

No. 2037-3Map No. 1445-3 Water Division No. 3 VERMILLION RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

DEC 17 1973
7:42 A.M.
STATE OF SOUTH DAKOTA
ENGINEER

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Leonard Penney
 Postoffice address DeSmet State South Dakota
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract & employment of others, or by direct labor) direct labor
 3. Name of diversion work Shutler-Penny Irrigation Project #2
 4. Amount of water claimed (cubic feet per second) 2.22
 5. Source of water supply 3 wells
 6. Location of point of diversion from NE corner of Sec 3 - 110 -56; well #1 - 565° W, 2900' ;
well #2 S 60° W, 2500' ; well #3 - 54° W

County Kingsbury

7. Annual period or periods during which water is to be used April 1 till November 1
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, Total number of acres to be irrigated 156

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.	Land Description	No. Acres Irr.
NW 1/4 of NE 1/4 of Sec 3	39		
SW 1/4 of NE 1/4 of Sec 3	40		
SE 1/4 of NE 1/4 of Sec 3	39		
NE 1/4 of NE 1/4 of Sec 3	38		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 3 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication DeSmet News
 12. Principal Features of the Proposed Water Supply System.

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

N/A

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

Buried closed conduit

C. Works proposed to apply water to beneficial use.

3 interconnected wells supplying a pivot irrigation system

Estimated Total Cost, \$ 35,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of _____

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

Subscribed and sworn to before me this 3 day of Dec 1973Signed Leonard Penney
[Signature]
Notary Public (or other qualified person)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 2037-3

LEONARD PENNEY

(Applicant)

DeSmet

(Post Office Address)

SOUTH DAKOTA

(State)

With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application DECEMBER 17, 1973

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

Date of receipt of corrected application DECEMBER 21, 1973

Approved JANUARY 16, 1974, Recorded in Book 12 Page 304

WATER RIGHT PERMIT NO. 2037-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2037-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is DECEMBER 17, 1973
2. The equivalent of at least one fifth of the work above specified is to be completed on or before JULY 16, 1976
3. The whole of said work is to be completed on or before JANUARY 16, 1979
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 16, 1982
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.22 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JANUARY 16, 1982; said water to be used during the following described annual period: APRIL 1 TO NOVEMBER 1

Witness my hand this 21ST day of JANUARY, 1974

WATER RESOURCES COMMISSION

By:

Donald Driscoll
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Form 2A - Well, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued)

D. Well Information or Estimates

(1) Drill Hole, Diameter 30", Depth 35'
(2) Casing, Type steel Diameter 16" Thickness 3/16"
(wood, concrete, steel, etc.)
(3) Perforated Screen.
Type continuous slot, Diameter 16", Length 10'
(4) Gravel Pack, Thickness 7", Length of gravel pack 15'

E. Dugout Information or Estimates.

(1) Surface dimensions ---, Depth ---

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

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 0' to 2' top soil; 2' to 15' gravel;
15' to 35' medium textured sand; over 35' clay

Depth to top of water bearing material 15'
Depth to bottom of water bearing material 35'
Thickness of water bearing material 20'
Depth to water (ground surface to water level) 14'

(2) Distance to nearest household or livestock watering wells.

* On same owner's property no other wells. On property owned by others 260 rds.

G. Water Storage Dams.

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

*Please Note! The logs for the three wells are identical. Three wells are needed because expected yield is about 400 gpm each

Richard Penney
Signature of Applicant

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

Leonard Penney
De Smet, So. Dak. 57231

Date Rec'd Nov. 21, 1967
Sample No. 67-606
Identification well 38, ft.
NW 1/4, Sec. 11, T10N, R56E

WATER ANALYSIS			
Calcium	(Ca)	86.5	ppm* 4.32 meq/l**
Magnesium	(Mg)	6.7	ppm 0.55 meq/l
Sodium	(Na)	10.3	ppm 0.45 meq/l
Potassium	(K)	3.3	ppm 0.09 meq/l
Sulfate	(SO ₄)	44.8	ppm 0.93 meq/l
Nitrate	(N)		ppm meq/l
Chloride	(Cl)	2.5	ppm 0.07 meq/l
Iron	(Fe)		ppm meq/l
Fluoride	(F)		ppm meq/l
Hardness (EDTA as CaCO ₃)		244	ppm 14.3 g.p.g.***
Alkalinity (MO)		220	ppm (as CaCO ₃)
Alkalinity (P)		0	ppm (as CaCO ₃)
Electrical Conductivity		610	microhmhos per cm ² at 25°C.
Sodium Adsorption Ratio		0.29	
Sodium		8.3	% of cations
Residual sodium carbonate		0.0	meq/l
pH		7.6	
Others:			

*ppm=parts per million

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

**meq/l=milli-equivalents per liter

COMMENTS:

See attached sheet

By: John Ladden

Service Performed	Amount Due
Suitability for irrigation	34.00

Make checks payable to: Water Resources Research Institute

Cut along dotted line and return the lower portion with payment

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: OL

Water Quality: fair

Soils Capability: fair

Approved: 12/21/72

Disapproved: elbi

NAME:

Leonard Penney

ADDRESS:

De Smet South Dakota

COUNTY:

King Derry

LEGAL DESCRIPTION

1. WELL LOCATION:

NE 1/4 of Sec 3 T-110 - R 56

2. AREA TO BE IRRIGATED:

NE 1/4 of Sec 3 T-110 - R 56

TYPE OF IRRIGATION

2. GRAVITY

SPRINKLER (Indicate Type):

Center Pivot

4. CROPS TO BE IRRIGATED:

Corn & Alfalfa

LAND CAPABILITY FOR IRRIGATION

See attached sheet

5. PERCENTAGE OF SLOPE:

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION:

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.:

Sample taken on 12/21/72 by [unclear]

8. SALINITY:

See attached letter

9. SODIUM:

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

conservation service

and:

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

Leonard Penney X

Subscribed and sworn before me this

8 day of Dec 19 47

E. J. O'Keefe

X Volney Perlic

(Title)

November 30, 1979

Leonard Penney
De Smet, SD 57231

Dear Mr. Penney:

Your application No. 2037-3A was approved November 27, 1979 for the additional well on Permit No. 2037-3.

Since inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right has been completed, your final water right document, the Water License can now be issued.

Statutes require that we charge a \$12.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$12.00 fee from you, your Permit No. 2037-3A and Water License will be sent to you. You will also receive the Certificate of Construction as required by statute.

The applicable portions of Permit No. 2037-3 have been incorporated into Permit No. 2037-3A and Permit No. 2037-3 will be cancelled.

Sincerely,

BETTY WESTLUND
Water Rights Specialist I

BW/gy

12-2-79
Called Mr. Penney, talked to his
daughter advised her the 12⁰⁰ fee
was wrong should be 50⁰⁰ fee.
Betty Westlund

2037-3
2037-3A

December 17, 1979

Leonard Penney
De Smet, SD 57231

Dear Mr. Penney:

Enclosed herewith is your Water Right No. 2037-3A as approved by the Board of Water Management. Also enclosed herewith are, Water License No. 2037-3A and Certificate of Construction.

The applicable portions of Permit No. 2037-3 have been incorporated into this Water License No. 2037-3A and Permit No. 2037-3 has been placed in a cancelled status.

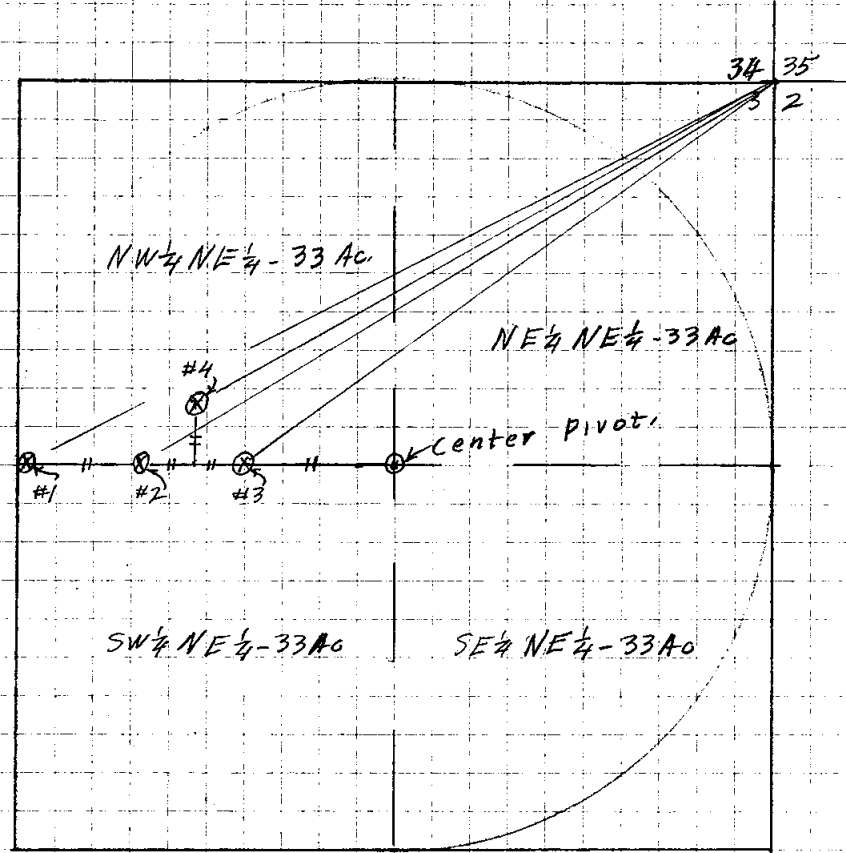
Water License No. 2037-3A is the final water right document completing your process of obtaining a water right. As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH/gy

enclosures



T 110 N R 56 W

Points of Diversions .

Scale 1" = 660'
8" = 1 mile .

Well #1 = S 60° W - 2930'

#2 = S 59° W 2580'

#3 = S 54° 30' W 2280'

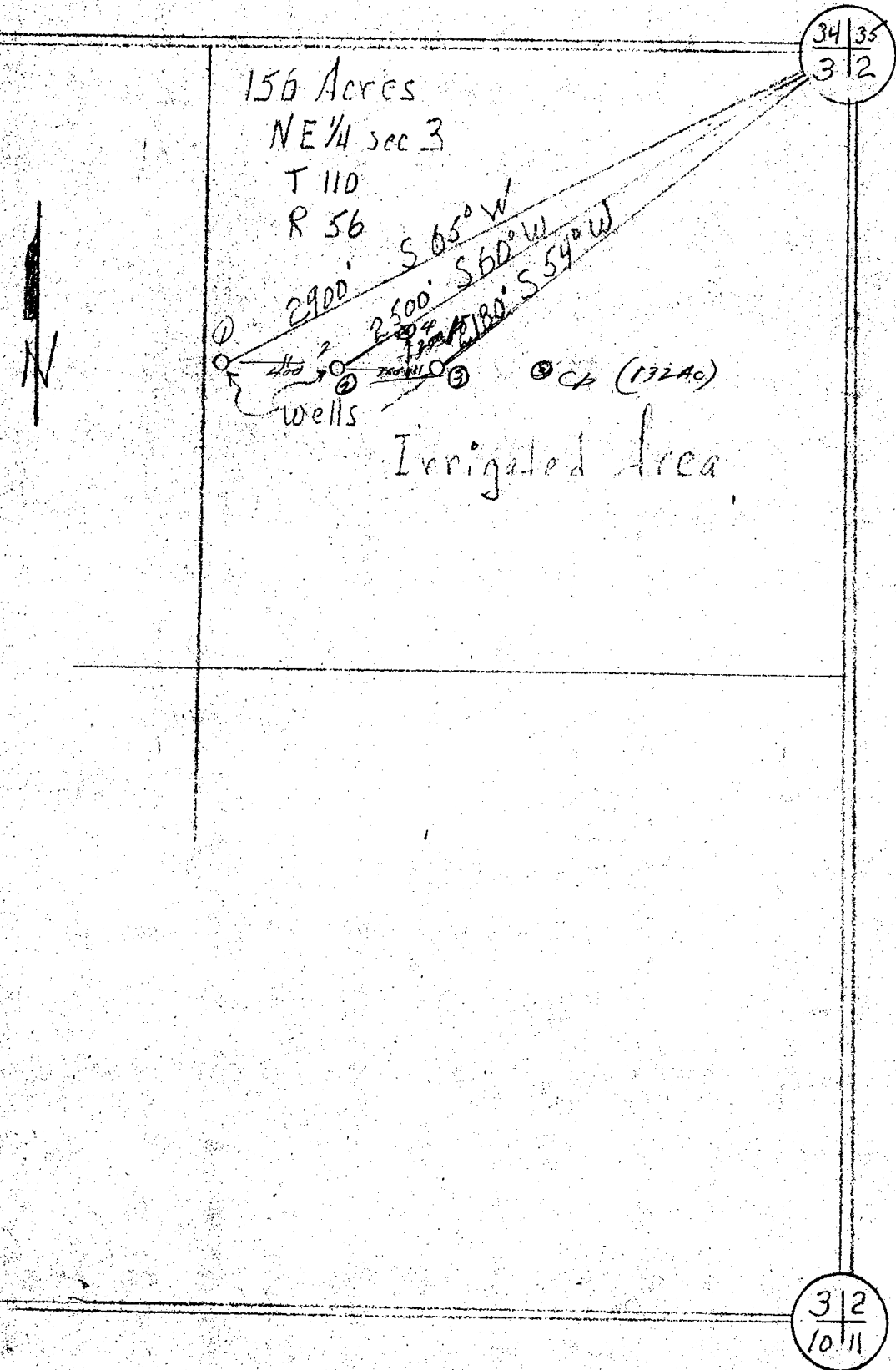
#4 = S 61° W 2300'

Leonard Penney

Permit # 2037-3

~~APPL # 2037-3A~~

APPL # 2037-3A



Schutler-Penny Irrigation Project Number 2

Area to be Irrigated - All of NE 1/4 Sec 3 - T110 - R56
Acres to be Irrigated - 156 Acres.

Note: Three wells will serve a common main
to operate one pivot system discharging
1000 gallons per minute

Owner - Norman Schutler
408 South Main
King, South Dakota

Operator - Leonard Penny
De Smet
South Dakota

Surveyor's Certificate

I, John L. Wiensma, do hereby certify that
this map is a true and correct copy of the
record of the land of:

Schutler-Penny Irrigation Project # 2
De Smet, South Dakota

Drawn by J. W.

12-14-73

John L. Wiensma PE # 1316

Sealings & Copies

MAP NO 1445-3 APPL NO 2037-3A