

Considered: _____

WATER PERMIT NO. 2175-2

Phone: 605 775-2382

Name of Applicant: Jerry J Hutchison

Post Office Address: Box 361, Burke SD 57523

Amount of Water Claimed: 0.22 Total Acres: 25

Source of Water Supply: groundwater

Water to be used for: irrigation County: Gregory

About 2 miles NW of Burke

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 2-7-91 Fee: 150 Remarks _____

Corrected Application Received _____ Period of Annual Use June 1 - Aug 31

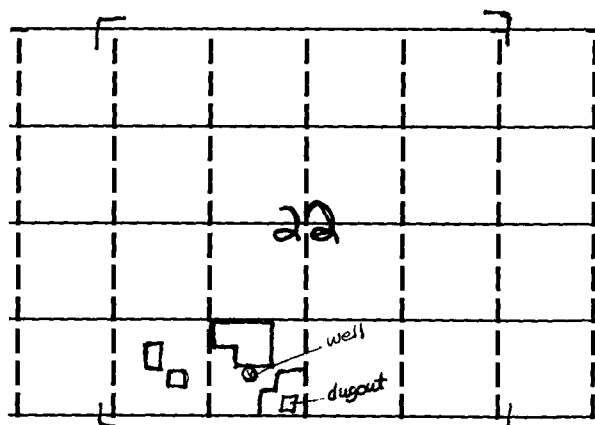
WATER QUALITY APPROVAL RECEIVED 4-24-91 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: SE 1/4 SW 1/4 22-97-72

Land to be Irrigated: SW 1/4 SW 1/4, SE 1/4 SW 1/4

22-97-72



Well Log: Driller: SDGS Licensed YES _____ NO _____

Depth of Well: 104' REMARKS _____

Type of Map: aerial PREPARED BY: Carole Witt, ASCS Reviewed and the Number

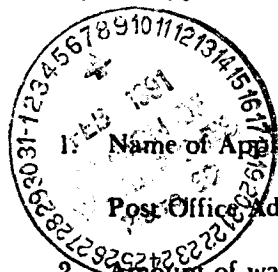
Assigned on 4-25-91 By Karen Schlaak

(See instructions)

No. 2175-2 Hydrologic Unit 10140101
Basin Missouri River
Newspaper Gregory Times Advocate, Box 378, Gregory, SD

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____



1. Name of Applicant Jerry J. Hutchison Phone No. 605-775-2382
Post Office Address Box 361 Burke State S. Dak. Zip Code 57523
(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s.) .22 Total acres irrigated 25

3. Source of Water supply Well

4. Location of point of diversion S. E. 1/4 S.W. 1/4 Sec 22 97 72 Gregory County

Dugout S.E. 1/4 S.W. 1/4 22 97R 72W County Gregory

5. Counties where water will be used Gregory

6. Annual period during which water is to be used June 1 thru Aug 31

7. 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.
SW 1/4 SW 1/4 22-97-72	5
SE 1/4 SW 1/4 22-97-72	20

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: Drip
(Specify)

9. Crops to be Irrigated: Trees

10. Give a description of proposed project. (Attach sheet if more space is needed)

Tree nursery

If well is not sufficient, will pump to dugout and from there to trees.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Gregory)^{ss}

I, Jerry Hutchison, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Jerry Hutchison

Subscribed and sworn to before me this 6th day of February 1991

James Gloner
Notary Public
8-21-93

SOUTH DAKOTA
WATER PERMIT No. 2175-2 FOR IRRIGATION

Date of first receipt of application February 7, 1991.
Date Soil/Water Compatibility Permit received April 22, 1991.
Date of return to applicant for corrections, amendments or changes
February 7, 1991.
Date of receipt of corrected application April 25, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2175-2 to Jerry J Hutchison, Box 361, Burke SD 57523 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. 2175-2 appropriates 0.22 cubic feet of water per second from one well (Ogallala Aquifer) 104 feet deep and a dugout both located in the SE 1/4 SW 1/4 to irrigate 25 acres located in the SW 1/4 SW 1/4, SE 1/4 SW 1/4 all in Section 22-T97N-R72W. Diversion of water from the well may be made to the dugout.
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: June 1 - August 31.
3. The date from which applicant may claim right is April 22, 1991.
4. The date of approval of Permit No. 2175-2 is July 24, 1991.
5. One-fifth of the construction is to be completed on or before January 24, 1994.
6. All construction is to be completed on or before July 24, 1996.
7. Water is to be put to beneficial use on or before July 24, 2000.
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 authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. 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.

(continued)

3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. The well and dugout authorized by Permit No. 2175-2 are located in the City of Gregory Future Use area. Permit No. 2175-2 is junior in priority to Future Use Permit No. 1622-2 and will be subject to new city wells which may be constructed in the future by the City of Gregory.

WATER MANAGEMENT BOARD

By: 

Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

SEP 27 1991

date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 2 ft. Depth 80 ft.
- b) Casing Type Concrete tile Diameter 2 ft. Thickness 3"
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack 50ft.
- e) Depth to Top of Water Bearing Material 30ft.
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
 On applicants property None On property owned by others 950 ft.

2. Dugout Information Estimates

- a) Surface Dimensions 25ft. X 45ft. Depth 12Ft.
- b) Depth to water (ground surface to water level) 4Ft.

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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 _____

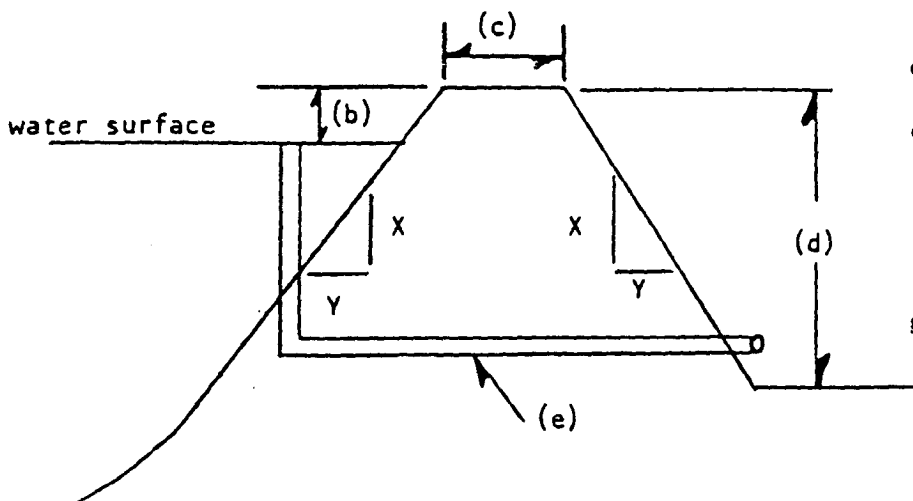
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 7, 1991

Jerry J Hutchinson
Box 361
Burke SD 57523

Dear Mr. Hutchinson:

In regard to your water permit application received today, a \$150.00 application fee is required for irrigating 25 acres.

The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Upon receipt of the fee and the soil/water permit, further processing of your application will proceed.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 23, 1991

Jerry J Hutchinson
Box 361
Burke SD 57523

Dear Mr. Hutchinson:

In regard to your water permit application we are returning the aerial photo submitted with your application. The aerial photo must reference a section corner or quarter corner. Please indicate the location of the well, also. If you obtain a different aerial photo be sure to include the following: the lands to be irrigated need to be outlined and the well and dugout locations marked. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).

The Soil/Water Compatibility Permit has been received from the Division of Conservation. Upon receipt of a corrected map, your application will be processed.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412548

Pierre, February 21, 1991

RECEIVED OF Jerry Hutchinson, Box 361, Burke, SD 57523

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 _____	150	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	150 00

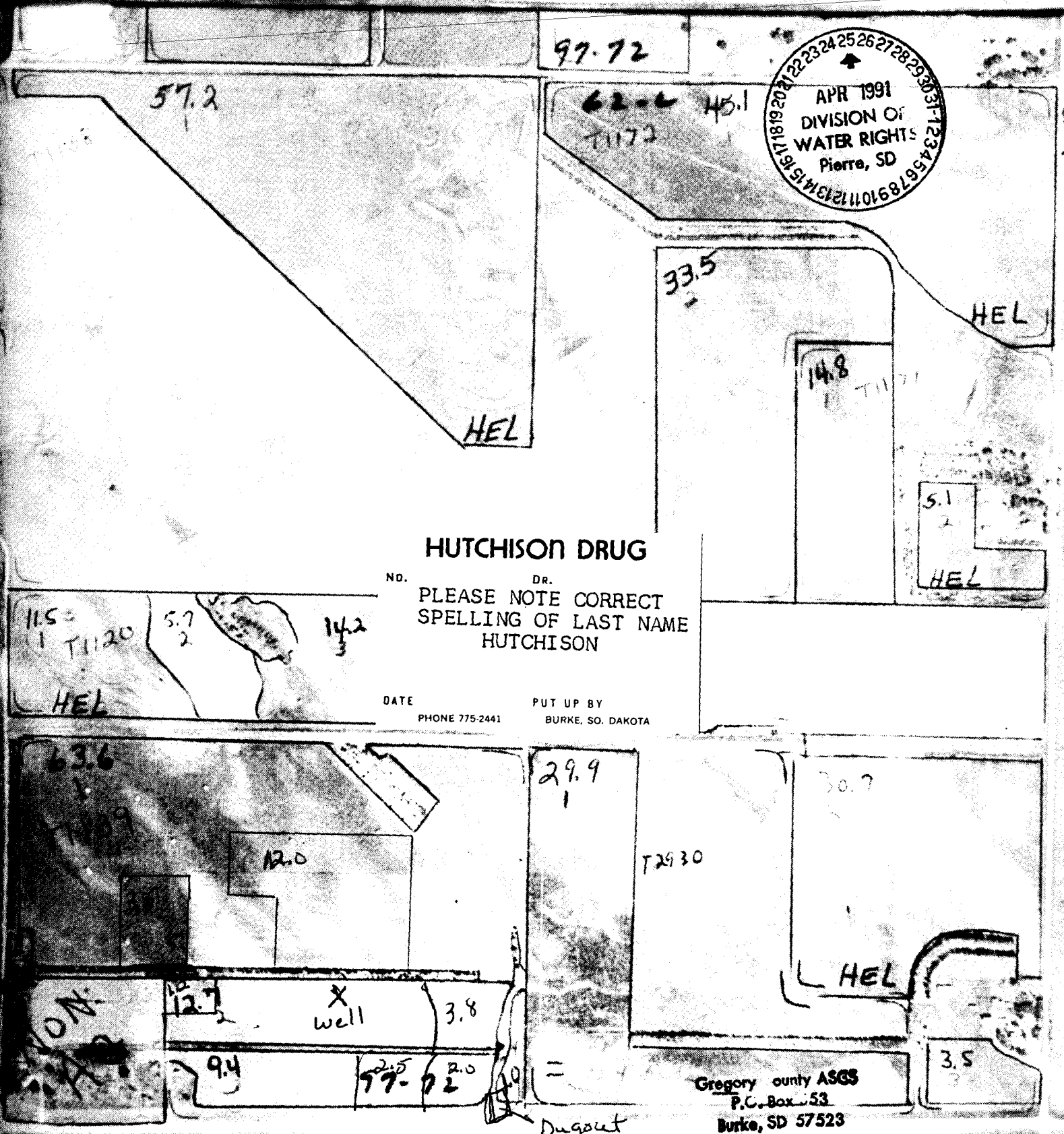
By

Jota Hatch 

Chief Engineer

Appl. No 2175-2

NOT TO SCALE



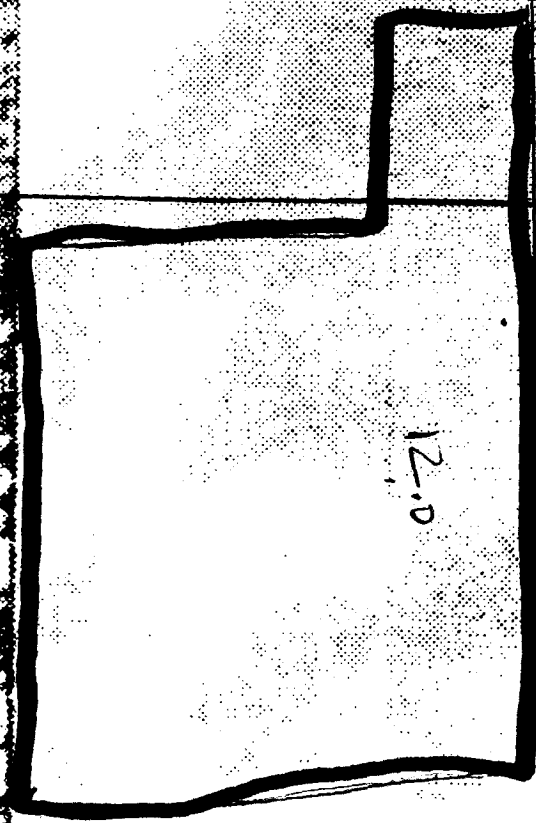
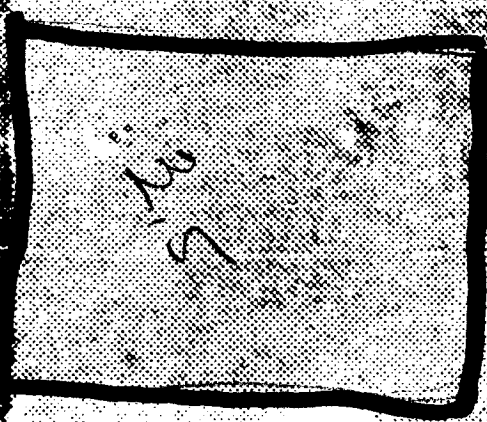
Section 22, 97-72

Carole Whit, Program

63.6

Section 22
41.72

T 139



3.8

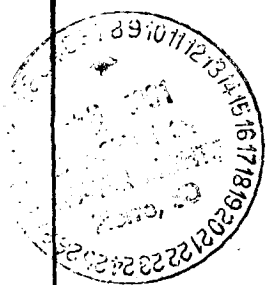
9.4

2.5

99-2.0
72

band 14-21

Dug out



Soils

JaA - Jansen loam 0-3% slope - 0.5 Intake family
 RaB - Ree loam 3-6% slope - 0.5 " "
 Bb - Bon silt loam 0-2% slope - 0.5 " "
 AhC - Anselmo-Holt fine sandy loam 6-9% - 1.5 " "
 Fd - Fedora loam 0-2% - NA
 AdC - Anselmo-Dunday 3-9% - 1.5 " " for Anselmo

See Attached sheets

JaA - Group 14

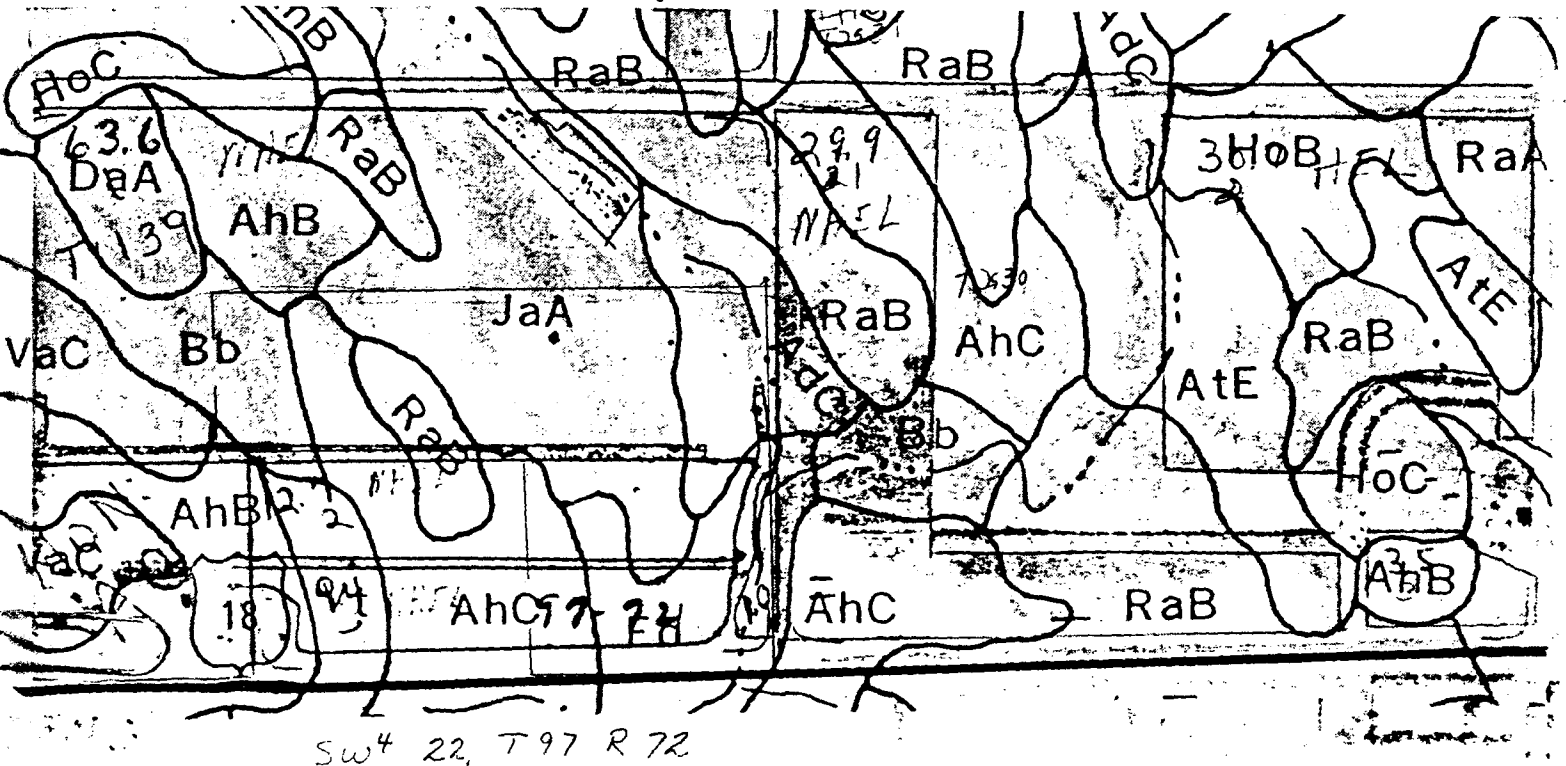
RaB - Group 16

Bb - Group 12



AdC + AhC - Group 21 and 25

Areas within Red boundary (see below) will be irrigated





Group 11
Surface

0.3 Intake Family
Design Sheet Nos. 15-18

These are deep, well drained, moderately well drained or somewhat poorly drained soils that have clay loam, silty clay loam, or silty clay surface layers underlain by stratified silty clay loam, loam, or silt loam. Available water capacity is high. Permeability is moderately slow or slow. These soils are on bottom lands and are subject to flooding.

Special treatment is needed to improve tilth and fertility, where the underlying alluvium is exposed by land leveling. Trace elements will be needed. Soil blowing could be a problem where coarser layers of the substratum are exposed.

Generally, these soils are suitable for irrigation with low salinity and low sodium water. Water of medium salinity may be used when additional quantities are applied for leaching purposes. Use of higher hazard water will require additional internal drainage and the use of salt tolerant crops.

Buffington
Lohmiller

Lohler

Group 12
Surface

0.5 Intake Family
Design Sheet Nos. 19-22

These are deep, well drained and moderately well drained soils that have thick dark colored surface layers of loam, silt loam, silty clay loam, or very fine sandy loam. The underlying material is stratified loam, silty clay loam, silty loam, or fine sandy loam. Available water capacity is high. Permeability is moderate or moderately slow. These soils are on bottom lands. They are subject to occasional flooding from snow melt in the spring.

These soils are subject to soil blowing, where sandy material is exposed during land leveling.

Generally, these soils are suitable for irrigation with medium salinity and low sodium water. If water of high salinity or medium sodium is used, extra water should be applied for leaching purposes and salt tolerant crops may be required.

Barnum
Blake
Bon
Bridgeport
Davis
Kennebec

Korchea
LaDalle
LaPrairie
Nimbro
Omadi
Roxbury

Salix
Straw
St. Onge
Volin

Group 14
Surface

0.5 Intake Family
Design Sheet Nos. 19-22

These are well drained to somewhat poorly drained soils that are moderately deep over sand or gravel. They have loam or silt loam surface layers. The subsoil is loam, silty clay loam, or clay loam. The underlying material at depths of 20 to 40 inches is coarse sand or sand and gravel. These soils have low available water capacity where the sand and gravel is about 20 to 25 inches in depth. Permeability is moderate above the sand and gravel and rapid or very rapid in the sand and gravel. These soils are on upland terraces.

Dimo and Spottswood soils have a seasonal water table that fluctuates from 3 to 6 feet or more. Specific site investigation should be made to determine feasibility of irrigation because of underlying gravel and possible water table.

Caution should be used when land leveling to avoid exposing the underlying gravelly material. Water will not enter the gravelly substratum until the soil above the gravel is saturated.

Generally, these soils are suitable for irrigation with medium salinity and low sodium waters. If waters of high salinity or medium sodium are used, extra water should be applied for leaching purposes and salt tolerant crops may be required.

Some of these soils are on slopes too steep for surface irrigation.

Akaska	Cheyenne	Fordville	Spottswood
Altvan	Dampster	Grable	Stady
Bowdle	Dimo	<u>Jansen</u>	Vang
Canning	Enet	Oahe	Weber
Chanta	Estelline		



Group 15
Surface

.5 Intake Family
Design Sheet Nos. 23-26

These are moderately deep, well drained soils that have loam, silt loam, or silty clay loam surface layers. The subsoil is clay loam, loam, sandy clay loam, silt loam, or silty clay loam. The underlying material at depths of 20 to 40 inches is siltstone, shale, or fine grained sandstone. Available water capacity is low. Permeability is moderate above the bedrock. These soils are on uplands.

Caution should be used when land leveling to avoid exposing the bedrock. Seepage is possible in some areas if careful water management is not practiced. Specific site investigations should be made to determine feasibility of irrigation because of the bedrock. Soil blowing could be a problem on those soils having fine sandy loam surface layers.

The depth to bedrock usually limits the use of irrigation water to that of low salinity and low sodium. The use of water of higher hazard will require the use of internal drainage systems and possible salt tolerant crops.

Some of these soils are on slopes too steep for surface irrigation.

Amor	Marmarth	Redstoe
Edgeley	Minnequa	Reeder
Felor	Morton	Rosebud
Kadoka	Ralph	Yegen
Keota		

Group 16

0.5 Intake Family
Design Sheet Nos. 27-30

These are deep, well drained soils that have fine sandy loam, loam, silt loam, or silty clay loam surface layers and loam, clay loam, silt loam, or silty clay loam subsoils. Available water capacity is high. Permeability is moderate. These soils are on uplands.

Special treatment is needed to improve tilth and fertility in areas where the subsoil is exposed by land leveling. Trace elements will be needed in these areas. Soil blowing could be a problem where the Satanta soil has a fine sandy loam surface layer.

Generally, these soils are suitable for irrigation with medium salinity and low sodium water. If water of high salinity or medium sodium is used, extra water should be applied for leaching purposes and salt tolerant crops may be required.

Some of these soils are on slopes too steep for surface irrigation.

Agar	Flandreau	Homme	Norka	Shambo
Beotia	Great Bend	Hord	Paka	Tilford
Bryant	Hall	Keith	Poinsett	Vale
Doland	Hand	Moody	Ree	Wentworth
Farland	Highmore	Nora	Satanta	Zigweid
Farnuf				



Group 21
Surface

1.5 Intake Family
Design Sheet Nos. 39-42

These are deep, well drained soils that have loam or fine sandy loam surfaces and fine sandy loam or light clay loam subsoils. The underlying material is fine sandy loam or loamy fine sand. Permeability is moderately rapid or moderate. These soils are on uplands.

These soils are subject to blowing. Where the underlying material is exposed by land leveling, special treatment with fertilizer and organic matter is needed.

Generally, these soils are suitable for irrigation with medium salinity and medium sodium water. Water with high salinity can be used when extra water is applied for leaching purposes.

Some of these soils are on slopes too steep for surface irrigation

Alice	Egeland	Manter	Woodly
Anselmo	Emrick	Sisseton	Woonsocket
Ascalon	Heimdal	Tally	
Assinniboine	Henkin	Toby	
Chinook	Jayem	Tuthill	

Group 22
Surface

1.5 Intake Family
Design Sheet Nos. 43-45

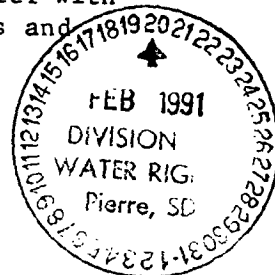
These are deep, well drained and somewhat poorly drained soils that have fine sandy loam surface layers. The underlying material is stratified fine sandy loam, silt loam, and loamy fine sand. Available water capacity is moderate. Permeability is moderately rapid. These soils are on bottom lands of the major drainages. Areas that are not protected may flood during snow melt in the spring. Dams constructed on the major rivers, in recent years, protect many of these soils from flooding. Wann soils have a fluctuating water table that ranges from 2 to more than 5 feet in depth.

These soils are subject to blowing. Special treatment with fertilizer and organic matter is needed to control soil blowing. Trace elements may be needed on some of these soils. Land leveling may expose the sandy underlying material where deep cuts are made.

Generally, these soils are suitable for irrigation with medium salinity and medium sodium water. Water with high salinity can be used when extra water is applied for leaching purposes.

The high water table usually limits the use of irrigation water to those of low salinity and low sodium on the Wann soil. The use of water with higher hazards will require the use of internal drainage systems and possible salt tolerant crops.

Carr	Glendive	Wann
Cass	Munjoy	Waubonsie
Glenberg	Trembles	



1.5 Intake Family
Design Sheet Nos. 49-51

These soils are on slopes too steep for surface irrigation.

Vebar

2.0 Intake Family
Design Sheet Nos. 52-53

The high water table usually limits the use of irrigation water to that of medium salinity and medium sodium. The use of higher hazard waters may require additional internal drainage and the use of salt tolerant crops.

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Shue
Ulen

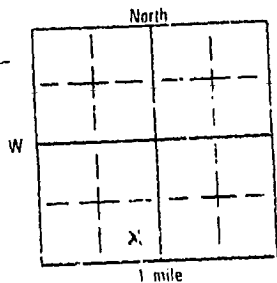
SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SE 1/4 SW 1/4 Sec. 22 Twp 97 Rg 72

County Gregory

Please mark well location with an "X"



Well Completion Date 10-15-91

PROPOSED USE:

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

Method of Drilling:

Well Boring machine

CASING DATA:

☐ Steel ☐ Plastic ☐ Other
If other, describe Concrete

PIPE/FEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>100</u> LB/FT	<u>24</u> IN	<u>10</u> FT	<u>70</u> FT	<u>34</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NO

To what depth? From 20ft. to 10ft FEET

What is grouting material? Bentonite + Cement

If cement, number of sacks? _____

Describe grouting procedure Put 1st of bentonite above gravel and cemented in a Pitless unit.

What was grout weight? _____ LB/GAL

SCREEN:

☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☐ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

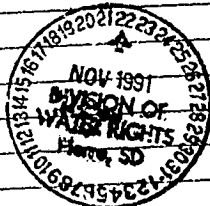
Well Owner:

Name Jerry Hutchison

Address P.O. Box 361 Burke S.D. 57523

Well Log:

Formation	Depth	
	From	To
<u>Top Soil</u>	<u>0</u>	<u>2'</u>
<u>Sand Fine</u>	<u>2</u>	<u>12'</u>
<u>Course Sand</u>	<u>12</u>	<u>30'</u>
<u>Sandy Magnesia</u>	<u>30'</u>	<u>55'</u>
<u>Fine Sand</u>	<u>55'</u>	<u>65'</u>
<u>Magnesia</u>	<u>65'</u>	<u>70'</u>



STATIC WATER LEVEL 22 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 in? yes

WELL TEST DATA:

☐ Pumped

☒ Bailed

☐ Other

Describe: used suction pump and cleaned well

Pumping Level Below Land Surface

_____ ft.	After _____ Hrs.	pumped _____ GPM
_____ ft. <td>After _____ Hrs.</td> <td>pumped _____ GPM</td>	After _____ Hrs.	pumped _____ GPM
_____ ft. <td>After _____ Hrs.</td> <td>pumped _____ GPM</td>	After _____ Hrs.	pumped _____ GPM

REMARKS:

This well was drilled under license # 540

And this report is true and accurate.

Drilling firm Burke Concrete Inc.

Signature of License Representative:

Dean Frank

Signature of Well Owner:

Jerry Hutchison

Date

1-28-92

STATE OF SOUTH DAKOTA
MICROFILM CERTIFICATE OF AUTHENTICITY
THIS IS TO CERTIFY THAT THE MICROGRAPHIC IMAGE APPEARING ON THIS SIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SECTION 1-27-4 OF THE SOUTH DAKOTA CODED LAWS. 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 RECOMMENDED REQUIREMENTS OF ADMINISTRATIVE RULES OF SOUTH DAKOTA 10:04:01 AND 10:04:02 FOR MICROGRAPHIC REPRODUCTIONS.
REDUCTION RATIO 25:1
ROLL NUMBER 46
DATE MICROFILMED 6-9-92
CERTIFICATE SIGNATURE Cheryl Miller

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation



Office Use Only

4599

WR#

OWNERS NAME: HUTCHISON, JERRY J.

OWNERS ADDRESS: BOX 361

BURKE, SD 57523

COUNTY LAND LOCATED IN: GREGORY PHONE: 775-2382 or 2441

LEGAL DESCRIPTION:

☒ Well

☒ DUGOUT
☒ Surface

1. LOCATION SE $\frac{1}{4}$ SW $\frac{1}{4}$ 22-T97N-R72W

Depth Dugout - SE $\frac{1}{4}$ SW $\frac{1}{4}$ 22-T97N-R72W

Legal Description	Acres	Legal Description	Acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 22-T97N-R72W	5		
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 22-T97N-R72W	20		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: DRI
(Specify)

3. CROPS TO BE IRRIGATED: TREES

WATER QUALITY:

4. WATER SAMPLE NUMBER: W-9 USGS

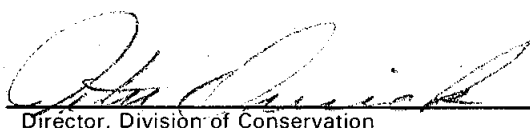
7. ADJUSTED (SAR): 0.63

5. SALINITY (EC X 10⁶): 450

8. PERCENT SODIUM 17.3

6. SODIUM (SAR): 0.38

Requirements:


Director, Division of Conservation

APRIL 13, 1991
Date

XXX APPROVED _____ REQUIREMENTS
____ DISAPPROVED
____ WAIVER

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

COUNTY: GREGORY

LOCATION: 097N-72W-22CBCC

LEGAL LOCATION: SW SW NW SW SEC. 22, T. 097 N., R. 72 W.

LATITUDE: 43.1207

LONGITUDE: 99.2119

LAND OWNER:

PROJECT: GREGORY CITY STUDY

DRILLING COMPANY: SDGS

DRILLER:

DRILLERS LOG:

GEOLOGIST: A. BARARI

GEOLOGISTS LOG: X

DATE DRILLED: 00-00-1968

DRILLING METHOD: AUGER

GROUND SURFACE ELEVATION: 2130.00 T

TOTAL DRILL HOLE DEPTH: 104.0

TEST HOLE NUMBER: 107

USGS HYDROLOGIC UNIT CODE: 10150001

ELECTRIC LOG INFORMATION:

SPONTANEOUS POTENTIAL:

SINGLE POINT RESISTIVITY:

NATURAL GAMMA:

EXTRA:

SAMPLES:

DEPTH TO WATER: 22 FEET.

0	-	6.0	CLAY, LIGHT-BROWN, SANDY
6.0	-	86.0	SAND, CREAM TO LIGHT-BROWN, FINE
86.0	-	104.0	CLAY, DARK-BROWN; VERY COMPACT

* * * *



REPORT ON APPLICATION 2175-2
for Jerry J Hutchison
June 10, 1991

Application No. 2175-2 proposes to appropriate 0.22 cfs (99 gpm) from one well approximately 86 feet deep well and a dugout both located in the SE 1/4 SW 1/4 to irrigate 25 acres located in the SW 1/4 SW 1/4, SE 1/4 SW 1/4 all in section 22, T97N R72W in Gregory County. The well may be diverted into the dugout.

AQUIFER - OGALLALA (OGLL)

The Ogallala Group consists of sands and clays under water table conditions at this site. The Ogallala underlies 193,280 acres and contains an estimated 1.93 million acre feet of recoverable water in storage in Gregory County (Allen, 1984). The test well information submitted with the application indicates sand was encountered from 6 feet to 86 feet below land surface. The Division of Water Rights monitors two observation wells GY-77A and GY-77B which are located within 1 mile of this application. Water levels for these wells show good correlation between wet and dry years. Water levels rise during wet years (recharge) and gradually decline during dry years. The record indicates that water levels do not fluctuate much annually. GY-77A shows a 5.1 feet and GY-77B shows a 7.5 feet maximum change between highest and lowest readings ever recorded. The highest readings recorded occurred in 1987 and 1988 (Water Rights, 1991). The observation well record indicates that water is available for appropriation. Hydrographs for GY-77A and GY-77B are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

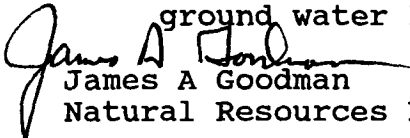
This application is located within the Future Use area specified under Future Use Permit No. 1622-2 for the City of Gregory. The City of Gregory also presently uses wells covered by Water Permit No. 1668-2 (located about 1/2 mile west of this application) and Water Right No. 1031-2 (located about 1 1/2 miles northwest of this application). Also Water Permit No. 1857-2 is located about 3/4 mile southeast of this application and Permit Nos. 1510-2 and 1486-2 are located about 1 mile south of this application. These latter two permits are subject to cancellation because of no development.

1031-2	City of Gregory	7 wells	0.60 cfs	licensed
1622-2	City of Gregory	Future Use	1.5 cfs	(1086 AF/YR)
1668-2	City of Gregory	2 wells	3.0 cfs	no license
1857-2	Clark Horn	well & dugout	?	(0.17 cfs) inspected
1510-2	Clark Horn	3 wells, dugout	6.8 cfs	?
1486-2	Joe Kirwin	2 wells	4.3 cfs	?

Interference is not expected to be a problem. Diversions rates are limited by the saturated thickness of the aquifer and the fine grained sands. Generally drawdown created by high capacity wells in aquifers of this type do not extend very far from production wells.

CONCLUSIONS

1. Water is available from the Ogallala aquifer.
2. The aquifer is under water table conditions and drawdown created by pumping is not expected to extend very far from individual production wells. Interference is not expected to be a problem.
3. The water level record indicates the aquifer does recharge and present diversions are not affecting water levels in the aquifer.
4. Permit Nos. 1486-2 and 1510-2 can be cancelled or cut back to what is actually developed. Permit No. 1857-2 actually uses a small part of the water appropriated by 1510-2.
5. This application is located within the Future Use area specified by Future Use Permit No. 1622-2 for the City of Gregory.
6. The acre feet limitation on Future Use Permit 1622-2 needs to be changed to reflect what can actually be developed (652 AF/YR) using 1.5 cfs as a diversion rate.
7. The dugout will be used as a source if the well will not produce enough water. Because the dugout is also into the ground water system putting water from the well into the dugout may not do much good. The aquifer would take water from the dugout as the ground water level drops.


James A Goodman
Natural Resources Engineer

Allen, J.C., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1991, Observation Well Records of Ogallala Aquifer in Gregory County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

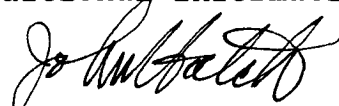
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2175-2, Jerry J. Hutchison

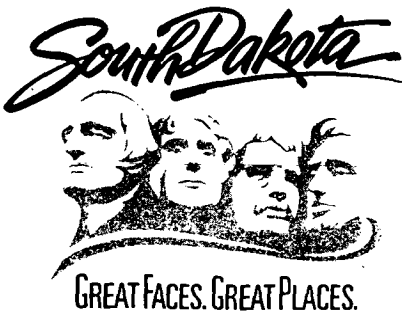
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2175-2, Jerry Hutchison, Box 361, Burke, SD 57523.

The Chief Engineer is recommending APPROVAL of Application No. 2175-2 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 wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. The wells 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.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. The well and dugout authorized by Permit No. 2175-3 are located in the City of Gregory Future Use area. Permit No. 2175-2 is junior in priority to Future Use Permit No. 1622-2 and will be subject to new city wells which may be constructed in the future by the City of Gregory.

See report on application for additional information.


JOHN HATCH, Chief Engineer
June 14, 1991



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

June 18, 1991

Jerry J. Hutchison
Box 361
Burke, SD 57523

Dear Mr. Hutchison:

Water Permit Application No. 2175-2 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Gregory Times Advocate printed at Gregory, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a 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 to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 18, 1991

Gregory Times Advocate
Box 378
Gregory, SD 57533

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2175-2 to be published twice. Please publish the first notice on June 26, 1991 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Jerry J. Hutchison, Box 361, Burke, SD 57523.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on or before June 26, 1991 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2175-2 to Appropriate Water

Notice is given that Jerry J. Hutchison, Box 361, Burke, SD 57523 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second from one well (Ogallala Aquifer) 104 feet deep and a dugout both located in the SE 1/4 SW 1/4 to irrigate 25 acres located in the SW 1/4 SW 1/4, SE 1/4 SW 1/4 all in Section 22-T97N-R72W. Diversion of water from the well may be made to the dugout.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2175-2 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, 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 July 15, 1991. 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.

For purposes of publishing 1) the notice of hearing on Application No. 2175-2 and 2) the chief engineer's recommendation, a Board meeting is scheduled for July 24, 1991, at 10:00 am in Kneip Room, Governors Inn, 700 W. Sioux Ave., Pierre SD. If this application is opposed or the recommendation is contested, the July 24, 1991 hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 24, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 15, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Gregory) ss.



I, Sally A. Miller

certify that the attached printed Notice was taken
 from the Gregory Times-Advocate

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 _____ of Gregory

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

June 26, 1991

July 3, 1991

Sally A. Miller
 Notary Public (Signature)

Business Manager
 (Title)

July 3, 1991

(Date Signed)

Cost of Printing: \$56.20

NOTICE OF HEARING on Application No. 2175-2 to Appropriate Water

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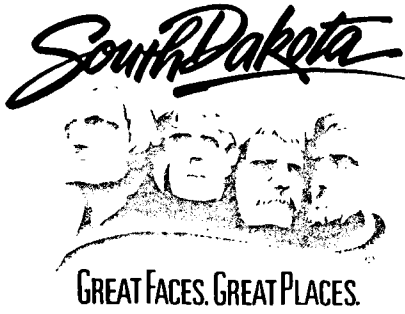
W. Sioux Ave., Pierre SD. If this application is opposed or the recommendation is contested, the July 24, 1991 hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 24, 1991 hearing date will be automatically delayed for at least 30 days upon written request to the Chief Engineer from

the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 15, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

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(26-27)



SEP 27 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Jerry J Hutchison
Box 361
Burke, SD 57523

Dear Mr. Hutchison:

Enclosed is Water Permit No. 2175-2 authorizing construction of your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date 8-17-94

TO: Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Jerry Hutchinson P.O. Box 361
(name) (address)
Burke S.D. 57523 1-605-775-2383
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 2175-2.

Water Permit No. 2175-2 states that the diversion system is to be constructed by July 24, 1996, and that the water is put to beneficial use by July 24, 2000.
(date) (date)

The diversion system was completed on 5-9/.
(date)

Applying the water to beneficial use was completed on 5-9/.
(date)

You may schedule an inspection so that the Water License may be issued.

Jerry Hutchinson
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 9, 1994

2175-2

Jerry J. Hutchinson
P.O. Box 361
Burke, SD 57523

Dear Mr. Hutchinson:

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. 2175-2, 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 Division
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 Division
(605) 773-3352

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

RECEIPT

414322

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ November 15, 19 94

RECEIVED OF Donna Hutchison, PO Box 361, Burke SD 57523-0361

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. <u>2175-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hald
Chief Engineer

Permit No. 2175-2
Missouri 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 made a thorough examination of the water use system constructed by Jerry J. Hutchinson of P.O. Box 361, Burke, SD 57523 holder of Permit No. 2175-2, bearing the priority of April 22, 1991 authorizing the diversion of 0.22 cu. ft. of water per second from groundwater (Ogallala Aquifer) for irrigation purposes, in Gregory County.

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

A. Works used to divert the water:

A 3/4 HP Franklin electric submersible motor
with a Jacuzzi pump.

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

1200 feet of 4" Aluminum irrigation pipe.

C. Works used to apply water to beneficial use:

1200 foot Towline system with sprinkler spacing at 30 feet.

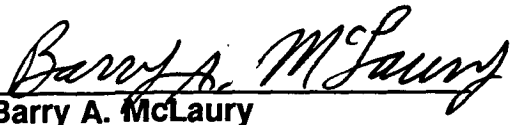
The system is in excellent condition. The point of diversion is located 2200 feet E and 660 feet N from the SW corner of Section Section 22 T97N-R72W (SE1/4 SW1/4). The works are capable of diverting and conveying to the place of use 0.11 cu. ft. of water per second which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>T97N-R72W</u>	<u>SECTION 22</u>	<u>SE1/4 SW1/4</u> <u>11 acres</u>
------------------	-------------------	------------------------------------

comprising a total of 11 acres of land and the license should be issued for 0.11 CFS.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: None Date: August 17, 1994



Barry A. McLaury
Environmental Scientist
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 2175-2

DATE OF INSPECTION: 8-17-94

Other permit(s) associated with the project: None

DIVERSION POINT LEGAL LOCATION: 2200 feet E and 660 feet N from the SW corner of Section
Section 22 T97N-R72W (SE1/4 SW1/4).

WELL INFORMATION:

- 1) Well Drilling Firm: Burke Concrete
- 2) No. of Wells 1
- 3) Depth(s) 68 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 24 inches
- 2) Length 48 feet
- 3) Type concrete

Screen:

- 1) Type concrete
- 2) Length 20 feet
- 3) Static water level 22 feet

SYSTEM TYPE:

Towline:

- 1) Length 1200 feet
- 2) Diameter 4 inches
- 3) Spacing of sprinklers 30 feet

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) Irrigation Questionnaires checked to determine if irrigation began by end of construction period Y

Pump:

- 1) Make Jacuzzi Submersible
- 2) Model 7BS 41011-52
- 3) Size ?
- 4) Capacity 50 GPM

Motor:

- 1) Make Franklin Submersible
- 2) Model No. 22-17
- 3) Horsepower rating 3/4 hp

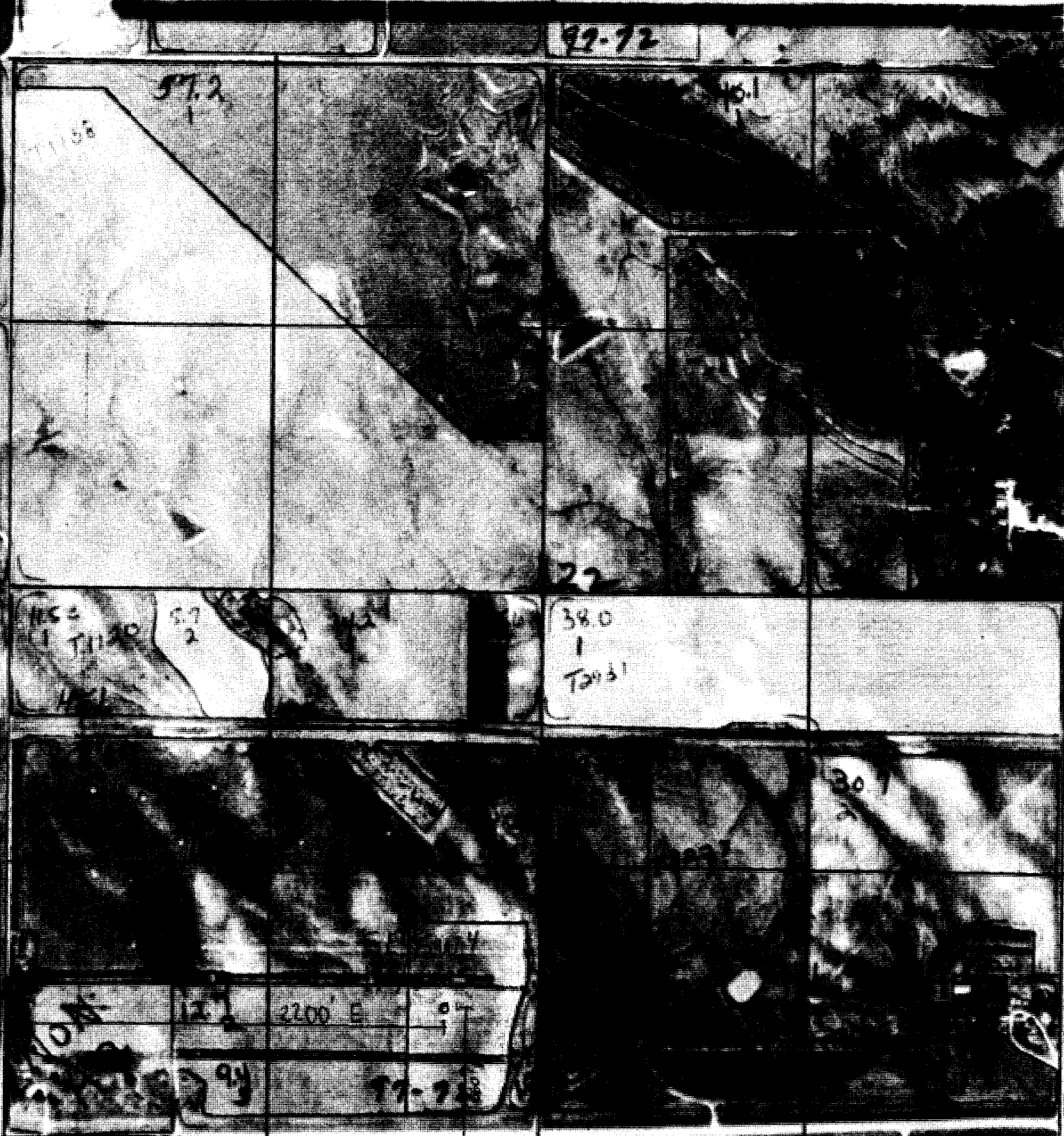
DISTRIBUTION LINES OR CANALS:

- 1) Type ALU 2) Size 4 inch 3) Length 1200 ft

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y (N)

NOT TO SCALE



Barry McLaury *Barry A. McLaury*
 Environmental Scientist
 Division of Water Rights
 Date 10-31-94 2175-2

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2175-2

(1) Jerry J. Hutchison, of PO Box 361, Burke SD SD 57523 made Application No. 2175-2, February 7, 1991 for a water permit to appropriate 0.22 cubic feet of water per second from groundwater (one well) and a dugout, Gregory County, South Dakota for irrigation purposes. Permit No. 2175-2, with a priority date of April 22, 1991 was approved July 24, 1991 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 24, 1996 and for the application to beneficial use of said water on or before July 24, 2000.

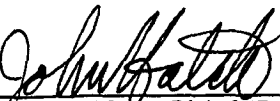
The permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" on August 17, 1994. The "Notice" stated the diversion system was completed May, 1991 and the water placed to beneficial use May, 1991.

(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 0.11 cubic feet of water per second for beneficial use. The location of the diversion point is 2200 feet east and 660 feet north from the southwest corner of Section 22-T97N-R72W (SE 1/4 SW 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:

SE 1/4 SW 1/4 Section 22-T97N-R72W 11 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Jerry J. Hutchison of PO Box 361, Burke SD 57523 the holder and/or owner of Water Permit No. 2175-2 is issued a license to appropriate water, the right to use 0.11 cubic feet of water per second from groundwater (one well) with a priority date of April 22, 1991 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. 2175-2 and subject to South Dakota State Law.



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

NOV 14 1994

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 14 1994

2175-2

Jerry J. Hutchison
P.O. Box 361
Burke, SD 57523

Dear Mr. Hutchison:

Enclosed is Water License No. 2175-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414322 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. 2175-2, 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 Division
(605) 773-3352

ks
enclosures



2175-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2006

NOTICE

TO: JERRY J HUTCHISON, BOX 281, BURKE, SD 57538

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2175-2. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2175-2 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2175-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 24, 2006, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



Track & Confirm

Current Status

You entered 2303 2160 0000 0799 5067

Your item was delivered at 11:01 am on January 25, 2006 in BURKE, SD 57523. The item was signed for by J HUTCHISON.

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 5067

JERRY J HUTCHISON
BOX 281
BURKE SD 57538

Waiver of Signature ☐ YES ☐ NO

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www.state.sd.us/denr

January 30, 2006

2175-2

Jerry J Hutchison
Box 281
Burke SD 57538

Dear Mr. Hutchison:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 2175-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

June 17, 2009

2175-2

Jerry Hutchison
PO Box 361
Burke SD 57523

Dear Mr. Hutchison:

I am writing in regard to your Water Right No. 2175-2 which authorizes diversion of ground water for irrigation purposes.

A review of the water right and past irrigation questionnaires shows the land has been irrigated only once since 1996. On the forms, you have indicated that you did not irrigate because you were either short of help or did not have the time. Please keep in mind that water must be placed to beneficial use at least once every three years in order to maintain the water right. This three-year period may be waived if legal excuse exists for not irrigating. Legal excuse as defined in Water Management Board Rules includes, but is not limited to, the following: 1) unavailability of water to satisfy a permit or right; 2) legal proceedings which prevent the use of water; or 3) water use under existing climatic conditions would result in a waste of water.

The above information may or may not be of concern to you; however I wanted to let you know what the criteria were for maintaining a water right. If you no longer wish to maintain the water right, please get in touch with me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

Reported Water Use

06/10/2009

Permit No	Year	Name	Not Irrig	Not Constr
2175-2	1991	JERRY JHUTCHISON	X	
2175-2	1992	JERRY JHUTCHISON		
2175-2	1993	JERRY JHUTCHISON	X	
2175-2	1994	JERRY JHUTCHISON		
2175-2	1995	JERRY JHUTCHISON		
2175-2	1996	JERRY JHUTCHISON		
2175-2	1997	JERRY JHUTCHISON <i>no comment</i>	X	
2175-2	1998	JERRY JHUTCHISON <i>did not feel like it</i>	X	
2175-2	1999	JERRY JHUTCHISON <i>no comment</i>	X	
2175-2	2000	JERRY JHUTCHISON <i>not planted</i>	X	
2175-2	2001	JERRY JHUTCHISON <i>old age</i>	X	
2175-2	2002	JERRY JHUTCHISON		<i>5 acres.</i>
2175-2	2003	JERRY JHUTCHISON <i>too lazy</i>	X	
2175-2	2004	JERRY JHUTCHISON <i>too lazy</i>	X	
2175-2	2005	JERRY JHUTCHISON <i>didn't have the help or time</i>	X	
2175-2	2006	JERRY JHUTCHISON <i>no help</i>	X	
2175-2	2007	JERRY JHUTCHISON <i>Short of help</i>	X	
2175-2	2008	JERRY JHUTCHISON <i>no comment</i>	X	



2175-2
DEPARTMENT of ENVIRONMENT
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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 15, 2016

NOTICE

TO: JERRY J HUTCHISON, BOX 281, BURKE, SD 57538

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2175-2. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2175-2 qualification:

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

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

1. Suspend or cancel Permit No(s) 2175-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



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Available Actions

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DATE & TIME	STATUS OF ITEM	LOCATION
February 1, 2016 , 1:52 pm	Delivered	BURKE, SD 57523

Your item was delivered at 1:52 pm on February 1, 2016 in BURKE, SD 57523.

January 19, 2016 , 8:51 am	Available for Pickup	BURKE, SD 57523
January 18, 2016 , 7:24 pm	Departed USPS Origin Facility	HURON, SD 57399
January 15, 2016 , 10:44 pm	Arrived at USPS Origin Facility	HURON, SD 57399
January 15, 2016 , 6:05 pm	Departed Post Office	PIERRE, SD 57501
January 15, 2016 , 1:06 pm	Acceptance	PIERRE, SD 57501

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JERRY J HUTCHISON
BOX 281
BURKE SD 57538

PS Form 3800, August 2006

See Reverse for Instructions



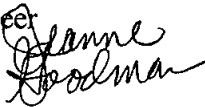
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www.denr.sd.gov

March 3, 2016

NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION OF WATER RIGHT

TO: Jerry J Hutchison, Box 281, Burke SD 57523

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: One Year Suspension of Water Right No. 2175-2

On March 3, 2016, the Water Management Board ordered:

Effective April 4, 2016, Water Right No. 2175-2 be suspended for the 2016 irrigation season for failure to submit the 2015 irrigation questionnaire.

If the 2015 irrigation questionnaire is received prior to April 4, 2016, the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2016 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2016 unless the 2015 irrigation questionnaire is submitted by April 4th.

After April 4th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2015 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 4-5, 2016, in Pierre, SD. The letter should include your reasons for not completing your 2015 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.



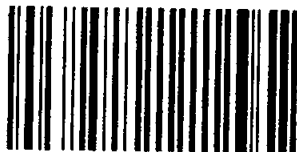
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First Notice 3/5
Second Notice 3/10
Returned 3/20

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- ☒ UNCLAIMED ☐ REFUSED
- ☐ NO SUCH STREET
- ☐ NO SUCH NUMBER
- ☐ INSUFFICIENT ADDRESS
- ☐ NOT DELIVERABLE AS
ADDRESSED UNABLE TO FORWARD



JERRY J HUTCHISON
BOX 281
BURKE SD 57523



DEPARTMENT of ENVIRONMENT
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denr.sd.gov

March 24, 2016

NOTICE

TO: Jerry J Hutchison, Box 281, Burke SD 57523

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

SUBJECT: Unclaimed Certified Mail Concerning Suspension of Water Right

The attached notice was sent certified mail. The post office has returned the certified mail to our office marked "**unclaimed**". The envelope indicated the post office notified you March 5 and March 10, 2016 to pick up and sign for the certified mail. They held the mail for you to claim until March 20th.

If you have any questions, please contact Genny McMath, (605) 773-3352.

2175-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 14, 2017

2175-2

Jerry Hutchinson
Box 281
Burke SD 57523

Dear Mr. Hutchinson:

Thank you for sending in the 2017 irrigation questionnaire for Water Right No. 2175-2. Water Right No. 2175-2 authorizes diversion of water from the one well to irrigate 11 acres located in the SE 1/4 SW 1/4 Section 22-T97N-R72W.

On the form, you checked the box "use abandoned". Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. A review of the records shows the land was last irrigated in 2014.

If the use has been abandoned and you do not intend to irrigate in the future, the water right could be scheduled for cancellation consideration. Prior to doing that, I wanted to touch base with you to verify your intentions regarding the water right.

Please take a few minutes and give me a call concerning the water right. Thank you in advance for your help.

Sincerely,

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

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Jerry Hutchinson, Box 281, Burke SD 57523

DATE: December 27, 2017

RE: use of water under Water Right No. 2175-2

COMMENTS:

On the 2017 irrigation questionnaire Mr. Hutchinson reported he had abandoned the use of water under the water right. A follow-up letter was written to him requesting confirmation prior to scheduling the water right for cancellation.

Mr. Hutchinson called and indicated he had not irrigated in a couple years and was not sure if he would again but if so, he may put in a drip irrigation system for his trees. He didn't seem like he was ready to have the water right cancelled.

After a discussion, I told him we could leave the water right alone for now and he could let us know on his 2018 irrigation questionnaire if he decided to continue to irrigate the tree belt or not.



Genny McMath
Water Rights Program



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January 22, 2021

NOTICE

TO: JERRY J HUTCHISON, PO BOX 281, BURKE, SD 57523

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2175-2. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2175-2 qualification:

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

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

1. Suspend or cancel Permit No(s) 2175-2 in accordance with applicable provisions of SDCL 46-1-12; ; **Due to a previous suspension, the recommendation to the Board will be for a three-year suspension.**
2. Postpone any action; or
3. Take no action.

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

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

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



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February 12, 2021

2175-2

Jerry J Hutchison
PO Box 281
Burke SD 57523-0281

Dear Mr. Hutchison:

I am writing to acknowledge receipt of your 2020 irrigation questionnaire.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right No. 2175-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

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