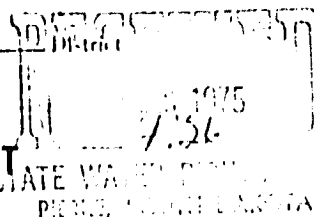


Water Right Number 2294-3

1. Considered SEPTEMBER 10, 1975
2. Name of Applicant CALVIN NEUHARTH
3. Post Office Address ALPENA
4. Amount of Water claimed 2.28
5. Source of Water supply GROUND WATER (67' WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 240
7. Water to be diverted and used in BEADLE County
about 65.4 MI miles of HURON
8. Proof of Publication 10
Received _____
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application

10. Remarks:

No. 2294-3
 Map No. 1681-3 Water Division No. 3 JAMES RIVER
 (Blanks to be Filled by the Engineer for the W. R. C.)


APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Calvin Neuharth
 Post-office address Alpena State South Dakota 57312
 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 NEUHARTH IRRIGATION PROJECT
4. Amount of water claimed (cubic feet per second) 2.78
5. Source of water supply well
6. Location of point of diversion Just north of the center of SE $\frac{1}{4}$ of Section 9 T 109 N R 63W

- County Beadle
7. Annual period or periods during which water is to be used May thru August
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 240
120 acres

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 $\frac{1}{4}$ of SE $\frac{1}{4}$ Sect 9 109N 63W	40	N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 16, T109N, R63W	80
NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sect 9 109N 63W	40	<u>N</u>	
SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sect 9 109N 63W	40	<u>SEE PHONE CALL FROM MR. NEUHARTH</u>	
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sect 9 109N 63W	40	<u>ON 8-28-75</u>	

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 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Huron Daily Plainsman
12. Principal Features of the Proposed Water Supply System.

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

pump

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

pipeline

C. Works proposed to apply water to beneficial use.

sprinkler tow line

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 Beadle
 I, CALVIN NEUHARTH 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 Calvin NeuharthSubscribed and sworn to before me this 27th day of April, 1975
[Signature]
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 2294-3CALVIN NEUMARTH

(Applicant)

ALPENA

(Post Office Address)

SOUTH DAKOTA 57312

(State)

With the following modifications:

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 JUNE 3, 19 75
 Date of return to applicant for correction, amendments or changes required JUNE 4, 19 75
 Date of receipt of corrected application JULY 15, 19 75
 Approved JULY 21, 19 75 Recorded in Book 14 Page 46
SEPTEMBER 10

WATER RIGHT PERMIT NO. 2294-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2294-3 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 JUNE 3, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 10, 19 78
3. The whole of said work is to be completed on or before SEPTEMBER 10, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 10, 19 82
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 2.28 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 SEPTEMBER 10, 82 said water to be used during the following described annual period: MAY THRU AUGUST

Witness my hand this 18TH day of SEPTEMBER, 19 75

WATER RESOURCES COMMISSION

By:

John H. H. H.
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

NOTICE OF WELL CONSTRUCTION

~~2754~~ 3

1) WELL CONSTRUCTION

Location of well: 1/4 1/4 SE Section 25 Township 110 Range 103
 Well owner Mike C. Newarth (Name) Alvina, SD 57312 (Address)
 Date well drilling completed 9/19/75 Purpose of well Irrigation
 (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	Depth to static water level	Name of producing aquifer (if known)	Total depth of drill hole	Depth to bottom of casing
0-2	top soil	410	29'	gravel	167	105
2-23	yellow clay					
23-42	gray till					
42-55	red & gravel					
55-67	gravel					

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

C-45 16" ID Fiberglass

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

45-65 16" ID. Fiberglass

If a flowing well, flow of completed well _____ G.P.M.

Empire Irrigation Drilling
 Name of Drilling Contractor Co. Inc.

2) PUMP INSTALLATION

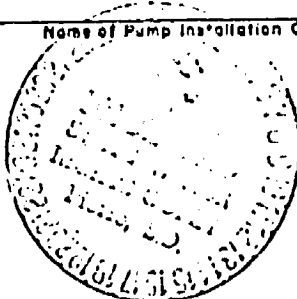
Company name and size of pump Not done by Empire yet
 Type of pump _____ Capacity of installed pump _____ G.P.M.
 Depth of pump placement _____ ft., Date of pump installation _____

3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

 Name of Pump Installation Contractor



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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 67 ft.
 (2) Casing, Type fiberglass (wood, concrete, steel, etc), Diameter 16" I.D., Thickness .250
 (3) Perforated Screen.
 Type fiberglass, Diameter 16" I.D., Length 30 ft.
 (4) Gravel Pack, Thickness 6", Length of gravel pack to top of well

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 loose or coarse sand

Depth to top of water bearing material 42 ft.

Depth to bottom of water bearing material 70 ft.

Thickness of water bearing material 28 ft.

Depth to water (ground surface to water level) 35 ft.

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

On same owner's property _____ rds. On property owned by others: 300 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.

Salvador Planchetta
 Signature of Applicant

Calvin Neuharth called 10/20/80
re application. Checked SCC
and called Neuharth informed
him he had sent WF-1 to
SCC & they sent it to Bks.
Had not sent in an appl. to us
(Sent him forms) misunderstood but
understood didn't need permit from
our office.

BW

SCC called. Bks is using old water analysis

Phone
849-3206

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 OF

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: 6/2/78

Disapproved: _____

NAME: Calvin Neuharth

ADDRESS: Alpena, South Dakota 57312

COUNTY: Beadle

LEGAL DESCRIPTION

1. WELL LOCATION: Just north of the center of SE¹ of
Section 9 T 109N R 63W
2. AREA TO BE IRRIGATED: Sect 9--109N--63W

TYPE OF IRRIGATION

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

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: See attached sheet
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: _____

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-351
8. SALINITY: EC = 1094 (moderately high)
9. SODIUM: SAR = 0.98 (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

SCS Soil Scientist

and:

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

Garvin Neubardt

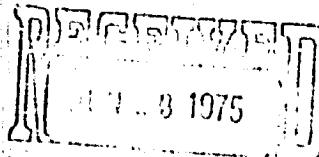
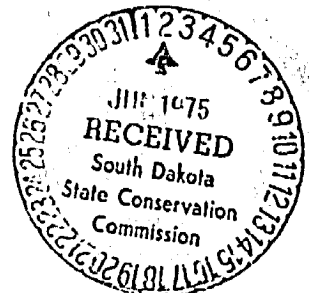
Subscribed and sworn before me this

21st day of April 19 75.

William F. Brauer

Nature, Public

(Title)



STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

May 30, 1975

Mr. Calvin Neuharth
Alpena
South Dakota 57312

Dear Mr. Neuharth:

We have received your WI-1 form and other application materials, which are being forwarded, along with a copy of this letter and a copy of the water analysis, to the State Conservation Commission.

You earlier received the original copy of the report of analysis on your water. It showed an electrical conductivity of 1094 micromhos per cm and a sodium adsorption ratio of 0.98. This means that this water is moderately high in total salts, but rather low in sodium proportion of all cations. Thus, it should have a moderate tendency to increase the salinity of the soil within the crop root zone, but a very low tendency to increase sodium on the clays and there should be no hazard of sodium-caused dispersion of clays.

With the soils which you have in the SW $\frac{1}{4}$ of Sec 9 T109 R63 there should be no difficulty with this water in causing any chemical changes of the soil of significance to plant growth. I am therefore recommending that your water application permit be approved.

A copy of Extension Circular 654, with the approximate quality of your water plotted as a red encircled cross on the outside back cover, is enclosed for your use. Please read this circular carefully.

Sincerely yours,

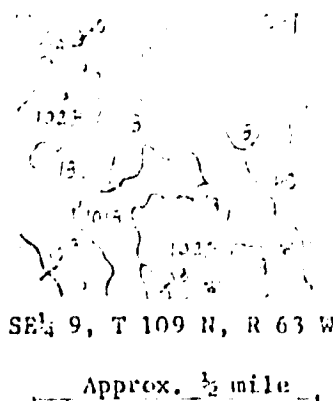
L. O. Fino

L. O. Fino
Water Quality Lab

LOZ:MRB
Enclosure

cc: State Conservation Commission
Richard Fadgen, Beadle County Extension Agent
Darrel Pahl

SOILS MAP



SOILS LEGEND

- 4C Houdek-Ethan loams, 6 to 9 percent slopes
- 18 Tetonka-Hoven silt loams
- 101A Prosper-Houdek loams, 0 to 2 percent slopes
- 102B Houdek-Prosper loams, 2 to 6 percent slopes
- 8' small enclosed depressions
- 4C Houdek-Ethan loams, 6 to 9 percent slopes
- This unit consists of deep well drained loamy soils with calcareous substratums. Permeability is moderately slow. The subsoils contain 30-35% clay. Most of the slopes in these areas are less than 8 percent.
- 18 Tetonka-Hoven silt loams
- This unit consists of poorly drained soils in enclosed depressions. Permeability is very slow and surface drainage is lacking. Dense compact subsoils and ponding generally limit these soils for irrigation. Drainage of these soils is desirable under irrigation.
- 101A Houdek-Prosper loams
- This unit consists of deep well and moderately well drained loamy soils with calcareous substratums. The subsoils contain 30-35% clay. Depth to the calcareous clay loam substratum ranges from 18 to 30 inches. Permeability is moderately slow. Included within these areas are small enclosed depressions and small areas of soil with claypan subsoils which contain salts. Drainage or fill of these included areas may become desirable to prevent ponding and excessive wetness.

- 102B Houdek-Prosper loams
- The Houdek and Prosper soils are described in the 101A mapping unit above. This unit differs primarily in the degree of slope.

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

Submitted by: Calvin Henrich Date Rec'd May 13, 1975
 Address: Alpena, SD 57312 Sample No. 75-351
 Identification _____

WATER ANALYSIS

Calcium (Ca)	170	ppm*	8.50	me/l**
Magnesium (Mg)	52	ppm	4.26	me/l
Sodium (Na)	57	ppm	2.48	me/l
Potassium (K)	12	ppm	0.30	me/l
Sulfate (SO ₄)	290	ppm	6.03	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	14	ppm	0.41	me/l
Bicarbonate (HCO ₃)	390	ppm	6.40	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	320	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1094	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.93			
Sodium	15.95	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.30			
Others:				

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

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

COMMENTS: Total cations 15.54 me/l
 Total anions 12.84 me/l

By: Shirley Kitten

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. 75-351

Amount Enclosed \$ _____

Signed _____

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: CALVIN McONABE OWNERS ADDRESS: ALPENA 2 DAK.

COUNTY LAND LOCATED IN: BEADIE PHONE: 800-333-3

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____ 3623-131D

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

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

LEGAL DESCRIPTION: (Show legal description as nearest to property)
1. WELL LOCATION OR DIVERSION POINT: Sec. 7, T. 44 N., R. 56 E., S. 30 - 109-63

2. SURFACE WATER SOURCE

3. LOCATION OF AREA TO BE IRRIGATED: Land owned by B. S. Chetty S²NE⁴Sec. 9-T. 25N-R. 10E

4. INDICATE NON-IRRIGATED AREAS. (APPROXIMATE ACREAGE MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show appropriate acres under each type of system)

5. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____ OTHER (Specify) _____

6. CROPS TO BE IRRIGATED corn, wheat, alfalfa and other

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

SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN INTEREST IN
LAND: LOT 7 SECTION 9, T14N R15E 16-109-1E
IN WHAT NAME: CHILPIN NEIGH R ID

IN WHAT NAME: CARPIN NETHER

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

8. SAMPLE NUMBER: 75-351 *Validation Sample 20-102*

9. SALINITY (EC X 10⁶) 1094 1107 1125 1155

10. SODIUM (SAR) 0.98 ADJUSTED (SAR) 2.6 1.72

RECEIVED

000 2 34 40

I hereby certify that I personally obtained or that I personally observed the taking of a water sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at _____ A.M./P.M., on _____, 19____, at the following location: _____

by _____ (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from 501846 Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
19 DAY OF Sept, 1980

(NOTARY PUBLIC)

By Chas. H. Spence 70.6.84.

APPLICANT'S SIGNATURE

Director, Division of Conservation

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

I M P O R T A N T

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

No. 2294-3

Publish first publication, on or before

September 2, 1975

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 26, 1975Notice is hereby given that Calvin Neuharthwhose post office address is Alpena, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota fora permit to appropriate for beneficial use 2.28 cubic feet of water persecond of time from the ~~xxx~~ ground water through theNeuharth Irrigation Project, the point of diversion of which is to

be located in the _____

NE 1/4 SE 1/4of Section 9, Twp. 109N, Range 63W. Said water to be used for the purpose of providing irrigation on the following described land:N 1/2 NE 1/4, Section 16
SE 1/4, Section 9, T109N, R63WThis application No. 2294-3 will be considered by the Water RightsCommission at the Burgundy Room at the Skyline Hotel, Yankton, South Dakotaupon the 10th day of September, 1975 at 2:30 P. .M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc:

Calvin Neuharth, Alpena, S.D. 57312

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

No. 2294-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, Dorothy Murphy hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Daily Plainsman

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

September 2, 1975

September 9, 1975

Dorothy Murphy
(Signature)

Beadle
(Title)

September 9, 1975
(Date Signed)

F.P. 9275 L.P. 9975
NOTICE OF INTENT
TO APPROPRIATE WATER
August 24, 1975

Notice is hereby given that Calvin
Neuharth whose post office address
is Alpena, South Dakota, has made
an application in accordance with
the provisions of the water laws of
South Dakota for a permit to ap-
propriate for beneficial use 2.28
cubic feet of water per second of
time from ground water through the
Neuharth Irrigation Project, the
point of diversion of which is to be
located in the SE 1/4 SE 1/4 of Section 9,
Twp. 109N, Range 63W. Said water
to be used for the purpose of
providing irrigation on the following
described land: SE 1/4, Section 9,
T109N, R63W; N 1/2 of NE 1/4, Section
16, T109, R63.

This application No. 2294-3 will be
considered by the Water Rights
Commission at the Burgundy Room
at the Skyline Motel, Yankton, South
Dakota upon the 10th day of Sep-
tember, 1975 at 2:30 P.M. All in-
terested persons may appear and be
heard.

WATER RIGHTS
COMMISSION
By: BURTON F. JONES,
Water Rights Specialist
No. 465 (adv.)

SOUTH DAKOTA
Department of
Water & Natural Resources

Joo Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

August 3, 1982

Calvin Neuharth
RR#1
Alpena, South Dakota 57312

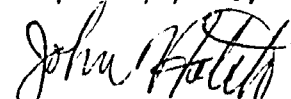
Dear Mr. Neuharth:

Enclosed herewith are, Water License No. 4616-3 and Certificate of Construction.

Water License No. 4616-3 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 Division

JH: mls

enclosures

*The applicable portions of Permit No.
2294-3 have been incorporated into this
Water License.

WNR-817-7/79
Transmittal of Water License

21 April 1975

Calvin Neuhaith Irrigation

Prepared Don Anderson

Don E. Anderson
Beadle Co. Assoc. Extension Agent

Section 9

109-63

Carlyle Twp.

X - Approximate location of well



MAP NO 1681-3 APP NO 2294-3