

Water Right Number 1895-3

1. Considered January 24, 19 73

2. Name of Applicant Paul Fink

3. Post Office Address Delmont, S.D.

4. Amount of water claimed 3.43

5. Source of water supply ground water (shallow)

6. Water to be used for irrigation

Acres to be irrigated 240.00

7. Water to be diverted and used in Douglas County

about 3 miles (W) Miles 1 1/2 of Delmont

8. Proof of Publication Received 1 1/2

Not received _____

9. Application Approved _____

Subject to _____

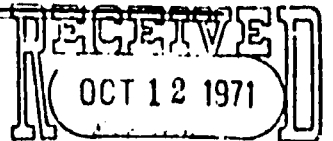
Not approved _____

Action deferred _____

10. Remarks:

No. 1895-3

Water Division No. 3 MISSOURI RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Paul Fink
Postoffice address Delmont, County Douglas, State S.D.

- I. If a corporation _____
- (a) Name of same _____
- (b) Date and place of incorporation _____
- (c) Amount of capital stock _____
- (d) Amount paid in _____
- (e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
Contract
- (b) Cash on hand, \$ Adequate (c) Treasury stock, \$ _____
- (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Paul Fink Diversion No. 1
3. Amount of water claimed 3.43 cubic feet per second
4. Source of water supply Well
5. Location of point of diversion 120 Rods East of NW Corner of Property - 1000.00
_____ on _____ bank Douglas County.
6. Annual period or periods during which water is to be used Irrigation Season
7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinklers

(a) Number of acres to be irrigated 240 acres.

(b) Legal subdivisions to be irrigated SW 1/4 & W 1/2 of SE 1/4 - (31 98 62)

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction, with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use _____
Name any of the above uses claimed
- (b) Amount of power to be generated _____ horse power.
Amount claimed for engine cooling _____
- (c) Location of plant _____
- (d) Method of developing power _____
- (e) Point where water will be returned to stream _____

MAP NO 1344-3

8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$-----

(c) Fluming, \$-----

(d) Canal-earth, \$-----

Rock, \$-----

(e) Other structures -----

Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works.

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top -----

----- feet; thickness at bottom ----- feet; thickness at top -----

feet; slope at front water face -----; slope at back face -----

material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

DEPTH AT OUTLET- FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE- FEET CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet;

Material -----

(d) Canal: Total length ----- miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate ----- *Defiant Record*

STATE OF SOUTH DAKOTA

County of -----

I, -----, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed -----

Subscribed and sworn to before me this -----

day of -----

October -----

1921.

Notary Public (or other qualified officer.)

25 30
36 31

30 27
31 32

36 31
1 2

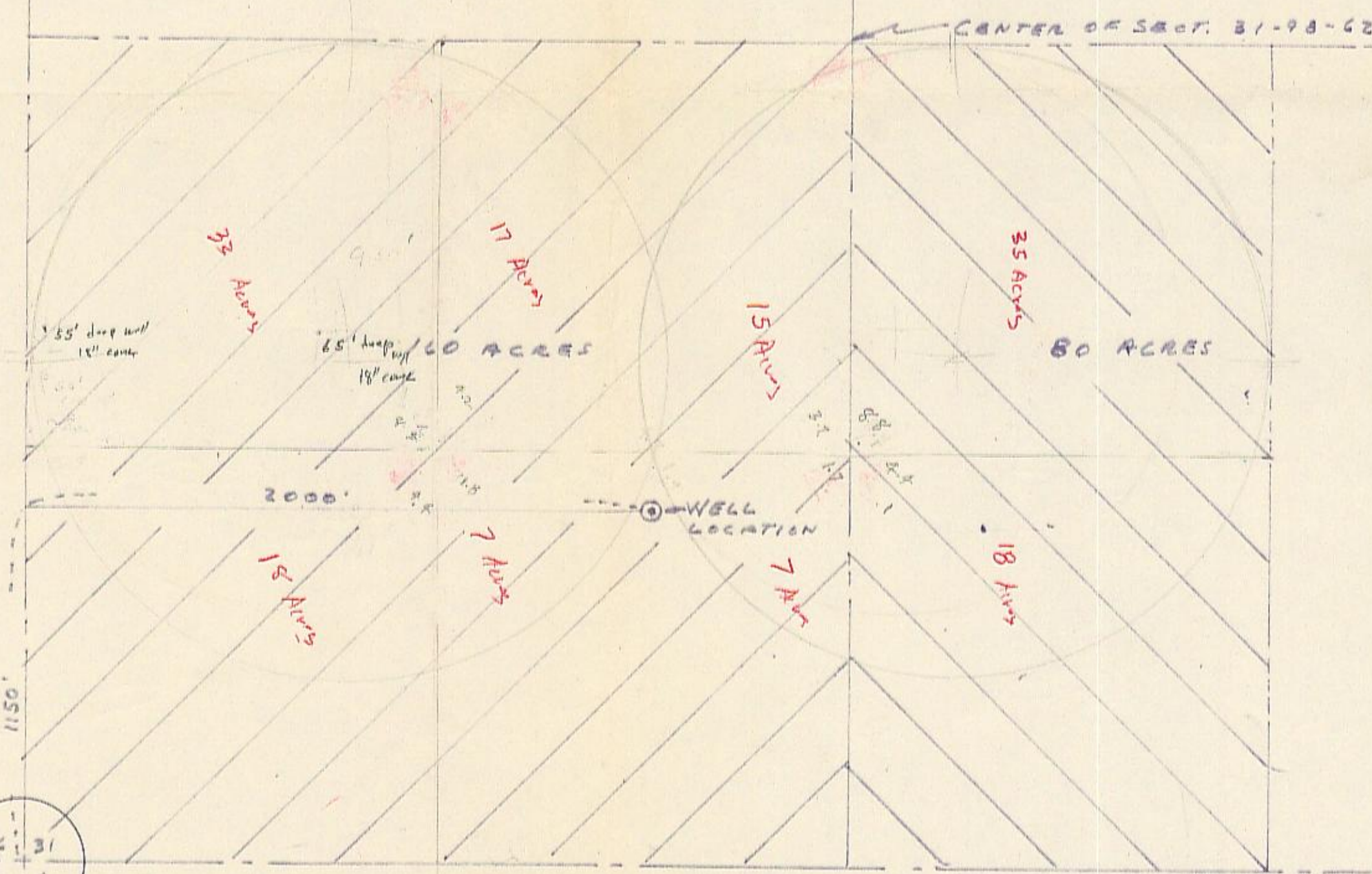
31 32
6 5

AREA BY LEGAL SUBDIVISION
160 ACRES : SW 1/4 } SECT 31, T98N, R62W, 5PM.
80 ACRES : NW 1/4, SE 1/4 }
240 ACRES TOTAL

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) ss
COUNTY OF MINNEHAHA)
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF PAUL FINK
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON OCTO, 1971 FOR WHICH
APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THIS 8TH DAY OF OCT 1971.

Harlan W. Meyer
REGISTERED LAND SURVEYOR #495



SCALE 1" = 400'

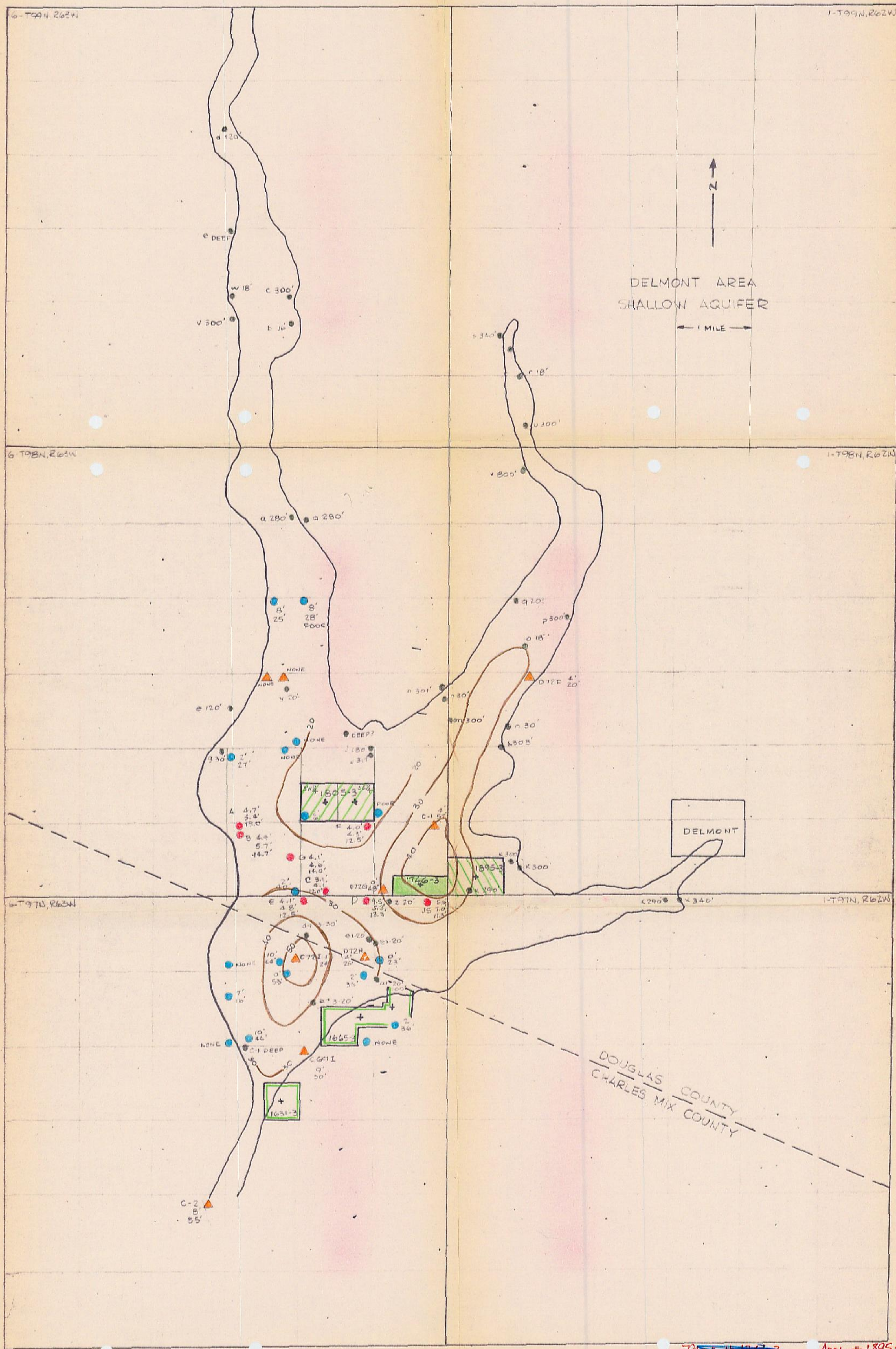
PAUL FINK IRRIGATION PROJECT NO 1
SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE
WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE
WATER

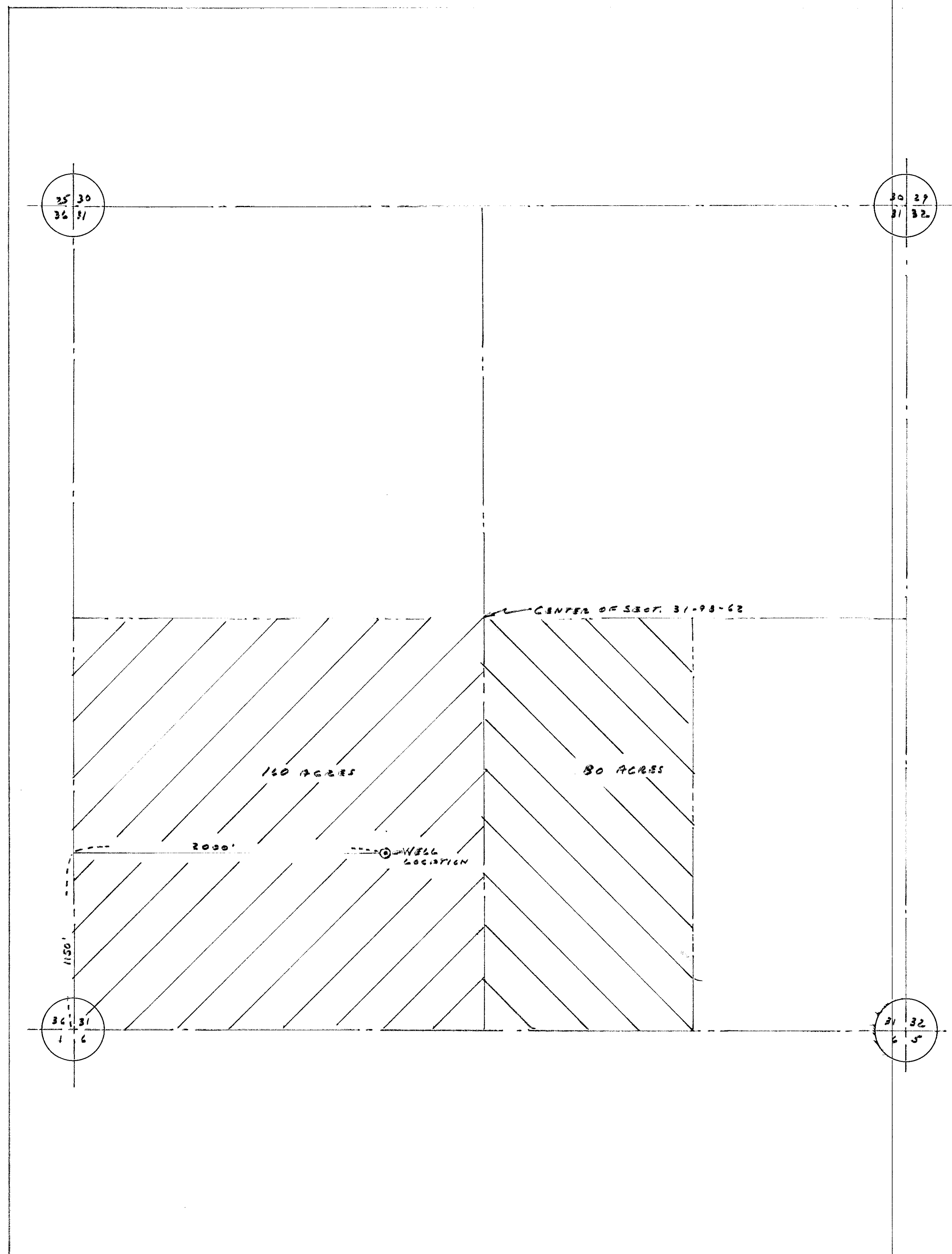
OWNER
SURVEYOR

PAUL FINK
HARLAN W. MEYER

OCT 71

MAP NO 1894-3 APPL NO 1895-3





AREA BY LEGAL SUBDIVISION
 160 ACRES : SW 1/4 } SECT 31, T8N, R62W, 5RM.
 80 ACRES : NW 1/4 }
 240 ACRES TOTAL

SURVEYOR'S CERTIFICATE
 STATE OF SOUTH DAKOTA, SS
 COUNTY OF MINNEHAHA)
 I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
 IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
 CERTIFY THAT AT THE REQUEST OF PAUL FINK
 SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
 WITHIN HIS OWNERSHIP BOUNDARIES ON OCT 8, 1971 FOR WHICH
 APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
 THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
 WITNESS MY HAND AND SEAL THIS 8TH DAY OF OCT 1971.

Harlan W. Meyer
 REGISTERED LAND SURVEYOR #475

SCALE 1" = 400'

PAUL FINK IRRIGATION PROJECT NO 1
 SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE
 WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE
 WATER

OWNER
 SURVEYOR

PAUL FINK
 HARLAN W. MEYER

OCT '71

MAP NO 1344.3 (APPL NO 1895)

THIS PERMIT NO 1895-3 IS APPROVED FOR DIVERSION OF 2.5 C.F.S.

----- This project will consist of the construction of a well
----- not a reduction of needed water absorption in existing water rights
----- wells or in irrigation wells having prior water rights.

DURING PERIODS OF WATER SHORTAGES, AS DETERMINED BY THE WATER RESOURCES COMMISSION, DIVISION OF WATER FROM THIS WELL WILL BE CONTROLLED AS SPECIFIED IN SECTION 44.5 FOR WATER SHORTAGES OF CHAPTER 44.5 REGULATION OF GROUND WATER USE.

County of HUGHES

Pierre, South Dakota, FEBRUARY 5, 1973.

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock

a m. upon the 12TH day of OCTOBER, 1971.

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Number of permit 1895-3

Number of percent 0

Date of first receipt of application OCTOBER 12, 1971

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application -----, 19-----

Date from which applicant may claim right ----- OCTOBER 12, 1971

Date from which applicant may claim right _____
Approved JANUARY 24, 1978 Recorded in Book 12 Page 185

Approved _____ JANUARY 23 1915, Recorded in Book _____

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

_____ as before

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before -----

JULY 24, 1975

2nd. The whole of said work is to be completed on or before JANUARY 24, 1978

3-d. The limit of time for proof of beneficial use of water appropriated in accordance herewith is _____

JANUARY 24, 1981.

4th. The water appropriated shall be used for the purpose of IRRIGATION.

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 25 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 JANUARY 24, 1981; said water to be used during the following described annual period.

DURING IRRIGATION SEASON

Witness my hand this 5TH day of FEBRUARY, 1973

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction issued FEBRUARY 10, 1925

Certificate of Construction issued _____
 Water License issued _____ **FEBRUARY 10** 19**75**

Remarks by the Applicant:

A TEST HOLE WAS MADE LAST FALL (Nov 70) WITH A LOG BY THE DRILLER ENCLOSED WITH THIS APPLICATION.

ALSO I KEPT A LOG OF WATER LEVEL MEASUREMENTS AT REGULAR INTERVALS DURING THE SEASON IN WHICH LEO SOULER WAS PUMPING FOR IRRIGATION ON LAND ADJOINING TO THE WEST EDGE OF MY PROPERTY.

AM ENCLOSING A SMALL MAP OF PROPOSED SITE. A REGULAR ENLARGED MAP WILL BE FORTH COMING AS SOON AS CAN BE COMPLETED.

SILVER CREEK, NEBRASKA

Sample

Address

Location

TEST LOG			
Footage	Description	Footage	Description
0-7	ln soil		
7-34	Gravel		
34-36	clay		
36-46	Gravel		
46-63	soil clay layers		

Driller

Customer Signature _____

9 (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36', Depth 63 FTType of casing Concrete
(wood, concrete, steel, etc.)Size of casing 20", Thickness of casing 1"Length of casing 62 FT If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen Slotted - 1/8" x 2"Size of perforated screen 20"
(diameter) (length)Thickness of gravel pack 14", length of gravel pack 52 FT

(c) Water Bearing Materials

Distance to water 8' Character of water bearing materials _____Sand & GravelThickness of water bearing material 56 FT

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)Name of pump Western Land Filter size 8"Kind of motor Electric
(gasoline, electric, diesel, etc.)Horsepower 50 Name of Motor U. S.

(e) Complete well

Capacity 1250 at drawdown of 2 1/2 FT Estimated cost 3950⁰⁰(f) Owner of land upon which well is located PAUL FINKDelmont. S. DAK
Address

(g) Distance to nearest existing wells

On same owner's property 8.0 rods On property owned by others 180 rods

June 6, 1973

Mr. Paul Fink
Delmont, South Dakota 57330

Dear Mr. Fink;

You have already received a copy of the water analysis. I am forwarding your WI-1 form and a copy of the water analysis to the State Conservation Commission this date. The quality of your water is "high salinity, low sodium". The exact position in our quality chart is indicated by the red cross on the back cover of Extension Circular 654, which I'm enclosing for your use. Please read it carefully.

Your water and soil are judged to be suitable for irrigation with qualifications. The water is high enough in salinity so care needs to be used not to irrigate more than needed. Also you may need to take specific action to leach salts about once in 4-6 years. This will involve irrigating the soil up to saturation and then allowing winter and spring precipitation to assist you in leaching, or else adding enough extra water to drive the salts downward and out of the root zone. EC 654 will help you in deciding how to do this. Also, please get in touch with myself or extension soils or irrigation personnel if you need further information.

Sincerely yours,

Lawrence O. Fine
Lawrence O. Fine, In Charge
Water Quality Lab

LOF:lb
encl

cc: Leonard Nelson, Darrel Pahl, Conservation Commission

Conservation
Commission
Form WI #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: OK

Water Quality: Medium

Soils Capability: good

Approved: 6/8/73

Disapproved: 7/8/73

NAME: PAUL FINN
ADDRESS: DELMONT
COUNTY: DOUGLAS

LEGAL DESCRIPTION

1. WELL LOCATION: NW 1/4 SE 1/4 - 31-98-62
2. AREA TO BE IRRIGATED: W 1/2 SE 1/4, SW 1/4 - 31-98-62

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): CENTER PIVOT
4. CROPS TO BE IRRIGATED: CORN

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE SLOPE: Nearly Level
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION:
ENET III C, LANC II C, DELMONT III S

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 73-245 (73-245)
8. SALINITY: EC: 2/29 micromhos/cm - "High"
9. SODIUM: Sodium Adsorption Ratio = 3.48 - Low sodium hazard

RECEIVED
JUN - 8 1973

STATE WATER RESOURCES COMMISSION
SIOUX FALLS, SOUTH DAKOTA

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

Water Unit office - Chamberlain, S.D. Dist. 1, S.D. 10000

and:
that the legal description for the location of the well and land to be
irrigated is true and correct.

Paul J. Smith

Subscribed and sworn before me this

14th day of May, 1973.

John H. Hengel

Not. Public

(Title)

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submitted by: **Fred Fink**
 Address: **Dalmon, South Dakota 57330**

Date Rec'd **May 1, 1973**
 Sample No. **73-245**
 Identification

WATER ANALYSIS

Calcium (Ca)	248	ppm*	12.40	me/l**
Magnesium (Mg)	26	ppm	2.16	me/l
Sodium (Na)	216	ppm	9.40	me/l
Potassium (K)	28	ppm	0.74	me/l
Sulfate (SO ₄)	724	ppm	15.06	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	8	ppm	0.22	me/l
Bicarbonate (HCO ₃)	617	ppm	10.12	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)	730	ppm	43	g.p.g.***
Alkalinity (Methyl Orange)	566	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2129	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	3.48			
Sodium	38.05	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.00			
Others:				

*ppm=parts per million
 **me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 14.70 me/l
 Total anions 25.40 me/l

By: **Shirley Mitten**

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. **73-245**

Amount Enclosed \$

Signed

Permit No. 1895-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Paul Fink

_____ the holder _____ of
Permit No. 1895-3, issued upon Application No. 1895-3, bearing date of priority of October 12,
1971 authorizing the diversion of 2.5 cu. ft. per second of the waters of _____
ground water County of Douglas, State of South Dakota at _____
Points from the SW Corner, Section 31, T98N, R62W, 1640 feet North and 60 feet
East, and 1690 feet North and 1010 feet East
_____, for irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.91 cu. ft. per second of water.

Date February 10, 1975

By: **WATER RIGHTS COMMISSION**

DONALD DRISCOLL, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1895-3

(1) WHEREAS, On the 12th day of October A. D. 19 71

Paul Fink

made Water Right Application No. 1895-3 for a permit to use 3.43 cubic feet per second of the waters of ground water

County of Douglas, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 5th day of February A. D. 19 73

Permit No. 1895-3 with a date of priority of October 12, 1971

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 24th day of January A. D. 19 78 and for the application to beneficial use of said water on or before the 24th day of January A. D. 19 81

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.91 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the law of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following land in Section 31, T98N, R62W

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 33 acres

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 35 acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 18 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 18 acres

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 14 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 32 acres

Total 150 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Paul Fink

_____ of DeWent, S.D.
the holder _____ and owner _____ of said permit No. 1895-3 a water right, dating from Oct. her 13, 1971
_____ to use of 1.01 cubic feet per second of the water-
of ground water

in the County of Douglas and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at _____

points from the SW Corner, Section 31, T98N, R62W, 1640 feet North and 60 feet East,
and 1690 feet North and 1010 feet East

and conduct to and upon portions of the S $\frac{1}{2}$, Section 31, T98N, R62W, more fully described on
the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1895-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 10th day of February A. D.
Nineteen Hundred and Seventy-five

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer

DONALD DRISCOLL

Publish first publication, on or before January 11, 1973NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 3, 1973

Notice is hereby given that Paul Fink
whose post office address is Delmont, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
3.42 cubic feet of water per second of time from the ground water (shallow) through the
Fink Diversion #1, the point of diversion of which is to be located in the _____

SE 1/4 SW 1/4

of Section 31, Twp. 96N, Range 62W. Said water to be used for the purpose
of providing irrigation on the following described land:

SE 1/4 and 1 1/2 SE 1/4, Section 31, T96N, R62W.

This application No. 1695-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 24th day of January, 1973, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Paul Fink, Delmont, S.D. 57330

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County _____)

I, Waynard H. Gackring hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Delmont Record

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

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

January 11, 1973

January 18, 1973

Waynard H. Gackring
(Signature)

Publisher
(Title)

January 22, 1973
(Date Signed)

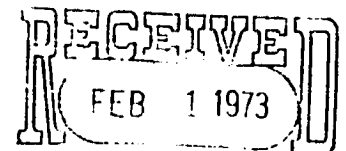
NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
January 3, 1973

Notice is hereby given that Paul Fink, whose post office address is Delmont, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.43 cubic feet of water per second of time from ground water (shallow) through the Fink Diversion #1, the point of diversion of which is to be located in the SE 1/4 SW 1/4 of Section 31, Twp. 98N, Range 62W. Said water to be used for the purpose of providing irrigation on the following described land: SW 1/4 and W 1/2 SE 1/4, Section 31, T98N, R62W.

This application No. 1895-3 will be considered by the Water Resources Commission at their office at Pierre upon the 24th day of January, 1973, at 2:00 P. M. All interested persons may appear and be heard. Water Resources Commission
P. Burton F. Jones,
Water Rights Specialist.

W37-38



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

TRACT NO.

OPERATOR

PHOTO NO.

OWNER

Farmland

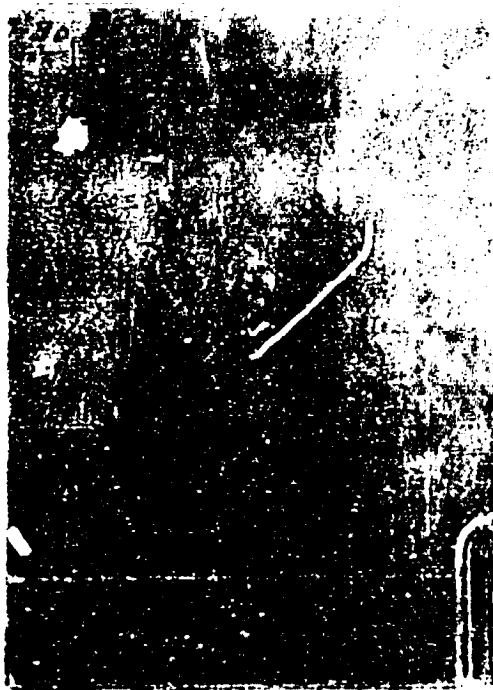
Cropland

NCOP

X - INDICATE SITE OF PROPOSED WELL
 O - INDICATES WHERE ACTUAL TEST HOLE WAS MADE

IF PROPOSED SITE SHOWS BY TEST TO BE
 INADEQUATE, WELL WOULD BE LOCATED AT
 SITE MARKED (C)

MEASUREMENTS TAKEN
 BY ME AT SITE OF
 TEST HOLE DURING
 1971 SEASON



22.4

4.5

MAY 17	7.0
" 23	6.5
June 19	6.0
" 26	6.0
July 24	6.5
Aug 5	6.5
" 17	1.8
Sept 4	7.2

LEO SOULEK
 STOPPED PUMPING
 ABOUT Aug 10

Legal Description

1/4 Sec 24 T4S R4E 31-58-62

checked with well # 7 this

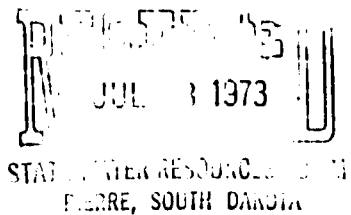
on Sept 17, 1973. He is

having trouble obtaining sufficient
water and may change the location
of his well, or drill a new well.

While he reported he is ready
for final inspection, he is not.

Wait until 7:30

unless other developments
indicate otherwise.



NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office Delmont S.Dak.
Date July 2 1973TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1895-3.

Water Right Permit No. _____ states that the diversion system is to be constructed by Jan 24, 1975 and that the water is to be put to beneficial use by Jan 24, 1981.

The diversion system was completed on June 30, 1973. Applying the water to beneficial use was completed on _____, 19____.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Paul Stink
(Signature)

Permit No. 1895-3Water Division 3 Missouri River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**WATER RIGHTS COMMISSION**10: Water ~~Resources~~ Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Paul Fink
 _____ of Delmont, South Dakota _____ holder _____
 of Permit No. 1895-3, bearing date of priority of October 12 _____, 1971
 authorizing the diversion of 2.5 cu. ft. per second of the waters of ground water
 for irrigation _____ purposes, in Douglas _____ County.

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

The Water Use System consists of,

A. Works used to divert the water: Two wells each about 55 feet deep cased with 18 inch diameter conc. casing. West well--Western Land, Roller 6" turbine pump, mod 6M, powered by U.S. Electric Motor, 40 h.p., type RV. East well--Western Land Roller 6" turbing pump, mod 6M, powered by U.S. Electric Motor, 30 h.p., type RV.

B. Works used to transport water to place of use,
 2850 feet of buried 8 inch transite pipe

C. Works used to apply water to beneficial use.

Volley center pivot sprinkler system--5 tower-water driven, operating from two pivots

The system is in the following condition: Excellent

The point of diversion is located from SW corner of Section 31, T98N, R62W: West well about 1640 feet N & 60 feet E; East well about 1690 feet N & 1010 feet E.

The works are capable of diverting and conveying to the place of use 191cu. 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: All in section 31, T98N, R62W
 Approximately: NW $\frac{1}{4}$ SW $\frac{1}{4}$, 33 a.; NW $\frac{1}{4}$ SE $\frac{1}{4}$ 35 a.; SW $\frac{1}{4}$ SW $\frac{1}{4}$ 18 a., SW $\frac{1}{4}$ SE $\frac{1}{4}$ 18 a.; SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7 a.; NE $\frac{1}{4}$ SW $\frac{1}{4}$ 17 a.

1432comprising a total of 150 acres of land.Date January 7, 1975

Donald Driscoll
 (Signature)

Donald Driscoll, Chief Engineer

The shallow domestic well indicated by the letter JS is now measured on a weekly basis by the Commission Staff when the weekly measurements are made on Commission observation wells in the area. This domestic well is located about $\frac{1}{2}$ mile from the irrigation well authorized in Water Permit No. 1746-3 of Mrs. Alice Goetz. Attachment A contains a graph showing the 1971 and 1972 measurements of well JS. This indicates a gradual decline of about 2 feet during the summer and fall months. Such a lowering of shallow well water levels generally occurs even if there is no irrigation in the area. The Commission Staff concludes that irrigation under Water Permit No. 1746-3 has had no significant effects on the water level in Well JS to date.

The Commission Staff visited each of other domestic well owners in and near the mapped aquifer area. The black circles indicate the location of these other domestic wells and the reported depth of the well.

The blue circles indicate test hole information furnished by U.S. Geological personnel. The top figure indicates depth to the top of the sands and gravel and the bottom figure indicates the depth to the bottom of the aquifer. It should be kept in mind that the top figure does not indicate the depth to the top of the ground water.

The orange triangles represent observation wells, or test holes, of the Commission placed to obtain information about this shallow aquifer. C1 and C2 were drilled in 1957. C69I was drilled in 1969. D72F, D72G and D72I were drilled in 1972. Following are shown the depths to the upper and lower limits aquifer sands and gravels.

<u>Well</u>	<u>Top</u>	<u>Bottom</u>	<u>Well</u>	<u>Top</u>	<u>Bottom</u>
C1.	4'	57'	C72F	4'	20'
C2	8'	55'	C72G	0'	48'
C69I	9'	30'	C72E	1'	24'

C72H is an observation well tapping a deeper aquifer, but its log indicates the limits of the shallow sands and gravels being between 4 and 25 foot depths.

The symbol + indicates the location of the existing irrigation well, or the proposed location of irrigation wells in two deferred water right applications. This symbol + also indicates the proposed location of shallow irrigation wells in approved Water Permits Nos. 1631-3 and 1665-3; the permit holders indicating that these shallow well irrigation systems probably will not be constructed.

Observation well C1 is a key observation well. It was drilled in 1957 and tests since then have indicated the well was always functioning as an excellent observation well. Attachment A contains a graph showing the well level measurements of observation well C1 since 1958. Note the periods of different water levels; 1958 to 1961 the depth was in the 14 to 16 foot range; 1962 to 1965 in the 6 to 7 foot range and in 1966 to 1972 period in the 14 to 17 foot range.

The underground flow of water through this shallow aquifer is mainly southward, a little westward, as indicated by the shape of that portion of the aquifer shown. The top of the ground water also slopes towards the south and west. This slope is about $11\frac{1}{2}$ feet per mile in the northeast leg and about $5\frac{1}{2}$ feet per mile in the north leg and main body of the aquifer.

The main body of the aquifer, as mapped, covers approximately 14 square miles. A sample of the sands taken from observation well C1 was tested as having 44% of voids. From this it can be estimated that at least one acre-foot of water can be pumped from four acre-feet of saturated aquifer materials. Based on this estimate, 2240 acre-feet of water removed by pump irrigation would cause the equivalent of an over-all lowering of one foot in the ground water level in the 14 square miles of aquifer.

The irrigation well operated under Water Permit No. 1743-3 is reportedly, just over 50 feet deep, is pumped at a rate of 1.7 c.f.s. of water and produced 112 acre-feet of water in 1971 and 96 acre-feet in 1972.

U. S. Geological personnel have prepared a contour map showing the thickness of the sands and gravels in this aquifer. The brown contour lines on the attached sketch map shows some of these contour lines. Again it should be remembered the saturated thickness is 6 to 15 feet less than the sand and gravel thickness. These contours are a generalization of the conditions and field conditions at specific locations may vary greatly from what is shown by the contours.

Prior to the January 1972 Commission meeting, Mr. Paul Fink submitted Water Right Application No. 1895-3 to divert up to 3.43 c.f.s. of water from a 63 foot deep well (effective depth may be about 46 feet) to irrigate up to 240 acres of land. (see attached map) The Commission informed Mr. Fink that his application would be placed on a temporary deferred status, prior to the advertising process, to allow the Commission Staff to collect additional information about the water supply conditions.

From data collected to date, it seems that some additional irrigation from this shallow aquifer can be authorized by the Commission. When such irrigation occurs, more information will be available. Until such added information is available the Commission Staff believes the following can be used as temporary guidelines:

1. The water level of observation well C1 can be lowered to at least 19 feet below ground surface without significant effect on domestic wells in the area - with correlated lowering in other shallow observation wells;
2. The diversion rate per irrigation system should not exceed 2.5 c.f.s. of water;
3. Irrigation wells should be placed at least $\frac{1}{2}$ mile from domestic wells, unless the domestic well owner agrees to closer location;
4. That water right applications received, which propose diversion of ground water in Sections 34 and 35, T96N, R63W be placed in a deferred status, unless the applicant owns the only domestic well or wells liable to be affected;
5. That expansion of irrigation from this shallow aquifer be carefully controlled.

WATER RIGHT APPLICATIONS - SHALLOW AQUIFER WEST OF DELMONT

At its March 1971 meeting the Commission considered Water Right Application No. 1805-3 of James T. Goetz to divert up to 4.56 cubic feet per second of ground water from two 50 foot deep wells to irrigate up to 320 acres of land. The proposed irrigation would be about 5 miles west of Delmont, South Dakota.

Six residents of the area and their attorney appeared before the Commission to express their concern that the proposed irrigation, plus existing irrigation from one irrigation well, could have an adverse effect on their shallow domestic and livestock watering wells and dugouts. The Commission deferred action pending investigation by the Commission Staff.

A sketch map (attached) has been prepared to aid in explaining the over-all situation. This sketch map outlines tentative boundaries of the shallow aquifer as determined by U.S. Geological personnel in a county survey by U.S. and S.D. Geological Survey people. All information, or data, obtained from U.S. Geological personnel is "PROVISIONAL DATA, SUBJECT TO REVISION".

The red circles indicate the location of wells owned by those people who have expressed their concern that additional irrigation from this shallow aquifer could deplete the water supply of their shallow wells to less than the amount needed. These wells were measured several times during the summer and fall of 1971. The top figure by the red circle indicates the minimum depth of water in the well during the 1971 period of measurement, the middle figure is the average depth of water during the period and the lower figure is the depth of the well below ground surface. These wells are all large diameter wells - 15 inches or larger in diameter. The Commission Staff believes most of these wells do not extend to the bottom of the aquifer.

Shown below are measurements from ground surface recorded for these wells:

Well	Depth of well	Depth to Water					
		6-3-71	8-2-71	9-3-71	9-30-71	11-2-71	12-14-72
A	13.0'	9.8'	9.8'	10.8'	10.8'	10.2'	-
B	14.7'	9.6'	9.7'	10.8'	10.5'	10.1'	9.4'
C	12.0'	7.0'	7.7'	8.9'	8.0'	-	-
D	11.3'	7.0'	7.7'	8.1'	8.5'	8.8'	7.5'
E	12.5'	7.0'	7.8'	7.8'	8.4'	-	7.4'
F	12.5'	8.0'	8.2'	8.2'	8.5'	8.3'	7.8'
G	14.0'	9.2'	10.1'	10.1'	10.6'	10.7'	10.3'
Pump Test Well	(20.0' to 25.7')	9.0'	9.0'	9.0'	9.2'	9.6'	8.4'

* Located at center of SE $\frac{1}{4}$, Section 26, T98N, R63W.

Using such guidelines, Water Right Application No. 1895-3 of Mr. Paul Fink can be approved for a diversion rate of 2.5 c.f.s. with a well interference qualification and a qualification to the effect that if the Commission decides that a water shortage exists in the area, diversions of water from his irrigation well may be curtailed.

The area proposed to be irrigated from two 50 foot deep wells is the green cross-hatched area indicated by No. 1805-3. The owner has had some test holes drilled in this half section, S $\frac{1}{2}$, Section 26, T98N, R63W. Reportedly the tests indicated saturated sand and gravel in the S $\frac{1}{2}$ of less than ten feet in depth, not adequate for the desired irrigation well. Based on this information, the Commission Staff concludes there is not unappropriated water available for the irrigation of the SE $\frac{1}{4}$, Section 26, T98N, R63W.

A test hole at the center of the SE $\frac{1}{4}$ indicated saturated sands and gravels from 10 to 23 feet. A pump test well was placed here and pumped at a rate reported to be about 1.23 c.f.s. for several hours. The Commission Staff has some question that this well would produce at such rate for a sustained period of time. This test well was permanently cased with concrete casing and could be an irrigation well to the extent that Water Application No. 1805-3 would be approved.

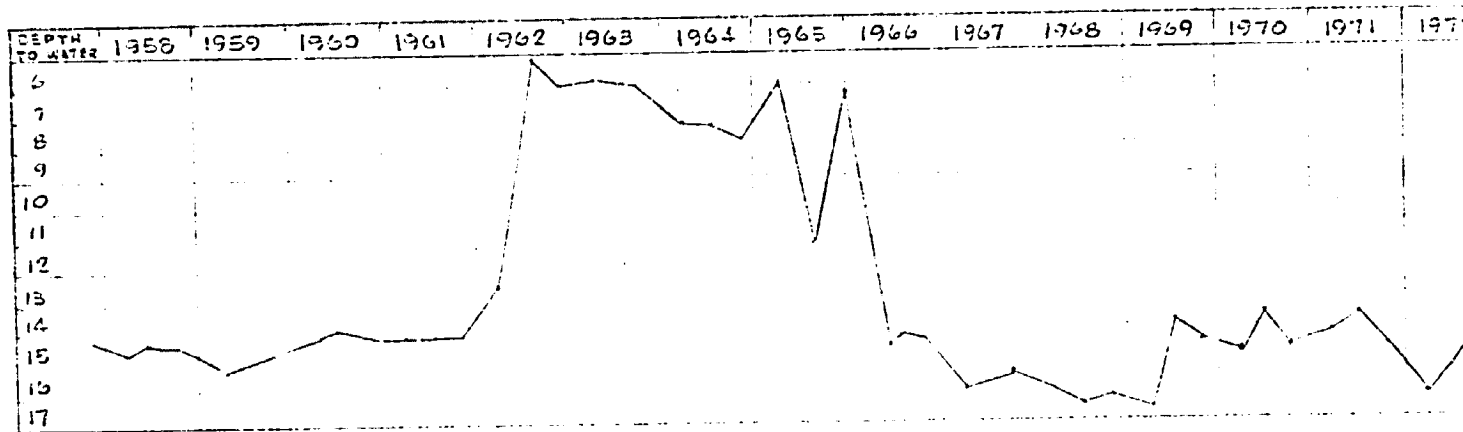
Based on the information available and in accordance with the listed guidelines, the Commission could approve Water Right Application No. 1805-3 for the well in the SE $\frac{1}{4}$ with the vested diversion rate of 1.23 c.f.s. and with the qualification as proposed for Water Right Application No. 1895-3.

Such a well would provide considerable less water than the amount needed to irrigate this SE $\frac{1}{4}$. The Commission Staff suggests the Commission take no action on Water Right Application No. 1805-3, awaiting the response of the applicant, after reading this report.

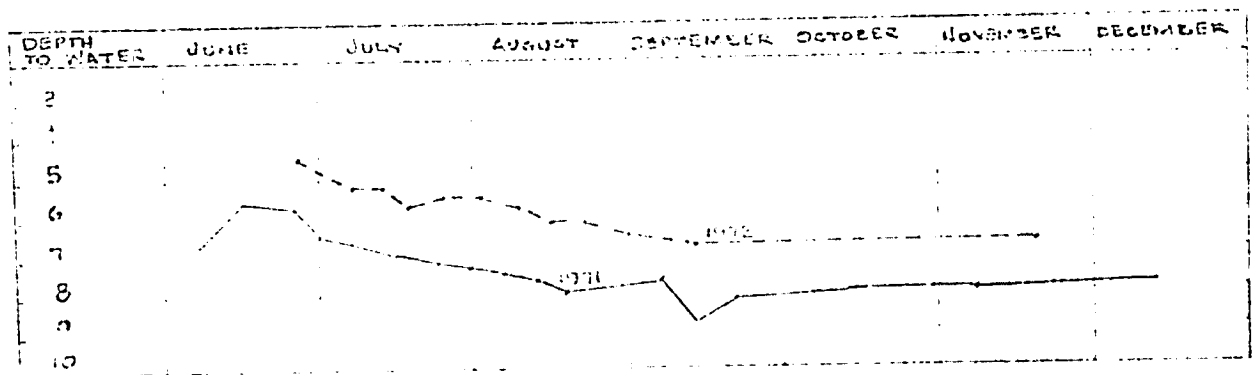
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ATTACHMENT A

Observation Well C1. Graph Of Annual Water Level Measurements



Observation Well JS. Graph of 1971 & 72 Water Level Measurements During Irrigation Season



December 9, 1971

Mr. Paul Fink
Delmont
South Dakota 57330

Dear Mr. Fink:

This is to acknowledge the receipt of your water right application in which you propose to divert up to 3.43 cubic feet per second of ground-water to irrigate up to 240 acres in the S½ of Section 31, T98N, R62W. This application has been assigned No. 1895-3.

Your check in the amount of \$8.00 for examination fee is acknowledged and receipt No. 4 1902 is enclosed herewith.

This Water Right Application No. 1895-3 will be considered by the State Water Resources Commission in the afternoon of its January 19, 1972 meeting to decide if your application should be deferred or processed further.

The last water right application proposing irrigation from apparently the same aquifer in an area near that proposed in your Water Right Application No. 1895-3 was deferred after the required public advertising had been completed. This application was deferred to allow the Commission Staff time to obtain information about the water supply available and about possible adverse effects on nearby shallow domestic wells.

In as much as the Commission Staff is still collecting the information and probably will be for a number of months the recommendation of the Commission Staff will be that your Water Right Application No. 1895-3 be placed in a temporary deferred status.

If you have any questions, please let me know.

Sincerely,

J.W. GRIMES

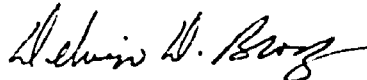
JWG/DD/bw
Encl: As stated

Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 16, 2003

1895-3

JRKM Family Marital Trust
39973 285th St
Delmont SD 57330

Dear Sirs:

I am writing to acknowledge receipt of the 2003 irrigation questionnaire for Water Right No. 1895-3 for Paul Fink.

A notation was made on the form that ownership has changed. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure



Department of Water & Natural Resources

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

#3649-3
#1845-3

February 17, 1989

Paul Fink Operator
RR, Box 43
Delmont, SD 57330

Dear Mr. Fink:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1895-3

Date: _____

I/We request that Water Right No. 1895-3

formerly owned by: Paul Fink

be transferred to: (name & address) JRKM Family Marital Trust

39973 285th St
Delmont, SD 57330 Telephone No. (605) 778-5621

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

150 acres in the SW ¼ and W ½ SE ¼ Section 31, T98N, R62W

I/We understand that the validity of Water Right No. 1895-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We JRKM Family Marital Trust, the new owner, certify that the above information is true and correct.

JRKM Family Marital Trust John Fink
(Signed by new owner) Trustee

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

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

RECEIVED
DEC 31 2003
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 30, 20 03

RECEIVED OF JRKM Family Marital Trust, 39973 285th St, Delmont SD 57730

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	2 50
Fee for Application for Permit No. _____ to Appropriate Water for Future use	
Fee to retain Future Use Permit No. _____ after period of seven years.	
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	
Fee for Filing Transfer Form <u>1895-3</u>	
Fee for _____	
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____	
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____	
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____	
(Any Other Work Provided by Law)	
TOTAL	2.50

No. **001021**

By

Darland Ebel
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-182
www.state.sd.us/denr

January 5, 2004

1895-3

JRKM Family Marital Trust
John Fink, Trustee
39973 285th St
Delmont SD 57330

Dear Mr. Fink:

Thank you for following up on the transfer of ownership for Water Right No. 1895-3. The transfer has been completed. The water right formerly held by Paul Fink is now listed in the name of "JRKM Family Marital Trust".

Enclosed is your Receipt No. 001021 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

Approval of Diversion Point Location Change

NAME: JRKM Family Marital Trust

ADDRESS: 39973 285th St., Delmont SD 57330

DATE: July 17, 2007

COUNTY: Douglas

TELEPHONE: 605 770-6615

AUTHORITY:

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

- **Developed water source same as permitted source and no additional water appropriated**

The existing well that has failed is 63 feet deep and the proposed replacement well is estimated to be 60 feet deep. The old and replacement well would be in the Delmont aquifer and no increase in the permitted diversion rate is being requested.

- **If irrigation, no new land is irrigated**

The same acreage under Water Right No. 1895-3 would continue to be irrigated.

- **Review of Existing Diversions**

Movement of the diversion point to the north by about 300 feet puts the proposed replacement well approximately 660 feet away from a well authorized by No. 4670-3 and about 700 feet from a well authorized by No. 2144-3. Both of these water rights are also located in the Delmont aquifer. The Delmont aquifer is under water table conditions and has fluctuated about 15 feet during the period of record from 1957 to present as evidenced by observation well DG-57A. This observation well is located about ¾ miles north of the proposed well site.

RECOMMENDED ACTION

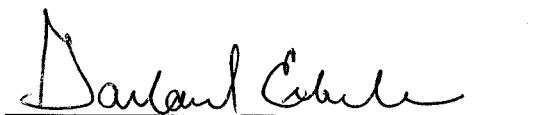
Based on the above criteria, it is recommended that relocation of the diversion point be approved by the chief engineer. The developed water source, amount of water used and acreage irrigated will remain unchanged. The distance from the proposed well site and other existing wells should not result in any adverse effect on the wells based on observation well records and the composition of the Delmont aquifer.



Ron Duvall, Natural Resources Engineer
Water Rights Program

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

This change in well location does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

JUL 13 2007

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only) No. _____ Hydrologic Unit _____
	Basin _____
	Newspaper _____

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 1895-3

(Use predates Mar 2, 1955)

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

existing well collapsed.....replacing well about 300 ft north of existing well.

1. Name of Applicant JRKM Family Marital Trust Phone (605) 770-6615
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 39973 285th St Delmont State SD 57330
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed no xtra *CFS or _____ **GPM _____ ***AF Total Acreage 150
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply ground water one replacement well existing well collapsed.
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Douglas
SW 1/4 of Section 31. 98. 62
5. County or counties where water will be used Douglas
6. Annual period during which water is to be used April-Oct
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
sw quarter and west half of se quarter	150		
section 31 98-62			

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

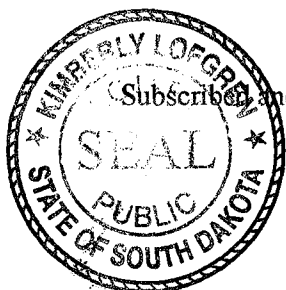
Existing well established in 1973 with concrete casing and screen. Deterioration has caused the screen to cave in the bottom half of the well. Need to replace the well. Driller will not drill right next to the original well for fear of a sinkhole, so re-establishing the well about 300ft to the north along the fenceline.

STATE OF SOUTH DAKOTA)

SS

County of Douglas

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

I, JRKM Family Trust (John Fisk) the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.Applicant's signature John FiskSubscribed and sworn to before me this 12 day of July 20 07Notary Public signature Kimberly Lofgren

my commission expires August 19, 2011

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth 60
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: _____
- On applicants property rural water system On property owned by others unknown. rural system

2. Wastewater Disposal System Information

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

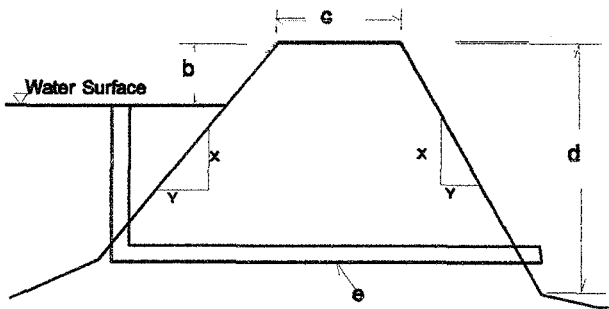
3. Dugout Information

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

4. Water Storage Dams

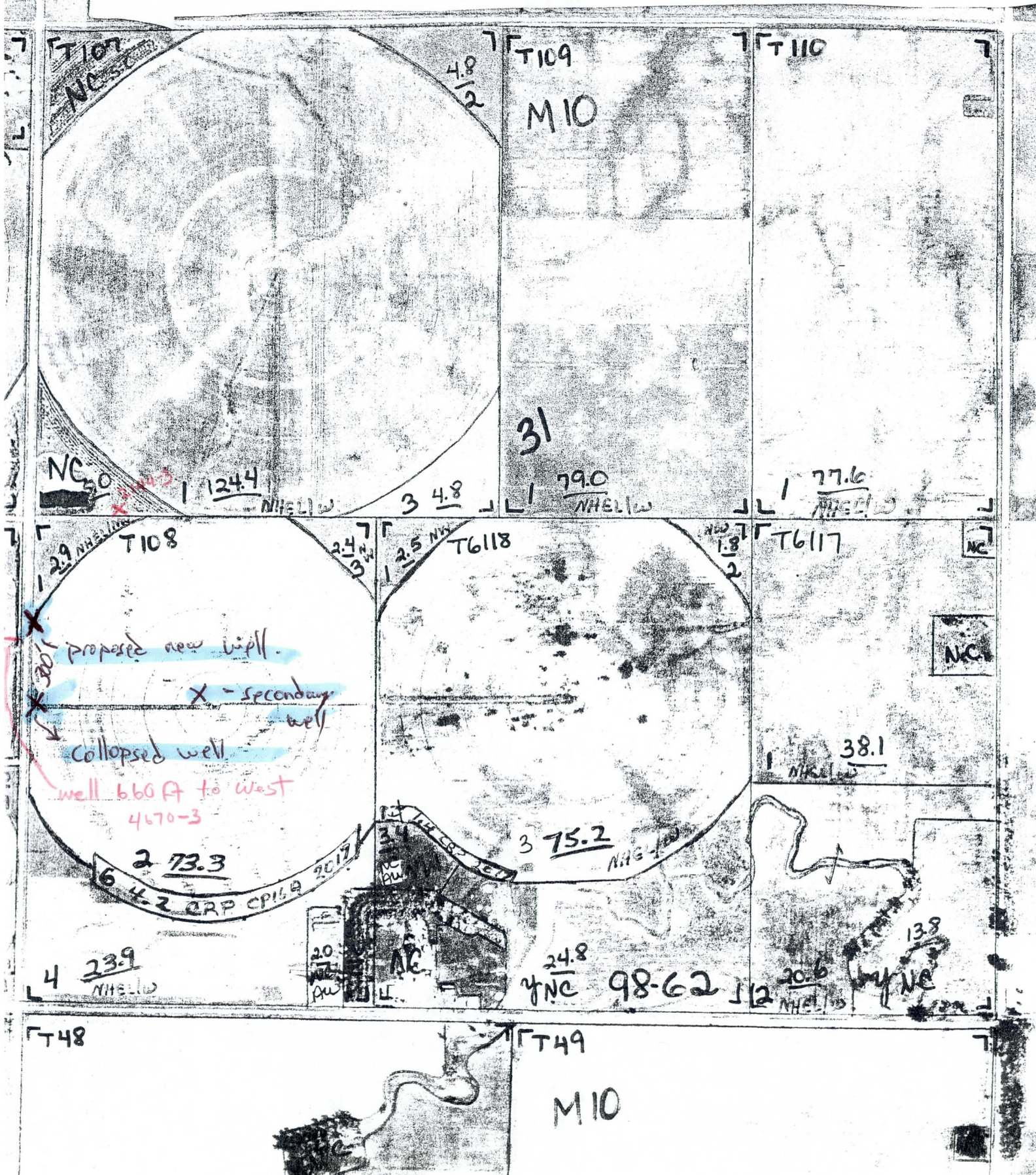
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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



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

MAP NOT TO SCALE IS NOT AN OFFICIAL WETLAND MAP





1895-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: JRKM FAMILY MARITAL TRUST, JOHN FINK, 39973 285TH ST, DELMONT, SD 57330

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 1895-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2009**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1895-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pd>

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.

1895-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 5657
Status: **Notice Left**

We attempted to deliver your item at 6:55 AM on March 3, 2009 in MITCHELL, SD 57301 and a notice was left. It can be redelivered or picked up at the Post Office. If the item is unclaimed, it will be returned to the sender. Information, if available, is updated every evening. Please check again later.

Track & Confirm

Enter Label/Receipt Number.

[Additional Details >](#) [Return to USPS.com Home >](#)

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 5657

JRKM FAMILY MARITAL TRUST
JOHN FINK
39973 285TH ST
DELMONT SD 57330

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 1513 May 2002

(See Reverse)

mail unclaimed however questionnaire was received - no followup needed.

<http://trckenfrm1.smi.usps.com/PTSIInternetWeb/InterLabelInquiry.do>

03/05/2009

Dm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 5, 2009

1895-3

John Fink
39973 285th St
Delmont SD 57330

Dear Mr. Fink:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 1895-3.

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

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 20, 2009

1895-3

John Fink
JRKM Family Marital Trust
920 S Duff, #2
Mitchell SD 57301

Dear Mr. Fink:

Enclosed is a "Notice" dated October 16, 2009 concerning the 2009 irrigation questionnaire.

The notice was originally mailed to PO Box 1203, Mitchell SD. The post office notified us that your address has changed. As stated in our phone conversation, our records will be updated accordingly.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 19, 2010

1895-3

John Fink
JRK Family Marital Trust
712 E 14th Ave
Mitchell SD 57301-1512

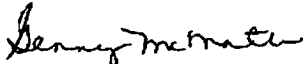
Dear Mr. Fink:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaire.

The notice was originally mailed to 920 S Duff #2, Mitchell, SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,


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

enclosures

RECEIVED

OCT 31 2012

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1895-3

Date: 10-29-2012

I/We request that Water Right No. 1895-3

formerly owned by: JRKM Family Marital Trust, 39973, 285th St, Delmont SD 57330

be transferred to: (name & address) Darren Michael Fechner and Heather Jean
Fechner 39838 285th St.
Delmont, SD 57330-5907 Telephone No. 605-779-2100

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

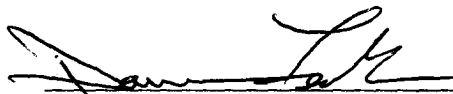
150 acres in the SW ¼ and W ½ SE ¼ Section 31, T98N, R62W

I/We understand that the validity of Water Right No. 1895-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Darren & Heather Fechner, the new owner, certify that the above information is true and correct.



(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/31, 20 12

RECEIVED OF Darren Fechner 39838 285th St Delmont SD 57330

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	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 <u>1895-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05665**

By Harold Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 31, 2012

1895-3

Darren & Heather Fechner
39838 285th St
Delmont SD 57330-5907

Dear Mr. & Mrs. Fechner:

I am writing acknowledge receipt of the transfer form and filing fee you submitted for Water Right No. 1895-3.

The ownership change has been completed. The water right formerly held by JRKM Family Marital Trust is now listed as follows: Darren Michael Fechner and Heather Jean Fechner.

Enclosed for your records is Receipt No. 05665 in the amount of \$50.00. If you have any questions, please contact me.

Sincerely,

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

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

enclosure