

Right Number 2323-3

1. Considered 3-24, 19 77
2. Name of Applicant DALE MEYER
3. Post Office Address WAGNER
4. Amount of Water claimed 2.50
5. Source of Water supply ²²⁰ 120' WELL
6. Water to be used for IRR.
Acres to be irrigated 220
7. Water to be diverted and used in CHAS. MIX County
about 1N, 1E miles of WAGNER
8. Proof of Publication
Received ~~FE~~ 3-21-77
Not Received
9. Application
Approved 3-28-79
Subject to WI
Not Approved
Action Deferred
10. Remarks:

No. 2323-3
 Map No. 1705-3 Water Division No. 3 MISSOURI RIVER District 9
 (Blanks to be filled by the Engineer for the W. R. C.)

8,20

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Rebe Meyer
 Postoffice address Wagner State S. D.
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Meyer No. 1
4. Amount of water claimed (cubic feet per second) 2.5
5. Source of water supply Well
6. Location of point of diversion 150' N - 150' E OF THE W 1/4 CORNER SECTION 35
T46N R62W
- County BRADY
7. Annual period or periods during which water is to be used April - Oct.
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 220

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.
<u>N 1/2 of Sec. 35 - Twp. 46 N. Range 62 W.</u>	<u>2.20</u>	<u>W 3/4 of N 1/2</u>	

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 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 Wagner Post
12. Principal Features of the Proposed Water Supply System.

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

120 ft deep well

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

8" pipe

C. Works proposed to apply water to beneficial use.

center pivotEstimated Total Cost \$50,000.00
 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 CherokeeI, D. R. Juffer 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

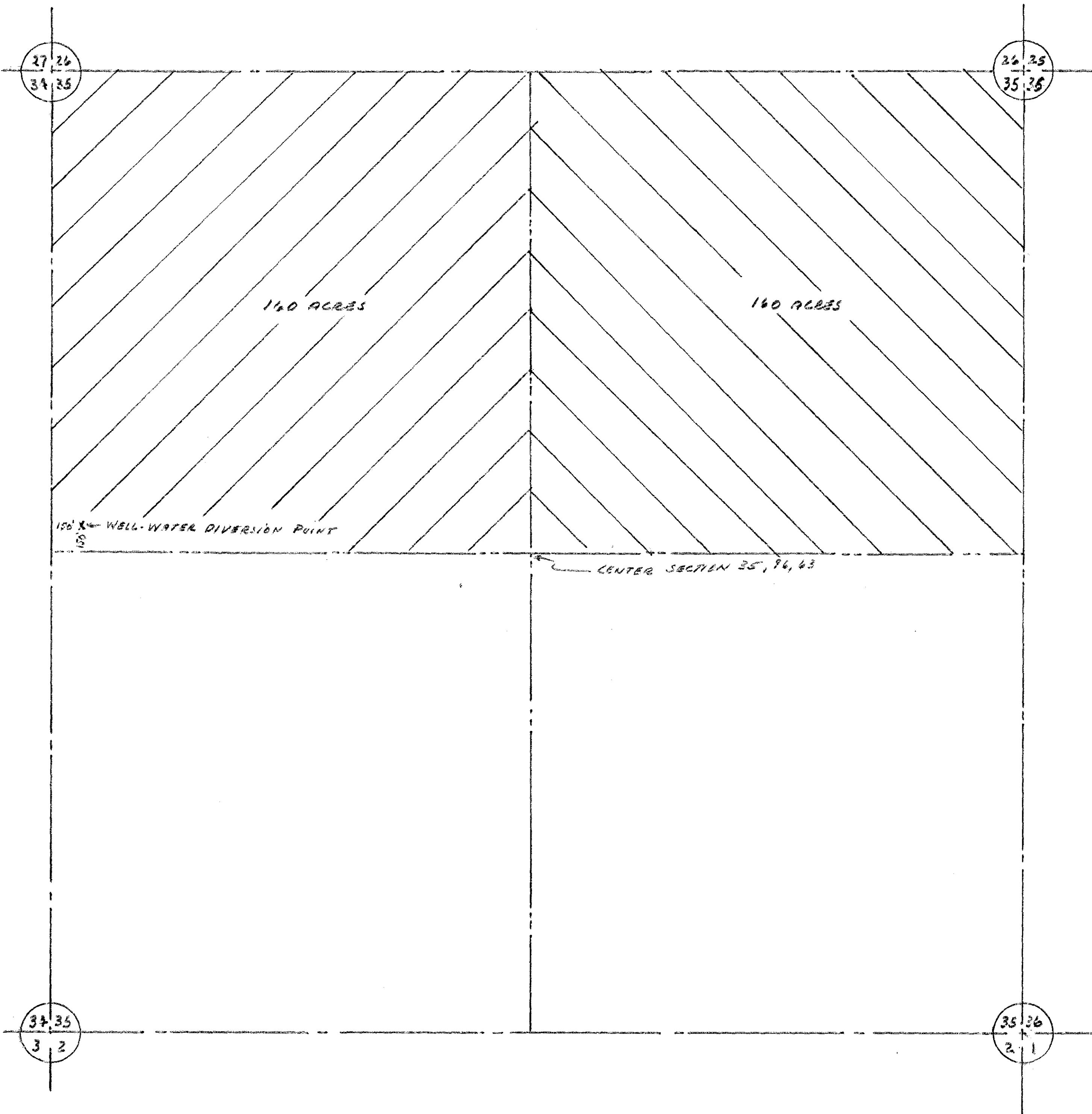
Signed

2.5

day of

June198
 D. R. JUFFER, NOTARY PUBLIC
 MY COMMISSION EXPIRES 9-23-81

Notary Public (or other qualified officer)



AREA BY LEGAL SUBDIVISION
 160 ACRES: NW 1/4, SECTION 35, T96N, R63W, STH PM
 160 ACRES: NE 1/4, SECTION 35, T96N, R63W, STH PM

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 DALE MEYER,
 SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE
 IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON
 JUNE 28, 1975. APPLICATION FOR APPROPRIATIVE WATER RIGHT
 HAS BEEN MADE AND THIS MAP IS A TRUE REPRESENTATION
 OF THE SAME.
 WITNESS MY HAND AND SEAL THIS 28 DAY OF JUNE 1975

Harlan W. Meyer
 REGISTERED LAND SURVEYOR #475



SCALE 1" = 200'

DALE MEYER IRRIGATION PROJECT #1
 SHOWS AREA TO BE IRRIGATED & WATER DIVERSION POINT
 FOR PERMIT TO APPROPRIATE WATER
 OWNER DALE MEYER
 SURVEYOR HARLAN W. MEYER

1705-3
 MAP NO 2323-3 (APPL NO 2323-3)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2323-3

DALE MEYER
(Applicant)

WAGNER
(Post Office Address)

SOUTH DAKOTA 57380 With the following modifications:
(State)

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 adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application JUNE 26, 19 75
Date of return to applicant for correction, amendments or changes required _____ 19 ____
Date of receipt of corrected application JULY 23, 19 75
Approved MARCH 28, 19 79, Recorded in Book 26 Page 197

WATER RIGHT PERMIT NO. 2323-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2323-3 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 26, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 28, 19 80
3. The whole of said work is to be completed on or before MARCH 28, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 28, 19 83
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 2.5 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 2 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 MARCH 28, 19 83 and water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 3RD day of APRIL, 19 79

WATER RIGHTS COMMISSION

By: C. A. Hatten
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 180 ft - 220' well
(2) Casing, Type steel Diameter 16" Thickness 1/4"
(wood, concrete, steel, etc)
(3) Perforated Screen
Type galvan Diameter 9 1/2" Length 90 ft
(4) Gravel Pack Thickness 4" Length of gravel pack 90 ft

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 0-31 clay 31-40 fine gravel
40-44 shale 44-50 fine gravel 50-55 shale
55-60 fine gravel 60-65 shale 65-77 fine gravel
77-84 shale 84-93 fine gravel 93-104 shale 104-118 fine gravel

Depth to top of water bearing material 31 ft

Depth to bottom of water bearing material 118 ft

Thickness of water bearing material 65 ft

Depth to water (ground surface to water level) 10 ft

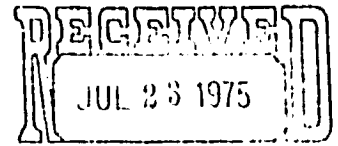
(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 60 rds. On property owned by others 180 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.

Dale Meyer
Signature of Applicant



STATE WATER RIGHTS COLL.
PIERRE, SOUTH DAKOTA

July 8, 1975

Mr. Dale Meyer
Wagner, SD 57380

Dear Mr. Meyer:

Your water sample has been received and the analysis is completed. We found the constituents to be according to the report as attached. This is your copy to keep. Also, you will find enclosed, a copy of Extension Circular 654, with the approximate quality of your water for irrigation purposes designated on the outside back cover by an encircled red cross, this is also yours to use.

This water is quite high in total salts but relatively low in sodium. This means that the problem that may arise is a general accumulation of salt in the upper part of the soil profile. But there should be no problem of sodium-caused dispersion of clays. Thus, the problem of infiltration and aeration should not be difficult or should not develop appreciably with the use of this water. However, the probability that salt accumulations will be appreciable after five or ten years of use is very definite and should be recorded with. To compensate for such a problem, you should be careful to irrigate with as large quantities as practical each time you irrigate, but as infrequently as possible. Thus, I would suggest that you try to irrigate no more than three times in any one year and irrigate in large quantities, such as four to five inches per application especially when you have the land in alfalfa this will be possible.

The reason for such a precaution is that as salt is added in this irrigation water, if there is not a sufficient quantity of water added at any one time to allow some of the salt to be moved down deep in the profile, you will eventually build up salinity in the soils so that crops will not do well or may even fail entirely. The probability of encouraging such leaching by late fall or very early spring irrigation is considerable. In many years we have sufficient rain in November or early December or sufficient snowfall to cause leaching. Also, there is occasionally, a wet period in April or May which results in some leaching of salts. By leaching, I mean movement beyond the root zone. If you have the soil profile full

Mr. Meyer
July 8, 1975
Page 2

of water at the beginning of such a period, then the displacement of salts downward by the natural rainfall is considerable and very beneficial. To this end then, I suggest very strongly that you use this water with caution using large applications infrequently rather than small frequent applications.

A copy of this letter and the water analysis, the soils information, the WI 1 form are being sent to the State Conservation Commission.

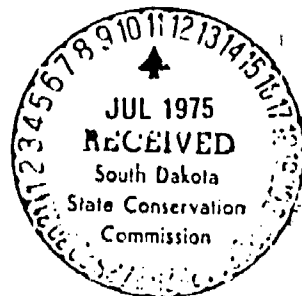
Sincerely,

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

LOF:ckb

Enclosures

cc: State Conservation Commission
Arnold Rieckman, Charles Mix County Agent
Darrel Pahl

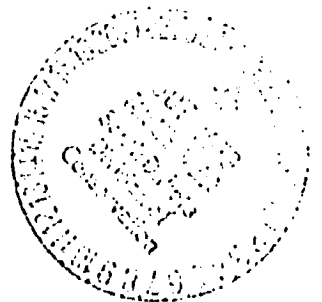


This is the corrected soils data for Dale Meyer.

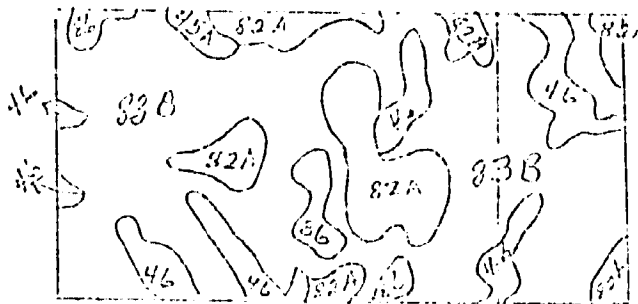
WJ 10/26/79

DRYLAND CAPABILITY UNITS

- IIc3 Deep, loamy well to moderately well drained soils in upland swales that receive beneficial moisture. However, moisture is still inadequate in most years.
- IVa1 Deep, loamy, poorly drained, soils on bottom lands and in depressions. An intermittent water table, occasional flooding, or salinity severely limits use.
- IIc2 Deep, and moderately deep, loamy, well drained soils on nearly level (0 to 2%) uplands. Moisture is inadequate in most years and these soils have slight to moderate wind erosion hazard.
- IIIsl Deep, loamy soils on nearly level (0 to 2) uplands that have claypan subsoils. The clayey subsoils restrict rooting, water penetration, and water release to plants. They have a slight to moderate wind erosion hazard.
- IIe1 Deep and moderately deep, loamy soils on gently sloping (2 to 6%) uplands. They have moderate wind and water erosion hazards.



10-25-79



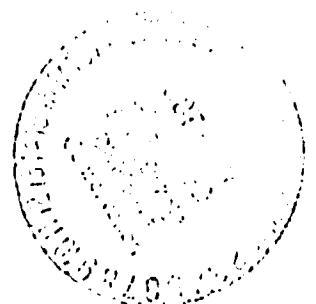
Inle Meyer - Wagner, So. Dak.

W of Section 35-96-63

45A	Cnita silt loam	IIc3
46	Cnita-Tetonka silt loams	
	Cnita part	IIc3
	Tetonka part	IVw1
82A	Highmore-Walke silt loams	
	Highmore part	IIc2
	Walke part	IIIc1
83B	Highmore-Eakin silt loam	IIc1
86	Tetonka silt loam	IVw1

INTAKE PATHS

Cnita	0.5
Tetonka	0.1
Highmore	0.5
Walke	0.1
Eakin	0.3



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 OF

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

Disapproved: _____

NAME: Dale Meyer

ADDRESS: Wagner, S.D. 57380

COUNTY: C. D. Mason

LEGAL DESCRIPTION

1. WELL LOCATION: SW 1/4 of N 1/2 - 35-96-63

2. AREA TO BE IRRIGATED: E. 2/3 of N 1/2 - 35-96-63

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Sprinkler - Center Pivot

4. CROPS TO BE IRRIGATED: Corn & Alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Letter Attached

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Letter Attached

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-568

8. SALINITY: EC = 1628 micromhos/cm (high)

9. SODIUM: SAR = 1.92 (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, Lake Andes, S.D.

and:

57556

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

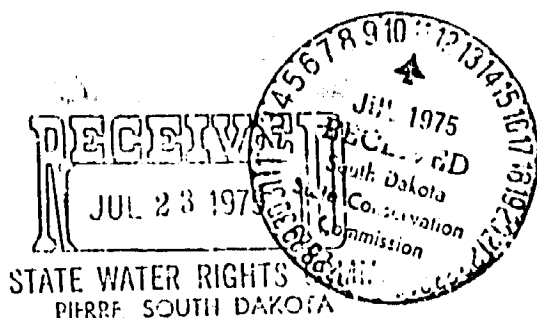
Dale Meyer

Subscribed and sworn before me this

27 day of June 1975.

D. F. KOTAB, NOTARY PUBLIC
My Commission Expires March 13, 1976

(Title)



UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

P.O. Box 397, Lake Andes, SD 57356

Mr. Dale Meyer
Wagner, SD 57380

Dear Dale:

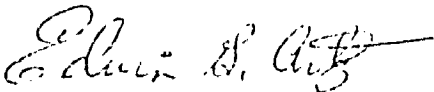
The soils in the N $\frac{1}{2}$ -3-96-63 are Highmore, Eakin and Onita soils, 0-4% slopes.

Intake rate of Highmore and Onita soils is 0.5.
Intake rate of Eakin soil is 0.3.

The Highmore is a deep, well drained soils with loamy surfaces, silty clay loam subsoils, and silty loam substrata underlain by calcareous loamy material below 3 $\frac{1}{2}$ to 8 feet or more. Moderately permeable.

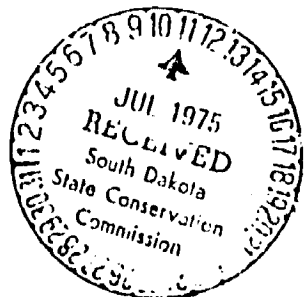
The Eakin soils is deep, well drained soils having silty mantles underlain by clay loam below 20 inches. The surface layers are silt loams underlain by silty clay loam and clay loam. Permeability is moderately slow. Underlain by loam or clay loam till.

The Onita is deep, dark colored, moderately well drained soils having loamy or silty surfaces and moderately permeable clay loam, silt loam or loam subsoils; underlain by loamy alluvium or till.



EDWIN G. ARTZ
District Conservationist

EGA/bmr



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

Submitted by: Dale MeyerDate Rec'd: June 30, 1975Address: Box 548
Wagner, SD 57380Sample No.: 75-568Identification: Well112, Sec. 3, T 96N, R 63W**WATER ANALYSIS**

Calcium (Ca)	200	ppm*	10.00	me/l**
Magnesium (Mg)	67	ppm	3.49	me/l
Sodium (Na)	123	ppm	5.35	me/l
Potassium (K)	10	ppm	0.27	me/l
Sulfate (SO ₄)	624	ppm	12.98	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	39	ppm	1.10	me/l
Bicarbonate (HCO ₃)	205	ppm	4.68	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)	234	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1628	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.92			
Sodium	25.34	% of cations		
Residual sodium carbonate	5.90	me/l		
pH	7.29			
Others:				

*ppm==parts per million

**me/l==milliequivalents per liter

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

COMMENTS: Total cations 21.11 me/l
 Total anions 19.76 me/l

By: Shirley Hittan

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. 75-568

Amount Enclosed \$

Signed

N. 323-3

Publish first publication, on or before March 10, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 4, 1977

Notice is hereby given that Dale Meyer

whose post office address is Wagner, 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

2.5 cubic feet of water per second of time from the ground water through the

Meyer No. 1, the point of diversion of which is to be located in the _____

SW 1/4 NW 1/4

of Section 35, Twp. 96N, Range 63W. Said water to be used for the purpose of providing irrigation on the following described land:

N 1/2, Section 35, T96N, R63W

This application No. 2323-3 will be considered by the Water Rights Commission at their office at Pierre upon the 24 day of March, 1977, at 11:00 a. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERTON
Water Rights Specialist

BEJ/bw

cc. Dale Meyer, Wagner SD 57380

No. 2323-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Charles Mix) ss.

I, Mildred Peterson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Wagner Pool

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 Wagner

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

March 10-1977

March 17-1977

Mildred Peterson
(Signature)

Bookkeeper
(Title)

March 17-1977
(Date Signed)

Public Notice

NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
March 4, 1977

Notice is hereby given that
Dale Meyer, whose post office
address is Wagner, South Da-
kota, has made an application in
accordance with the provisions
of the water laws of South
Dakota for a permit to appropri-
ate for beneficial use 2.5 cubic
feet of water per second of time
from the ground water through
the Meyer No. 1, the point of
diversion of which is to be
located in the SW 1/4 NW 1/4 of
Section 35, Twp. 96N, Range
63W. Said water to be used for
the purpose of providing irriga-
tion on portions of the following
described land: N 1/2, Section
35, T96N, R63W.

This application No. 2323-3
will be considered by the Water
Rights Commission at their
office at Pierre upon the 24th
day of March, 1977, at 11:00
a.m. All interested persons
may appear and be heard.

WATER RIGHTS
COMMISSION

By: James Winterton
Water Rights Specialist

Pub.: Mar. 10-17, 1977

THE WAGNER POST
Thursday, March 10, 1977



2323-3

August 7, 1975

Dale Meyer
Wagner
South Dakota 57380

Dear Mr. Meyer:

This will acknowledge receipt of your application to appropriate 2.5 c.f.s. of water from a 120 foot deep well to irrigate up to 220 acres in the N $\frac{1}{2}$, Section 35, T96N, R63W, to which we have assigned No. 2323-3.

Several new permits have been issued in this area, and the Commission has instructed the Staff to make an evaluation of the water situation in this area. We are monitoring the observation wells in the area now, and will be doing further work later this fall and winter.

Your application will be brought to the attention of the Water Rights Commission at its September 10-11 meeting. It will be the recommendation of the Commission Staff that your application be placed in a temporary deferred status, prior to advertising, pending results of the investigation.

Sincerely,

VERN W. BUTLER, Acting
Chief Engineer
WATER RIGHTS COMMISSION

VWB/BFJ/bw

Encl: Receipt No. 4 3077 in the amount of \$8.00.

Mr. James Winterton
Water Rights Commission
Office Building #2
Pierre, SD 57501

3-22

1977

I own land within 1 mi
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

Ronnie Koon
Land owner or operator

Witness:

Helen Koon

Mr. James Winterton
Water Rights Commission
Office Building #2
Pierre, SD 57501

Mar 22

1977

I own land within 1/2 mi
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

Art Thompson
Land owner or operator

Witness:

Dale Meyer

Mr. James Winterton
Water Right Commission
Office Building #2
Pierre, SD 57501

March 22 1977

I own land within 1/2 mile
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

Beatrice Soukup
Land owner or operator

Witness:

Dale Meyer

Mr. James Winterton
Water Right Commission
Office Building #2
Pierre, SD 57501

Mar 22 1977

I own land within 1 1/2 miles
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

Marlo Stillin
Land owner or operator

Witness:

Dale Meyer

Mr. James Winterton
Water Rights Commission
Office Building #2
Pierre, SD 57501

March 22 - 1977 1977

I Operate land within 1 1/2
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

Francis Uecker
Land owner or operator

Witness:

Francis Uecker

Mr. James Winterton
Water Rights Commission
Office Building #2
Pierre, SD 57501

March 22 1977

I operate land within 1/2 mile
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

John E. Uecker
Land owner or operator

Witness:

Ernest Uecker

Mr. James Winterton
Water Rights Commission
Office Building #2
Pierre, SD 57501

23 March 1977

I own land within 1/4 mile
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

Joseph J. Hoffbauer
Land owner or operator

Witness:

Dale Meyer

Mr. James Winterton
Water Rights Commission
Office Building #2
Pierre, SD 57501

23 March 1977

I own & operate land within 1/4
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

James J. Winterton
Land owner or operator

Witness:

Walter J. [unclear]

Mr. James W. terton
Water Rights Commission
Office Building #2
Pierre, SD 57501

5-23

1977

I ~~James W. terton~~ land within 1/2 mile
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

James W. terton
Land owner or operator

Witness:

Robert Stock Farm

James J. Robert

Mr. James W. terton
Water Rights Commission
Office Building #2
Pierre, SD 57501

March 22

1977

I Robert land within 1 (ONE)
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

James W. terton
Land owner or operator

Witness:

Dale Meyer

Mr. James Winterton
Water Right Commission
Office Building #2
Pierre, SD 57501

March 22 1977

I own land within 1 1/2
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

Don Humphreth
Land owner or operator

Witness:

Dale Meyer

Mr. James Winterton
Water Right Commission
Office Building #2
Pierre, SD 57501

March 22 1977

I own land within 1/2 M. 10
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

Sharon Ann Haas
Land owner or operator

Witness:

Haris Haas

Mr. James W. terton
Water Right Commission
Office Building #2
Pierre, SD 57501

March 23rd 1977

I ~~own~~ operate land within 1/2 mile
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

Alfred J. Munk
Land owner or operator

Witness:

Dale Meyer

Mr. James W. terton
Water Right Commission
Office Building #2
Pierre, SD 57501

March 23rd 1977

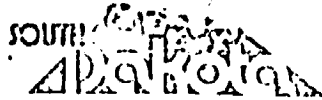
I Own land within 1/2 mile
miles of the land that Dale Meyer has applied for an Irrigation
Permit and would recommend that the Permit be granted for
irrigation, at this time. I would like to see what the real
potential of Irrigation is in our area.

Bryan Lecker
Land owner or operator

Witness:

Evelene Lecker

CHARLES MIX & DOUGLAS COUNTIES



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

March 23, 1978

TO: Persons with deferred applications in Charles Mix & Douglas Counties.

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of deferred applications in Charles Mix & Douglas Counties.

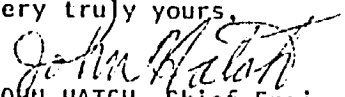
The Water Rights Commission will reconsider Water Right Applications in Charles Mix & Douglas Counties at 10:30 am, March 29, 1978 at the Guest House, 101 North Broadway, Watertown, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, Ground Water 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

The applications were deferred by the Water Rights Commission, pending Staff Investigation.

After reconsideration of the deferred Applications in Charles Mix & Douglas Counties the Commission can approve, defer, or deny all or parts of the Applications. A copy of the "Report on the Charles Mix - Douglas County Areas" is enclosed for your information.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw

enclosure



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151.

April 5, 1978

Dale Meyer
Wagner,
South Dakota 57360

Dear Mr. Meyer:

This letter is to inform you that your water right application was brought up for reconsideration at the regular meeting of the Water Rights Commission on March 28-29, 1978, at Watertown, South Dakota. The Commission has, at this time, decided it remain in a deferred status.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH:plh



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

March 14, 1979

TO: Holders of Deferred Applications in Charles Mix and Douglas Counties

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred Water Right Applications in Charles Mix and Douglas Counties at 3:30 p.m., March 28, 1979, at the Community Room of the Pierre City Hall, 222 East Dakota Ave, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3; 46-6-5; 46-6-6.1; 46-6-10; 46-6-3.1; 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These applications were previously deferred by the Water Rights Commission, pending Staff investigation.

After reconsideration of the deferred Applications the Commission can approve, conditionally approve, defer, or deny all or part of the Application.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Waggoner, SDDate July 28th 1979

TO: Water Rights Commission
Joe Foss Building
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. 2323-3

Water Right Permit No. 2323-3 states that the diversion system is to be constructed by 3-28, 1981 and that the water is to be put to beneficial use by 3-28, 1981.

The diversion system was completed on 7-18, 1979.
Applying the water to beneficial use was completed on 7-19-1979
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.

Dale Meyer
(Signature)
Waggoner, SD



Department of Water & Natural Resources

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

March 23, 1987

DALE MEYER
BOX 548
WAGNER, SD 57380

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 2323-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 2323-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

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

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 3, 1987

2323-3

Dale Meyer
Box 548
Wagner, SD 57380

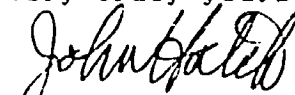
Dear Mr. Meyer:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 2323-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Waggoner, SDDate July 28th 1979

TO: Water Rights Commission
Joe Foss Building
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. 2323-3

Water Right Permit No. 2323-3 states that the diversion system is to be constructed by 3-28, 1981 and that the water is to be put to beneficial use by 3-28, 1981.

The diversion system was completed on 7-18, 1979.
Applying the water to beneficial use was completed on 7-19-1979
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.

Dale Meyer
(Signature)
Waggoner, SD

Permit No. 2323-3
Missouri River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DENR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Dale Meyer of 733 East Hwy. 50, Wagner, SD 57380 holder of Permit No. 2323-3, bearing the priority of June 26, 1975 authorizing the diversion of 2.50 cu. ft. of water per second from ground water for irrigation purposes, in Charles Mix County.

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

A. Works used to divert the water:

Pump:

- 1) Make Aurora
- 2) Model 379-714
- 3) Pressure 100 PSI
- 4) Capacity 1100 GPM

Motor:

- 1) Make U.S. Electrical
- 2) Frame No. 405TP
- 3) Horsepower rating 100 hp

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

DISTRIBUTION LINE:

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 2640 feet

C. Works used to apply water to beneficial use:

SYSTEM TYPE:

Center pivot: (NE $\frac{1}{4}$)

- 1) Make Valley
- 2) Overall length 1320 feet
- 3) Number of towers 10
- 4) Distance between towers 132 feet
- 5) End gun Y
- 6) High or low pressure High
- 7) Capacity 1100 GPM

Center pivot: (NW $\frac{1}{4}$)

- 1) Make Zimmatic
- 2) Overall length 1320 feet
- 3) Number of towers 10
- 4) Distance between towers 132 feet
- 5) End gun Y
- 6) High or low pressure High
- 7) Capacity 1000 GPM

The system is in the following condition good. The point of diversion is located 1880' N 45 degrees W from the E quarter corner of Section 35 T96N-R63W. The works are capable of diverting and conveying to the place of use 2.44 cu. ft. of water per second which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

T96N-R63W

SECTION 35

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 17 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 34 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 22 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 34 acres

T96N-R63W

SECTION 35

NW¼ NE¼ 34 acres

NE¼ NE¼ 34 acres

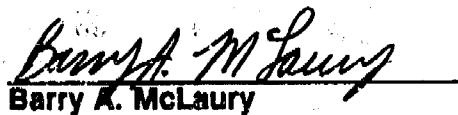
SW¼ NE¼ 34 acres

SE¼ NE¼ 34 acres

comprising a total of 243 acres of land and the license should be issued for 2.44 cfs.
Applicable permit qualifications have been complied with: Yes X No

**** NOTE:** Only one center pivot may be operated at a time under this system.

Exceptions to compliance are: None Date: June 29, 1993



Barry A. McLaury
Natural Resources Analyst
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 2323-3

DATE: June 29, 1993

Other permit(s) associated with the project: None

DIVERSION POINT LEGAL LOCATION: 1880' N 45 degrees W from the E quarter corner of Section 35 T96N-R63W.

WELL INFORMATION:

- 1) Well Drilling Firm: Huron Drilling
- 2) No. of Wells 1
- 3) Depth(s) feet
- 4) Well log is available N

Casing:

- 1) Diameter inches
- 2) Length feet
- 3) Type

Screen:

- 1) Type
- 2) Length feet
- 3) Static water level feet

SYSTEM TYPE:

Center pivot: (NE $\frac{1}{4}$)

- 1) Make Valley
- 2) Overall length 1320 feet
- 3) Number of towers 10
- 4) Distance between towers 132 feet
- 5) End gun Y
- 6) High or low pressure High
- 7) Capacity 1100 GPM

Pump:

- 1) Make Aurora
- 2) Model 379-714
- 3) Pressure 100 PSI
- 4) Capacity 1100 GPM

Motor:

- 1) Make U.S. Electrical
- 2) Frame No. 405TP
- 3) Horsepower rating 100 hp

DISTRIBUTION LINE:

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 2640 feet

Center pivot: (NW $\frac{1}{4}$)

- 1) Make Zimmatic
- 2) Overall length 1320 feet
- 3) Number of towers 10
- 4) Distance between towers 132 feet
- 5) End gun Y
- 6) High or low pressure High
- 7) Capacity 1000 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 27, 1993

Dale Meyer
733 East HWY. 50
Wagner, SD 57380

Dear Mr. Meyer:

After an inspection of Water Permit No. 2323-3 on June 29, 1993, I found a problem with the location of the diversion point authorized by this permit.

The enclosed application is to correct the location of the diversion point in Section 35 T96N-R63W. The well was originally described as being in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35. An inspection of Water Permit No. 2323-3 found the well to be located in the center of the NE $\frac{1}{4}$ of Section 35.

Please fill out question No. 9 and the bottom of the enclosed application. Note that the application must be signed in the presence of a Notary Public. Please return the completed application with an application fee of \$50.00 in the self addressed envelope provided.

If you have any questions, feel free to contact me at 605-773-3352.

Sincerely,

Barry A. McLaury
Natural Resources Analyst
Water Rights Division
605-773-3352

enclosure

12-29-1993

I never irrigated
in 1993. Plenty of rain

Dale Meyer
Wayne SD.



RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

413977

Pierre, December 30, 1995

RECEIVED OF Dale Meyer, 733 E Hwy 50, Wagner, SD 57380

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. <u>2323-3</u>		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

John Hatfield

L

FORM 2: Application for Irrigation in South Dakota
(type or print)

BM

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. _____ Hydrologic Unit _____
Basin _____
Newspaper _____
(office use only)



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

Type of Application: _____ New _____ Vested Right X Amendment/Correction to Permit No. 2323-3
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.) _____
Change the location of the diversion point.

- Name of Applicant Dale Meyer Phone 324-5551
(check one) _____ Owner _____ Tenant/lessee
Mailing Address 735 East Highway 50 Wagner State SD 57380
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed NO Add *CFS or _____ **GPM _____ ***AF _____ Total Acreage NO Add
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)
- Source of water supply Ground water
- Location of point of diversion (example - 3 walls in SW1/4 NE1/4 section 12-T104N-R53W) (1 well) 1880 feet
N 45° W from the E quarter corner of Section 35
T96N-R63W County Charles Mix
- County or counties where water will be used Charles Mix
- Annual period during which water is to be used May - August
- List below each forty acre subdivision, 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
NW1/4 NW1/4 Section 35 T96N-R63W	17
NE1/4 NW1/4 Section 35 T96N-R63W	34
SW1/4 NW1/4 Section 35 T96N-R63W	22
SE1/4 NW1/4 Section 35 T96N-R63W	34

Land Description	Acres
NW1/4 NE1/4 Section 35 T96N-R63W	34
NE1/4 NE1/4 Section 35 T96N-R63W	34
SW1/4 SE1/4 Section 35 T96N-R63W	34
SE1/4 SE1/4 Section 35 T96N-R63W	34

Land Description	Acres
NW1/4 NE1/4 Section 35 T96N-R63W	34
NE1/4 NE1/4 Section 35 T96N-R63W	34
SW1/4 SE1/4 Section 35 T96N-R63W	34
SE1/4 SE1/4 Section 35 T96N-R63W	34

Land Description	Acres
NW1/4 NE1/4 Section 35 T96N-R63W	34
NE1/4 NE1/4 Section 35 T96N-R63W	34
SW1/4 SE1/4 Section 35 T96N-R63W	34
SE1/4 SE1/4 Section 35 T96N-R63W	34

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other (Specify): _____
- Crops to be irrigated: 65 acres alfalfa 170 acres corn beans
- Give a description of the project. (Attach sheet if more space is needed)

This application proposes to change the location of the diversion point authorized by Water Permit No. 2323-3. The well was advertised as being in the SW1/4 NW1/4 Section 35 T96N-R63W. An inspection of this Water Permit found the diversion point in the center of the NE1/4 of Section 35 T96N-R63W.

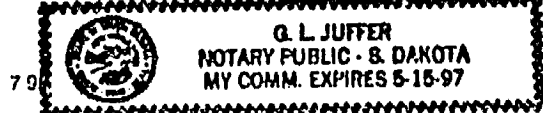
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach maps, soils information and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of Charles Mix)⁵⁵

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

Signed Dale Meyer
Subscribed and sworn to before me this 29 day of Dec, 1993



[Signature]
Notary Public

Water Rights Division - DENR

Conversation or File Documentation

Name of Person: Dale Meyer

Date: January 4, 1994

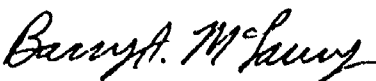
County: Charles Mix

File No: 2323-3

COMMENTS:

Water Permit No. 2323-3 was inspected on June 29, 1993. The inspection found two center pivots in the N1/2 of Section 35 using one well located in the center of the NE¼ to irrigate 243 acres. After reviewing the original map which was sent in with the application, the map showed the entire N1/2 of Section 35 being irrigated with one well in the SW¼ NW¼ of the same Section. An application for a change in diversion was required.

Furthermore, the application stated that 220 acres were to be irrigated with approval of 2.50 CFS. The inspection found that 243 acres were being irrigated rather than 220. Being that the N1/2 of Section 35 was clearly advertised in the paper and shown on the original map, no additional acreage will be added to the permit. Myself and Ron Duvall feel that the acreage recorded on the water permit was incorrectly stated as 220 acres, rather than 320 acres. This decision was made after reviewing the original map and application no. 2323-3.


Barry A. McLaury
Water Rights Division

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Dale Meyer

ADDRESS: Wagner SD COUNTY: Charles Mix

DATE: 1-10-94 TELEPHONE:

RE: Pending application to change location of diversion point

COMMENTS:

Jim Stukel called and stated there were major problems with the soil/water permit application. The Division of Conservation will need to validate a water sample which will not be done until this spring or summer.



Karen Schlaak
Natural Resources Analyst



Department of Agriculture
Division of Conservation
523 East Capitol Avenue
Pierre, South Dakota 57501-3182

Clark B. Johnson, Acting Director
(605) 773-3258

FAX (605) 773-5926



Dale Anderson
Soil/Water Compatibility
(605) 773-4025

Keith Harner
District Specialist
(605) 773-4515

Pete Jahraus
Natural Resource Planner
(605) 773-4351

Cec Johnson
Senior Secretary
(605) 773-3258

Clark B. Johnson
Wetlands Coordinator
(605) 773-6503

Arlene Pitan
Senior Secretary
(605) 773-3259

Roy Richardson
NPS L&E Coordinator
(605) 773-5276

James L. Stukel
Soil/Water Compatibility
Administrator
(605) 773-4003

January 10, 1994

Dale Meyer
733 East Highway 50
Wagner, SD 57380

RE: Soil/Water Compatibility
Permit Application

Dear Mr. Meyer,

This is in regard to the application for a Soil/Water Compatibility Permit for the N $\frac{1}{2}$ Sec 35 96N-63W.

We will be unable to process this application until a validated water sample can be collected. We also wish to collect soil samples from this land. I will contact you this spring to arrange an appointment with you.

If you have any questions, please feel free to contact this office (773-3259).

Sincerely,

Dale L. Anderson, Natural Resource Analyst
Division of Conservation

CC Eric Gronlund, Division of Water Rights



**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Dale Meyer

ADDRESS: 733 East Hwy 50, Wagner SD 57380

COUNTY: Charles Mix

DATE: 7-22-94

TELEPHONE:

RE: S/W Compatibility Approval

COMMENTS:

We are proceeding with this license based on the repeal of the Soil/Water Compatibility Permit statutes by the 1994 Legislature.

Based on a staff inspection in 1993, an application and fee was submitted to change the location of the diversion point. The 1994 Legislature passed legislation allowing diversion points to be changed or additional diversion points under certain circumstances. The \$50 application fee will be applied toward the license fee requirement.

Karen Schlaak

Karen Schlaak
Environmental Scientist

L

**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM**

DATE: July 27, 1995

RE: Change in location for diversion point for Water Permit No. 2323-3, Dale Meyer.

An inspection of Permit No. 2323-3 found the diversion point in a location not authorized by the permit. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Water Permit No. 2323-3, approved in 1979, appropriates 2.50 cubic feet of water per second (cfs) from groundwater to irrigate 220 acres. The diversion point was to be located in the SE1/4 NW1/4 of Section 35; T96N R63W. The acres to be irrigated are located in the N1/2 of Section 35. An inspection of Water Permit No. 2323-3 found the works capable of diverting 2.44 cfs from one well (Choteau West Aquifer) located in the center of the NE1/4 of Section 35 to irrigate 243 acres located in the N1/2 of Section 35; all in T96N R63W.

A review of existing diversions within a one mile radius of Section 35 was conducted based on Water Rights Program records. This review indicates that this well location change does not change the impact potential to existing diversions from the Choteau West Aquifer. The diversion point has been in operation at the described

location for several years with no known recent complaints.



Barry A. McLaury
Natural Resources Scientist
Water Rights Program

The Chief Engineer makes a finding that this change in location does not increase the potential for interference with existing diversions. In making the finding "does not increase the potential for interference" is interpreted to mean potential for adverse interference. Water Permit No. 2323-3 may be licensed without requiring an application or publication of a notice of hearing pursuant to SDCL 46-2A-4 for a change of diversion point.

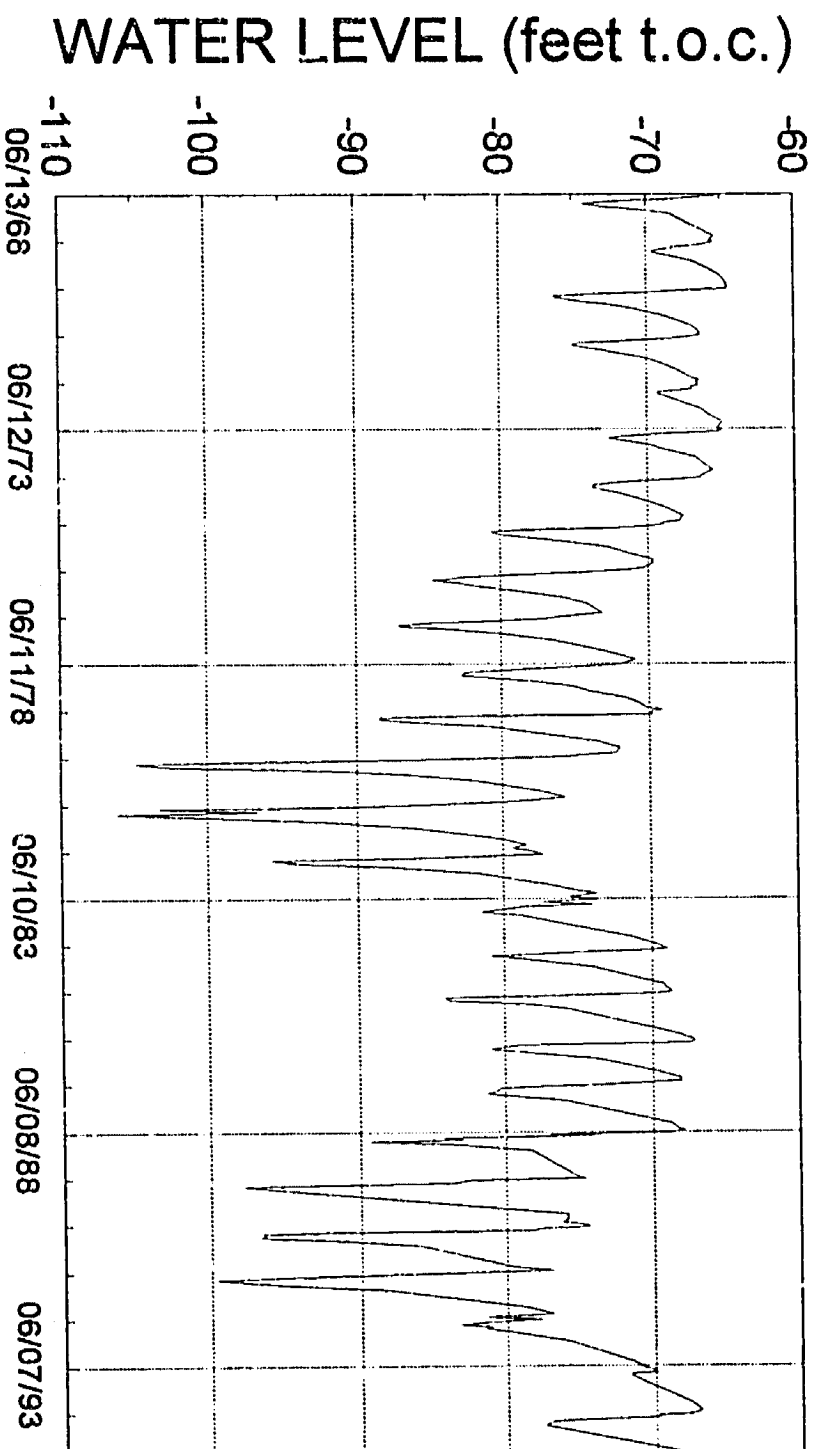
Approved by:



John Hatch, Chief Engineer
Water Rights Program

WATER RIGHTS OBSERVATION WELL

CM-68F



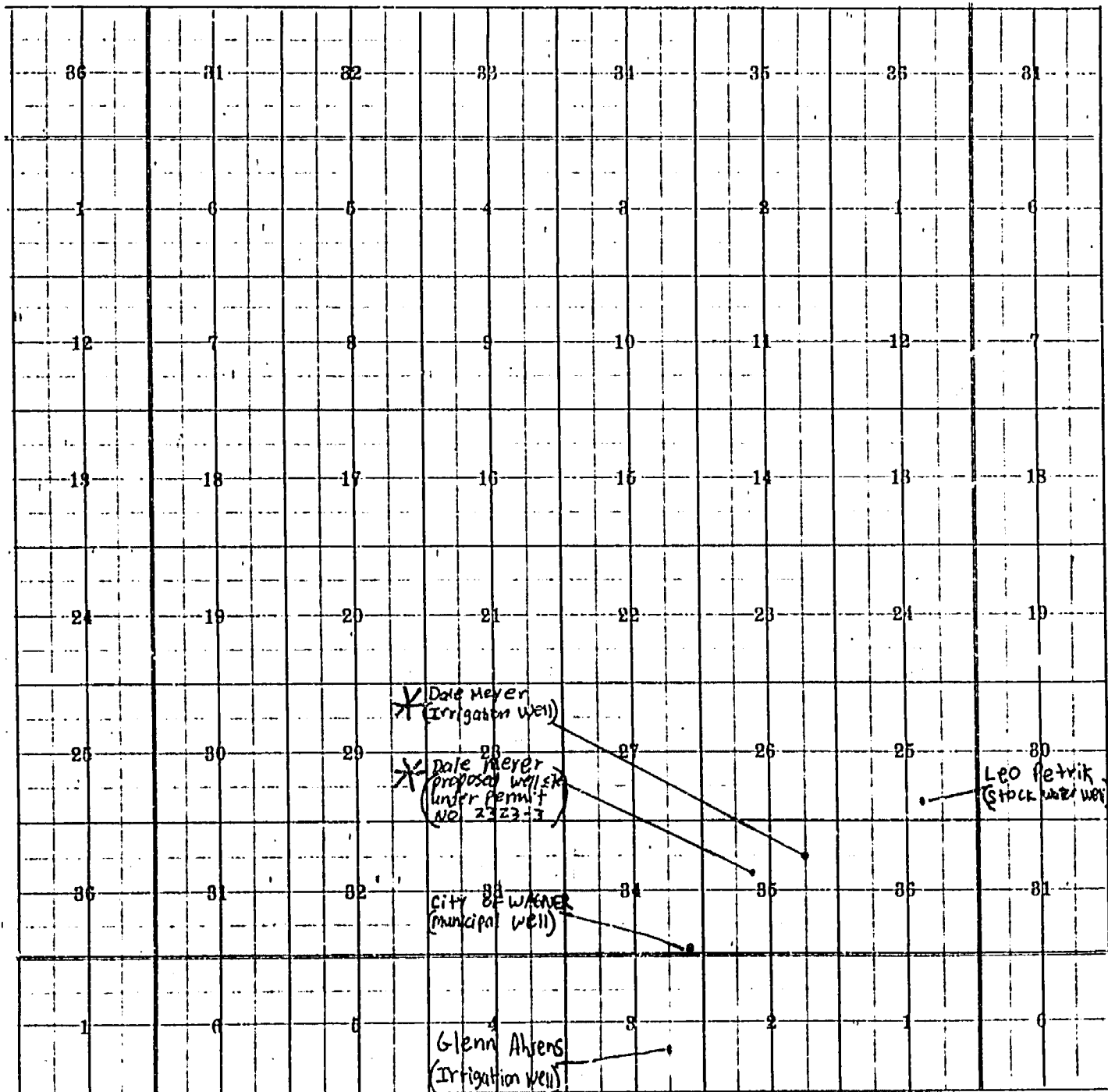
2323-3
Dale Meyer

Form No. 58.0102C

BROWN & SAENZGER, PRINTERS, SIOUX FALLS, S. D.

Charles Mix COUNTY, SOUTH DAKOTA
TOWNSHIP No. 96N RANGE No. 63W Sec. 35

(With surrounding tier of sections of adjacent townships)



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2323-3

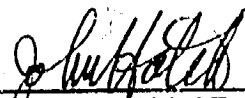
(1) Dale Meyer of 733 East Hwy. 50, Box 548, Wagner SD 57380 made Application No. 2323-3, June 26, 1975 for a water permit to appropriate 2.5 cubic feet of water per second from groundwater (one well), Charles Mix County, South Dakota for irrigation purposes. Permit No. 2323-3, with a priority date of June 26, 1975 was approved March 28, 1979 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 28, 1981 and for the application to beneficial use of said water on or before March 28, 1983.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.44 cubic feet of water per second for beneficial use. The location of the diversion point is 1880 north 45 degrees west from the east quarter corner of Section 35-T96N-R63W (center of NW quarter).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 35-T96N-R63W	NW 1/4 NW 1/4	17 acres
	NE 1/4 NW 1/4	34 acres
	SW 1/4 NW 1/4	22 acres
	SE 1/4 NW 1/4	34 acres
	NW 1/4 NE 1/4	34 acres
	NE 1/4 NE 1/4	34 acres
	SW 1/4 NE 1/4	34 acres
	SE 1/4 NE 1/4	34 acres
Total		243 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Dale Meyer of 733 East Hwy. 50, Box 548, Wagner SD 57380 the holder and/or owner of Water Permit No. 2323-3 is issued a license to appropriate water, the right to use 2.44 cubic feet of water per second from groundwater (one well) with a priority date of June 26, 1975 from the location specified in (2) of this license. The water is conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 2323-3 and subject to South Dakota State Law.



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

SEP 6 1995

date

2323-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

2323-3

Dale Meyer
733 East Hwy. 50, Box 548
Wagner, SD 57380

Dear Mr. Meyer:

Enclosed is Water License No. 2323-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413977 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. 2323-3, 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.

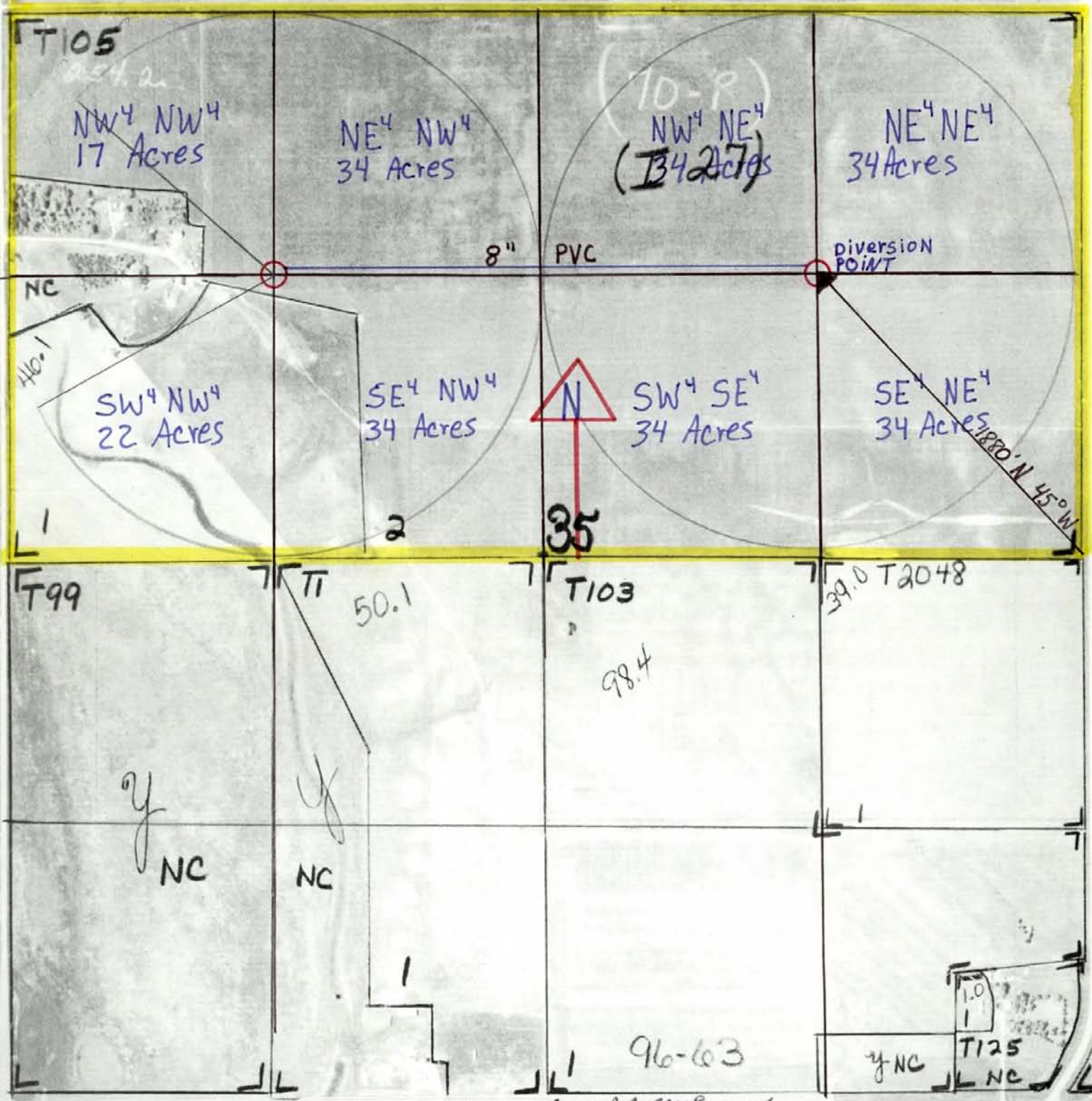
Very truly yours,

A handwritten signature in cursive script that reads 'John Hatch'.

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

rd
enclosures

NOT TO SCALE



Barry McLaury *Barry McLaury*
Natural Resources Analyst
Division of Water Rights
Date December 23, 1993

ATTACHMENT TO WATER RIGHT NO. 2323-3

Water Right No. 2323-3 authorizes irrigation of 243 acres in the N $\frac{1}{2}$ of Section 35, T96N, R63W. Land described under the water right has changed ownership. The water right is being divided and reissued to reflect separate ownership as follows:

- **2323A-3: Richard E Werner, 1505 McDonald Dr., Huron SD 57350** authorizing irrigation of 204 acres located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ Section 35, T96N, R63W from a well located in the center of the NE $\frac{1}{4}$ of Section 35, T96N, R63W.
- **2323B-3: Dale Meyer, Box 548, Wagner SD 57380** authorizing irrigation of 39 acres located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35, T96N, R63W from a well located in the center of the NE $\frac{1}{4}$ of Section 35, T96N, R63W. Issuance of No. 2323B-3 will be withheld pending cancellation consideration by the Water Management Board.

The original water right authorized diversion of 2.44 cfs (1100 gpm) to irrigate the entire acreage. Combinations of diversions under Nos. 2323A-3 and 2323B-3 can not exceed 2.44 cfs.