

**WATER PERMIT NO. 7463-3**

Name of Applicant: **John Moriarty**

Address: **PO Box 705, Brookings SD 57006** Phone: **605 695-2195**

Amount of Water Claimed: **1.78 cfs** Total Acres: **152 acres**

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

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

Type of Waste Disposal System:

Location: **1 mile east of Brookings**

**PRIORITY** Date Received: **10-17-12** Application/License Fee: **\$ 1050**

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

Remarks:

Diversion Point: **approximate center of SE 1/4 Sec**  
**21-T111N-R49W**

Land to be Irrigated: **SE 1/4 Sec 21-T111N-R49W**

Depth of Well: **60 feet deep**

Well Driller:

Remarks:

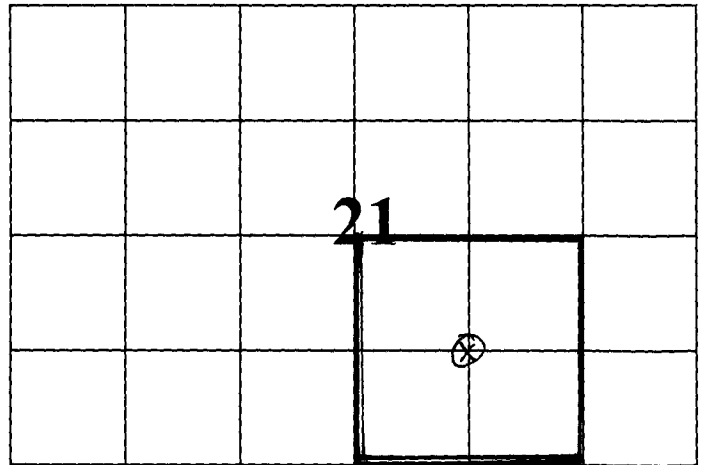
Type of Map: **aerial**

Prepared by: **Craig Olson, NRCS**

Reviewed and the Number Assigned on: **10-17-12**

By: **Karen Schlaak**

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



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OCT 17 2012  
WATER RIGHTS  
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>7463-3</u>	Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Brookings Register P.O. Box 177</u> <u>57006 605-692-6271</u>	

**Application For Permit To Appropriate Water For Irrigation**

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

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

1. Name of Applicant John Moriarty Phone 605 695-2195  
(check one)  Owner  Tenant/lessee  
Mailing Address PO Box 705 Brookings State SD 57006  
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed 1.78 \*CFS or 800 \*\*GPM \*\*\*AF Total Acreage 152  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply well

4. Location of point of diversion (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W) County Brookings  
1 well 1290' from south side, 1290' from east side, 1290' from west side, 1290' from north side of NW 1/4 of SE 1/4 Sec. 21-110-49

5. County or counties where water will be used Brookings

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
NW 1/4 of the SE 1/4 Sec 21-110-49	38		
NE 1/4 of the SE 1/4 Sec 21-110-49	38		
SE 1/4 of the SE 1/4 Sec 21-110-49	38		
SW 1/4 of the SE 1/4 Sec 21-110-49	38		

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

STATE OF SOUTH DAKOTA) SS  
County of Brookings)

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, John Moriarty, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature: John W. Moriarty  
Subscribed and sworn to before me this 15th day of October 2012

Darla Vig  
Notary Public Signature

**SOUTH DAKOTA  
WATER PERMIT NO. 7463-3**

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Date of first receipt of application October 17, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7463-3 to John Moriarty, PO Box 705, Brookings SD 57006 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. 7463-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Big Sioux:Aurora Aquifer (60 feet deep) located in the approximate center of the SE 1/4 Section 21 for irrigation of 152 acres located in the SE 1/4 Section 21; all in T110N-R49W.
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 October 17, 2012.
4. The date of approval of Permit No. 7463-3 is December 31, 2012.
5. One-fifth of the construction is to be completed on or before June 30, 2015.
6. All construction is to be completed on or before December 31, 2017.
7. Water is to be put to beneficial use on or before December 31, 2021.
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. 7463-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

**WATER MANAGEMENT BOARD**

By: Garland Erbele  
Garland Erbele, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

JAN 25 2019  
date



(type or print in ink)

**1. Well Information - Proposed Construction**

- a) Drill Hole Diameter 17 1/2 Depth 60'
- b) Casing Type PVC Diameter 12" Thickness 3/8
- c) Screen Type SS Diameter 12" Thickness 1/8
- d) Gravel Pack pea Rock Length of Gravel Pack 30'
- e) Depth to Top of Water Bearing Material 5 ft
- f) Depth to Water (ground surface to water level) 5 ft
- g) Distance to nearest existing domestic well:  
 On applicants property None On property owned by others 26 ft

**2. Wastewater Disposal System Information**

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

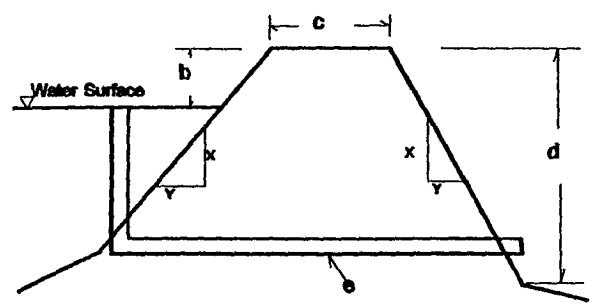
**3. Dugout Information**

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

**4. Water Storage Dams**

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

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



- b) Freeboard \_\_\_\_\_
- c) Crest Width \_\_\_\_\_  
Crest Length \_\_\_\_\_
- d) Height \_\_\_\_\_
- e) Primary Outlet Capacity\* \_\_\_\_\_  
If pipe, diameter \_\_\_\_\_
- f) Secondary Spillway Capacity \_\_\_\_\_  
Spillway Width \_\_\_\_\_
- g) X & Y Slope \_\_\_\_\_  
Upstream \_\_\_\_\_  
Downstream \_\_\_\_\_
- h) Surface Area of Impoundment \_\_\_\_\_
- i) Storage \_\_\_\_\_ Acre Feet
- j) Drainage Area Above Dam \_\_\_\_\_ Acres



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WATER RIGHTS PROGRAM

USDA - Farm Service Agency  
**Brookings County, SD**

21-110N-49W

1:8,814

August 25, 2008



USDA FSA maps are for FSA Program administration only. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability. FSA MAPS DO NOT REPRESENT A LEGAL SURVEY. The user accepts the data 'as is' and assumes all risks associated with its use. Wetland points reflect records available with NRCS and may or may not constitute a full inventory of the property. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data. Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

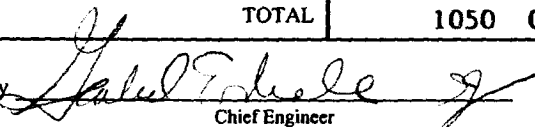
Date 10/17, 20 12

RECEIVED OF John W Moriarty Living Trust PO Box 400 Brookings SD 57006

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

Fee for Application for Permit No. <u>7463-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7463-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	1050 00

No. 05622

By   
Chief Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 7463-3, John Moriarty**

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. 7463-3, John Moriarty, PO box 705, Brookings SD 57006.

The Chief Engineer is recommending APPROVAL of Application No. 7463-3 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. 7463-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer  
December 12, 2012

REPORT TO THE CHIEF ENGINEER  
ON  
WATER PERMIT APPLICATION NO.7463-3  
JOHN MORIARTY  
DECEMBER 12, 2012

Water Permit Application No. 7463-3 proposes to appropriate 304 acre-feet (ac-ft) of water annually at a maximum diversion rate of 1.78 cubic feet of water per second (cfs) from one well to be completed into the Big Sioux: Aurora aquifer. The well is expected to be 60 feet deep and is to be located in the approximate center of SE ¼ Section 21 for the irrigation of 152 acres in the SE ¼ Section 21; all in T110N-R49W in Brookings County.

**AQUIFER: Aurora management unit of the Big Sioux aquifer (BS: A)**

**GEOLOGY AND AQUIFER CHARACTERISTICS:**

Test hole information was not submitted with this permit application. However, sufficient data is available through well completion reports (Water Rights, 2012c), water right/permit files (Water Rights, 2012b), and SD DENR-Geological Survey test hole logs (SDGS, 2012) to evaluate this application. The Big Sioux: Aurora aquifer is a surficial outwash aquifer (sand and gravel) that is under water table conditions (Hamilton, 1989). Water movement in the aquifer is generally northeast to southwest, toward areas of discharge into lakes and the Big Sioux River (Hamilton, 1989). The aquifer underlies an estimated 83,000 acres in Brookings and Moody Counties, South Dakota and western Lincoln and Pipestone Counties, Minnesota (Buhler, 2012). The transmissivity of the Big Sioux: Aurora aquifer ranges from 149,600 gal/day/ft to 314,200 gal/day/ft (Hamilton, 1989). The Big Sioux: Aurora averages 30 feet of thickness but can be greater than 40 feet (Hamilton, 1989). In the area of this application, the aquifer can generally be encountered within 20 feet of the ground surface and can range in thickness from less than 10 feet to approximately 20 feet (Water Rights, 2012c).

**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 the availability of unappropriated water and existing rights from the aquifer.

**WATER AVAILABILITY:**

Water Permit Application No. 7463-3 proposes to appropriate 304 ac-ft of water annually from the Aurora management unit of the Big Sioux aquifer. Although the actual water use if this application is approved will most likely be less than 304 ac-ft annually. 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:*

The Big Sioux: Aurora is recharged by infiltration of precipitation and by slow seepage through till, lake deposits, and from underlying aquifers (Hamilton, 1989). Koch (1980) estimated a recharge rate of 6.57 inches per year (45,442.5 ac-ft/yr) and Hedges and others (1985) estimated a recharge rate of 5.0 in/yr (34,583 ac-ft/yr) using observation well analysis and 3.6 in/yr (24,900 ac-ft/yr) using a computer “best fit” model.

### *Discharge:*

Discharge from the Big Sioux: Aurora is through evapotranspiration, discharge to streams, and withdrawal by wells (Hamilton, 1989). There are 65 water rights/permits appropriating water from the Big Sioux: Aurora, with two of the permits being for future use, Future Use Permit Nos. 1598-3 City of Brookings and 7393-3 Lincoln-Pipestone Rural Water (Water Rights, 2012b) and a number of domestic wells on file with the SD DENR-Water Rights Program (Water Rights, 2012c). The amount of water that can be expected to be withdrawn through water rights/permits authorizing water use for non-irrigation purposes at the current appropriation level can be estimated by assuming: 1) water rights/permits limited by an annual volume will pump the entire volume appropriated (4,659 ac-ft/yr), 2) water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time (4,181 ac-ft/yr), and 3) future use permits can be fully developed (3,040 ac-ft/yr). Table 1 shows the irrigation withdrawal from the Big Sioux: Aurora aquifer as reported to the SD DENR-Water Rights Program through annual irrigation questionnaires. Anticipated average annual withdrawal from the Big Sioux: Aurora by appropriative users at the current appropriation level is estimated to be 14,649 ac-ft if the future use permits are fully developed.

YEAR	NO. OF PERMITS REPORTING	APPROPRIATION (AC-FT/YR)	PUMPAGE REPORTED (AC-FT/YR)
2011	51	19046.6	3057.12
2010	49	18438	695.18
2009	48	18158	3980.61
2008	48	18134.5	4772.6
2007	45	17436.5	4167.96
2006	45	17436.5	3665.06
2005	45	17436	2660.38
2004	46	18228	3568.24
2003	48	18720	4383.94
2002	49	19194	3927.47
2001	48	19090	4029.35
2000	47	18786	3543.93
1999	47	18786	2919.71
1998	48	18842	4749.92
1997	49	19255.07	3799
1996	49	19015.07	2293.23
1995	49	19375.07	413.17
1994	52	19940.57	2037.84
1993	53	20343.07	340
1992	54	20655.07	844.16
1991	53	20375.07	1957.44
1990	51	20026.07	3048.5
1989	56	23568	3756.03
1988	54	23034.8	4894.45
1987	48	21293.8	2612.7
1986	48	21503.8	1532
1985	48	22031.8	2786.64
1984	48	22240.8	2489.2
1983	41	18394.8	2011.5
1982	42	18583.8	1405.19
1981	58	27333	2607
1980	52	26454	1260
1979	53	27732	1172
<b>Min</b>	<b>41</b>	<b>17436.0</b>	<b>340.00</b>
<b>Max</b>	<b>58</b>	<b>27732.0</b>	<b>4894.45</b>
<b>Avg</b>	<b>49.2</b>	<b>20269.3</b>	<b>2769.14</b>

Table 1- Irrigation Water Use from the Big Sioux: Aurora aquifer (Water Rights 1979-2012).

Estimated average annual water use from the Big Sioux: Aurora is much less than the estimated annual recharge. Even using the maximum amount of water used for irrigation instead of the average, estimated annual use is still much less than estimated annual recharge. Therefore, there is a reasonable probability that there is unappropriated water available for this proposed application.

**Observation Well Data:**

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

The DENR-Water Rights Program monitors 15 observation wells completed into the Big Sioux: Aurora aquifer (Water Rights, 2012a). There are five observation wells (BG-79D, BG-77S, BG-79E, BG-77T, and BG-89A) completed into the Big Sioux: Aurora within approximately two

miles of the proposed well site. Water levels in the observation wells show response to climatic conditions. The water levels rise (recharge) during wet years and gradually decline during dry years. The water levels in the observation wells do show the seasonal effects of pumping, but these effects have not been adverse over the period of record. Climatic effects on water level mask the temporal effects of pumping; this is more apparent in the observation wells where the water level is farther beneath ground surface. Figures 1, 2, 3, 4, and 5 show the hydrographs for observation wells BG-79D, BG-77S, BG-79E, BG-77T, and BG-89A, respectively.

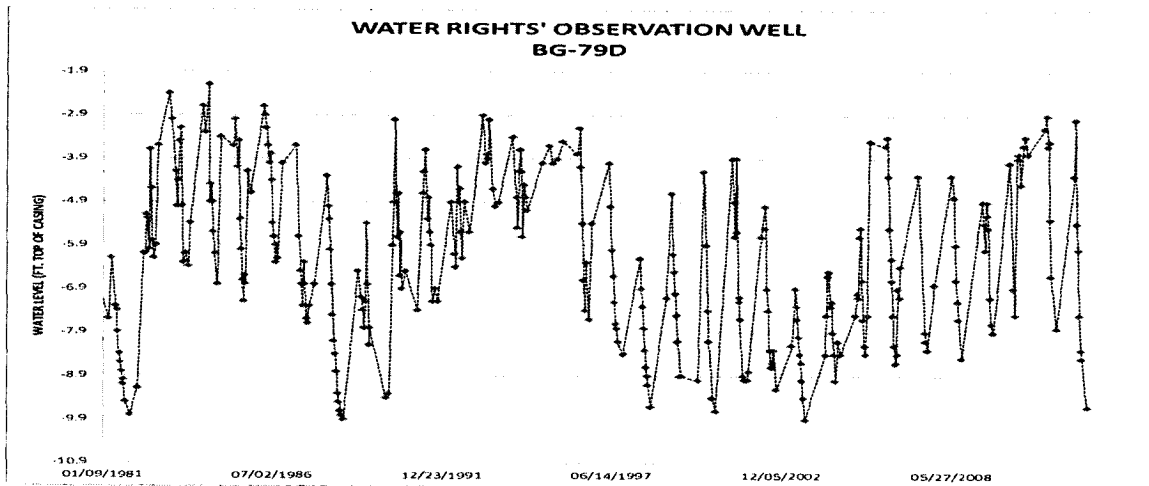


Figure 1- Hydrograph of DENR-Water Rights' observation well BG-79D, approximately 0.79 miles west-southwest from the proposed well site (Water Rights, 2012a).

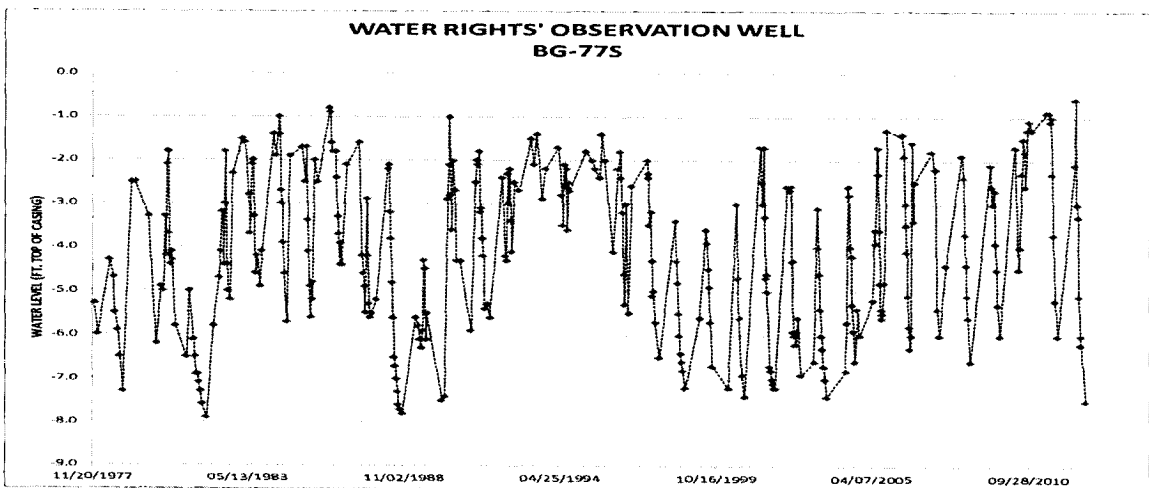


Figure 2- Hydrograph of DENR-Water Rights' observation well BG-77S, approximately 1.04 miles northwest from the proposed well site (Water Rights, 2012a).

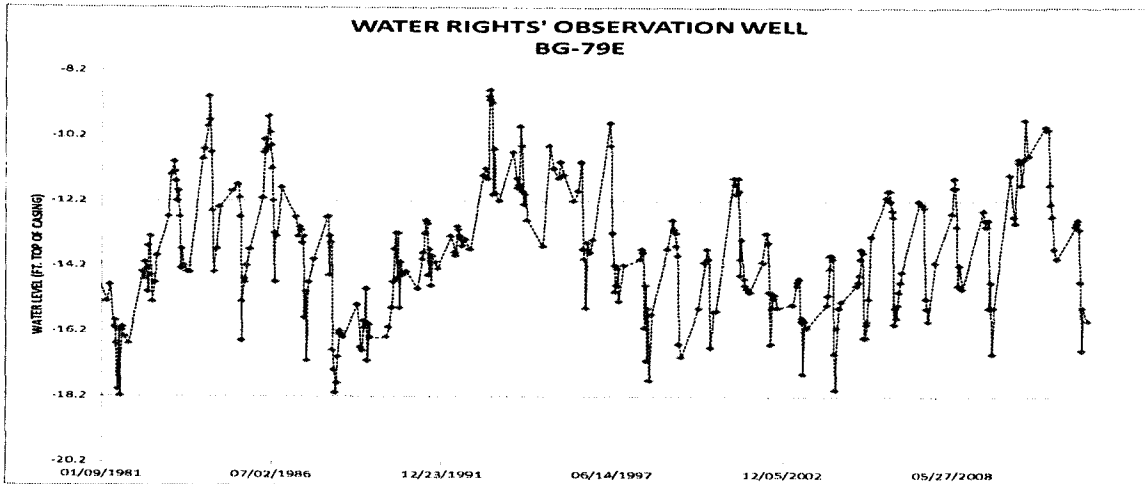


Figure 3- Hydrograph of DENR-Water Rights' observation well BG-79E, approximately 1.44 miles northeast from the proposed well site (Water Rights, 2012a).

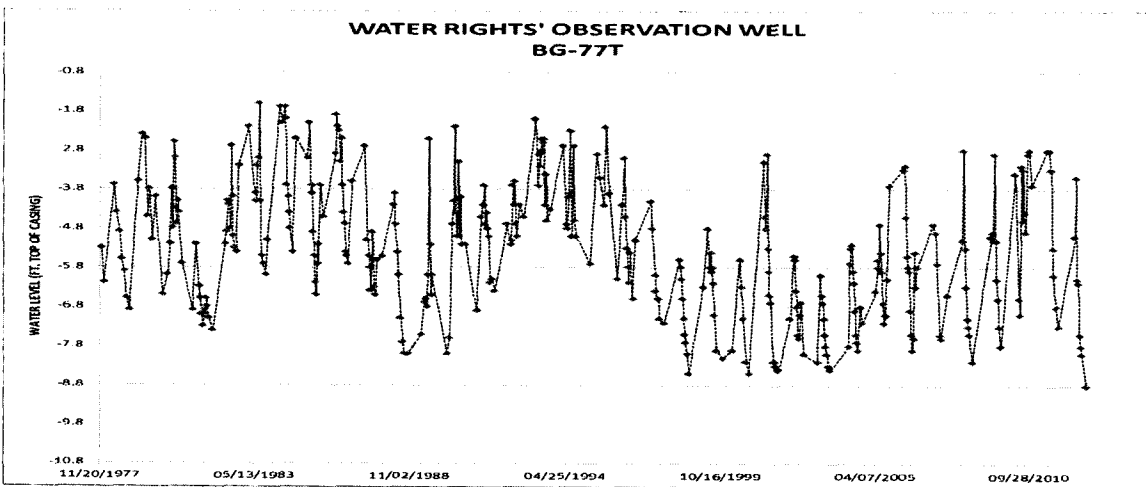


Figure 4- Hydrograph of DENR-Water Rights' observation well BG-77T, approximately 1.74 miles north-northeast from the proposed well site (Water Rights, 2012a).

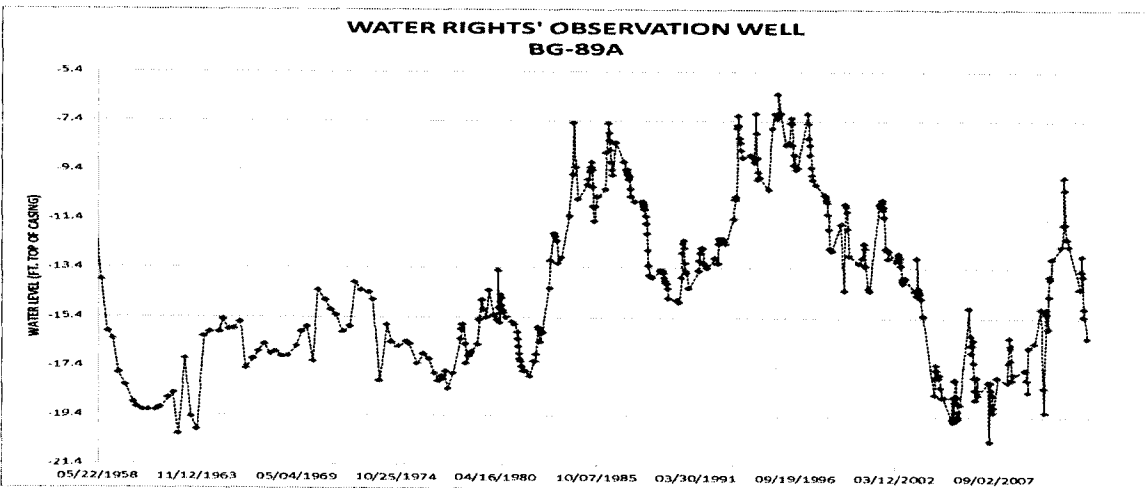


Figure 5- Hydrograph of DENR-Water Rights' observation well BG-89A, approximately 1.80 miles west-south west from the proposed well site (Water Rights, 2012a).

**EXISTING WATER RIGHTS:**

There are three water rights authorizing wells, several domestic users, and Future Use Permit No. 1598-3 reserving water from the Big Sioux Aurora within one mile of the proposed well site. Table 2 shows the water rights, domestic users, and the future use permit within one mile of the proposed well site.

Permit No.	Name	Status	Type	CFS	Acres
1598-3	City of Brookings	FU	MUN		
2677-3	Terrance A. Hill	LC	IRR	1.89	220
3346-3	Ida Slocum	LC	IRR	2.23	163
5241-3	Darrel Pahl	LC	IRR	1.67	134
	Mary D. Eberle		STK		
	Warren Williamson		DOM		
	Ed Cunningham		DOM		
	Larry Emmett		DOM		
	Brian Hanson		DOM		
	Cory Kindt		DOM		
FU= Future Use Permit, LC= Water Right, MUN= Municipal, IRR= Irrigation, STK= Livestock, DOM= Domestic					

Table 2– Water rights, domestic users, and the future use permit from the Big Sioux: Aurora aquifer within one mile of the proposed well location (Water Rights, 2012b).

Observation wells BG-79E and BG-89A are within 0.25 miles of at least two irrigation wells. The hydrographs for those wells are shown in figures 3 and 5 and display minimal drawdown from pumping several high capacity wells in close proximity. Based on the high transmissivity, drawdown at 0.25 miles from the proposed well will range from 1.23 to 2.13 feet (icalcul8, 2012). Those drawdown estimates are “worst-case” estimates that assume pumping 24 hours a day at the maximum permitted diversion rate for 185 days. That drawdown is not significant.

The diversion proposed by this application will not limit the development of Future Use Permit No. 1598-3. The future use area is approximately three square miles and the nearest point of the future use area is 0.25 miles from the proposed well location. Therefore, there is a reasonable probability that this proposed diversion can be made without adversely impacting existing appropriative or domestic users.

**CONCLUSIONS:**

1. Water Permit Application No. 7463-3 proposes to appropriate 304 acre-feet of water annually for the irrigation of 152 acres at a maximum diversion rate of 1.78 cfs.
2. There is a reasonable probability that unappropriated water is available from the Big Sioux: Aurora aquifer to supply this proposed diversion.
3. There is a reasonable probability that the diversion requested by this application can be made without adversely affecting existing water rights/permits and domestic users.

*Adam Mathiowetz*

Adam Mathiowetz  
SD DENR-Water Rights Program

**REFERENCES:**

- Buhler, K. 2012. "Report to the Chief Engineer on Water Permit Application No. 7392-3 and Future Use Permit Application No. 7393-3 Lincoln Pipestone Rural Water". SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Hamilton, L.J. 1989. Water Resources of Brookings and Kingsbury Counties, South Dakota. Water-Resources Investigations Report 88-4185. USGS, Huron, SD.
- Hedges, L.S. J. Allen, and D.E. Holly. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge. South Dakota DENR-Geological Survey, Vermillion, SD.
- icalcul8. 2012. Theis Equation Calculator. <http://www.icalcul8.com/theis.php> . Accessed 12/10/12.
- Koch, N.C. 1980. Appraisal of the water resources of the Big Sioux aquifer, Brookings, Deuel, and Hamlin Counties, South Dakota. Water-Resources Investigations Report: 80-100. USGS, Huron, SD.
- SDGS. 2012. Lithologic Logs Database. < <http://sddenr.net/lithdb/>>. SD DENR-Geological Survey, Vermillion, SD.
- Water Rights. 1979-2012. "1979-2011 Irrigation Summaries by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2012a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

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DEC 20 2012

WATER RIGHTS PROGRAM

Affidavit of Publication

State of South Dakota

ss

Exhibit "A"

County of Brookings

Chaylee Duis of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

Legal 865, 1x, 12/20 NOTICE OF APPLICATION No. 7463-3 to Appropriate Water

Notice is given that John Moriarty, PO Box 705, Brookings SD 57006 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Big Sioux:Aurora Aquifer (60 feet deep) located in the approximate center of the SE 1/4 Section 21 for irrigation of 152 acres located in the SE 1/4 Section 21; all in T110N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7463-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest.

In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition. Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the

Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by December 31, 2012. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of \$22.69.

Leg#865 Notice on Application

same was published, is hereto attached marked Exhibit said newspaper for 1 times, to-wit:

December 20, 2012

said Exhibit "A" inures to the sole benefit for the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

twenty-two dollars and sixty-nine cents \$22.69



Laura Johnson

21st day of

December

2012

Chaylee Duis

Notary Public in and for the County of Brookings, South Dakota.

My Commission expires August 3, 2017.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

denr.sd.gov

December 13, 2012

Brookings Register  
PO Box 177  
Brookings SD 57006

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7463-3 to Appropriate Water. Please publish the notice once on December 20, 2012. 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 John Moriarty, PO Box 705, Brookings SD 57006 (Ph # 605-695-2195).

**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,

A handwritten signature in black ink, appearing to read "Eric Gronlund".

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

denr.sd.gov

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

December 13, 2012


John Moriarty  
PO Box 705  
Brookings SD 57006

Dear Mr. Moriarty:

Water Permit Application No. 7463-3 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 Brookings Register printed at Brookings SD (Ph # 605-692-6271). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

  
Eric Gronlund  
Natural Resources Engineer  
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish the Notice on December 20, 2012. 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. 7463-3 to Appropriate Water

Notice is given that John Moriarty, PO Box 705, Brookings SD 57006 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Big Sioux:Aurora Aquifer (60 feet deep) located in the approximate center of the SE 1/4 Section 21 for irrigation of 152 acres located in the SE 1/4 Section 21; all in T110N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7463-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by December 31, 2012.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \_\_\_\_\_.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
denr.sd.gov

JAN 25 2013

John Moriarty  
Po Box 705  
Brookings SD 57006

Dear Mr. Moriarty:

Enclosed is Water Permit No. 7463-3 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,

Garland Erbele, Chief Engineer  
Water Rights Program  
(605) 773-3352

enclosures

# SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ SE ¼ Sec 21 Twp 110 Rg 49

Well Owner: John Moriarty

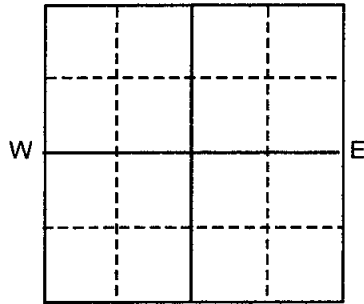
County Brookings

Business Name: \_\_\_\_\_

Address: 224 W 8th ST

City, State, Zip: Brookings SD 57006

Please mark well location with an "X"



Well Completion Date

March 2, 2013



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

**PROPOSED USE:**

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

**METHOD OF DRILLING:**

mud rotary

**CASING DATA:**

- Steel     Plastic     Other

If other describe \_\_\_\_\_

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>12.00</u> IN	<u>0.0</u> FT	<u>37.0</u> FT	<u>18.00</u> IN
LB/FT	<u>12.00</u> IN	<u>52.0</u> FT	<u>62.0</u> FT	<u>18.00</u> IN
LB/FT	IN	FT	FT	IN

**GROUTING DATA:**

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Quick Grout</u>	<u>8</u>	Lb/gal	<u>0.0</u> Ft	<u>27.0</u> Ft
<u>Red Flint</u>	<u>35</u>	Lb/gal	<u>27.0</u> Ft	<u>62.0</u> Ft

Describe grouting procedure  
Tremmy

**SCREEN:**

- Perforated pipe     Manufactured

Diameter 12.00 Inches    Length 15.0 Feet

Material stainless steel

Slot Size 100 Set From 37.0 Feet to 52.0 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? \_\_\_\_\_  
 No, Why Not? \_\_\_\_\_  
 Lab to which water quality sample sent for analysis \_\_\_\_\_

**WELL LOG:**

FORMATION	DEPTH	
	FROM	TO
top soil	black	0    2
clay	tan	2    5
sand	gray	5    52
clay	gray	52    62

**STATIC WATER LEVEL**

5.0 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: submersible

Bailed

Other

Pumping Level Below Land Surface

15.4 Ft. After 6.0 Hrs. pumped 900.0 GPM

\_\_\_\_\_ Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate: \_\_\_\_\_ GPM

**REMARKS**

**RECEIVED**  
**SEP 12 2013**  
**WATER RIGHTS PROGRAM**

Kris VanHeuveln

This well was drilled under license # 463 and this report is true and accurate.

Drilling firm: Steffl Drilling & Pump Inc

Signature of License Representative: \_\_\_\_\_

Signature of Well Owner or Equitable Property Holder: \_\_\_\_\_

Date: 6-26-13



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

December 14, 2017

No. 7463-3

Gerard & David Moriarty  
PO Box 705  
Brookings SD 57006-0705

Dear Sirs:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Permit No. 7463-3. The water permit is currently listed in the name of John Moriarty.

The transfer form should be completed, checked over for accuracy, and **signed by the new owner.** Upon completion, return the form to our office with a required filing fee of \$50.00.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
605 773-3352  
email: [karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

enclosure

# 2017 Water Management Board Irrigation Questionnaire

Please fill out and return before **December 1, 2017**

*10*

**REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.**

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501 3181 ph. (605) 773 3352 or send your form(s) electronically over the internet at <http://denr.sd.gov/iq.aspx>

**Permit No. 7463-3**

JOHN MORIARTY  
PO BOX 705  
BROOKINGS SD 57006 0705

**Any address/ownership corrections?**

GERARD + David MORIARTY

Email gerard@moriant.net

Phone 605-695-2475

1. Did you irrigate in 2017? \*yes  \*\*no

\*If yes, number of acres irrigated? 93

\*\*If no, check reason(s) for not irrigating acres covered by Permit No. 7463-3

- sufficient moisture  no water available   
 system not constructed  use abandoned   
 enrolled in CRP , through what year? \_\_\_\_\_  
 other , please explain in the Comment Box:

2. If your answer to question No. 1 is "no," you are done! If you answered "yes," please complete Nos. 3, 4 & 5.

3. Did you apply chemicals or fertilizer through the system in 2017? yes  no

4. If more than one water source is listed below, circle each source used. A. GROUNDWATER

5. Provide your water use on the back of this form.

**Comment Box**



NWNW	NENW	NWNE	NENE
NW			NE
SWNW	SENW	SWNE	SENE
SW			SE
SWSW	SESW	SWSE	SESE

— 1 square mile —

Office use only

R

**DEC 01 2017**

**WATER RIGHTS PROGRAM**

**Acreage permitted for irrigation under No. 7463-3**

(see above section map for help reading legal descriptions)

sec 21-T110N-R49W, SE1/4 - 152.0 acres

Please provide your 2017 water use to irrigate the above acreage on the **REVERSE** side of this form.

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer  
Water Rights Program, DENR  
523 E. Capitol  
Pierre, SD 57501-3181

No. 7463-3

Date: 1

I/We request that Water Permit No. 7463-3

formerly owned by: John Moriarty

X be transferred to: (name & address) GERARD MORIARTY  
DAVID MORIARTY Box 705  
BOX 269 Brookings SD Brookings SD Telephone No. 605-692-6333

Title to the following described land(s)/property has been transferred as described above:

152 acres - SE 1/4 Section 21-T110N-R49W

I/We understand that the validity of Water Right/Permit No. 7463-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

**A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.**

I/We GERARD + David Moriarty, the new owner, certify that the above information is true and correct.

X Gerard Moriarty, David Moriarty  
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

- 1. Abandonment - no intent to use water and use is abandoned.
- 2. Forfeiture - no use of water for three year period without legal excuse.
- 3. For a third violation of a condition of a water permit/right.

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 10, 20 18

1 RECEIVED OF Gerard Moriarty 1405 W 8th St. S Brookings, SD 57006

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
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. _____		
Fee for Filing Transfer Form <u>7463-3</u>	50	00
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	50 00

No. **08472**

By Jeanne Goodman  
Chief Engineer *JGM*





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

January 10, 2018

7463-3

Gerard Moriarty  
PO Box 705  
Brookings SD 57006-0705

Dear Mr. Moriarty:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for transferring ownership on Water Permit No. 7463-3.

The ownership change has been completed. Water Permit No. 7463-3 formerly held by John Moriarty is now listed under "Gerard Moriarty and David Moriarty"

Enclosed for your records is Receipt No. 08472 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosure

c: David Moriarty, PO Box 269, Brookings SD 57006

## Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7463-3

I have this day, May 4, 2021, made a thorough examination of the water use system constructed by Gerard & David Moriarty, PO Box 705, Brookings, SD 57006 of Permit No. 7463-3, bearing the priority of Oct 17, 2012 authorizing the diversion of 1.78 cu. ft. per second of Big Sioux: Aurora Aquifer for irrigation purposes, in Brookings County.

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

**Well Information:**

- 1) Well Drilling Firm: Steffl Drillings & Pump, Inc
- 2) No. of Wells 1
- 3) Depth(s) 62 feet
- 4) Well log is available Y

**Casing:**

- 1) Diameter 12 inches
- 2) Length 47 feet
- 3) Type PVC

**Screen:**

- 1) Type manufactured
- 2) Length 15 feet
- 3) Static water level 5 feet

**Pump:**

- 1) Make NA
- 2) Model submersible
- 3) Capacity 700 GPM

**Motor:**

- 1) Make NA
- 2) Model No. NA
- 3) Horsepower rating NA hp

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

- 1) Type Aluminum
- 2) Size 8 inches
- 3) Length 15 feet

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

**Center pivot:**

- 1) Make Valley
- 2) Overall length 1250 feet
- 3) Number of towers 7
- 4) End gun Y
- 5) Capacity 700 GPM
- 6) Pressure Low

**Chemigation Equipment:**

1) None

**D. Compliance with Permit Requirements:**

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

**E. Condition and Location:**

1. The system is in good condition with the point(s) of diversion located as follows: **From the SE corner of Sec 21, T110N, R49W 1380 ft N & 1325 ft E ( NW ¼ SE ¼, Sec 21 ) Lat 44.31530 Long -96.7128.**
2. The works are capable of diverting and conveying to the place of use 1.56 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

**legal description/acreage**

All land in Sec 21, T110N, R49W

NW 1/4 SE 1/4 - 6 ac

NE 1/4 SE 1/4 - 32 ac

SE 1/4 SE 1/4 - 30 ac

SW 1/4 SE 1/4 - 22 ac

comprising a total of 90 acres of land and the license should be issued for 1.29 cfs. (**1.29 cfs is the statutory limit for the 90 acres developed**)

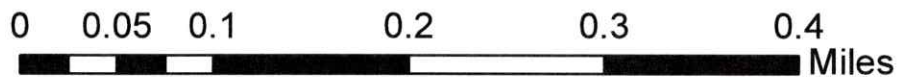
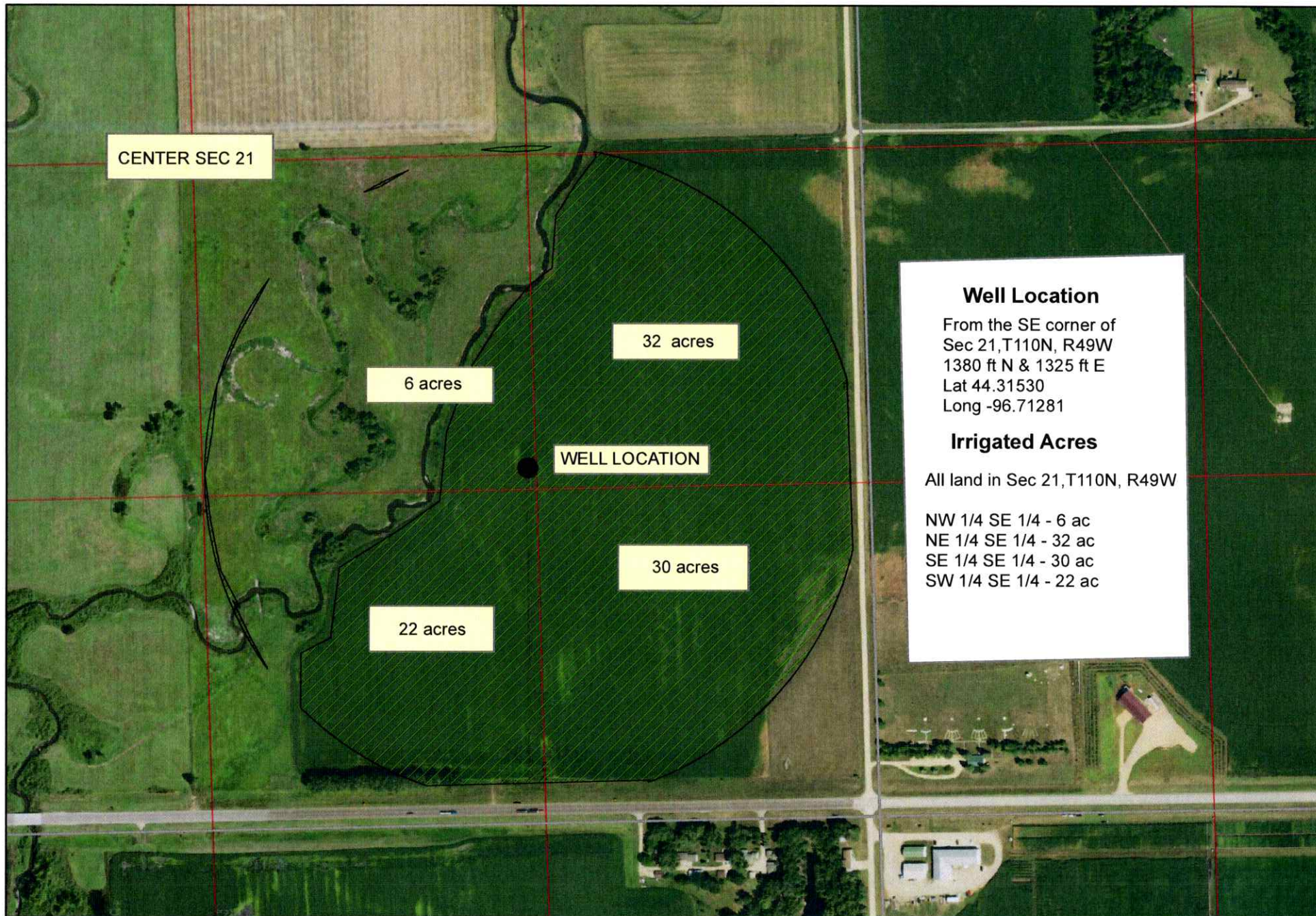
3. All structures, wells and lands on map Y



---

Darrell W DeBoer  
Water Rights Inspector  
DANR, Water Rights Program

Date report completed: **June 3, 2021**





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

JUN 04 2021

7463-3

Gerard Moriarty  
PO Box 705  
Brookings SD 57006-0705

David Moriarty  
PO Box 269  
Brookings SD 57006-0269

Dear Sirs:

Enclosed is Water License No. 7463-3. 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.

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 is capable of diverting 1.56 cubic feet of water per second (cfs) which is equivalent to approximately 700 gallons per minute. The statutory limit for the 90 acres that were developed is 1.29 cfs (equivalent to 577 gpm). Diversion of water under this water license is limited to 1.29 cfs.

**STATE OF SOUTH DAKOTA  
WATER LICENSE NO. 7463-3**

---

(1) John Moriarty made Application No. 7463-3, October 17, 2012 for a water permit to divert 1.78 cubic feet of water per second from ground water, one well (Big Sioux Aurora Aquifer), Brookings County, South Dakota for irrigation purposes. Permit No. 7463-3, with a priority date of October 17, 2012 was approved December 31, 2012 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 31, 2017 and for the application to beneficial use of water on or before December 31, 2021.

On January 10, 2018, Water Permit No. 7463-3 was transferred to Gerard Moriarty, PO Box 705, Brookings SD and David Moriarty, PO Box 269, Brookings SD.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the water supply system and are entitled to divert 1.29 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,380'N and 1,325'E of the SE corner of Section 21, T110N, R49W (NW ¼ SE ¼ Sec 21)  
Latitude 44.31530, Longitude -96.7128

(3) The permit holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T110N, R49W Section 21	NW ¼ SE ¼	6 acres
	NE ¼ SE ¼	32 acres
	SE ¼ SE ¼	30 acres
	SW ¼ SE ¼	22 acres
	Total	90 acres


(4) Pursuant to South Dakota Water Law 46-5-30.1 Gerard Moriarty, PO Box 705, Brookings SD and David Moriarty, PO Box 269, Brookings SD the holders and/or owners of Water Right No. 7463-3 are issued a license to appropriate water, the right to use 1.29 cubic feet of water per second from ground water, one well (Big Sioux Aurora Aquifer) with a priority date of October 17, 2017 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7463-3 and subject to the following qualifications:

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

continued

- The well authorized by Permit No. 7463-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. ***The well was drilled in March, 2013 by Steffl Drilling & Pump Inc. A copy of the well completion report is on file with the Water Rights Program.***
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

  
\_\_\_\_\_  
Eric Gronlund, Chief Engineer  
Water Rights Program  
Department of Agriculture and Natural Resources

JUN 04 2021  
\_\_\_\_\_  
date



**STATE OF SOUTH DAKOTA  
WATER LICENSE NO. 7463-3**

---

(1) John Moriarty made Application No. 7463-3, October 17, 2012 for a water permit to divert 1.78 cubic feet of water per second from ground water, one well (Big Sioux Aurora Aquifer), Brookings County, South Dakota for irrigation purposes. Permit No. 7463-3, with a priority date of October 17, 2012 was approved December 31, 2012 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 31, 2017 and for the application to beneficial use of water on or before December 31, 2021.

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- 1,380'N and 1,325'E of the SE corner of Section 21, T110N, R49W (NW ¼ SE ¼ Sec 21)  
Latitude 44.31530, Longitude -96.7128

(3) The permit holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T110N, R49W Section 21	NW ¼ SE ¼	6 acres
	NE ¼ SE ¼	32 acres
	SE ¼ SE ¼	30 acres
	SW ¼ SE ¼	22 acres
	Total	90 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Gerard Moriarty, PO Box 705, Brookings SD and David Moriarty, PO Box 269, Brookings SD the holders and/or owners of Water Right No. 7463-3 are issued a license to appropriate water, the right to use 1.29 cubic feet of water per second from ground water, one well (Big Sioux Aurora Aquifer) with a priority date of October 17, 2017 from the location specified in (2) of this license for irrigation purposes.

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

continued



- The well authorized by Permit No. 7463-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *The well was drilled in March, 2013 by Steffl Drilling & Pump Inc. A copy of the well completion report is on file with the Water Rights Program.*
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

*Eric Gronlund*

Eric Gronlund, Chief Engineer  
Water Rights Program  
Department of Agriculture and Natural Resources

JUN 04 2021

date



