

WATER PERMIT NO. 8203-3

Name of Applicant: Milton Morris

Address: 103 Woodriver Quay, Pierre SD 575701 Phone: 605 280-1688

Amount of Water Claimed: 8.45 AF Total Acres: NA

Source of Water Supply: groundwater (one existing well)

Water to be used for: recreation, fish & wildlife County: Sully

Type of Waste Disposal System:

Location: 15 miles northwest of Pierre

PRIORITY Date Received: 1-27-16 Application/License Fee: \$ 700

Corrected Application Received: 2-16-16 Period of Annual Use: January 1 – December 31

Remarks: Using well authorized by Permit No. 8008-3 for maintain water level in the dam

Diversion Point: NW 1/4 SE 1/4 Sec 34-T113N-
R80W

Land to be Irrigated: NA

Depth of Well: 90 feet deep

Well Driller: Stretches Well Service

Remarks:

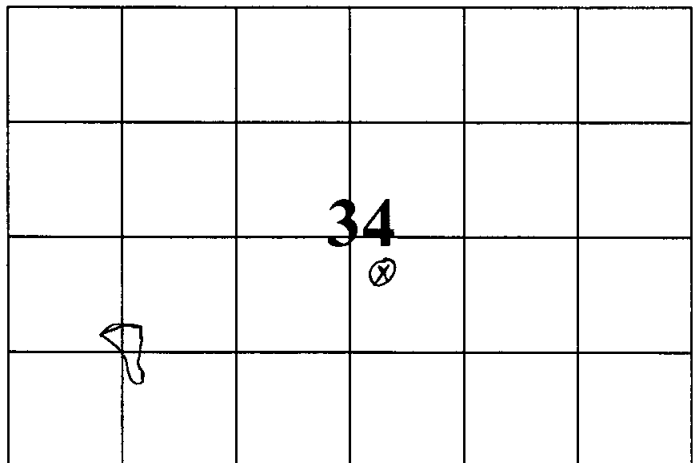
Type of Map:

Prepared by:

Reviewed and the Number Assigned on: 2-16-16

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8203-3</u> (office use only) Hydrologic Unit <u>10130105</u>
	Basin <u>Missouri River</u>
	Newspaper <u>Orida Watchman 605-258-2604</u>
	<u>Capitol Journal 605-224-7301</u>

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JAN 27 2016

WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

☐ Municipal	☐ Suburban Housing	☒ Recreational	☐ Institutional
☐ Rural Water System	☐ Commercial	☒ Fish & Wildlife	☐ Geothermal Heat
☐ Domestic (over 18 gpm)	☐ Industrial	☐ Other	

Type of Application:
(check one)

☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

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

use existing well under Water Permit No. 8008-3

1. Name to Appear on Water Permit Milton Morris
 (check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent 103 Woodriver Quay
 (name and complete address if different than above name)
 Mailing Address 103 Woodriver Quay Pierre S.D. 57501
 (Address) (City) (State) (Zip Code)
 Home Phone 224-8777 Cell 290-1688 Email _____

2. Amount of water claimed 1.11 *CFS or 500 **GPM 8.45 ***AF
 (*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
 3. Source of water supply existing well - storage dam W 1/2 SW 1/4 Sec 34 - T 113N - R 80W
 4. Location of point of diversion NW SE Section 34 T 113N - R 80W NE 1/4 SE 1/4 Sec 33 - T 113N - R 80W
 (example - 3 wells in SW 1/4 NE 1/4 section 12 - T 104N - R 53W) County Sully

If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☒ No

If "Yes," where will water be used? _____

(example - NW 1/4 section 12 - T 104N - R 53W)

5. County or counties where water will be used Sully
 6. Annual period during which water is to be used year round Jan 1 - Dec 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Plan is to use existing well authorized by WP No. 8008-3 for maintaining water level in a dam when water is not being used for irrigation.I, Milton Morris, 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. 8203-3

Date of first receipt of application February 16, 2016.

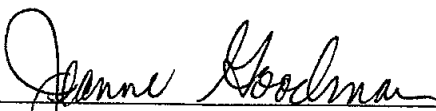
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8203-3 to Milton Morris, 103 Woodriver Quay, Pierre SD 57501 authorizing the construction of the storage dam and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 8203-3 appropriates water from an existing well authorized by Water Permit No. 8008-3 to maintain the water level in a dam that will impound 8.45 acre-feet of water located in the W 1/2 SW 1/4 Section 34 and the NE 1/4 SE 1/4 Section 33; all in T113N-R80W. Water Permit No. 8008-3 appropriates 2.22 cubic feet of water per second (cfs) from one well completed in the Grey Goose aquifer located in the NW 1/4 SE 1/4 Section 34 for irrigation of 148 acres located in the SW 1/4 and W 1/2 SE 1/4 Section 34, T113N, R80W. The permit is authorized to appropriate and use up to 1.11 cfs of the diversion rate authority from this existing well to maintain the water level in the dam.
2. The water appropriated shall be used for the purpose of fish and wildlife propagation and recreational use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 8203-3 is April 11, 2016.
5. The date from which applicant may claim right is February 16, 2016.
6. One-fifth of the construction is to be completed on or before October 11, 2018.
7. All construction is to be completed on or before April 11, 2021.
8. Water is to be put to beneficial use on or before April 11, 2025.
9. 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 Water Permit Nos 8008-3 and 8203-3 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. No pumping from the well into the lake is authorized when the lake level is within six inches of the overflow.
3. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn each year from the Grey Goose aquifer authorized by Water Permit No. 8203-3 to maintain the water level in the dam. This is in addition to the requirement to complete the annual irrigation questionnaire under Water Permit No. 8008-3 for the irrigation use from the well.

WATER MANAGEMENT BOARD

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

APR 29 2016

date



Supplemental Information

(type or print)

1. Well Information

(check one or both as applicable) ☐ Drilling new well(s) ☐ Using existing well(s)

- a) If new wells, how many ____ Have test holes been drilled ☐ Yes ☐ No Drilled by ____
(if yes, please provide copies of logs)
- b) If existing wells, how many ____ Provide copy of log(s), if available. Drilled by ____
- c) Well Depth ____ Depth to Top of Water Bearing Material ____ Depth to Water from Surface ____
- d) Distance to nearest existing domestic well:
On applicant's property ____ On property owned by others ____

2. Wastewater Disposal System Information

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

3. Dugout Information

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

4. Water Storage Dams

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

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

- b) Freeboard 3'
- c) Crest Width 10'
Crest Length 295'
- d) Height 19.5'
- e) Primary Outlet Capacity

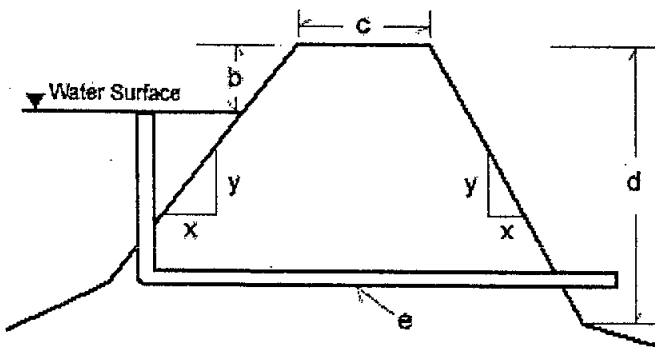
If pipe, diameter 21"

- f) Secondary Spillway Capacity
Spillway Width

- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream 2.5 to 1
Downstream 2.5 to 1

- h) Surface Area of Impoundment 1.85 Acres, 80,741 Sq. Ft.
- i) Storage 8.45 Acre Feet

- j) Drainage Area Above Dam 37 Acres



Water Permit Application for Oahe Trail Development Inc.



1,300 650 0 1,300 Feet

all in Section 34, T113N, R80W

NW SW - 16 acres
NE SW - 34 acres
SW SW - 30 acres
SE SW - 40 acres
NW SE - 6 acres
SW SE - 22 acres

Well is in NW 1/4 SE 1/4 of section



Eric Gronlund

Eric Gronlund
Water Rights Program, DENR
April 25, 2014
based on representation by Milton Morris

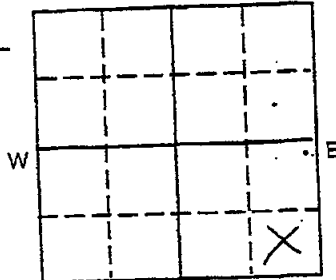
SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location SE 1/4 SE 1/4 Sec 9 Twp 112 Rg 80

County

Hughes

Please mark well location with an "X"



Well Completion Date

4-22-14

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

? NONE ft. from _____ (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Circulation

CASING DATA:

☐ Steel ☒ Plastic ☒ Other
 If other describe stainless steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>304#</u>	<u>16</u> IN	<u>60</u> FT	<u>90</u> FT	<u>26"</u> IN
<u>SDR20</u>	<u>16</u> IN	<u>0</u> FT	<u>60</u> FT	<u>26</u> IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>#20</u>	<u>20</u>	<u>0</u> Lb/gal	<u>0</u> Ft	<u>55</u> Ft

Describe grouting procedure

Tremie Pipe

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16 Inches Length 30 Feet
 Material Stainless Steel
 Slot Size .050 Set From 60 Feet to 90 Feet
 Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No

If so, what material?

Enviro Plug

Describe packer(s) and location

55-60 Chlorine

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner:

Milton Morris

Business Name:

Address:

City, State, Zip:

103 Wooddriven Quay
Pierre S.D. 57501

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Yellow Clay</u>	<u>0</u>	<u>20</u>
<u>Sand & Gravel</u>	<u>20</u>	<u>25</u>
<u>Yellow Sandy Clay</u>	<u>25</u>	<u>45</u>
<u>Blue Clay</u>	<u>45</u>	<u>65</u>
<u>Pee Rock</u>	<u>65</u>	<u>85</u>
<u>Fine Sand</u>	<u>85</u>	<u>90</u>

STATIC WATER LEVEL

47

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:

Submersible☐ Bailed☐ Other

Pumping Level Below Land Surface

Ft. After

4

Hrs. pumped

900

GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

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OCT 23 2014

WATER RIGHTS PROGRAM

This well was drilled under license #

722

And this report is true and accurate.

Drilling firm:

Stretch's Well Service

Signature of License Representative:

Tom Rathen

Signature of Well Owner or Equitable Property Holder:

Wilton Morris

Date:

6/16/14

41-82-01

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/16, 20 16

RECEIVED OF Morris Inc PO Box 1162 Pierre SD 57501

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

Fee for Application for Permit No. <u>8203-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>8203-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	700 00

No. **07760**

By J. Lane Goodman Jr.
Chief Engineer

Schlaak, Karen

From: Tammy Deal <tammy.deal@morris-inc.com>
Sent: Tuesday, February 09, 2016 7:20 AM
To: Schlaak, Karen
Subject: RE: Application for Permit to Appropriate Water

Karen,
Just wondering if you have received this check?

Tammy Deal, Contract Administrator
Morris, Inc.
PO Box 1162
Pierre, SD 57501-1162
Phone: 605-223-2586
Fax: 605-494-0268
tammy.deal@morris-inc.com



From: Schlaak, Karen [<mailto:Karen.Schlaak@state.sd.us>]
Sent: Friday, January 29, 2016 8:39 AM
To: Tammy Deal
Subject: Application for Permit to Appropriate Water

Ms. Deal,
An Application for Permit to Appropriate Water has been submitted for Milton Morris for a small dam located in Sully County. The application/license filing fee for this application will be \$700.00.

Upon receipt of the fee, further processing of the application will continue.

Karen Schlaak
Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352

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Application No. 8203-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Milton Morris

ADDRESS: 103 Woodriver Quay, Pierre SD 57501

DATE: February 18, 2016

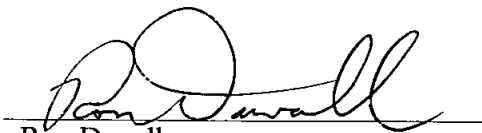
RE: Amount of Water being Appropriated

COMMENTS:

I visited with Mr. Morris regarding the amount of water being claimed on Application No. 8203-3. Mr. Morris believed 200 gpm was accurate when irrigation was also occurring but was probably too low if the well was only being used for purposes covered by Application No. 8203-3. Consequently, Mr. Morris believed that as much as 500 gpm may be diverted when no irrigation was occurring.

RECOMMENDED ACTION:

Revise application as directed by Mr. Morris to increase proposed diversion rate from 200 gpm to 500 gpm.



Ron Duvall
Natural Resources Engineer
Water Rights Program



**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. 8203-3, Milton Morris**

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. 8203-3, Milton Morris, 103 Woodriver Quay, Pierre SD 57501.

The Chief Engineer is recommending APPROVAL of Application No. 8203-3 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 Water Permit Nos 8008-3 and 8203-3 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. No pumping from the well into the lake is authorized when the lake level is within six inches of the overflow.
3. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn each year from the Gray Goose aquifer authorized by Water Permit No. 8203-3 to maintain the water level in the dam. This is in addition to the requirement to complete the annual irrigation questionnaire under Water Permit No. 8008-3 for the irrigation use from the well.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
March 21, 2016

**REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 8203-3
MILTON MORRIS
MARCH 9, 2016**

Water Permit Application No. 8203-3 proposes to appropriate water from the Gray Goose aquifer for the purpose of maintaining the water level in a dam for fish and wildlife propagation. This application proposes to divert water from an existing 90 foot deep well, located in the NW¼ SE¼ Sec. 34, T113N-R80W, that was authorized by Water Permit No. 8008-3. The dam proposed by this application is to be located in the W½ SW¼ Sec. 34, T113N-R80W and the NE¼ SE¼ Sec. 33, T113N-R80W, and will impound 8.45 acre-feet of water. This application does not propose to increase the diversion rate authorized by Water Permit No. 8008-3 (i.e. 2.22 cubic feet of water per second (cfs)). The proposed use of water from this well for water level maintenance is to be in addition to the irrigation of 148 acres located in the SW¼ and W½ SE¼ Sec. 34, T113N- R80W authorized by Water Permit No. 8008-3.

AQUIFER: GRAY GOOSE (GG)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Gray Goose aquifer is a glacial outwash deposit that occupies a channel that was incised into the Pierre Shale bedrock. The aquifer extends from the Missouri River just north of the Hughes-Sully County line; approximately 30 miles to the east-southeast (see Figure 1). Hedges and others (1982) estimated the Gray Goose aquifer underlies approximately 33,400 acres of Hughes County and contains an estimated 200,400 acre-feet of recoverable water in the county. The extent of the aquifer was refined by Hamilton (1986) to an area of approximately 70,400 acres. The total amount of water in storage (including unrecoverable water) is estimated to be 560,000 acre-feet (Hamilton, 1986). The total thickness of the sand and gravel making up the Gray Goose aquifer averages 40 feet and exceeds 60 feet in places (Hamilton, 1986). The well log for this existing well identifies outwash material of the Gray Goose aquifer from 65 to 90 feet below grade. In 2014, the static water level at this well was 47 feet below grade. The Gray Goose aquifer is composed mostly of medium to very coarse sand and gravel, and the average estimated hydraulic conductivity was estimated to be 400 feet per day (ft/d) based on three aquifer tests (Hamilton, 1986). With a saturated thickness of 25 feet and hydraulic conductivity of 400 ft/d, the transmissivity of the Gray Goose aquifer would be approximately 10,000 ft²/d at this well site.

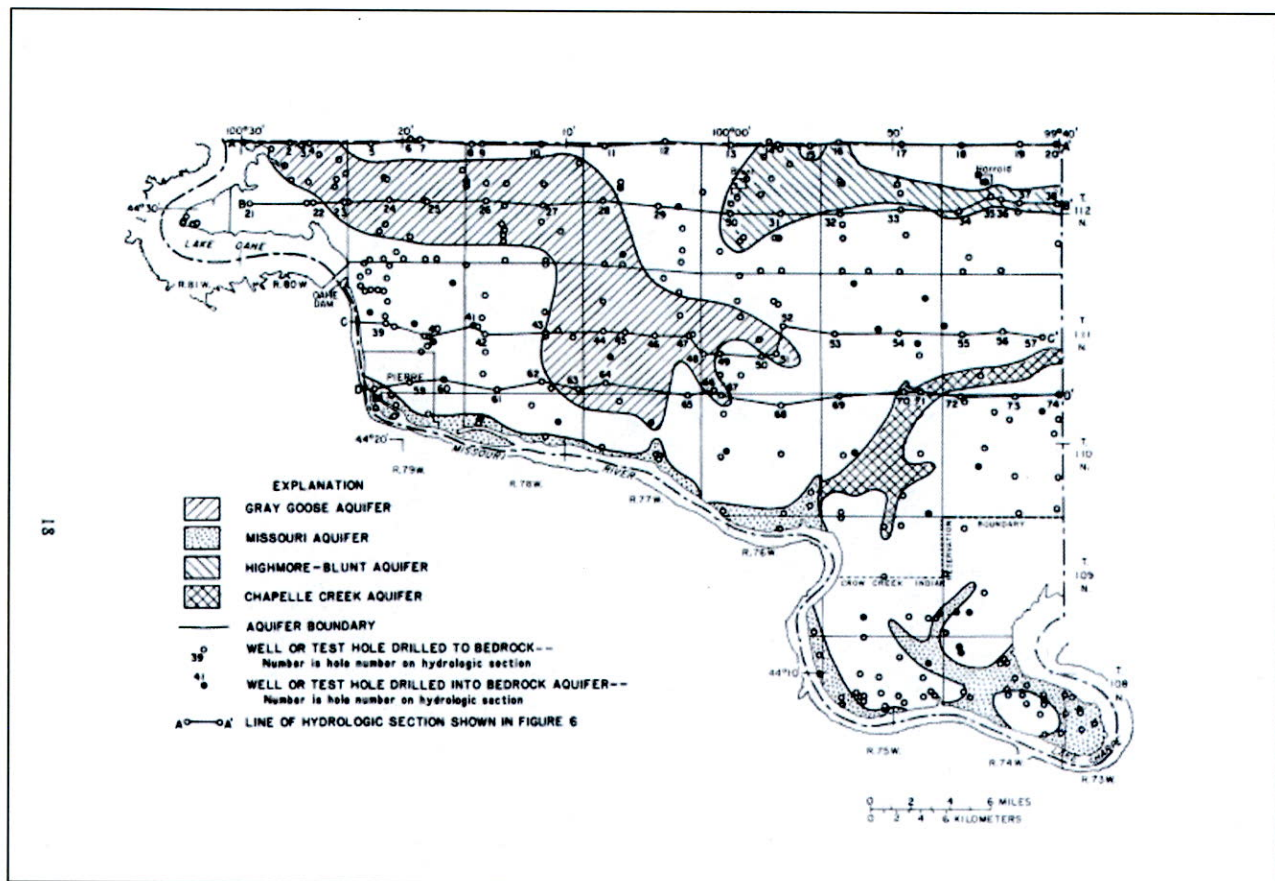


Figure 1. Major glacial aquifers in Hughes County including the Gray Goose aquifer: modified from Hamilton, 1986)

The Gray Goose aquifer appears to be hydraulically connected to the Missouri River. Groundwater generally flows from west to east in the Gray Goose aquifer at a rate of about 100 ft/yr (Hamilton, 1986). However, near Lake Oahe, groundwater moves either toward the lake or away from the lake depending upon the lake level. "Much of the inflow [to the aquifer] from the lake is bank storage that discharges back into the lake when the level of the lake declines." (Hamilton, 1986). This "zone of bank storage" extends about two and one-half miles east of the lake. The water levels within this zone correlate well with the levels of the lake. However, at times groundwater levels in this zone get higher than the maximum elevation attained by Lake Oahe, indicating local recharge.

SDCL 46-2A-9

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

WATER AVAILABILITY:

This application does not propose to increase the appropriation from the Gray Goose aquifer nor the diversion rate authorized for this existing well. However, the additional use of maintaining

the water level in the dam will likely increase the amount of water pumped annually from this existing well. This application proposes to construct a dam that will have a surface area 80,741 square feet (1.85 acres) capable of impounding 8.45 acre-feet of water. Given an average annual Lake evaporation of approximately 37.5 inches per year (Spuhler and others, 1971), evaporation losses from the pond would be approximately 5.8 acre-feet per year. Any seepage from the dam will also increase the amount of water required to maintain a constant water level in the dam.

The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1 which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source."

Recharge versus Discharge:

Recharge:

Recharge to the Gray Goose aquifer is primarily through infiltration of precipitation where the aquifer is at or near the ground surface. However, as stated earlier, recharge also occurs from Lake Oahe when the level of the lake is higher than the potentiometric surface of the aquifer. The average annual recharge to the Gray Goose aquifer was estimated to be 3.2 inches per year based on observation well analysis (Hedges and others, 1985). Hamilton (1986) estimated recharge based on discharge calculations for 1981 assuming no change in storage to be 0.3 inches per year. Given an areal extent of 70,400 acres in Hughes County, recharge to the Gray Goose aquifer ranges from 18,773 acre-feet annually to 1,760 acre-feet annually in Hughes County alone.

Discharge:

Discharge from the Gray Goose aquifer is: (1) through evapotranspiration in the valley of Medicine Knoll Creek (Hamilton, 1986); (2) flow to Lake Oahe when lake levels are lower than the potentiometric surface of the aquifer; and (3) through well withdrawals. There are a number of reports on file with the DENR-Water Rights Program for domestic wells completed into the Gray Goose aquifer (Water Rights, 2016b), and there are 18 water rights/permits appropriating water from the aquifer (Water Rights, 2016c). The appropriations from the Gray Goose aquifer are shown in Table 1.

Table 1. Appropriations from the Gray Goose aquifer

PERMIT NO	NAME	PRIORITY DATE	STATUS	USE	CFS	ACRES
1621-3	MARVIN SCHUMACHER	10/07/1968	LC	IRR	1.85	130
2488-3A	JIM SCHUMACHER	11/10/1975	LC	IRR	1.56	127
3354-3	JAMES F SCHUMACHER	12/06/1976	LC	IRR	1.78	136
4500-3	JIM SCHUMACHER	01/24/1980	LC	IRR	1.78	132
4521-3	LENNY & KAREN PETERSON	04/17/1980	LC	IRR	3.56	252
4580A-3	THE MASCHHOFFS LLC	07/29/1986	LC	COM/LCO	0.17	na
4580-3	MARVIN SCHUMACHER	11/11/1980	LC	IRR	3.56	264
4917-3	TOM OLSON	08/10/1982	LC	COM	0.07	0
1987A-3	MARVIN SCHUMACHER	04/26/1973	LC	IRR	0.97	68
1987B-3	JIM SCHUMACHER	04/26/1973	LC	IRR	2.11	148
5943-3	COW CREEK ESTATES	06/11/1996	PE	COM	0.055	na
6281-3	DAKOTA VALUE CAPTURE CO	11/02/2001	PE	COM/IND	2.22	na
6732-3	OAHE SPEEDWAY LLC	05/23/2006	PE	IRR	0.067	30
7251-3	MARVIN SCHUMACHER	05/12/2011	PE	IRR	1.78	120
7380-3	JONATHON HOFER	06/29/2012	PE	IRR	0.22	60
7396-3	OAHE SPEEDWAY LLC	08/10/2012	PE	IRR	0.27	6
7556-3	THOMAS TVEIT	12/07/2012	PE	IRR	0.89	50
8008-3	OAHE TRAIL DEVELOPMENT INC	04/28/2014	PE	IRR	2.22	148
LC= Water Right, PE= Water Permit, IRR= Irrigation, COM= Commercial, LCO= Livestock Confinement Operation, IND= Industrial						
* Water Permit No. 6281-3 may be subject to cancellation due to none construction						

Well withdrawals from the Gray Goose aquifer are primarily for irrigation. The irrigation history from the Gray Goose aquifer is reflected in Table 2.

Table 2. Irrigation history for the Gray Goose aquifer(Water Rights, 1980-2015)

YEAR	NUMBER OF PERMITS REPORTING	APPROPRIATION (ac-ft/yr)	PUMPAGE REPORTED (ac-ft/yr)
1979	7	2805	606.48
1980	6	2805	1199
1981	9	4349	1127
1982	7	4625	1608.37
1983	7	4325	1650.48
1984	7	4325	1620
1985	7	4325	1792
1986	7	4325	922
1987	7	4325	1868
1988	7	4325	2392.1
1989	7	4325	2132
1990	7	4325	2165
1991	8	4737.65	2280.6
1992	8	4737.65	1307
1993	8	4737.65	1585
1994	8	4680.65	1033.1
1995	8	4680.65	2171.75
1996	8	5093.3	1591.56
1997	8	5093.3	1610
1998	8	5093.3	1528.82
1999	8	4305.3	1026.43
2000	8	4305.3	1006.91
2001	8	4305.3	885.95
2002	8	4305.3	779.7
2003	8	4305.3	1101.04
2004	7	3480	818.14
2005	7	3480	675.8
2006	7	3480	1044.59
2007	9	3572	1111.62
2008	9	3572	960
2009	9	3572	1393.48
2010	9	3572	924.83
2011	11	3455	1863.46
2012	10	3423	1941.31
2013	13	3655	1408.37
2014	14	3951	1064.58
2015	14	3951	1697.65
<i>Max</i>	<i>14</i>	<i>5093.3</i>	<i>2392.1</i>
<i>Min</i>	<i>6</i>	<i>2805</i>	<i>606.48</i>
<i>Average</i>	<i>8.32</i>	<i>4127.77</i>	<i>1402.54</i>

A comparison of the recharge and discharge estimates for the Gray Goose aquifer indicates that unappropriated water is available from the aquifer to satisfy this appropriation. It should be noted that the diversion point for this appropriation from the Gray Goose aquifer is located within “the zone of bank storage” discussed above. In this area, under most conditions, the water level of the aquifer is maintained by Lake Oahe. Theoretically, additional withdrawals from this area would induce additional recharge from the lake.

Observation Well Data:

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

The DENR-Water Rights Program monitors eight observation wells completed into the Gray Goose aquifer. Hydrographs for the observation wells are shown in Figure 2-9

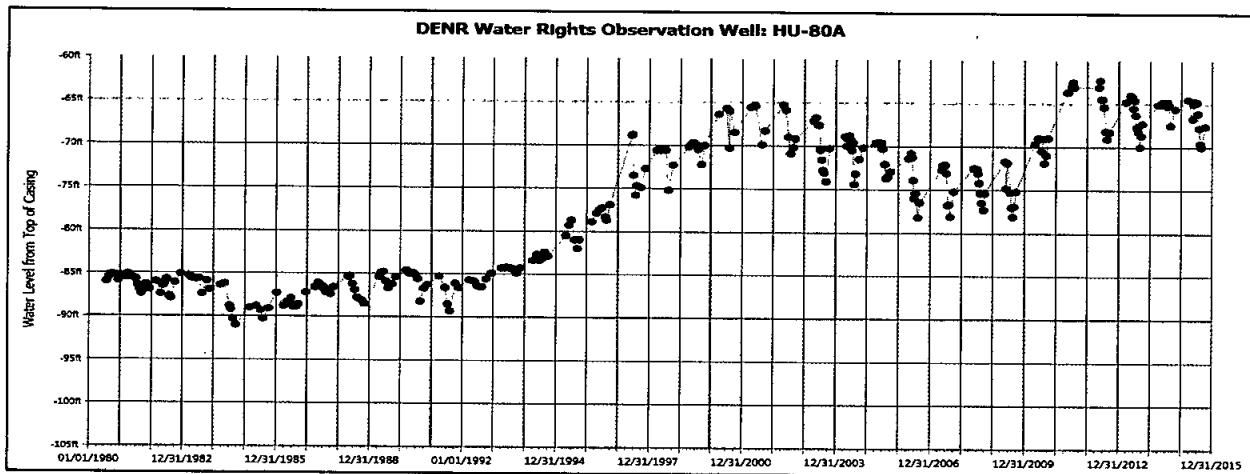


Figure 2. Hydrograph of DENR-Water Rights' observation well completed into the Gray Goose aquifer.

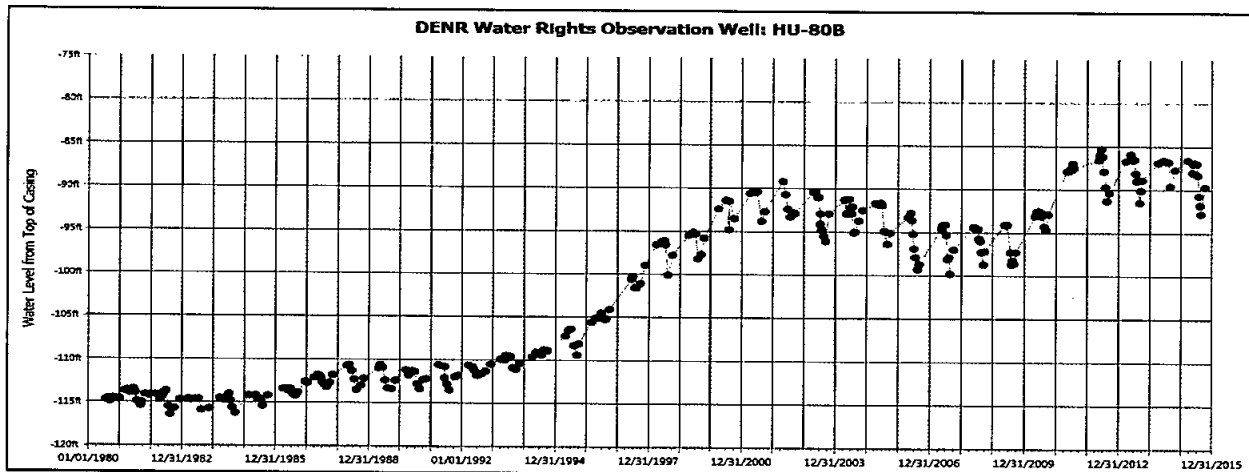


Figure 3. Hydrograph of DENR-Water Rights' observation well completed into the Gray Goose aquifer.

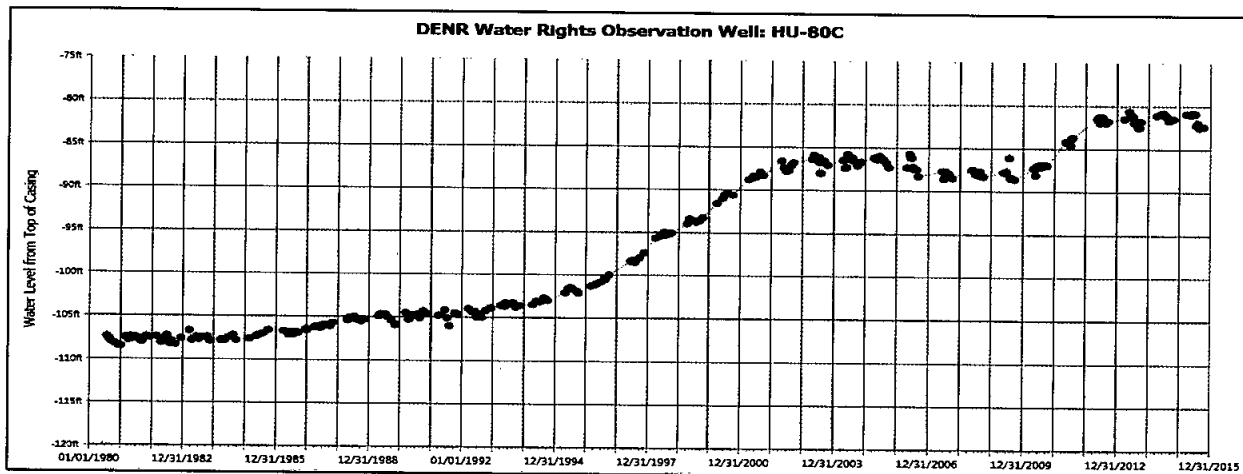


Figure 4. Hydrograph of DENR-Water Rights' observation well completed into the Gray Goose aquifer.

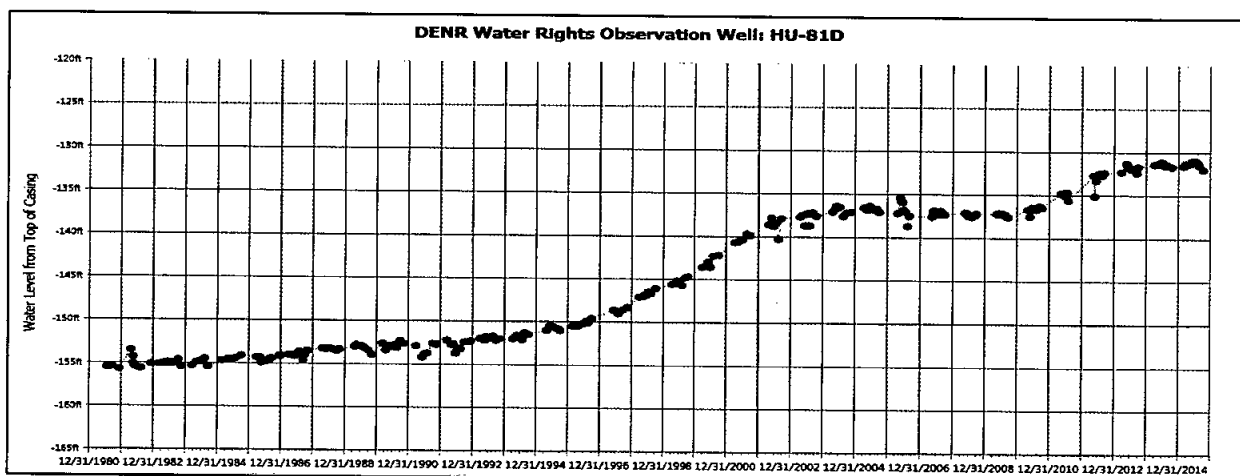


Figure 5. Hydrograph of DENR-Water Rights' observation well completed into the Gray Goose aquifer.

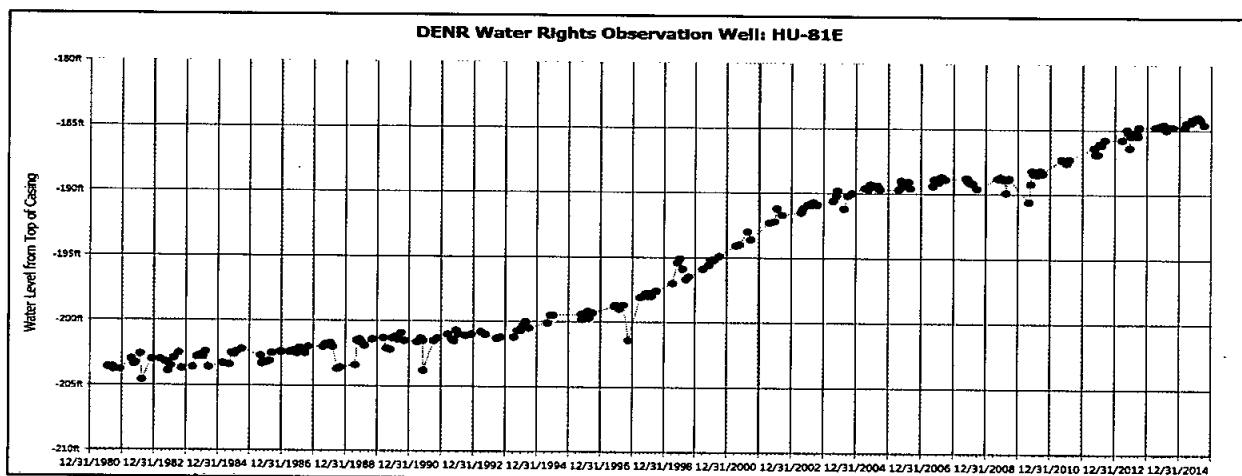


Figure 6. Hydrograph of DENR-Water Rights' observation well completed into the Gray Goose aquifer.

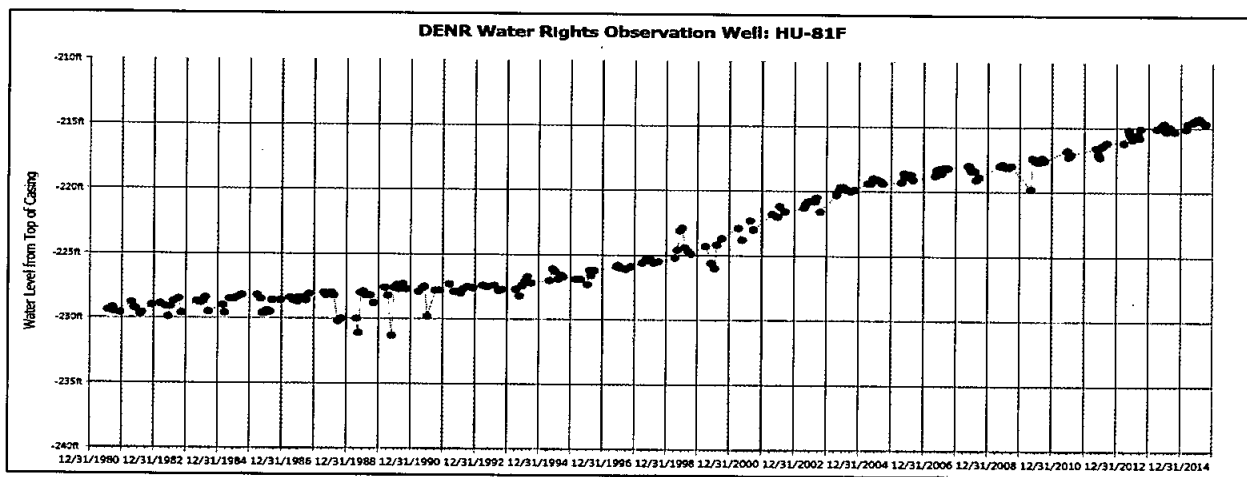


Figure 7. Hydrograph of DENR-Water Rights' observation well completed into the Gray Goose aquifer.

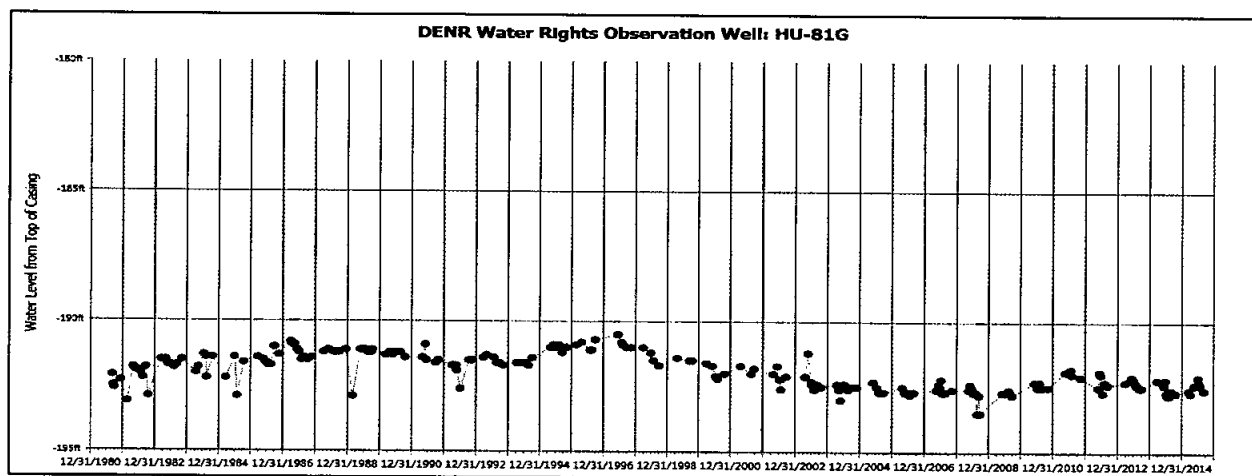


Figure 8. Hydrograph of DENR-Water Rights' observation well completed into the Gray Goose aquifer.

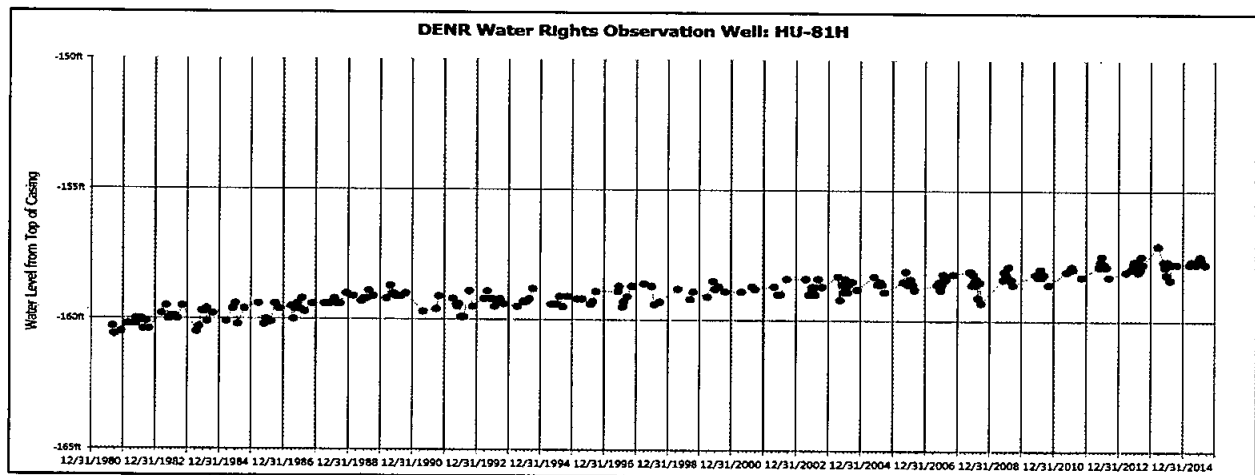


Figure 9. Hydrograph of DENR-Water Rights' observation well completed into the Gray Goose aquifer.

The nearest observation well to the well that is to be used for this appropriation is HU-80A, located approximately 2.75 miles to the southeast. The hydrograph for this well is shown in Figure 2.

The observation well data shows the aquifer readily recharges and clearly documents the cyclical climatic conditions with wet and dry periods. The water levels show response to both seasonal and long-term changes in recharge and discharge. The observation well data shows that at the current level of development, climatic conditions greatly mask the temporal effects of well withdrawals. Therefore, recharge to and natural discharge from the Gray Goose aquifer significantly exceeds pumping. The hydrographs document that there is unappropriated water available from the aquifer to support this appropriation.

EXISTING WATER RIGHTS:

There are a number of completion reports on file with the DENR-Water Rights Program for domestic use wells in the area of this existing well site. In addition to water permits for Oahe Speedway, LLC., and Oahe Trails Development which also belong to Milton Morris, there are four water permits/rights appropriating water within approximately one and one-quarter miles of the well that is to be used for this permit, see Table 3.

Table 3. Water Rights/Permits within approximately 1.25 miles of the well that Water Permit Application No. 8203-3 proposes to use.

PERMIT NO	NAME
6281-3*	DAKOTA VALUE CAPTURE
7380-3	JONATHON HOFER
2488-3A	JIM SCHUMACHER
1987B-3	JIM SCHUMACHER
* may be subject to cancellation	

The nearest well not owned by the applicant is authorized by Water Permit No. 7380-3, Jonathon Hofer. This well is located approximately three-quarters of a mile south.

Although the well log submitted with this application suggests confined conditions, the aquifer is generally unconfined in this area, and any confining layer is likely localized. The unconfined (water table) conditions of the aquifer in this area dictate that drawdown due to pumping a well will not extend far from the proposed well. In addition, the proximity of this well to the Missouri River (<1000 feet) is expected to lessen the impacts of pumping considering the strong hydraulic connection between the aquifer and the Missouri River. However, precise drawdown cannot be quantified without aquifer testing. The Water Management Board has consistently recognized that to place water to maximum beneficial use a certain amount of drawdown may occur. Therefore, nearby adequate wells defined by ARSD 74:02:20(6) are not expected to be adversely impaired due to the proposed diversion.

CONCLUSIONS:

1. This permit application does not propose to increase the appropriation from the Gray Goose aquifer nor the diversion rate from a well currently permitted.
2. Approval of this application will likely result in additional withdrawals from the aquifer.

3. There is a reasonable probability that unappropriated water is available from the Gray Goose aquifer to satisfy this use.
4. There is a reasonable probability that the additional diversions that will occur if this application is approved will not adversely impact existing users.



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Hamilton, L.L., 1986, Water Resources of Hughes County, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 84-4195, 60 p.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Hedges, L.S., Allen, J., Holly D.E., 1985, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Spuhler, W., Lytle, W.F., Moe, D., 1971, Climate of South Dakota: South Dakota Agricultural Experiment Station South Dakota State University, Brookings, SD Bulletin 582
- Stonesifer, J.R., 2014, Report to the Chief Engineer, Water Permit Application No. 8008-3, Oahe Trail Development Inc., c/o Milton Morris, May 22, 2014: Water Permit File 8008-3, SD DENR-Water Rights, Joe Foss Building, Pierre, SD
- Water Rights, 1980-2015, "Annual Irrigation Summary by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights, 2016a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2016b, Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2016c, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)
COUNTY OF SULLY)

Curtis R. Olson of said County and State, being first duly sworn on his oath, says that the **ONIDA WATCHMAN** is a weekly newspaper of general circulation, published in the English language in the City of Onida, in said County and State, by said Curtis R. Olson, and has been admitted to the United States mail under the second class mailing privilege at all times hereinafter mentioned, and that all of said times has had more than 200 bona fide paid subscribers; that I, the undersigned, am the publisher of said newspaper, in charge of the legal/display advertising department thereof, and have personal knowledge of all the facts stated in the affidavit; and that the advertisement headed:

**NOTICE OF APPLICATION NO. 8203-3 TO
APPROPRIATE WATER**

A printed copy of which is hereto attached, was printed and published in said newspaper for **ONE** successive issues, the first publication made **2016** the **31st** day of **MARCH**, and the last publication on **2016** the -- day of --, and that **\$27.57** being the full amount of the fee for publication of the annexed notice insured solely to the benefit of the publisher of said newspaper; that no arrangements or understanding for a revision thereof has been made with any person, and that no part thereof has been agreed to be paid to any other person whatsoever.



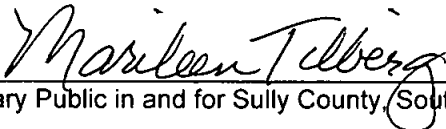
Curtis R. Olson

Subscribed and Sworn to me this

20th Day of April, 2016

(SEAL)

My commission expires April 24, 2022



Notary Public in and for Sully County, South Dakota

**NOTICE OF
APPLICATION
NO. 8203-3 to
Appropriate Water**

Notice is given that Milton Morris, 103 Woodriver Quay, Pierre SD 57501 has filed an application for a water permit to appropriate water from an existing well authorized by Water Permit No. 8008-3 to maintain the water level in a proposed dam that will impound 8.45 acre-feet of water located in the W 1/2 SW 1/4 Section 34 and the NE 1/4 SE 1/4 Section 33; all in T113N-R80W. Water Permit No. 8008-3 appropriates 2.22 cubic feet of water per second (cfs) from one well completed in the Grey Goose

aquifer located in the NW 1/4 SE 1/4 Section 34 for irrigation of 148 acres located in the SW 1/4 and W 1/2 SE 1/4 Section 34, T113N, R80W. The applicant is proposing to appropriate and use up to 1.11 cfs of the diversion rate authority from this existing well to maintain the water level in the dam for fish and wildlife propagation and recreational use purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8203-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 April 11, 2016.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$27.57.

RECEIVED

APR - 4 2016

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hughes) SS

I, Marylinn Baker
certify that the attached printed Notice was taken
from the Capital Journal

printed and published in Pierre

County of Hughes and
state of South Dakota. The notice was published

in the newspaper on the following date:
3-31-16

Cost of Printing \$ 37.52

Marylinn Baker
(Signature)

Bookkeeper
(Title)

3-31-16
(Date Signed)

Public Notice	Public Notice
Section 33: all in 11134-R60W, Water Permit No. 8006-3 appropriate 3.28 cubic feet of water per second (cfs) from one well completed in the Gray Goose aquifer located in the NW 1/4 SE 1/4 Section 34 for irrigation of 148 acres located in the SW 1/4 and W 1/2 SE 1/4 Section 34, T113N, R60W. The applicant is proposing to appropriate and use up to 1.11 cfs of the diversion rate authority from this existing well to maintain the water level in the dam for fish and wildlife propagation and recreational use purposes.	Published once at the total approximate cost of \$37.52.

Pursuant to SDCL 48-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8006-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://dnr.sd.gov/publicorcontact>. Eric Grandlund for information, or other information, at the Water Rights Program address provided below.

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, Post Building, 323 S 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 April 11, 2016.

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 petitioner's signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board.

Notices are given that Milton Morris, 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.

Public Notice
SNAXLP 14827, 11dly 3/31
NOTICE OF APPLICATION
NO. 8006-3 to appropriate Water
Notices are given that Milton Morris, 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.

CLICK HERE
FOR MORE INFORMATION

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, March 22, 2016 8:47 AM
To: editor@onidawatchman.com
Subject: No. 8203-3, Milton Morris
Attachments: 8203-3publicnov2015.short1.docx; FORM8.FRM.doc

Attached is a notice to be published on March 31, 2016.

Milton Morris, 103 Woodriver Quay, Pierre SD 57501 (224-8777 or c 280-1688) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, March 22, 2016 8:47 AM
To: legals@capjournal.com
Subject: No. 8203-3, Milton Morris
Attachments: 8203-3publicnov2015.short1.docx; FORM8.FRM.doc

Attached is a notice to be published on March 31, 2016.

Milton Morris, 103 Woodriver Quay, Pierre SD 57501 (224-8777 or c 280-1688) has been notified to contact you to authorize publication and arrange for payment.

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Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352



**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.**

March 22, 2016

Milton Morris
103 Woodriver Quay
Pierre SD 57501

Dear Mr. Morris:

Water Permit Application No. 8203-3 for recreational and fish and wildlife use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Onida Watchman printed at Onida SD (Ph # 605-258-2604) and the Capital Journal printed at Pierre SD (Ph # 605-224-7301). 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.

NOTICE OF APPLICATION NO. 8203-3 to Appropriate Water

Notice is given that Milton Morris, 103 Woodriver Quay, Pierre SD 57501 has filed an application for a water permit to appropriate water from an existing well authorized by Water Permit No. 8008-3 to maintain the water level in a proposed dam that will impound 8.45 acre-feet of water located in the W 1/2 SW 1/4 Section 34 and the NE 1/4 SE 1/4 Section 33; all in T113N-R80W. Water Permit No. 8008-3 appropriates 2.22 cubic feet of water per second (cfs) from one well completed in the Grey Goose aquifer located in the NW 1/4 SE 1/4 Section 34 for irrigation of 148 acres located in the SW 1/4 and W 1/2 SE 1/4 Section 34, T113N, R80W. The applicant is proposing to appropriate and use up to 1.11 cfs of the diversion rate authority from this existing well to maintain the water level in the dam for fish and wildlife propagation and recreational use purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8203-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 April 11, 2016.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

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 29 2016

Milton Morris
103 Woodriver Quay
Pierre SD 57501

Dear Mr. Morris:

Enclosed is Water Permit No. 8203-3 authorizing construction of the 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

cc: Morris Inc., PO Box 1162, Pierre SD 57501

enclosures

January 23, 2018

Chief Engineer:

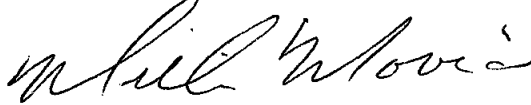
Requesting two additional wells that were drilled in 2017 to supplement water authorized by Water Permit No. 8008-3 and 8203-3. The new wells are primarily used to supply the dam authorized by Water Permit No. 8203-3. Each new well supplies about 30 gpm.

The new wells were drilled by Stretch's well service.

The existing diversion rate authority by No. 8008-3. The 1000 gpm diversion rate authority will not be exceeded.

The new wells are about 90 feet deep which is the Gray Goose Aquifer.

No additional acres is requested for irrigation.

A handwritten signature in cursive script, appearing to read "Milt Morris".

Milt Morris

Request for Additional Diversion Points

NAME: Milton Morris

ADDRESS: PO Box 1162, Pierre, SD 57501

DATE: February 21, 2018

COUNTY: Sully

TELEPHONE:

BACKGROUND:

Water Right No. 8008-3 appropriates 2.22 cubic feet of water per second (cfs) from one well completed into the Gray Goose aquifer for irrigation purposes. This well is completed to a depth of 90 feet and is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, T113N R80W. Water Right No. 8008-3 is for the irrigation of 131 acres in the SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 34, T113N R80W. Water Permit No. 8203-3 appropriates up to 1.11 cubic feet of water per second from the diversion rate authorized by Water Right No. 8008-3 to maintain the water level behind a dam located in W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 34 and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33; all in T113N-R80W. Water Permit No. 8203-3 does not increase diversion rate authorized by Water Right No. 8008-3 by an additional 1.11 cfs, but instead allows the use of up to 1.11 cfs of the diversion rate authority of Water Right No. 8008-3 to be used to maintain the water level behind the dam for fish and wildlife propagation and recreational use.

A letter was submitted to the South Dakota DENR Water Rights Program requesting the addition of two diversion points to supply the dam authorized by Water Permit No. 8203-3. These additional wells will supplement the existing well utilized by Water Right No. 8008-3 and Water Permit No. 8203-3. One well is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and the second well is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, both in Section 34, T113N R80W and approximately 0.55 miles west-southwest from the existing well. Both wells are completed to a depth of 67 feet and each well will supply approximately 30 gallons per minute (0.067 cfs).

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be permitted provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source**

The water source authorized by Water Permit No. 8203-3 is the Gray Goose aquifer. The existing well is completed to a depth of 90 feet. The two proposed additional wells are completed to a depth of 67 feet. Nearby wells indicate that the additional wells are also in the Gray Goose aquifer at their completed depths.

- **No additional water appropriated**

No additional appropriation of water is requested. This request is for the addition of two diversion points. Water Permit No. 8203-3 currently appropriates up to 1.11 cfs (500 gpm) for fish and wildlife propagation and recreational use from one well. These additional diversion points do not increase the appropriation of Water Permit No. 8203-3 beyond the permitted 1.11 cfs (500 gpm).

Review of Existing Diversions

The well completion report and water rights databases were reviewed for the nearest domestic wells and water rights/permits on file. The nearest domestic well on file and completed into this aquifer is approximately 0.75 miles west-southwest of the current diversion and approximately 0.2 miles west of the new diversion locations. The distance to the nearest domestic wells has decreased. The nearest water right/permits completed into this aquifer are located approximately 0.75 miles from the location of the new wells. The distance to these existing water rights/permits has increased compared to the distance between the existing well and the existing water rights/permits. Based upon the small change in distance from other users in the Gray Goose aquifer and the low diversion rate of these wells, interference is not expected to be a concern.

Observation Well Data

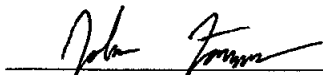
The Water Rights Program has eight observation wells completed into the Gray Goose aquifer. The nearest observation well completed into this aquifer (HU-80A) is located approximately 2.7 miles southeast of the well sites. Historic water levels in HU-80A show that the groundwater surface has risen approximately 15-20 feet since the well was constructed in 1980. The aquifer near the observation well transitioned from being unconfined to a confined aquifer in approximately 1994.

CONCLUSION

- The change of diversion point does not propose to appropriate additional water.
- The water source continues to be the Gray Goose aquifer.
- Unlawful impairment of existing water rights/permits and domestic wells is not expected to occur.

RECOMMENDED ACTION

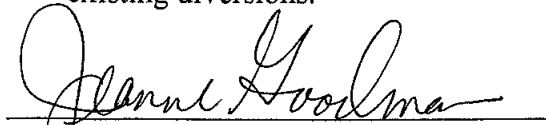
Based on the above criteria, it is recommended that the addition of two diversion points under Water Right No. 8203-3 should be approved.



John Farmer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

The addition of these two diversion points does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program



1,100 550 0 1,100 Feet



Eric Gronlund
Eric Gronlund
Water Rights Program DENR
January 23, 2018
based on representation by Milt Morris



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 21, 2018

Milton Morris
PO Box 1162
Pierre SD 57501

To Mr. Morris:

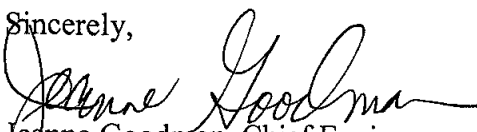
Water Permit No. 8203-3 authorizes use of 1.11 cubic feet of water per second of diversion rate authority from the existing irrigation well under Water Right No. 8008-3 to maintain the water level in a dam capable of impounding 8.45 acre feet of water. This well is completed in the Gray Goose aquifer and located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34 T113N R80W.

You filed a request to add two diversion points for Water Permit No. 8203-3. The new wells are located approximately 0.5 miles from the existing well and are located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34 T113N, R80W.

Upon review of the request and pursuant to SDCL 46-5-13.1, the addition of two diversion points for Water Permit No. 8203-3 is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. No increase in the authorized diversion rate or appropriation has been requested or approved.

If you have any questions, please contact John Farmer at (605) 773-3352.

Sincerely,


Jeanne Goodman, Chief Engineer
Water Rights Program