

Considered: _____

WATER PERMIT NO. 1951-2

MAP No. Same

Name of Applicant Paul Fanning

Post Office Address Box 32 Tuthill

Amount of Water Claimed 2.0 cfs Total Acres 132

Source of Water Supply Groundwater one well

Water to be used for Irr County Bennett

About 10 miles NE of Tuthill

PROOF OF PUBLICATION: Received 1st 2-4-86 Not Received _____

APPLICATION: Approved March 5, 1986 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 7-29-85 Fee \$250⁰⁰ Remarks _____

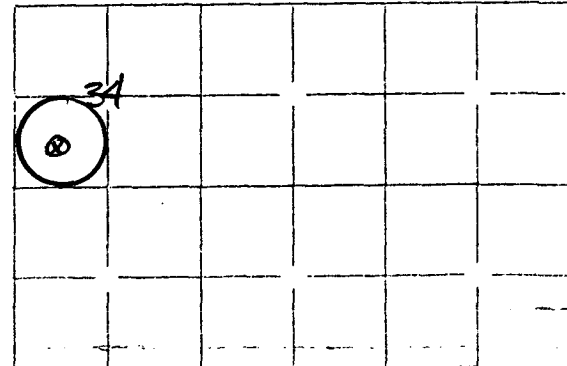
Corrected Application Received _____ Period of Annual Use May 1 to Sept. 30

WATER QUALITY APPROVAL RECEIVED 11-18-85 APPROVED CONDITIONAL (Circle one)

WI-1 Description same as Application YES X NO _____ REMARKS _____

Diversion Point center of SE4 sec 4 T37N-R34W

Land to be Irrigated SE4 sec. 4 T37N-R34W



Well Log: Driller Sargent Dring Licensed YES X NO _____

Depth of Well 320 ft REMARKS _____

Type of Map SCS Soils Map PREPARED BY Gary Nier Reviewed and the Number

assigned on 11-19-85 By Kevin C. Tarron

No. 1951-2

Map No. same Water Division No. White River 10140203 District
Above for Office Use



APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion ☒ to permit no. 1179-2

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Paul Fanning Phone No. 605 685 6878
Post Office Address Box 32 Tut Hill State S.D. 57574
(Street, RR, or Box) (Town) (Zip Code)
If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) contract

3. Name of diversion work irr. well no. 3

4. Amount of water claimed (cubic feet per second) 900 gpm

5. Source of water supply ground

6. Location of point of diversion center of SE 1/4 of 4, 37-34

County Bennett

7. Annual period or periods during which water is to be used may - sept

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irr.

9. For irrigation use, Total number of acres to be irrigated _____

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
NW 1/4 SE 1/4 37-34	33
NE 1/4 SE 1/4 37-34	33
SE 1/4 SE 1/4 37-34	33
SW 1/4 SE 1/4 37-34	33

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 to 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Bennett

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

fanning with center pivot

Estimated Total Cost \$ 18000

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map. (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
County of Bennett) ss.

I, Paul Fanning the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Paul Fanning
Subscribed and sworn to before me this 16 day of 7, 1985
Ann B. Engelbert
Notary Public for other qualified officer)
Reg. of Deeds

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1951-2

Paul Fanning (Applicant) Box 32, Tuthill (Post Office Address)
SD 57574 (State) 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. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application July 29, 19 85
Date of return to applicant for correction, amendments or changes required _____, 19____
Date of receipt of corrected application _____, 19____
Approved March 5, 19 86, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1951-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1951-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is July 29, 19 85
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____, 19____
3. The whole of said work is ~~to be completed on or before~~ _____, 19____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____, 19____
5. The water appropriated shall be used for the purpose of irrigation

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 2.00 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation ~~on or before~~ _____, 19____, said water to be used during the following described annual period: May 1 - Sept 30

Witness my hand this APR 21 1986 day of _____, 19____

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

D. Well Information

- (1) Drill Hole, Diameter _____, Depth 300 ft
- (2) Casing, Type steel, Diameter 16 in, Thickness 1/4 in
(wood, concrete, steel, etc.)
- (3) Screen, Type perforated, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack 300 ft

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 30 ft

Depth to bottom of water bearing material 700 ft

Depth to water (ground surface to water level) 36 ft

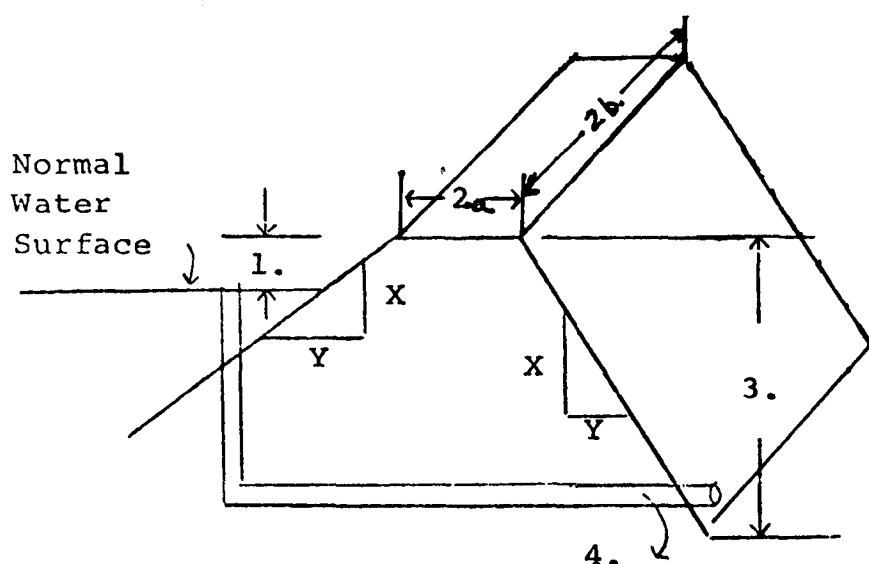
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 1/2 mile rds.

On property owned by others 1/2 mile rds.

G. Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
- Drainage area above dam _____

TEST LOG
June 15, 1973

Test #10 $\frac{1}{2}$ North of Paul's well

0-20	top soil, sand & some clay
20-40	med. to coarse sand some clay layers
40-60	coarse sand & SS
60-80	coarse sand
80-100	coarse sand some SS
100-160	coarse sand
160-180	coarse sand some SS & small clay layers
180-200	coarse sand small clay layer (3ft.)
200-210	coarse sand
210-213	clay
213-220	coarse sand
220-230	coarse sand some fine gravel
230-248	clay
248-270	med. to coarse sand
270-286	clay
286-301	coarse sand
301-320	red rock

*Copy sent to
7-18-85*

TEST PUM

(402) 684-3323

7-17

19

Water Level 42' 4" ft.

DATE _____
Paul Fanning

Tutkell, S. D.

TERMS

SE 44-4-37-34 Barrett Co

PIT pushed

Power Unit — N - S - E - W

Size of Pipe _____

0.5

COOPERATIVE EXTENSION SERVICE

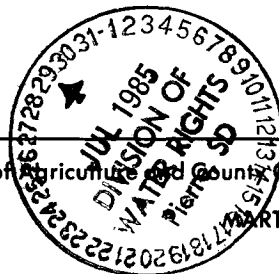


agriculture • 4-H • home economics

BENNETT COUNTY
EXTENSION SERVICE

South Dakota State University, United States Department of Agriculture, and County Cooperating

Telephone: (605) 685-6972



MARTIN, SOUTH DAKOTA

Sir:

Enclosed herewith is material for your information.

Enclosed is an application for water rights - additional diversion for Paul Fanning. a Form W141 with soils information and water sample is being submitted to the Water Quality Lab for testing.

Gary Nies, County Extension Agent

Gary Nies

Educational materials and programs are offered to all people without regard to race, color, religion, sex, age, handicap or national origin and is an equal opportunity employer.

RECEIPT

Division of Water Rights

No 410145

South Dakota Department of Water and Natural Resources

Pierre, August 6, 1985

RECEIVED OF Paul Fanning, HC 77, Box 32, Tuthill, SD 57574

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____	50	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. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

John Hatch
JOHN HATCH

WATER RIGHTS DIVISION
(605) 773-3352

August 20, 1985

Paul Fanning
Box 32
Tuthill, South Dakota 57574

Dear Mr. Fanning:

After reviewing your permit application to drill an additional well in Section 4 we have determined that the correct filing fee should be \$250.00. The reason for this is the 900 gpm you are requesting will have to be considered a new appropriation of water.

My understanding, when I spoke with Gary Nies, was that the additional well would not increase the total diversion rate of 1.78 cubic feet per second authorized by Permit No. 1179-2. If I understand your application correctly the additional well in Section 4 will allow you to operate both pivots covered by Permit No. 1179-2 at the same time. This necessitates the additional fee.

Upon receipt of the additional \$200.00 filing fee, and an approved WI-1, we will continue processing your application. If you have any questions please contact this office.

Thank you,

Kevin C. Larson
Natural Resources Engineer

KCL:ms

Kevin Larson

enclosed is the add. \$200
for my water rights, as per
letter Aug. 20, 1985,

Paul Janning



RECEIPT

Division of Water Rights

No 410162

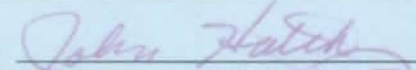
South Dakota Department of Water and Natural Resources

Pierre, August 26, 1985

RECEIVED OF Paul Fanning, Box 32, Tuthill, SD 57574

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____	200	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. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	200 00

By 
Chief Engineer

JOHN HATCH/ms

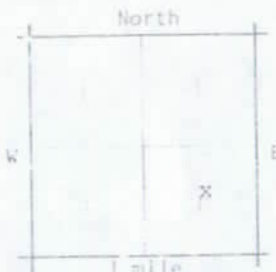
STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location NE 1/4 Sec 4 Twp 37 Rg 34

County

Bennett

Please mark well location with an "X"



Well Completion Date August 26, 1985

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Air reverse

WELL CONSTRUCTION:

Diameter of hole 34 inches Depth 300 feet

Casing: ☒ Steel ☐ Plastic ☐ Other
Specify _____

Pipe Weight Diameter From To
38 lb/ft 16 inches 0 feet 205 feet
32 lb/ft 16 inches 205 feet 300 feet

Was a well screen used? ☒ Yes ☐ No

If Not Specify _____

Screen Type Sargent Slot Size .125

Length _____ Diameter _____

Was Casing left open end? ☐ Yes ☒ No

Was a Packer or seal used? ☐ Yes ☒ No

If so what material? _____

Was well gravel packed? ☒ Yes ☐ No

Was well grouted? ☐ Yes ☒ No

Describe grouting procedure _____

To what depth? _____ Feet

What was grouting material? _____

If cement, how many sacks? _____

Location of packer(s) and screen or perforated pipe _____

WAS WELL FLUGGED OR ABANDONED ☐ Yes ☒ No

If so how and with what material? _____

Well Owner:

Name Paul Fanning

HC 77 Box 32

Address Tuthill, South Dakota 57574

Well Log:

Formation	From	To
top soil, sand & some clay	0	20
m-c sand, some clay layers	20	40
coarse sand & sandstone	40	60
coarse sand	60	80
coarse sand, some sandstone	80	100
coarse sand	100	160
cs, some ss & sm. clay layers	160	180
coarse sand, small clay layers	180	200
coarse sand	200	210
clay	210	213

STATIC WATER LEVEL 42' 4" Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? ☐ Yes ☒ No

WELL TEST DATA:

☒ Pumped

☐ Bailed

☐ Other

Describe: _____

Pumping Level Below Land Surface

<u>69'</u> <u>6"</u> ft. After <u>3</u> Hrs. pumped	<u>900</u> GPM
<u>72'</u> <u>4"</u> ft. After <u>1</u> Hrs. pumped	<u>1000</u> GPM
<u>78'</u> <u>1"</u> ft. After <u>1</u> Hrs. pumped	<u>1200</u> GPM
<u>86'</u> <u>6"</u> ft. After <u>1</u> Hrs. pumped	<u>1622</u> GPM

Remarks: Well Log Continued

coarse sand	213	220
coarse sand, some fine gravel	220	230
clay	230	248
med to coarse sand	248	270
clay	270	286
coarse sand	286	301

This well was drilled under license # 273

and this report is true and accurate

Sargent Irrigation Co.

Drilling Firm

8-26-85

Date

Signed by Dale Wiles

Date

9-5-85

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.
REDUCTION 25:1 ROLL 1-3 DATE MICROFILMED 11-27-85 CAMERA OPERATOR Paul Schmitt

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Office Use Only

Division of Conservation

WR#

OWNERS NAME: Paul FanningOWNERS ADDRESS: HC 77, Box 32Tuthill, SD 57574COUNTY LAND LOCATED IN: BennettPHONE: 685-6878

TENANT'S NAME AND ADDRESS: _____

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION SE corner of Sec 4, T4N, R4W, S4, 37-34Depth 300 ft.

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location: _____

Legal Description	Acres	Legal Description	Acres
NW 1/4 of SE 1/4 of Section #4 37-34	33		
NE 1/4 of SE 1/4 of Section #4 37-34	33		
SE 1/4 of SE 1/4 of Section #4 37-34	33		
SW 1/4 of SE 1/4 of Section #4 37-34	33		



3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED _____

LEGAL DESCRIPTION: _____

IN WHAT NAME: Paul Fanning4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ OTHER: _____ (Specify)6. CROPS TO BE IRRIGATED: Corn, Alfalfa

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 85-066710. ADJUSTED (SAR): 0.188. SALINITY (EC X 10⁶): 12011. PERCENT SODIUM 9.92%9. SODIUM (SAR): 0.18

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 3:10 a.m./p.m., on 1-25, 1985, at the following location: SE corner of Sec 4, T4N, R4W, S4, 37-34 by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

DAY OF May, 1985

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

X APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

IMPORTANT
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

Straight Approval

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

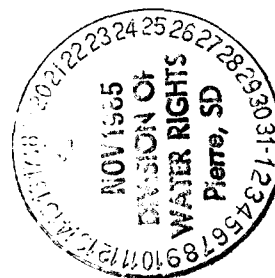
NAME OF APPLICANT: Paul Fanning

LEGAL DESCRIPTION: SEL/4 4-37-34 = 132 acres

SOIL REQUIREMENTS:

RECOMMENDED MANAGEMENT:

The soils you will be irrigating are very light textured, contain a large amount of sand. These soils will present two (2) major problems for you in your management, 1.) droughtiness and 2.) wind erosion. These problems can be addressed by leaving as much crop residue in the field to improve the soils ability to hold water and reduce erosion through cover. The other alternative would be a crop such as alfalfa which is one of the crops you have indicated you will be growing.



Jack M. Fyfe
SIGNATURE
11-14-85
DATE

REPORT ON APPLICATION NO. 1951-2

PAUL FANNING

December 16, 1985

Application No. 1951-2 proposes to appropriate 2.0 cfs from one well located in the center of the SW $\frac{1}{4}$ Section 4, T37N, R34W to irrigate 132 acres in the SW $\frac{1}{4}$ Section 4, T37N, R34W.

Aquifer: Ogallala

The Ogallala Formation is a light brown, poorly indurated, fine to medium grained, pure quartz sandstone, which lies unconformably on the Arikaree Formation. Water level measurements taken from Arikaree and Ogallala wells, indicate a hydraulic connection exists between the two formations. The hydraulic conductivity of the Arikaree is significantly lower than the hydraulic conductivity of the Ogallala, therefore, water movement between the formations is slow, and for the purpose of this report, the Ogallala can be considered separately from the Arikaree.

The Ogallala Formation underlies approximately 280,960 acres of Bennett County and contains an estimated 2,809,960 acre-feet of recoverable water in storage (Allen, 1984). The saturated thickness of the Ogallala varies considerably in northern Bennett County due to the proximity of the northern extent of the formation. In the area of the proposed well, the saturated thickness is at least 150 feet (Water Rights Division files, 1985). The aquifer is under water table conditions, with the configuration of the potentiometric surface controlled by topography and major streams. In this area the static water level is approximately 40 feet below the land surface (Water Rights Division files, 1985). A hydraulic gradient of 10-20 feet per mile indicates water movement to the Little White River. Rahn and Paul (1975) estimate the transmissivity of the Ogallala is 36,860 gpd/ft and the specific yield is 0.0419. These values are averages of time-drawdown data and distance-drawdown data obtained from an aquifer test conducted approximately 16 miles southeast of this area. Rahn and Paul (1975) also suggest that any two irrigation wells should have a separation of at least 7,320 feet, if their radii of influence are not to intersect.

The Ogallala receives an estimated 2.5 inches per year recharge through direct infiltration of precipitation (Rahn, 1975). Recharge in Bennett County is equal to approximately 58,550 acre-feet annually.

The Division of Water Rights monitors 16 observation wells within 9.5 miles of the applicant's proposed well. Water level measurements show no areas of significant decline in water levels resulting from irrigation, even where observation wells are located near several high capacity wells. BT-76A is located approximately one mile northwest of the proposed well. The wells show seasonal water level fluctuations, but no dramatic decline in water levels (hydrographs included).

Review of Existing Permits

A total of 21,448.2 acre feet of water is appropriated from the Ogallala Formation in Bennett County (Water Rights Division, 1985). Appropriation amounts to 0.76% of the estimated recoverable water in storage or 37% of the estimated annual recharge.

Review of Existing Permits

<u>Permit No.</u>	<u>Name</u>
977-2	Jeffrey Johnson
985-2	Jerry J Donovan
1141-2	Wm C. and Roberta Donovan
1179-2	Paul Fanning
1206-2	Jerry J Donovan
1207-2	Jerry J Donovan
1219-2	Paul Fanning
1646-2	Wm and Roberta Donovan
1672-2	Jerry J Donovan
1680-2	Lawrence Johnson

(for locations, see map)

Three acre-feet of water per acre is appropriated under License No. 1179-2 to irrigate the SE $\frac{1}{4}$ Section 4, T37N, R34W and the NW $\frac{1}{4}$ Section 9, T37N, R34W, at a diversion rate of 1.78 cfs from a single well. Application No. 1951-2 proposes to irrigate the SE $\frac{1}{4}$ Section 4, T37N, R34W with a separate well, allowing the applicant to operate both systems independently.

Conclusions:

1. The Ogallala Formation is a viable source of ground water in Bennett County.
2. 0.76% of the estimated recoverable water in storage of the Ogallala Formation in Bennett County is appropriated. Water is available for appropriation.
3. Present water use does not exceed the estimated annual recharge.
4. Average annual recharge to the Ogallala in Bennett County is 58,550 ac-ft.
5. Observation wells show no significant decline of water levels in Bennett Co.
6. Observation wells indicate well spacing is not a critical issue in this area.
7. Two wells irrigating the same land that was irrigated with one well, will cause less drawdown with the wells, but will extend the cone of influence over a larger area.
8. Domestic wells are developed into the same aquifer in the area. The irrigation well owner, should control his withdrawals so there will be no reduction in needed water supplies in existing, adequate wells.
9. The well should be constructed in accordance with Chapter 74:02:04 of the Well Construction Standards, State of South Dakota



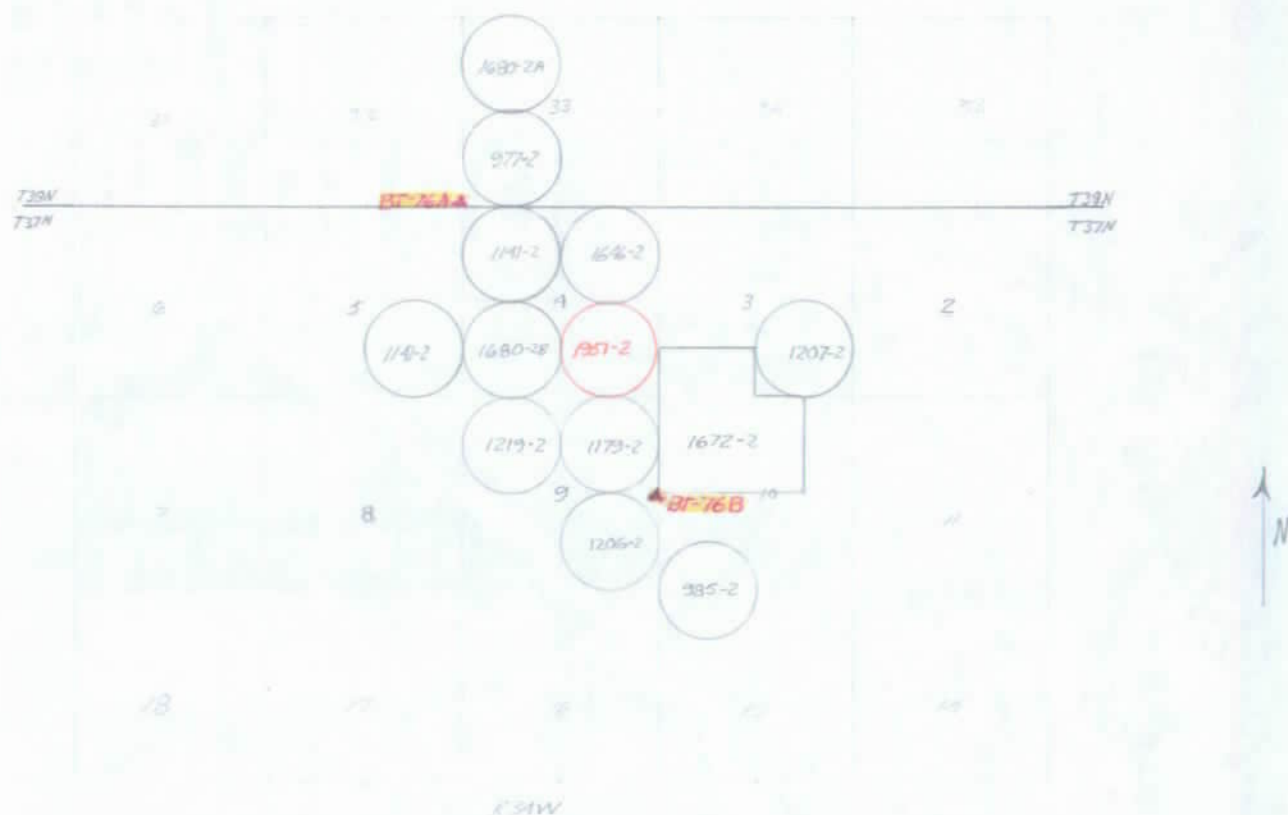
KENT BUHLER
Natural Resources Engineer

References

Allen, J.C., Iles, D.L., Peters, A.K., 1984, Analysis of Ground Water and Streamflow Data, Western Dakotas Region of South Dakota: Tasks 3 and 4: Groundwater Resource Inventory: Department of Water and Natural Resources, Division of Geological Survey, Vermillion, South Dakota, 57069, U.S. Army Corps of Engineers Contract No. DAW 45-82-C-0151.

Division of Water Rights. "Water Permit and Domestic well Log Files," DWNR, Pierre, South Dakota, 1985.

Rahn, P.H., Paul, H.A., 1975, Hydrogeology of a Portion of the Sand Hills and Ogallala Aquifer, South Dakota and Nebraska.



LOCATION OF APPLICANT'S WELL AND RELATIONSHIP
TO EXISTING PERMITS

RESERVATION WELL WATER LEVELS

WELL	LOCATION	DATE	READING
------	----------	------	---------

12:50 MONDAY, DECEMBER 9, 1986

BT-76E	037N-34W-09A000	11/03/76	-26.0
BT-76B	037N-34W-09A000	11/21/76	-26.7
BT-76D	037N-34W-09A000	01/19/77	-26.1
BT-76B	037N-34W-09A000	06/03/77	-22.6
BT-76B	037N-34W-09A000	07/19/77	-26.7
BT-76B	037N-34W-09A000	08/18/77	-24.5
BT-76B	037N-34W-09A000	09/07/77	-24.6
BT-76B	037N-34W-09A000	10/12/77	-24.1
BT-76B	037N-34W-09A000	11/22/77	-23.5
BT-76B	037N-34W-09A000	05/12/78	-22.0
BT-76B	037N-34W-09A000	05/16/78	-22.1
BT-76E	037N-34W-09A000	06/19/78	-22.0
BT-76B	037N-34W-09A000	08/04/78	-27.1
BT-76E	037N-34W-09A000	08/25/78	-24.7
BT-76B	037N-34W-09A000	09/15/78	-24.9
BT-76B	037N-34W-09A000	10/11/78	-24.8
BT-76B	037N-34W-09A000	11/02/78	-24.1
BT-76B	037N-34W-09A000	12/07/78	-23.7
BT-76B	037N-34W-09A000	03/14/79	-23.5
BT-76B	037N-34W-09A000	04/18/79	-23.5
BT-76B	037N-34W-09A000	05/23/79	-24.1
BT-76B	037N-34W-09A000	06/07/79	-24.4
BT-76B	037N-34W-09A000	06/21/79	-24.5
BT-76B	037N-34W-09A000	07/12/79	-24.6
BT-76B	037N-34W-09A000	07/25/79	-25.3
BT-76E	037N-34W-09A000	08/09/79	-26.0
BT-76B	037N-34W-09A000	08/22/79	-26.6
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BT-76B	037N-34W-09A000	10/10/79	-27.3
BT-76E	037N-34W-09A000	12/04/79	-25.8
BT-76B	037N-34W-09A000	03/25/80	-24.6
BT-76B	037N-34W-09A000	05/07/80	-25.0
BT-76B	037N-34W-09A000	06/04/80	-26.0
BT-76B	037N-34W-09A000	06/25/80	-26.7
BT-76B	037N-34W-09A000	07/16/80	-27.3
BT-76B	037N-34W-09A000	08/06/80	-28.2
BT-76B	037N-34W-09A000	08/28/80	-29.0
BT-76B	037N-34W-09A000	09/17/80	-29.2
BT-76B	037N-34W-09A000	11/18/80	-28.0
BT-76B	037N-34W-09A000	02/20/81	-26.7
BT-76B	037N-34W-09A000	04/20/81	-26.6
BT-76B	037N-34W-09A000	05/21/81	-27.0
BT-76B	037N-34W-09A000	06/10/81	-27.4
BT-76E	037N-34W-09A000	07/01/81	-28.0
BT-76B	037N-34W-09A000	07/22/81	-28.7
BT-76B	037N-34W-09A000	08/05/81	-29.0
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BT-76B	037N-34W-09A000	12/21/81	-27.0
BT-76B	037N-34W-09A000	03/10/82	-26.1
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BT-76B	037N-34W-09A000	07/26/82	-26.3
BT-76B	037N-34W-09A000	08/17/82	-27.3

OBSERVATION WELL WATER LEVELS

OBS_WELL	LOCATION	DATE	READING
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12:58 MONDAY, DECEMBER 5, 1985

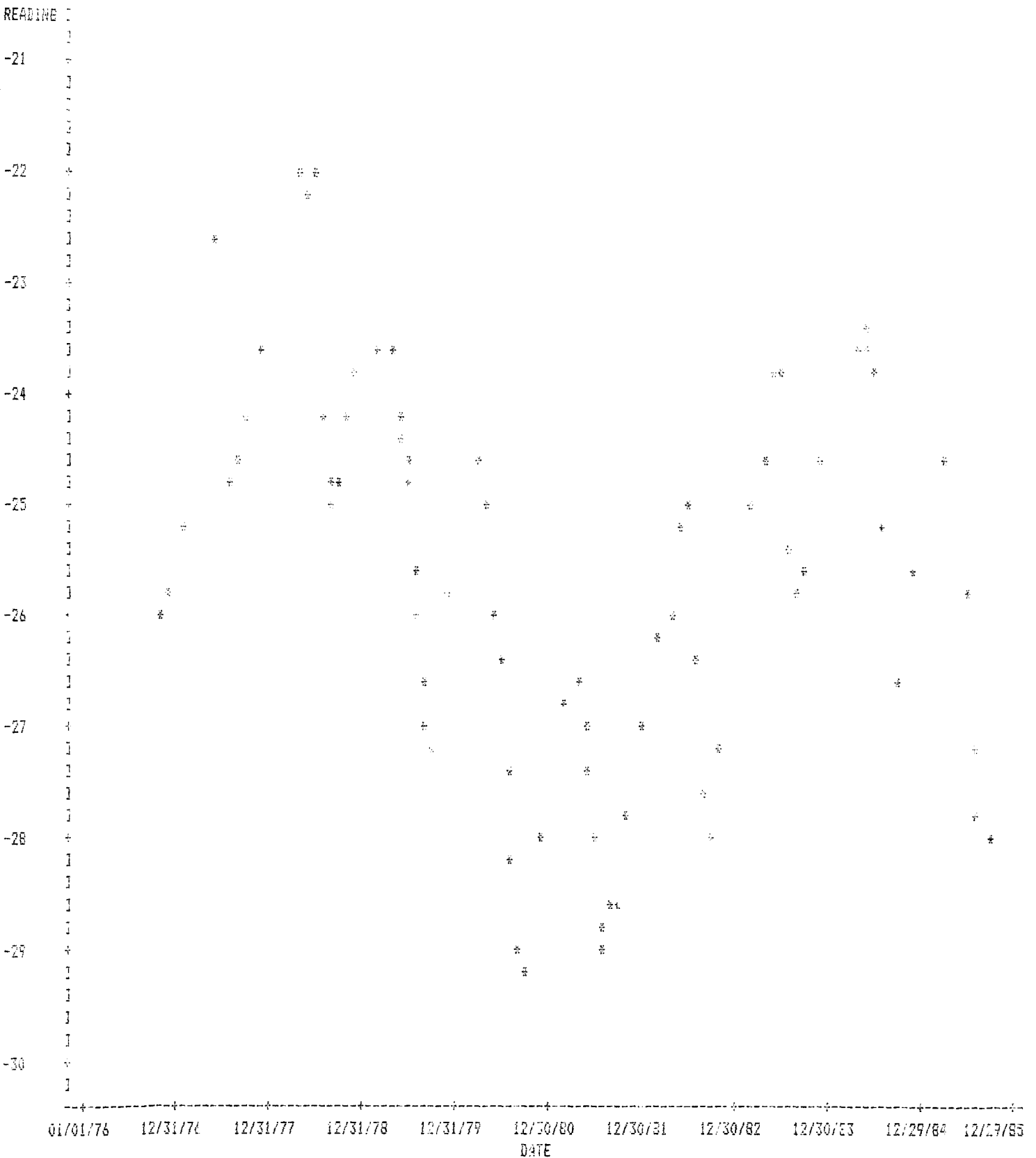
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BT-76B	037N-34W-09A00D	04/27/83	-24.6
BT-76B	037N-34W-09A00D	05/25/83	-23.7
BT-76B	037N-34W-09A00D	06/22/83	-23.7
BT-76B	037N-34W-09A00D	07/27/83	-23.3
BT-76B	037N-34W-09A00D	08/25/83	-23.8
BT-76B	037N-34W-09A00D	10/07/83	-25.6
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BT-76B	037N-34W-09A00D	04/24/84	-23.3
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BT-76B	037N-34W-09A00D	06/14/84	-23.6
BT-76B	037N-34W-09A00D	07/11/84	-23.8
BT-76B	037N-34W-09A00D	08/07/84	-25.2
BT-76B	037N-34W-09A00D	09/25/84	-24.5
BT-76B	037N-34W-09A00D	11/13/84	-23.6
BT-76B	037N-34W-09A00D	02/27/85	-24.3
BT-76B	037N-34W-09A00D	03/18/85	-25.7
BT-76B	037N-34W-09A00D	07/17/85	-27.2
BT-76B	037N-34W-09A00D	03/06/85	-27.7
BT-76B	037N-34W-09A00D	10/02/85	-27.9

N=76

OBSERVATION WELL WATER LEVELS
OBS_WELL=9T-76B

12:59 MONDAY, DECEMBER 9, 1985 3

PLOT OF READINGS+DATE SYMBOL USED IS *



NOTE: 1 OBS HIDDEN

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
BT-76A	036N-34W-320000	11/25/76	-71.7
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BT-76A	036N-34W-320000	05/03/80	-70.8
BT-76A	036N-34W-320000	05/04/80	-71.2
BT-76A	036N-34W-320000	04/25/80	-71.5
BT-76A	036N-34W-320000	07/16/80	-71.8
BT-76A	036N-34W-320000	09/06/80	-73.0
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BT-76A	036N-34W-320000	09/17/80	-73.6
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BT-76A	036N-34W-320000	08/05/81	-73.3
BT-76A	036N-34W-320000	08/26/81	-73.5
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BT-76A	036N-34W-320000	06/07/82	-72.1
BT-76A	036N-34W-320000	07/01/82	-71.9
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BT-76A	036N-34W-320000	07/17/82	-72.6
BT-76A	036N-34W-320000	10/21/82	-72.1
BT-76A	036N-34W-320000	03/16/83	-71.3
BT-76A	036N-34W-320000	04/26/83	-71.3
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BT-76A	036N-34W-320000	07/27/83	-72.0
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BT-76A	036N-34W-320000	10/03/83	-71.3
BT-76A	036N-34W-320000	12/14/83	-70.7
BT-76A	036N-34W-320000	04/24/84	-70.5
BT-76A	036N-34W-320000	05/23/84	-70.1
BT-76A	036N-34W-320000	06/14/84	-70.7
BT-76A	036N-34W-320000	07/11/84	-70.5
BT-76A	036N-34W-320000	08/07/84	-70.5
BT-76A	036N-34W-320000	09/25/84	-71.7
BT-76A	036N-34W-320000	11/15/84	-71.3
BT-76A	036N-34W-320000	03/27/85	-70.7
BT-76A	036N-34W-320000	06/18/85	-70.8
BT-76A	036N-34W-320000	07/17/85	-72.1
BT-76A	036N-34W-320000	08/06/85	-72.3
BT-76A	036N-34W-320000	10/02/85	-72.5

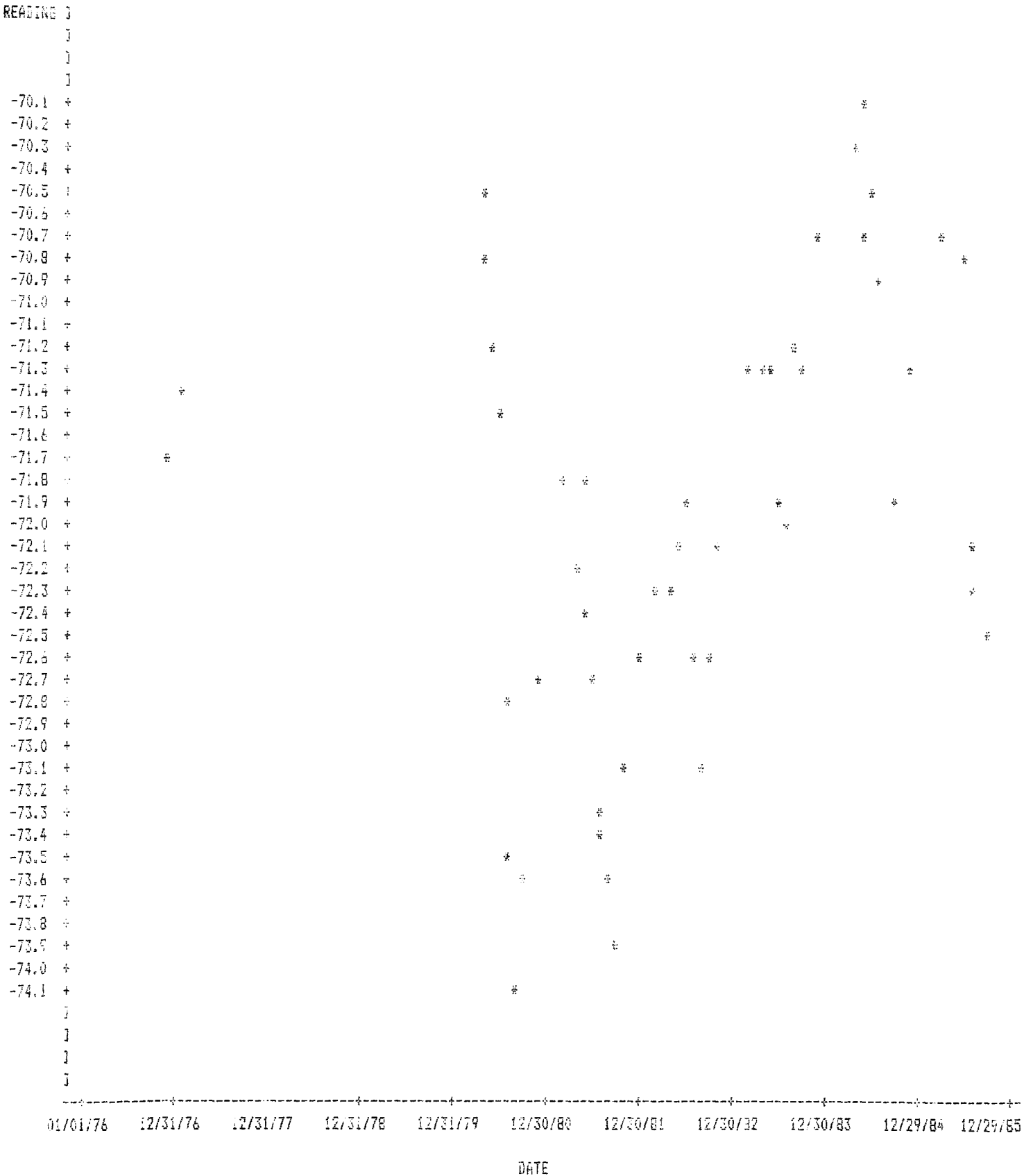
9:33 TUESDAY, DECEMBER 10, 1995 1

N=50

OBSERVATION WELL WATER LEVEL
CBB_WELL=BT-76A

9:33 TUESDAY, DECEMBER 10, 1985 2

PLOT OF READING*DATE SYMBOL USED IS *



RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

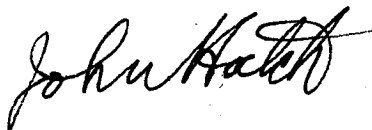
APPLICATION NO. 1951-2, Paul Fanning

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1951-2, Paul Fanning, Box 32, Tuthill SD.

The Chief Engineer is recommending APPROVAL of Application No. 1951-2 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) 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 domestic wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer
January 6, 1986

No. 1951-2

Instruction to Newspaper - Publish first publication of the following Notice on or before **January 23, 1986** with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1951-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Paul Fanning whose mailing address is
Box 32 Tuthill, South Dakota has made an application for a permit

to appropriate **200 cubic feet per second from one well 320 feet deep located in the center of the SE $\frac{1}{4}$ Section 4, T37N-R34W to irrigate 132 acres in the SE $\frac{1}{4}$ of Section 4, T37N-R34W.**

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1951-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD on March 5 19 86 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 21, 1986. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 21, 1986.

No. 1951-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Bennett)

I, Wendell E. Long hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Bennett County Booster II

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City _____ of Martin

County of Bennett and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

January 23, 1986

January 30, 1986

Wendell E. Long
(Signature)

Publisher
(Title)

1/31/86

(Date Signed)

Cost of Printing: 40.09



NOTICE OF HEARING
On Application No. 1951-2
To Appropriate Water

Notice is hereby given that Paul Fanning, whose mailing address is Box 32, Tuthill, South Dakota, has made an application for a permit to appropriate 2.0 cubic feet per second from one well 320 feet deep located in the center of the SE 1/4 Section 4, T37N-R34W to irrigate 132 acres in the SE 1/4 of Section 4, T37N-R34W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends approval of Application No. 1951-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, S.D., on March 5, 1986, at 10 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with both the applicant and the Chief Engineer by February 21, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 through 46-1-9, 46-1-12 through 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-2A-1 through 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 through 46-5-11, 46-5-13 through 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, and Board Rules ARSD 74:02:01 through 74:02:01:15.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg., Pierre, S.D. (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 21, 1986.



Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

1951-2

APR 21 1986

Paul Fanning
Box 32
Tuthill, South Dakota 57574

Dear Mr. Fanning:

Enclosed is your Water Permit No. 1951-2 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

Permit No. 1951-2
Little White River- Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DENR, Foss Bldg., Pierre, SD 57501

I have this day, June 14, 1995, made a thorough examination of the water use system constructed by Paul Fanning of HC 77, Box 32, Tuthill, SD 57574 holder of Permit No. 1951-2, bearing the priority of July 29, 1985 authorizing the diversion of 2.0 (900 gpm) cu. ft. per second of the waters of groundwater for Irrigation purposes, in Bennett County.

I have to report on the conditions of the same as follows:

- A. Works used to divert the water: **50 Hp U.S. Electric motor, ID No. 6232/R10R187R021R-22 with 3 stage Sargent Pipe Company turbin pump, Model No. 14385, 900 gpm capacity**
- B. Works used to transport water to place of use:
20 feet 8 inch steel pipe
- C. Works used to apply water to beneficial use:
8 tower Valley 6000 Center Pivot

The system is in the following condition GOOD. The point of diversion is located 1305 ft. West & 1305 ft. South of the East 1/4 pt. Sec. 4-T37N-R34W (NE 1/4 SE 1/4). The works are capable of diverting and conveying to the place of use 2.0 (900 gpm) 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:

<u>NW 1/4 SE 1/4 Sec. 4-T37N-R34W--32 Acres</u>			
<u>NE 1/4 SE 1/4</u>	<u>"</u>	<u>"</u>	<u>--32</u>
<u>SW 1/4 SE 1/4</u>	<u>"</u>	<u>"</u>	<u>--32</u>
<u>SE 1/4 SE 1/4</u>	<u>"</u>	<u>"</u>	<u>--32</u>

comprising a total of 128 acres of land and the license should be issued for 1.83 cfs.

Applicable permit qualifications have been complied with: XX Yes No

Exceptions to compliance are: Date Report Completed: August 15, 1995



Timothy G. Schaal, P.E.
 Natural Resources Engineer III
 Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 1951-2

Other permit(s) associated with the project: # 1179-2

DATE OF INSPECTION: June 14, 1995

NAME & ADDRESS OF INSPECTION CONTACT/ Paul Fanning HC 77, Box 32, Tuthill, SD 57574
RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE:

NAME & ADDRESS OF PERMIT HOLDER: same as above

DIVERSION POINT LEGAL LOCATION: 1305 ft. west & 1305 ft. south of the East 1/4 point of
Section 4-T37N-R34W. (NE 1/4 SE 1/4)

WELL INFORMATION:

- 1) Well Drilling Firm: Sargent Irrigation Company
- 2) No. of Wells 1
- 3) Depth(s) feet 300 feet
- 4) Well log is available Yes
- 5) Comment:

Casing:

- 1) Diameter inches 16 inch
- 2) Length feet 205 feet
- 3) Type steel

Screen:

- 1) Type slotted steel
- 2) Length feet 95 feet
- 3) Static water level feet

Pump:

- 1) Make Sargent Pipe Company
- 2) Model 14385
- 3) Size 12 inches
- 4) Capacity GPM 900 gpm

Motor:

- 1) Make U.S. Electric
- 2) Model No. ID No. 6232/R10R187R021R-22
- 3) Horsepower rating 50 hp

DISTRIBUTION LINES OR CANALS:

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

SYSTEM TYPE:**Center pivot:**

- 1) Make Valley 6000
- 2) Overall length 1300 feet
- 3) Number of towers 8
- 4) Distance between towers 160 feet
- 5) End gun Yes--Rainbird
- 6) High or low pressure High
- 7) Capacity 600 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate NO
- 11) Comments: Had check valve, etc. but Mr. Fanning said he did not chemigate

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by Yes
- 3) All structures, wells and lands on map Yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

CHECK LIST FOR FIELD INSPECTION

Permit Number #1951-2 Paul Fanning Date 6/14/95
Other permit(s) associated with the project #1179-2

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

1. Diversion point legal location: 1305 ft. West & 1305 ft. South of the
East 1/4 pt. of Sec. 4 - T37N-R34W. (NE 1/4 SE 1/4)

2. Well Information: Well Drilling Firm Sargent

No. of Wells 1 Depth(s) 300 feet

a) Casing 1) diameter 16 inches b) Screen 1) type Slotted Steel

2) length 205 feet 2) length 95 feet

3) type Steel c) Pump 1) make Sargent

d) Static Water Level _____ feet 2) model 14385

e) Motor: 3) size 12 SAE inches Imp. Dia 8.85"

1) make U.S. Electric 4) capacity 900 GPM

2) ^{ID} model No. 6232/R10R187R021R-22 5) turbine pump - No. of stages 3

3) horsepower rating 50 Hp 6) operating pressure 60 PSI

3. Distribution lines or canals:

a) type Steel b) size 8 inch c) length 20 ft.

4. System Type:

a) Sideroll:

1) length _____ feet

2) diameter of pipe _____ inches

3) sprinkler spacing _____ feet

b) Towline:

1) length _____ feet

2) sprinkler spacing _____ feet

4. System Type (continued):

c) Siphons:

- 1) size _____ inches
- 2) number _____

e) Center pivot:

- 1) make Valley 6000
- 2) overall length 1300 feet
- 3) number of towers 8
- 4) distance between towers 160 feet
- 5) end gun Yes - Rainbird (Y/N)
- 6) high or low pressure High
- 7) capacity 900 GPM

d) Gated pipe:

- 1) length _____ feet
- 2) diameter _____ inches
- 3) spacing of gates _____ inches

f) Gun:

- 1) make _____
- 2) nozzle size _____ inches
- 3) capacity _____ GPM
- 4) hose size _____ inches
- 5) hose length _____ feet

5. Dam Information:

- a) height to crest _____ feet
- b) height to primary spillway _____ feet
- c) height to secondary spillway _____ feet
- d) crest width _____ feet
- e) crest length _____ feet
- f) spillway length _____ feet
- g) spillway width _____ feet
- h) approx. storage _____ ac-ft
- i) approx. storage to crest _____ ac-ft
- j) date constructed _____

k) outlet tubes:

- 1) diameter _____ inches
- 2) type _____
- 3) valved _____ (Y/N)
- 4) valve type _____
- 5) location on structure _____

l) category of dam _____ (I,II,III)

m) inspection sheet completed _____ (Y/N)

n) name of contractor _____

6. Chemigation Equipment:

- b) main line check valve No (Y/N)
- d) low pressure drain _____ (Y/N)
- f) interlock type _____

a) does chemigate No (Y/N)

c) inspection port/air relief _____ (Y/N)

e) discharge is 20' from source _____ (Y/N)

g) injection pump type _____ h) injection check valve _____ (Y/N)

i) injection line check valve or positive displacement pump _____ (Y/N)

j) all chemigation equipment appears to be installed in proper position and comply with chemigation laws and rules _____ (Y/N)

k) comments :

File No. 1951-2

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Paul Fanning

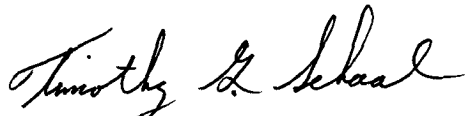
ADDRESS: HC 77, Box 32 Tuthill, SD 57574 COUNTY: Bennett

DATE: August 25, 1995

TELEPHONE: 685-6878

RE: Water Right No. 1179-2

I talked to Paul Fanning today about Water Right No. 1179-2. He said that the Well located in the center of Section 9-T37N-R34W is still connected to both of the center pivots located in the NE 1/4 of Section 9 and the SE 1/4 of Section 4-T37N-R34W. I told him we would leave Water Right No. 1179-2 licensed for both pivots and license Water Permit No. 1951-2 for the well and center pivot in the SE 1/4 of Section 4-T37N-R34W.



Timothy G. Schaal, P.E.
Natural Resources Engineer III
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

August 29, 1995

1951-2

Paul Fanning
HC 77, Box 32
Tuthill, SD 57574

Dear Mr. Fanning:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 1951-2, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

414634

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 5 _____, 19 95

RECEIVED OF Mary Ann Fanning, Corny Beef, Inc., HC 77 Box 32, Tuthill, SD 57574

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. 1951-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

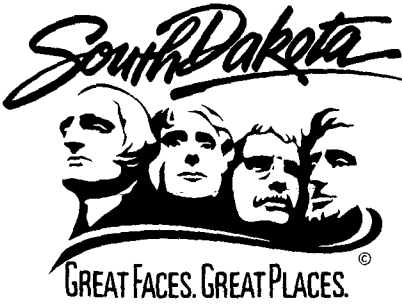
50 00

50 00

By _____

Chief Engineer

John Hatch



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

DEC 18 1995

1951-2

Paul Fanning
HC 77, Box 32
Tuthill, SD 57574

Dear Mr. Fanning:

Enclosed is Water License No. 1951-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414634 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1951-2, 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, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

rd
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1951-2

(1) Paul Fanning, HC 77, Box 32, Tuthill SD 57574 made Application No. 1951-2, July 29, 1985 for a water permit to appropriate 2.00 cubic feet of water per second from groundwater (one well), Bennett County, South Dakota for irrigation purposes. Permit No. 1951-2, with a priority date of July 29, 1985 was approved March 5, 1986 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

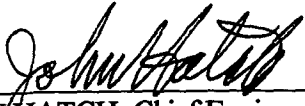
Water Right No. 1179-2 authorizes irrigation of the SE 1/4 Section 4 from a well located in the center of Section 9; all in T37N-R34W. Combination of diversion from the well authorized by Water Right No. 1179-2 and the well authorized by Permit No. 1951-2 may not exceed 1 cfs per 70 acres irrigated.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.83 cubic feet of water per second for beneficial use. The location of the diversion point is 1305 feet west and 1305 feet south of the east quarter corner of Section 4-T37N-R34W (NE 1/4 SE 1/4).

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

Section 4-T37N-R34W	NW 1/4 SE 1/4	32 acres
	NE 1/4 SE 1/4	32 acres
	SW 1/4 SE 1/4	32 acres
	SE 1/4 SE 1/4	32 acres
Total		128 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Paul Fanning, HC 77, Box 32, Tuthill SD 57574 the holder and/or owner of Water Permit No. 1951-2 issued a license to appropriate water, the right to use 1.83 cubic feet of water per second from groundwater (one well) with a priority date of July 29, 1985 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 1951-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 18 1995

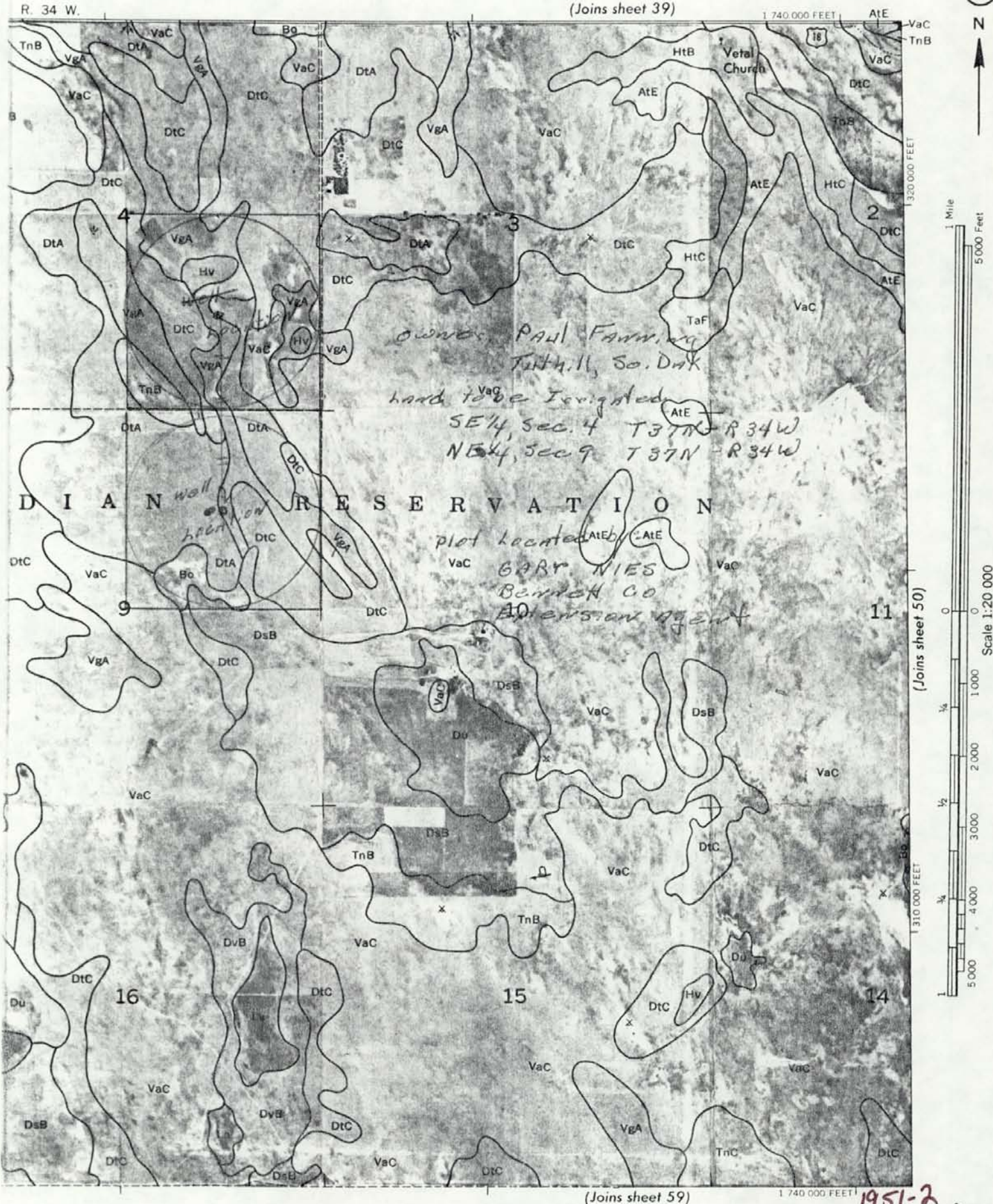
date



R. 34 W.

(Joins sheet 39)

49

Map No. ~~1003-2~~(Appl. No ~~1179-2~~)

1951-2

File No. 1179-2
1951-2

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Paul Fanning, 23805 290th St, Tuthill SD 57574

TELEPHONE: 605 685-6878

RE: water rights covering the same land

COMMENTS:

Water Right No. 1179-2 covers irrigation of the SE ¼ Section 4 and NE ¼ Section 9, T37N, R34W from one well located in the center of the NE ¼ Section 9.

Water Right No. 1951-2 covers irrigation from one additional well to irrigate the SE ¼ Section 4 covered under No. 1179-2. This allows the center pivots to run at the same time.

Mr. Fanning requested the water rights reflect only one pivot for ease of reporting on the annual questionnaire.

Discussion was held with Eric Gronlund and a decision made to edit the database to reflect separate pivots but leave the water licenses as they are. The reason would be that Mr. Fanning may lose priority date status for the pivot in the SE ¼ Section 4 if they were split. He has a priority date established under No. 1179-2 of May 2, 1976 to irrigate both quarters from one well. The pivot in the SE ¼ Section 4 licensed under 1951-2 for the additional well (same aquifer) retained a priority date of July 29, 1985.

Since both wells can be used for either pivot and they are in the same aquifer, if shutoff orders were ever issued for the OGLL Aquifer, he would retain the right to irrigate both quarters with the earlier priority date.

RECOMMENDED ACTION:

Modify the database to show each water right covering one quarter of land. This will make annual reporting for Mr. Fanning easier.



Genny McMath
Water Rights Program

Konst, Shannon

From: Konst, Shannon
Sent: Thursday, November 13, 2025 9:11 AM
To: 'maryafanning@gmail.com'
Cc: Dewell, Amanda
Subject: Irrigation Questionnaires

1179-2
1219-2
1951-2
2605-2
2659-2
2502-2

Hello, we received mail back from the postal service stating, "Not Deliverable Address". Do you have a new address that we could resend your Irrigation Questionnaires for Permit Nos. 1179-2, 1219-2, 1951-2, 2605-2, 2659-2, 2502-2. We are also unable to contact you by phone. Could you please include a new phone number as well. Feel free to call with any questions that you might have.

Thank you



Shannon Konst
Program Assistant I
Water Rights Program

Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3352
shannon.konst@state.sd.us