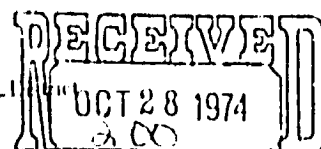


Water Right Number 2137-3

1. Considered JANUARY 22, 19 75
2. Name of Applicant EDWARD T. OPEN
3. Post Office Address DE. SMET
4. Amount of water claimed 128
5. Source of water supply GROUND WATER (37')
6. Water to be used for IRRIGATION
7. Acres to be irrigated 90
7. Water to be diverted and used in LINCOLN County
about 3W, 9N Miles 1 of DE. SMET
8. Proof of Publication Received 1-9-75
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 2137.8Map No. 1534-3Water Division No. 3 VERMILLION RIVER
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

Edward Poppen

1. Name of Applicant _____
Postoffice address _____ De Smet _____, 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) _____
Poppen Irrigation Project
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) _____ 1.28
5. Source of water supply _____ ground water
6. Location of point of diversion _____ a point in the NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 12, T112N, R57W
- _____ County _____ Kingsbury
7. Annual period or periods during which water is to be used _____ April thru October
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 _____ 90

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.
90 acres circle in the NW $\frac{1}{4}$			
Section 12, T112N, R57W	90		

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 _____ 4 _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication _____ De Smet News, De Smet, S.D.
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source.
Well pump and motor

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

Mainline to pivot

C. Works proposed to apply water to beneficial use.

Circular Pivot system

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)

County of _____ Hughes) ss.

I, _____ Edward Poppen _____

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

Signed _____

Subscribed and sworn to before me this _____ 28th _____ day of _____ October _____ 1974

Notary Public (or other qualified officer)

BETTY WESTLUND, Land/Water Clerk 11

N



ED. POPPEN IRRIGATION SOILS MAP

DEPTH TO GRAVEL (INCHES)

- 0'-10" 5S7Z
- 10'-20" 4S7Z + 4M7Z
- 20'-30" 3M47Z
- 30'-40" 2M4

BASIC INTAKE RATE SPRINKLER

- 99"/HR.
- 0.6"-0.8"/HR.
- 0.6"-0.8"/HR.

Edward Poppen - Irrigation
NW 4-12 T112 R. 57
Kingsbury County South Dakota
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn	Title	
Traced	Title	
Checked	Sheet No. 1 of 1	Drawing No.

A.B. + 1,2 etc. Soil Test Holes

Scale 1" = 200'

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2137.3
EDWARD HOPPEN DE SMET
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57231 With the following modifications:
 (State)

The irrigation well approved under this Permit is located near domestic 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.

Date of first receipt of application OCTOBER 28 19 74
 Date of return to applicant for correction, amendments or changes required OCTOBER 28 19 74
 Date of receipt of corrected application DECEMBER 9 19 74
 Approved JANUARY 22 19 75, Recorded in Book 13 Page 146

WATER RIGHT PERMIT NO. 2137.3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2137.3 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 OCTOBER 28 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 22 19 77
3. The whole of said work is to be completed on or before JANUARY 22 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 22 19 84
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 1.28 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 22 19 84; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 24TH day of JANUARY 19 75

WATER RIGHTS COMMISSION

By:

Donald D. Dinsdale
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 32", Depth 37
- (2) Casing, Type steel Diameter 16" Thickness standard
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Johnson, Diameter 16", Length ?
- (4) Gravel Pack, Thickness 8', Length of gravel pack 37'

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. sands and gravel

Depth to top of water bearing material 20'

Depth to bottom of water bearing material 37'

Thickness of water bearing material 17'

Depth to water (ground surface to water level) _____

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

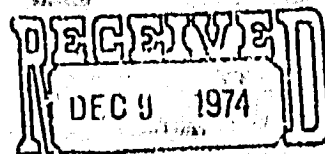
On same owner's property 60 rds On property owned by others 3/4 mile rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, 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.

Edward P. Reynolds
Signature of Applicant

December 2, 1974



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Mr. Edward C. Poppen
DeSmet, SD 57231

Dear Mr. Poppen:

The water analysis results from the sample sent here October 21 are enclosed. The original copy is yours to keep.

A copy of this letter and your WI-1 form and a copy of the water analysis are being forwarded to the State Conservation Commission.

As far as the water is concerned, there is nothing about its chemical constitution that would cause any difficulty on soils with normal internal drainage. However, on soils with impeded or very difficult internal drainage there might be a difficulty with salts. The reason for our holding your WI-1 form and results is that we did not have the map which is suppose to be included. It was indicated on your WI-1 form that the map was included but it was not. I'm sorry this delay has occurred.

I am, however, forwarding your application without the map and simply stating that to my knowledge the soils are satisfactory for irrigation with this kind of water. This will go to the State Conservation Commission for their action.

A copy of Extension Circular 654 which does explain some of the aspects of soil-water interactions is enclosed for your use.

I wish you the best of luck in your irrigation venture.

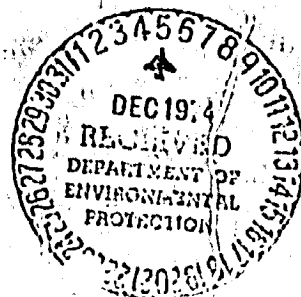
Sincerely yours,

L. O. Fine
L. O. Fine
Water Quality Lab

LOF:111

Enclosures

CC: State Conservation Commission
Otto Scharl, Kingsbury County Agent
Parrel Pahl



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: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

Disapproved: _____

NAME: Edward C. Poppen

ADDRESS: De Sm South Dakota

COUNTY: Kingsbury

LEGAL DESCRIPTION

1. WELL LOCATION: NW 1/4 of 12 112 57
2. AREA TO BE IRRIGATED: Same

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Sprinkler
4. CROPS TO BE IRRIGATED: Corn

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Slightly to the East, with only occasional slopes of more than 3 degrees
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Class 3 & 2 MAP
Included

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 74-891
8. SALINITY: Electrical Conductivity = 876 (medium-high)
9. SODIUM: Sodium Absorption Ratio = 0.70 (low)

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

Soil Conservation Service, Re. Hunt, S.D.

and:

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

Edward Poppen

Subscribed and sworn before me this

21st day of October, 19 74.

Clayton E. Borchardt

Notary Public

(Title)

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

Submitted by: Edward Lommen
 Address: De Smet, SD 57231

Date Rec'd: October 21, 1974
 Sample No.: 74-891
 Identification: Well-40
NW 1/4, Sec. 12, T 112N, R 57W

WATER ANALYSIS

Calcium (Ca)	140	ppm*	7.00	me/l**
Magnesium (Mg)	46	ppm	3.77	me/l
Sodium (Na)	11	ppm	0.7	me/l
Potassium (K)	6	ppm	0.14	me/l
Sulfate (SO ₄)	200	ppm	4.16	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.13	me/l
Bicarbonate (HCO ₃)	371	ppm	6.08	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	304	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	876	micromhos per cm at 25° C.		
Electrical Conductivity	0.20			
Sodium Adsorption Ratio	4.13	% of cations		
Sodium	0.00	me/l		
Residual sodium carbonate	7.20			
pH				
Others:				

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

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

COMMENTS: Total cations 11.38 me/l
 Total anions 10.37 me/l

By: Shirley Witten

Service Performed	Amount Due
Irrigation analysis	\$6.00 PAID

Make check payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-891

Amount Enclosed \$

Signed

2137-3

Publish first publication, on or before January 8, 19 75

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

December 160, 19 74

Notice is hereby given that Edward Poppen

whose post office address is De Smet, 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

1.28 cubic feet of water per second of time from the ground water through the Poppen Irrigation Project, the point of diversion of which is to be located in the _____

NW 1/4 NW 1/4

of Section 12, Twp. 112N, Range 57W. Said water to be used for the purpose

of providing irrigation on a portion of the following described land:

NW 1/4, Section 12, T112N, R57W

This application No. 2137-3 will be considered by the Water Resources Commission at their office at Pierre upon the 22nd day of January, 19 75, at 2:30 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/lw

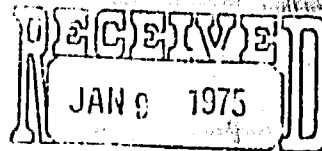
cc: Edward Poppen, De Smet, S.D. 57231

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Kingsbury) ss.



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

I, Aubrey H. Shorwood hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the De Smet News

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 De Smet

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

December 18

December 25, 1974

Aubrey H. Shorwood
(Signature)

Publisher
(Title)

January 7, 1975
(Date Signed)

NOTICE
OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
December 10, 1974
Notice is hereby given that Ed-
ward Poppen, whose post office ad-
dress is: De Smet, South Dakota,
has made an application in ac-
cordance with the provisions of the
water laws of South Dakota for a
permit to appropriate for beneficial
use 1.28 cubic feet of water per
second of time from ground water
through the Poppen Irrigation Pro-
ject, the point of diversion of which
is to be located in the NW 1/4 of
Section 12, Twp. 112N, Range 37W.
Said water to be used for the pur-
pose of providing irrigation on a
portion of the following described
land: NW 1/4, Section 12, T112N,
R57W, S57E, De Smet, Kingsbury
County, South Dakota.
This application No. 2137-3 will
be considered by the Water Resourc-
es Commission at their office at
Pierre upon the 22nd day of Janu-
ary, 1975, at 2:30 P.M. All inter-
ested persons may appear and be
heard.
Water Resources Commission
By: Burton F. Jones,
Water Rights Specialist
12-18-2wc-12-25

2137-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 12 1992

5595-3

Edward Poppen
RR 1, Box 116
DeSmet, SD 57231

Dear Mr. Poppen:

Enclosed is Water License No. 5595-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413162 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. 5595-3, 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

enclosures

NOTE: The applicable portions of Water Permit No. 2137-3 have been incorporated into this Water License No. 5595-3.