1988	7	2230.4	359.40
1989	7	2230.4	297.00
1990	7	2230.4	417.00
1991	7	2230.4	283.00
1992	7	2230.4	120.00
1993	8	2416.4	26.00
1994	7	2374.0	196.19
1995	7	2374.0	275.03
1996	7	2287.0	239.65
1997	7	2287.0	245.00
1998	7	2035.0	249.47
1999	6	1601.0	271.26
2000	6	1601.0	445.96
2001	6	1601.0	384.70
2002	6	1601.0	422.60
2003	7	1617.0	484.28
2004	7	1617.0	176.77
2005	7	1617.0	383.60
2006	7	1927.0	530.85
2007	7	3485.0	212.12
2008	10	4239.0	358.36
2009	10	4239.0	111.18
2010	10	4239.0	62.68
2011	11	4327.0	398.17
2012	10	4007.0	973.82
2013	16	5831.4	1181.40
Max	16	5831.4	1181.40
Min	3	1050.0	26.00
Average	7	2446.0	299.21

Table 1: Historic irrigation water use from the Scotland Management Unit of the Lower James Missouri aquifer (Water Rights, 1980-2014)

Observation Well Data:

Administrative Rule of South Dakota (ARSD) 74:02:05:07 states the Board shall rely on the record of observation well measurements to determine that the annual withdrawals from the aquifer do not exceed the estimated average annual recharge.

The Water Rights Program monitors 17 observation wells completed into the Scotland Management Unit of the Lower James Missouri aquifer. Although numerous observation wells completed into the rest of the Lower James Missouri show declining trend lines, all of those completed into the Scotland Management Unit show upward trending water levels (Water Rights, 2015a). This departure in water levels of observation wells completed into the Lower James Missouri aquifer and those completed into the Scotland Management Unit reinforces Hedges and others' (1985) conclusion that the two are functionally separate. Consequently, it can be deduced that the Scotland Management Unit experiences fluctuations in water levels that are not observed in the Lower James Missouri and is therefore a separate water bearing unit in name as well as in function.

The nearest observation well to the site in question which is completed into the Scotland Management Unit of the Lower James Missouri aquifer (YA-80V) is located in the southwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T95N-R56W in approximately the same area as the proposed well site. The hydrograph for this observation well is shown in Figure 3. This hydrograph is typical of many observation wells recording water levels in the Scotland Management Unit. Observation well data from YA-80V documents water levels that are climatically controlled with very little or no visible drawdown from annual pumping. Although effects of seasonal drawdown vary between the 17 observation wells completed into the management unit, all appear to be climatically controlled, and all but one record water levels in the last five years reaching record highs over the period of record. Therefore, according to observation well records, the amount of water in storage in the Scotland Management Unit has increased over the period of record. This increase in water levels indicates recharge far exceeds discharge and unappropriated water is available from the Lower James Missouri aquifer for the proposed appropriation.

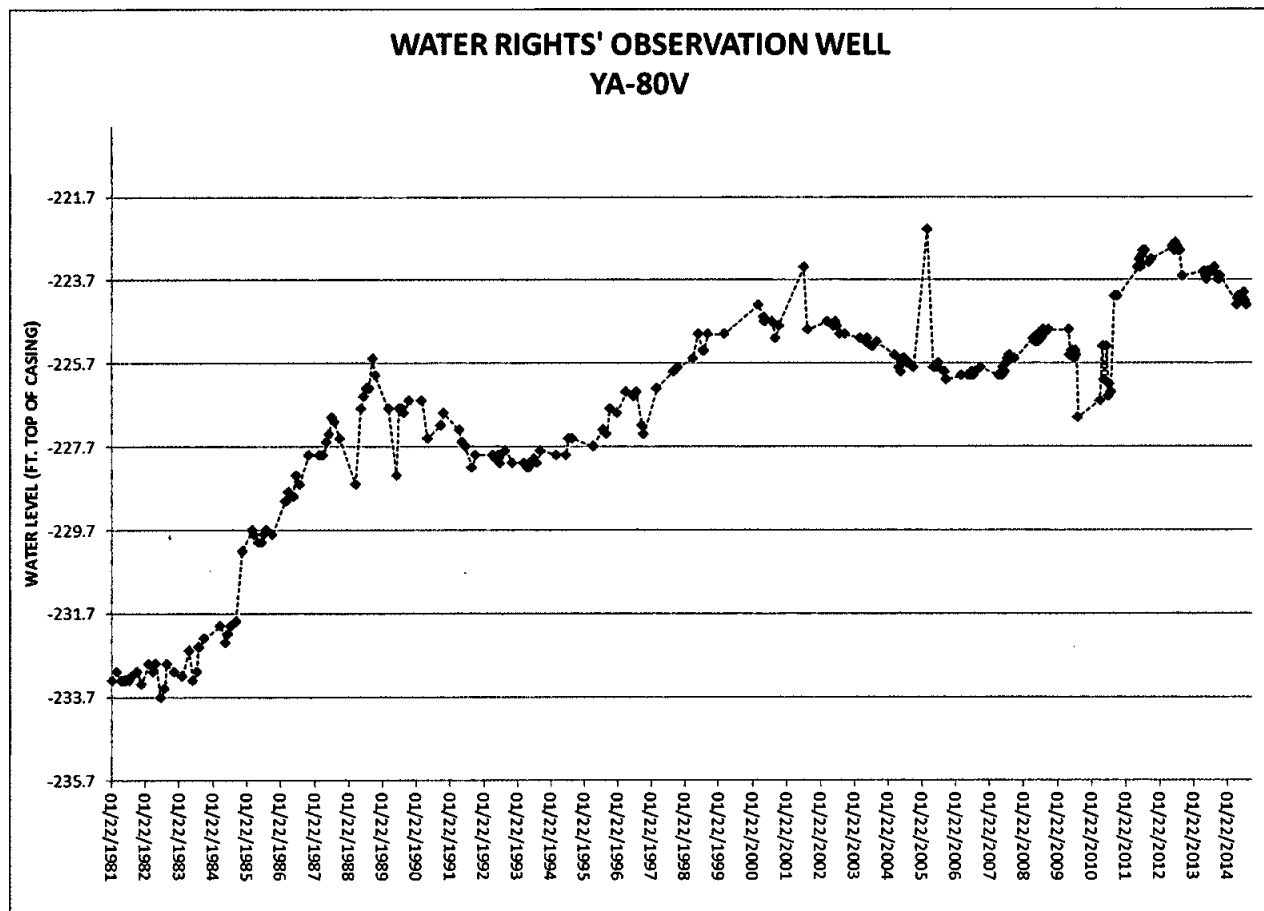


Figure 3: Historic water levels in Observation Well YA-80V (Water Rights, 2015a).

EXISTING WATER RIGHTS:

In evaluating this application, the water rights database was reviewed for the nearest water rights/permits and domestic wells on file. The nearest water rights/permit to the proposed diversion site (7485-3) is located approximately one mile to the northwest of the proposed well site submitted with this application (Water Rights, 2015b). Given the distance to the nearest well on record with the Water Rights Program and that the aquifer is unconfined in this area, observed drawdown in nearby wells as a result of pumping is not expected to be significant. Therefore, unlawful interference of nearby water rights/permits and adequately constructed domestic wells as a result of the proposed diversion rate is not expected to occur.

SDCL 46-5-6

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of one cfs for every 70 acres, or “the equivalent thereof.” The statute provides that the Water Management Board may allow a greater diversion if the method of irrigation so requires.

Water Permit Application No. 8073-3 proposes to divert 1.77 cfs in order to irrigate a 120 acre plot. This amount of water equates to 1.03 cfs per 70 acres. The reason for the amount of water in excess of one cfs per 70 acres is the pivot associated with this application will not complete a full rotation but will still require the aforementioned diversion rate to operate correctly.

CONCLUSIONS:

1. Water Permit Application No. 8073-3 proposes to appropriate groundwater at a maximum diversion rate of 1.77 cfs from one well to be completed into the Scotland Management Unit of the Lower James Missouri aquifer for the irrigation of 120 acres.
2. There is a reasonable probability that unappropriated water is available from the Scotland Management Unit to supply the proposed appropriation.
3. The proposed diversion is not expected to adversely impact existing nearby adequate wells.
4. The applicant has requested a diversion rate in excess of one cfs per 70 acres in order to properly supply the irrigation pivots.



Bracken Capen
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Bugliosi, E.F. 1983. Major Aquifers in Yankton County, South Dakota. Information Pamphlet No. 28. S.D. Geological Survey, Vermillion, South Dakota.
- Bugliosi, E.F. 1986. Water Resources of Yankton County, South Dakota. Water Resources Investigations Report 84-4241. U.S. Geological Survey, Huron, South Dakota.
- Hansen, D.S. 1983. Major Aquifers in Hansen and Davison Counties, South Dakota. Information Pamphlet No. 26. S.D. Geological Survey, Vermillion, South Dakota.
- 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.
- Hedges, L.S., Allen, J., and Holly, D.E. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 7: Ground Water Recharge. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Jorgensen, D.G. 1971. Geology and Water Resources of Bon Homme County, South Dakota, Part II: Water Resources. Bulletin 21. SD DENR-Geological Survey, Vermillion, South Dakota.
- In the Matter of Water Permit Application No. 7209-3, Longview Farms, LLP v. South Dakota DENR, South Dakota First Judicial Court Civ. No. 11-146 (Memorandum Decision, May 17, 2012)
- In the Matter of Water Permit Application No. 7239-3, Hanson County Dairy v. Robert Bender and Stace Nelson, South Dakota First Judicial Court Civ. No. 11-54 (Memorandum Decision, April 11, 2012)
- In the Matter of Water Permit Application No. 6431-3, Phillip W. Hines v. South Dakota DENR, South Dakota Sixth Judicial Court Civ. No. HU04-37 (Memorandum Decision, April 11, 2012)
- Lindgren, R.J. and D.S. Hansen. 1990. Water Resources of Hutchinson and Turner Counties, South Dakota. Water-Resources Investigations Report 90-4093. U.S. Geological Survey, Huron, South Dakota.
- SD Geological Survey. 2014. Lithologic Logs Database, South Dakota Department of Environment & Natural Resources Geological Survey, Vermillion, South Dakota.
- Stonesifer, J.R. 2013. Report on Water Permit Application No. 7886-3, Wolf Creek Hutterian Brethren. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, South Dakota.

Stonesifer, J.R. 2014. Report on Water Permit Application No. 7999-3, Karl Schenk. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, South Dakota.

Water Rights, 1980-2014. "Irrigation Report Summaries." SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Water Rights. 2014a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Water Rights. 2014b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Water Rights. 2014c. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

RECEIVED

MAR 09 2015

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

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

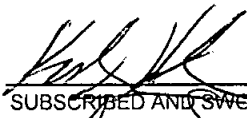
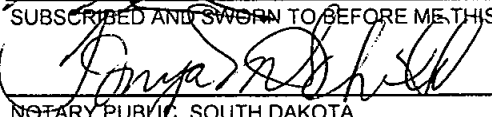
STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

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. 8073-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 5th DAY OF March 2015
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$28.80 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: 3/5/2015

FILED ON: 3/5/2015


SUBSCRIBED AND SWORN TO BEFORE ME THIS 5th DAY OF March 2015

NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 8/19/2015

3+5
NOTICE OF APPLICATION NO.
8073-3 to Appropriate Water

Notice is given that Larry Sko-
repa, 29922 435th Ave, Utica SD
57067 has filed an application for
a water permit to appropriate 1.77
cubic feet of water per second
(cfs) from one well to be complet-
ed into the Lower James Mis-
souri:Scotland Aquifer (300 feet
deep) located in the SW 1/4 SW
1/4 Section 8 for irrigation of 120
acres located in the SW 1/4 Sec-
tion 8 and N 1/2 NW 1/4 Section
17; all in T95N-R56W. The ap-
plicant is requesting a diversion
rate greater than the statutory lim-
it of 1 cfs per 70 acres. Water
from this well may also be used to
supply domestic use to the appli-
cants farmstead.

Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends AP-
PROVAL of Application No.
8073-3 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 March 16, 2015.

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. Information concerning
this application is available at
<http://denr.sd.gov/public>. Con-
tact Eric Gronlund at the above
Water Rights Program address to
request copies of information per-
taining to this application. Steven
M. Pirner, Secretary, Department
of Environment and Natural Re-
sources.
Published once at the total ap-
proximate cost of \$28.80.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 25, 2015

Press & Dakotan
319 Walnut
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 8073-3 to Appropriate Water. Please publish the notice once on March 5, 2015. 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 Larry Skorepa, 29922 435th Ave, Utica SD 57067 (Ph # 605-661-6453).

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

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

denr.sd.gov

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

February 25, 2015

Larry Skorepa
29922 435th Ave
Utica SD 57067

Dear Mr. Skorepa:

Water Permit Application No. 8073-3 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 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 March 5, 2015. 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. 8073-3 to Appropriate Water

Notice is given that Larry Skorepa, 29922 435th Ave, Utica SD 57067 has filed an application for a water permit to appropriate 1.77 cubic feet of water per second (cfs) from one well to be completed into the Lower James Missouri:Scotland Aquifer (300 feet deep) located in the SW 1/4 SW 1/4 Section 8 for irrigation of 120 acres located in the SW 1/4 Section 8 and N 1/2 NW 1/4 Section 17; all in T95N-R56W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. Water from this well may also be used to supply domestic use to the applicant's farmstead.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8073-3 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 March 16, 2015.

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. Information concerning this application is available at <http://denr.sd.gov/public>. 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

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

denr.sd.gov

APR 13 2015

Larry Skorepa
29922 435th Ave
Utica SD 57067

Dear Mr. Skorepa:

Enclosed is Water Permit No. 8073-3 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

8073-3

SD EForm - 1621LD V1

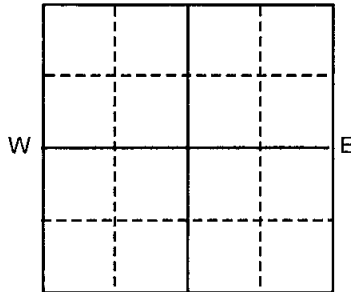
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW ¼ SW ¼ Sec 8 Twp 95 Rg 56

County Yankton

North

Please mark well
location with an "X"

Well Completion Date

June 3, 2015

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
2,500.0 ft. from Septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
20.0 LB/FT	16.00 IN	1.0 FT	220.0 FT	28.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Cement	50	15.5 Lb/gal	20.0 Ft	0.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Pumped Tremie Pipe

SCREEN:

☒ Perforated pipe ☐ Manufactured
 Diameter 16.00 Inches Length 100.0 Feet

Material PVC

Slot Size .051 Set From 220.0 Feet to 320.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH

☐ No, Why Not?
Lab to which water
quality sample sent for analysis

Well Owner: Larry Skorepa

Business Name:

Address: 29922 435 Ave

City, State, Zip: Utica SD 57067

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top soil	0	2
Clay, brown silty, pebbly, rocky	2	38
Gravel, brown, sandy	38	161
Gravel, gray, sandy, some chalk	161	220
Gravel, gray, sandy, coarse	220	320

STATIC WATER LEVEL 224.0 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:

☐ Bailed

☐ Other

Pumping Level Below Land Surface

232.0 Ft. After 3.0 Hrs. pumped 668.0 GPM

240.0 Ft. After 3.0 Hrs. pumped 885.0 GPM

If pump installed, pump rate: GPM

REMARKS

RECEIVED

JUN - 9 2015

WATER RIGHTS
PROGRAMThis well was drilled under license # 189 and this
report is true and accurate.

Drilling firm: Grosch Irrigation Co., Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

6-11-15



8073-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: LARRY SKOREPA, 29922 435TH AVE, UTICA, SD 57067

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7436-3 & 8073-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 7436-3 & 8073-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 7436-3 & 8073-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



8073-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 22, 2016

7436-3
8073-3

Larry Skorepa
29922 435th Ave
Utica SD 57067

Dear Mr. Skorepa:

I am writing to acknowledge receipt of the information for your 2015 irrigation questionnaires. I completed forms for you based on our phone conversation.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Permit Nos. 7436-3 and 8073-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

During our phone conversation you indicated you were considering adding another pivot system and increasing the acreage you are currently irrigating. Enclosed is a set of application forms and an instruction sheet for your use. If you have any questions, please contact me.

Sincerely,

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

enclosures



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: LARRY SKOREPA, 29922 435TH AVE, UTICA, SD 57067

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7436-3, 8073-3 & 8275-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 7436-3, 8073-3 & 8275-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 7436-3, 8073-3 & 8275-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: YCONCC**

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

8073-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 2, 2021

7436-3

8073-3

8275-3

Larry Skorepa
29922 435th Ave
Utica SD 57067

Dear Mr. Skorepa:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires. They came in online on January 25th.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Permit Nos. 7436-3, 8073-3 & 8275-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, reading "Genny McMath".

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

8073-3



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

JUL 13 2021

8073-3
8275-3

Larry & Lisa Skorepa
29922 435th Ave
Utica SD 57067

Dear Mr. & Ms. Skorepa:

Enclosed is Water License No. 8275-3. 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.

Upon licensing, the applicable portions of Water Permit No. 8073-3 were incorporated into No. 8275-3. As 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,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

NOTE: The investigation found your irrigation system capable of diverting 2.00 cubic feet of water per second (cfs) which is equivalent to 900 gallons per minute (gpm). Diversion of water under Nos. 8073-3 & 8275-3 was limited to 1.78 cfs or 800 gpm at the time of permitting. Diversion of water under this water license is limited to 1.78 cfs.