

2485-3

1. Considered 1-22, 1976
2. Name of Applicant J. PAUL E. ANDERSON
3. Post Office Address TULARE
4. Amount of water claimed 1.95
5. Source of water supply GROUND WATER (52' DEEP WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 138
7. Water to be diverted and used in SPINK county
about 4E, 1N miles of TULARE.
8. Proof of Publication Received 1-12-76
Not received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:.

No. 2485-BMap No. 1859-3 Water Division No. 3 JAMES RIVER District
(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 J. Paul E. Anderson
Postoffice address Tulare, State So. Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct labor
3. Name of diversion work J. Paul E. Anderson, Unit #2
4. Amount of water claimed (cubic feet per second) 1.95
5. Source of water supply ground
6. Location of point of diversion A POINT IN THE SW¹ NE⁴ SECTION 29, T115N, R63W
County Spink
7. Annual period or periods during which water is to be used May - 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 13.8 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.
<u>WNE 1/4 29-115-63</u>	<u>13.8</u>		
<u>ENE 1/4 29-115-63</u>			
<u>PER PHONE CALL FROM MR ANDERSON ON 12-24-75</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 Appropriately Water publication Daily Plainsman, Haron S. Dak.
12. Principal Features of the Proposed Water Supply System.

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

Bowl Pumps

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

Main line

C. Works proposed to apply water to beneficial use.

Center Pivot

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 SpinkI, J. Paul E. Anderson, 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 J. Paul E. AndersonSubscribed and sworn to before me this 1st day of December, 1975James A. O'Leary
Notary Public (or other qualified officer)Commission Expires Nov 6, 1976

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2485.3

J. PAUL E. ANDERSON
(Applicant)

TULARE
(Post Office Address)

SOUTH DAKOTA 57476 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 existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application DECEMBER 19, 19 75

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

Date of receipt of corrected application _____, 19 _____

Approved JANUARY 23, 19 76, Recorded in Book 14 Page 241

WATER RIGHT PERMIT NO. 2485.3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2485.3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is DECEMBER 19, 19 75

2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23, 19 78

3. The whole of said work is to be completed on or before JANUARY 23, 19 81

4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23, 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 1.95 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 23, 19 83; said water to be used during the following described annual period: MAY - OCTOBER

Witness my hand this 30TH day of JANUARY, 19 76

WATER RIGHTS COMMISSION

By:

John Hallock
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

PAGE NO.

Lloyd Peterson
FOREMAN Jr.

Jt No.	DEPTH	TIME	REMARKS	DESCRIPTION
1	20		0-12 Yellow Clay	N.E. 29-115-63
2	35		12-20 Fine Dark Sand w/Yellow Clay	Spink County
3	50	TD	20-35 Fine to Coarse Whitish Sand 35-50 Coarse Whitish Sand w/Lotsa Coal 50-52 Coarse Whitish Sand w/Lotsa Coal 52-65 Blue Clay	2
			35 ft. Slotted 4" PVC	
			15 ft. Blank 4" PVC	
			2500 lbs. Concrete Sand	
			Pumped 40 GPM	
			Water head 16 ft.	
			1 Used Drag Bit 5"	
			1 Used 7 7/8" Roller Bit	
			9 = Beak's well boom, non-saline substratum	
			93 = Bonilla-Houder	
			44 = Uline concrete level - low water mark	
			31 = Concrete thin surface - Tetoska, nearly level	
			74 = Houder-Bonilla fine sandy loam, undulating	

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

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

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness: _____, Length of gravel pack _____

E. Dugout Information or Estimates

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout. Log will be furnished by Division

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

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

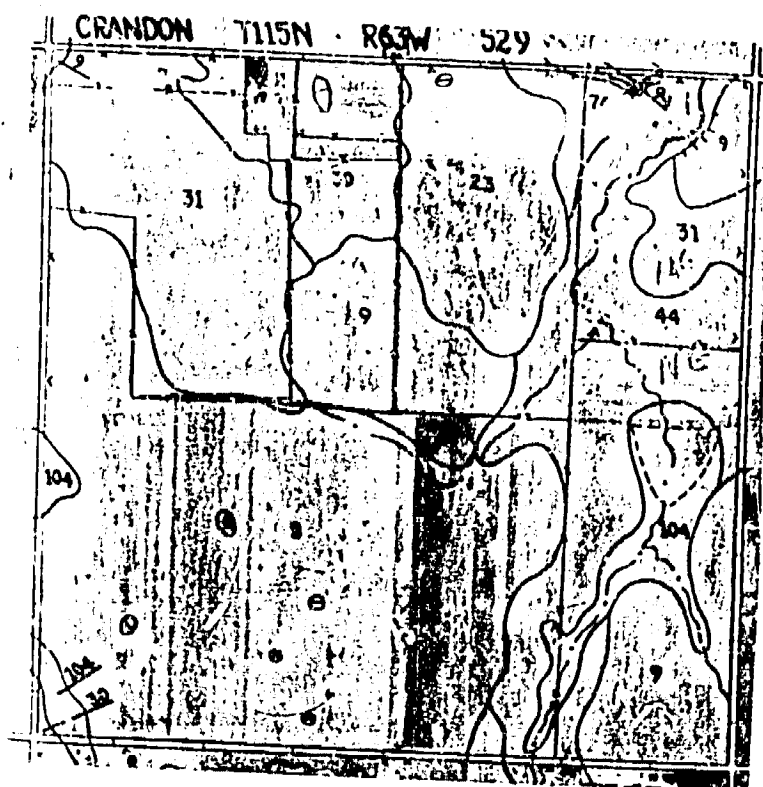
(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 100 rds. On property owned by others 100 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.

Paul E. Anderson
Signature of Applicant



December 8, 1975



Mr. J. Paul E. Anderson
Tolara, SD 57476

Dear Mr. Anderson:

I am enclosing herewith the original copy of the report of analysis of sample #75-1108 received here December 2. A copy is also going to the Huren Drilling Co. We have now received your MI-1 form and the application materials which are needed to send on to Pierre.

I am enclosing a copy of extension circular 634 with the approximate quality of this water for irrigation purposes indicated by the red cross on the outside back cover. You will note that this water is in the high salinity, low sodium bracket. Thus, it has a considerable potential for adding salts to the root zone of soils on which it is used. This is especially aggravated by any management practice which makes use of small, frequent applications and allows the top foot of soil to dry out more frequently than it would under natural conditions or under infrequent, large applications of water. For this reason, I recommend very strongly that you irrigate not more than 2 or 3 times in any one season and preferably let a season go by occasionally without using it at all. Furthermore, the soils in the southeastern half to 2/3 of the quarter are absolutely unsuited for irrigation. Those soil delineations designated by #44 and #31 on the Seink Co. survey are absolutely unsuitable for irrigation and will give you salt difficulties and poor performance of crops almost right from the start. This is because those delineations contain many areas of claypan or thin surface soils with salt close to the top. This salinity in the soil is already there before we begin irrigation, so if for any reason water table rise occurs or a long wet period occurs with frequent opportunity for evaporation, salt will come to the surface with the water that evaporates. Thus, only soil delineations #74, 23, and 9 are suitable for use in irrigated agriculture. Until we learn more about the management of the claypan soils, I cannot recommend using this water on those soils.

A copy of this letter and of the water analysis, and all of the application materials which we have received are being sent to the State Conservation Commission. Please retain the copy of the water analysis for future reference.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab
LOFickb

cc: State Conservation Commission, D. Pahl, Robert Sampson, Huren Drilling Co.
Encl.

FOR COMMISSION USE

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

Disapproved: _____

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)

NAME: J. Paul E Anderson

ADDRESS: Tulare, So. Dakota

COUNTY: Spink

LEGAL DESCRIPTION

1. WELL LOCATION: NE 1/4 29-115-63

2. AREA TO BE IRRIGATED: 136 acres

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (Indicate Type): Pivot

4. CROPS TO BE IRRIGATED: corn, alfalfa, small grain

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: attached sheet

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: _____

WATER QUALITY (To Be Completed by Commission)

7. SAMPLE NO: 7.5-1108

8. SALINITY: EC = 1170 (high)

9. SODIUM: SAR = 0.77 (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 Scientist (S.C.S.)

and:

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

x J. Paul E. Anderson

Subscribed and sworn before me this

1st day of September 1975.

Dennis A. Gering

Secretary of the Board of Regents

(Title)

Commission Expires Nov 6, 1976

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

Submitted by: J. Paul E. Anderson Date Rec'd December 2, 1975
 Address: Tulare, SD Sample No. 75-1108
cc: Huron Drilling Inc. Identification #2 well-
P.O. Box 1422 NE1, Sec. 29, T. 115N, R. 63W
Huron, SD 57350

WATER ANALYSIS

Calcium (Ca)	170	ppm*	8.50	me/l**
Magnesium (Mg)	53	ppm	4.35	me/l
Sodium (Na)	45	ppm	1.96	me/l
Potassium (K)	12	ppm	0.31	me/l
Sulfate (SO ₄)	282	ppm	5.87	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.06	me/l
Bicarbonate (HCO ₃)	493	ppm	8.08	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	404	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1170	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.77			
Sodium	12.96	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.56			
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g.p.g.=grains per gallon



COMMENTS: Total cations 15.12 me/l
 Total anions 14.01 me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	\$6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-1108

Amount Enclosed \$

Signed

2485-3

Publish first publication, on or before January 8, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 22, 1975

Notice is hereby given that J. Paul E. Anderson
whose post office address is Tulare, 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
1.95 cubic feet of water per second of time from the ground water through the
Anderson Unit No. 2, the point of diversion of which is to be located in the

SW1 NE1
of Section 29, Twp. 115N, Range 63W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

NE1 Section 29, T115N, R63W

This application No. 2485-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 22nd day of January, 1976, 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: J. Paul E. Anderson

No. 2485-3

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 Huron 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 Huron of _____

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

December 30, 1975

January 6, 1976

Dorothy Murphy
(Signature)

Burton F. Jones
(Title)

1-6-76

(Date Signed)

F.P. 12 3075 L.P. 1675

NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501

December 22, 1975

Notice is hereby given that J. Paul
E. Anderson whose post office ad-
dress is Tulare, 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 1.95
cubic feet of water per second of
time from the ground water through
the Anderson Unit No. 2, the point of
diversion of which is to be located in
the E1/2 of NW1/4 W1/2 of NE1/4 NW1/4
NE1/4 of Section 29, Twp. 115N,
Range 63W. Said water to be used for
the purpose of providing irrigation
on portions of the following
described land: NE1/4 Section 29,
T115N, R63W.

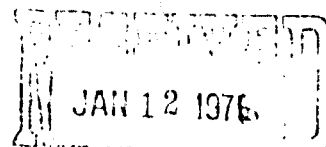
This application No. 2485-3 will be
considered by the Water Rights
Commission at their office at Pierre
upon the 22nd day of January, 1976,
at 2:30 P.M. All interested persons
may appear and be heard.

WATER RIGHTS COMMISSION

By: BURTON F. JONES

Water Rights Specialist

NC. 667 (adv.)



STATE WATER RIGHTS
PIERRE, SOUTH DAKOTA

WATER LICENSE NO. 2485-3

(1) WHEREAS, On the 19th day of December A. D. 19 75
J. Paul E Anderson

made Water Right Application No. 2485-3 for a permit to use 1.95 cubic feet per second of the water of groundwater (one well)
 County of Spink, State of South Dakota, for Irrigation

purposes; and
 (2) WHEREAS, On the 23rd day of January A. D. 19 76
 Permit No. 2485-3, with a date of priority of December 19, 1975
 was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 23rd day of January A. D. 19 84 and for the application to beneficial use of said water on or before the 23rd day of January A. D. 19 83

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,
 to irrigation the following land all in Section 29, T115N, R63W

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 32.5 acres (BA)

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 32.5 " (BD)

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 32.5 " (AB)

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 32.5 " (AC)

TOTAL 130.0 acres

NOTE: The above land is irrigated as a 130 acre circle in the
E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 29.

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

of RR #2, Tulare SD 57476

as holder and owner of said permit No. 2485-3 a water right, dating from December 19, 1985
to use of 1.78 cubic feet per second of the waters
groundwater (one well)

in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 2650'E and 700'S of the NW corner,
Section 29, T115N, R63W (AB)

and conducted to and upon portions of Section 29, T115N, R63W more fully described
on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2485-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 13th day of September A. D.

Nineteen Hundred and Eighty-three

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 2485-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by J. PAUL E. ANDERSON of TULARE holder of Permit No. 2485-3, bearing date of priority of DECEMBER 19, 1975 authorizing the diversion of 1.95 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in SPIKE County.

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

The Water Use System consists of,

A. Works used to divert the water:

70' DEEP WELL WITH 16" PLASTIC CASING - 30 SUTTED PLASTIC
AURORA 8" PUMP - 3 1/2 RXL, POWERED BY 40 HP
US ELECTRIC MOTOR @ 1770 RPM.

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

660' OF 8" BURIED PVC TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

7 TOWER ELECTROGATOR LOW PRESSURE CENTER
PIVOT SYSTEM - 1232' LONG WITH NELSON #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located 2650' E & 700' S OF THE NW CORNER,
SECTION 29, T115N, R63W (AB)

The works are capable of diverting and conveying to the place of use 1.78 (800 GPM)
cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

FOR IRRIGATING A 130 ACRE CIRCLE IN THE
E² NW⁴ & W² NE⁴, SECTION 29, T115N, R63W

BA	NE ¹ / ₄ NW ¹ / ₄	32.5 acres	NW ¹ / ₄ NE ¹ / ₄	32.5 acres	AB
BD	SE ¹ / ₄ NW ¹ / ₄	32.5 acres	SW ¹ / ₄ NE ¹ / ₄	32.5 acres	AC

comprising a total of 130 acres of land.Date SEPTEMBER 24, 1982

Dustin J. [Signature]
(Signature)

REC. MGMT/FORM

CCNDITIONAL

#4004

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF CONSERVATION

NAME OF APPLICANT: J Paul Anderson

LEGAL DESCRIPTION: E½ NW¼ 29-115-83 = 66

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

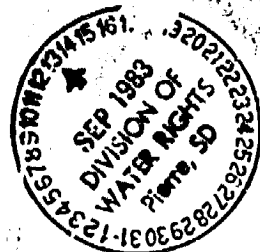
#30 Cavour Houdek & #31 Cavour

These are sodium bearing soils and cannot be irrigated.

These soils are indicated by red hatch marks on the soils map.

THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

RECOMMENDED MANAGEMENT:



Signature
SIGNATURE

DATE
DATE

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
Division of Conservation

Office Use Only

CORRECTION OR CHANGE OF ACREAGE

WRH

2485-3

OWNERS NAME: J Paul Anderson OWNERS ADDRESS: RR 2,
Tulare, SD 57476

COUNTY LAND LOCATED IN: Spink PHONE: 472-1648

TENANT'S NAME AND ADDRESS: _____

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

1. WELL LOCATION NW 1/4 NE 1/4 29-115-63

Depth _____

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location _____

Legal Description	Acres	Legal Description	Acres
<u>E 1/2 NW 1/4 29-115-63</u>	<u>66</u>		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1975

LEGAL DESCRIPTION: NW 1/4 29-115-63, W 1/2 SE 1/4 2, E 1/2 SW 1/4 29-115-63

IN WHAT NAME: J. Paul Anderson

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____ (Specify)

6. CROPS TO BE IRRIGATED: _____

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

Currently on File 74-40-581

7. WATER SAMPLE NUMBER: 75-1109 10. ADJUSTED (SAR): 0.11

8. SALINITY (EC X 10⁶): 1110 11. PERCENT SODIUM: 15.96

9. SODIUM (SAR): 0.77

I hereby certify that I personally obtained or that I personally observed that taking of a 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 instruction sheet) 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.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS _____

DAY OF Apr, 1982

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

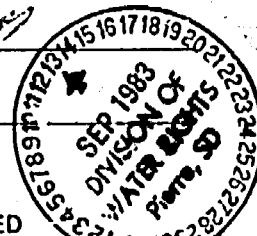
DISAPPROVED

CONDITIONALLY APPROVED

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Registrar of Deeds.

IMPORTANT

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 Board of Water Management, Foss Building, Pierre.



Water Rights Division
605 773-3352

October 29, 1982

J. Paul E Anderson
RR #2
Tulare SD 57476

RE: Permit No. 2485-3
Irrigation W $\frac{1}{2}$ NE $\frac{1}{4}$ & E $\frac{1}{2}$ NW $\frac{1}{4}$
Section 29, T115N, R63W
Well: NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29, T115N, R63W

Dear Mr. Anderson:

In writing up the Water License and checking with the State Conservation Commission it has been discovered you do not have soil/water compatibility approval for the E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 29, T115N, R63W.

To bring your permit into compliance with State Statutes, approval will be required from the State Conservation Commission.

For procedures and forms, contact the State Conservation Commission, Anderson Bldg., Pierre SD 57501 (phone 773-3259).

If you have any questions please contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:BW:ks

cc: Jim Stukel
State Conservation Comm.

Betty
2485-3

SOUTH DAKOTA
Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

November 2, 1982

J. Paul Anderson
RR #2
Tulare, SD 57476

X
1005
2485

Dear Mr. Anderson:

We have been notified by the Division of Water Rights that you are currently irrigating 66 acres in the E $\frac{1}{2}$ NW $\frac{1}{4}$ 29-115-63, without soil and water compatibility. In order to bring your permit into compliance with state law it will be necessary for you to: complete the enclosed form and return it, along with the correct soils information to our office for processing.

If you have any questions please feel free to contact this office.

Sincerely,

Jim Stukel

Jim Stukel
Irrigation Program Director

cf

cc: Water Rights Division

If all info gets back will be brought up at Jan 13, 1983 SCC meeting.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8995

October 25, 1982

PIERRE, _____

Paul E Anderson, RR #2, Tulare SD 57476

RECEIVED OF _____

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriately Water No. _____ (examination, processing, recording and filing) _____	2485-3	50	00
Fee for inspecting Construction, and issuing Cert. of Construction No. _____	2485-1		
Fee for inspecting Beneficial Use, and issuing Water License No. _____			
Fee for issuing Location Certificate-Dry Draw, No. _____			
Fee for filling _____			
Fee for certified copy of _____			
Fee for Print copy of map _____			
Fee for Certifying _____			
Fee for _____			
(any other work as provided by law)			
TOTAL		50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH KS

No. 2485-3

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

September 14, 1983

Paul E Anderson
RR #2,
Tulare SD 57476

Dear Mr. Anderson:

Enclosed herewith is, Water License No. 2485-3. This 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: ks

Enclosures

WNR-817 3/83
Transmittal of Water License

SOUTH DAKOTA
Department of
Water & Natural Resources

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

June 23, 1989

2428-3
2485-3

Dean Rogers
1502 S Main, Apt 6
Aberdeen, SD 57401

Dear Mr. Rogers:

In response to your telephone conversation with Ron Duvall, enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 2428-3 and 2485-3. Please check over the forms and have the new owner sign them in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

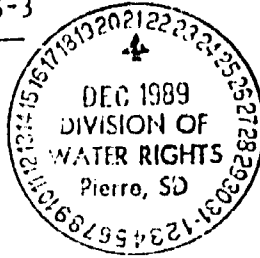


GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NO. 2485-3



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 12-3-89

This is to notify you that the title to the lands described as follows:

130 acres - E1/4NW1/4 and W1/4NE1/4 Section 29, T115N, R63W

formerly owned by J Paul E Anderson

has been transferred to Barbara J. Anderson, 1408 South Main St, Apt 10
(please include complete mailing address) Abert, SD 57401
together with any rights to the beneficial use of water thereon as evidenced by

Water Right ~~XXXX~~ No. 2485-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Brown) ss.

I, Barbara J. Anderson being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Barbara J. Anderson
(Signed)

Subscribed and sworn to before me this 6th Day of December, 1989

Lorelei Beidler
(Notary Public)

My Commission Expires 9/7/95

RECEIPT

412005

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, December 22, 1989

RECEIVED OF Barbara J. Anderson 1408 S. Main St., Apt 10, Aberdeen, SD 57401

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
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. _____	2	50
Fee for Filing Transfer Form Water Right No. 2485-3		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By John Walter
Chief Engineer



Department of Water & Natural Resources

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

January 12, 1990

2428-3
2485-3

Barbara J. Anderson
1408 S Main St Apt. #10
Aberdeen, SD 57401

Dear Ms. Anderson:

Enclosed are Receipt Nos. 412004 and 412005 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 2428-3 and 2485-3.

Our records now reflect you as the owner of these Water Rights.

Sincerely,

Marie R. Arthur

MARIE R. ARTHUR
Secretary
Water Rights Division
(605) 773-3352

enclosure





2485-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

www.state.sd.us/denr

January 14, 2000

NOTICE

TO: BARBARA J ROGERS, 419 S 10TH ST, ABERDEEN, SD 57401

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 5301-3, 2428-3 & 2485-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2428-3 & 2485-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5301-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 1:30 pm, March 1, 2000 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5301-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2428-3 & 2485-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaires are received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



2485-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 3, 2000

2428-3

2485-3

5301-3

Barbara J Rogers
419 S 10th St
Aberdeen, SD 57401

Dear Ms. Rogers:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000 "Notice" concerning reporting requirements for Water Permit Nos. 2428-3, 2485-3 and 5301-3.

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

Thank you for the notation about the change of ownership for the two systems in Section 29, T115N, R63W. I will contact Mr. Gatzke to follow-up on the transfer.

If you have any questions, please contact me.

Sincerely,

Genny McElath
Environmental Scientist
Water Rights Program
(605) 773-3352



2485-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 3, 2000

2428-3

2485-3

Lee Gatzke
18479 389th Ave
Tulare, SD 57476

Dear Mr. Gatzke:

I am contacting you in regard to ownership of land described in Water Right Nos. 2428-3 and 2485-3. Barbara Rogers notified us when returning her 1999 irrigation questionnaires that the water rights for land in Section 29, T115N, R63W should be transferred to your name.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the ownership change. Please review the transfer forms and complete as needed. Upon completion, please sign the forms in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the filing fee can be made payable to the Water Rights Program.

As soon as we receive the completed forms and the required filing fee of \$5.00, Water Right Nos. 2428-3 and 2485-3 will be transferred to your name. If you have any questions about the water rights or with completion of the forms, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2485-3

Date: 2-25-00



I/We request that Water Right No. 2485-3

formerly owned by: Barbara J Rogers, 419 S 10th St, Aberdeen, SD 57401

be transferred to: (name & address) Lee Gatzke

18479 384TH Ave Tulum

Telephone No. 405-266-2790

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

130 acres in the E 1/4 NW 1/4 and W 1/4 NE 1/4 Section 29, T115N, R63W

I/We understand that the validity of Water Right No. 2485-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

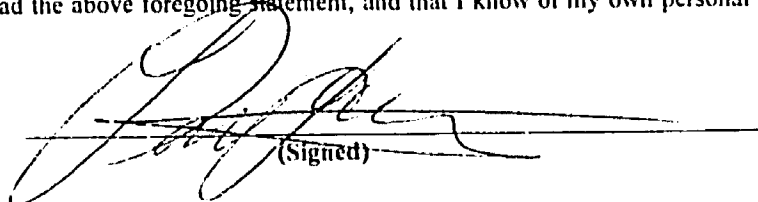
You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

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

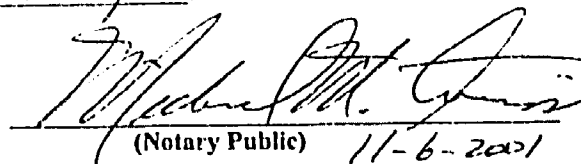
STATE OF SOUTH DAKOTA)

County of Spink)

I/We Lee Gatzke being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.


(Signed)

Subscribed and sworn to before me this 25 day of February, 2000.


(Notary Public) 11-6-2001

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

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

RECEIPT
Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416398

Pierre, February 26, 2000

RECEIVED OF Lee Gatzke, 18479 389th Ave., Tulare, SE 57476-7700
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 _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form Water Right No. 2485-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By National Electric
Chief Engineer



2428-3
2485-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.v.state.sd.us/denr

February 28, 2000

2428-3
2485-3

Lee Gatzke
18479 389th Ave
Tulare, SD 57476

Dear Mr. Gatzke:

Thank you for following up on the ownership changes for Water Right Nos. 2428-3 and 2485-3. The transfers have been completed and the water rights are now listed in your name.

Enclosed are your Receipt Nos. 416397 and 416398. You may keep these for your records

If you have any questions about the water rights, please contact me.

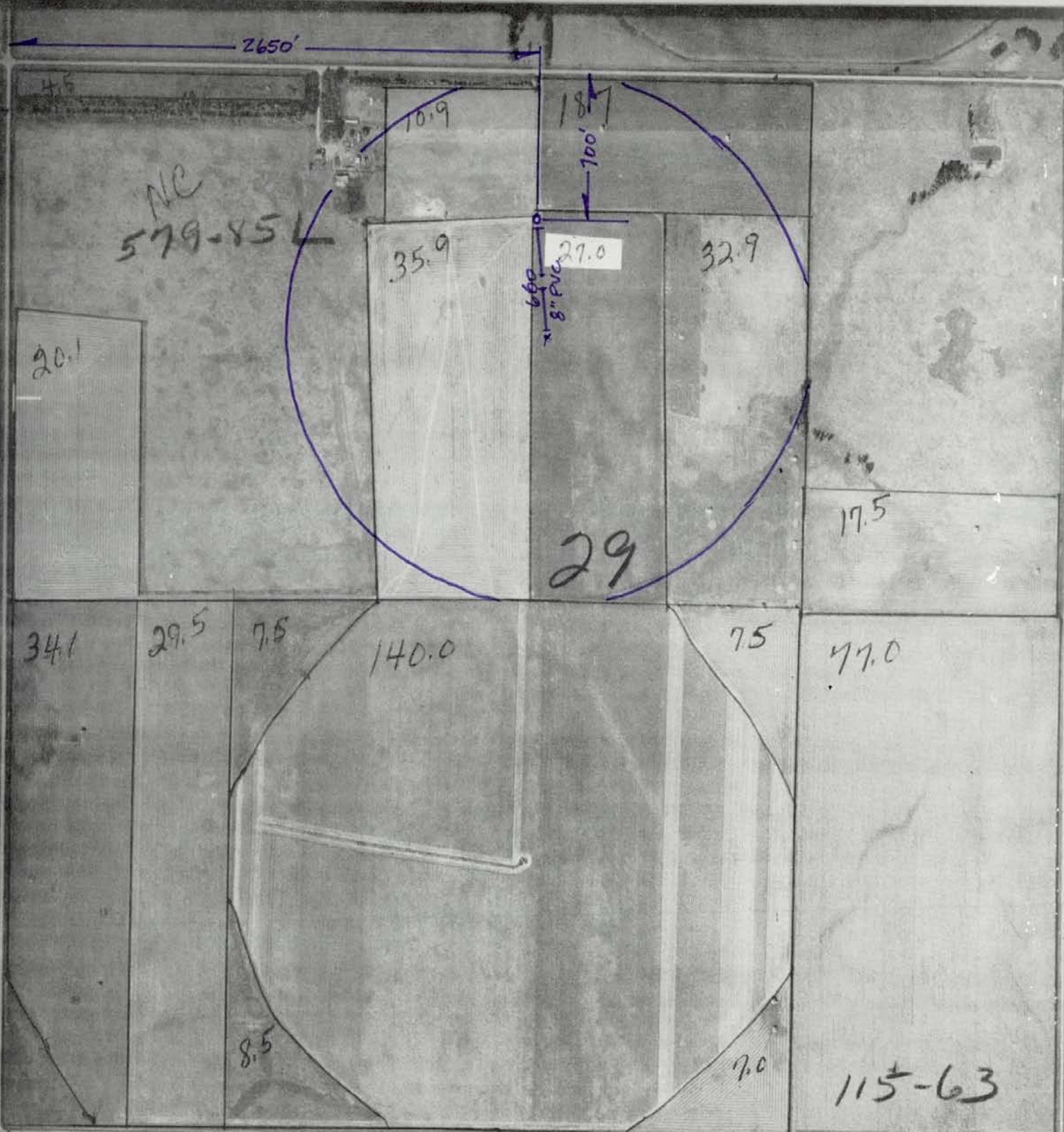
Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

NOT TO SCALE

2485-3



155.0

579-NC
85L

~~Map 1859-3~~
from Inspection

Appl 2485-3

94.2

28.7

Prepared by Dick Fadgen, Beadle Co. Extension Agent

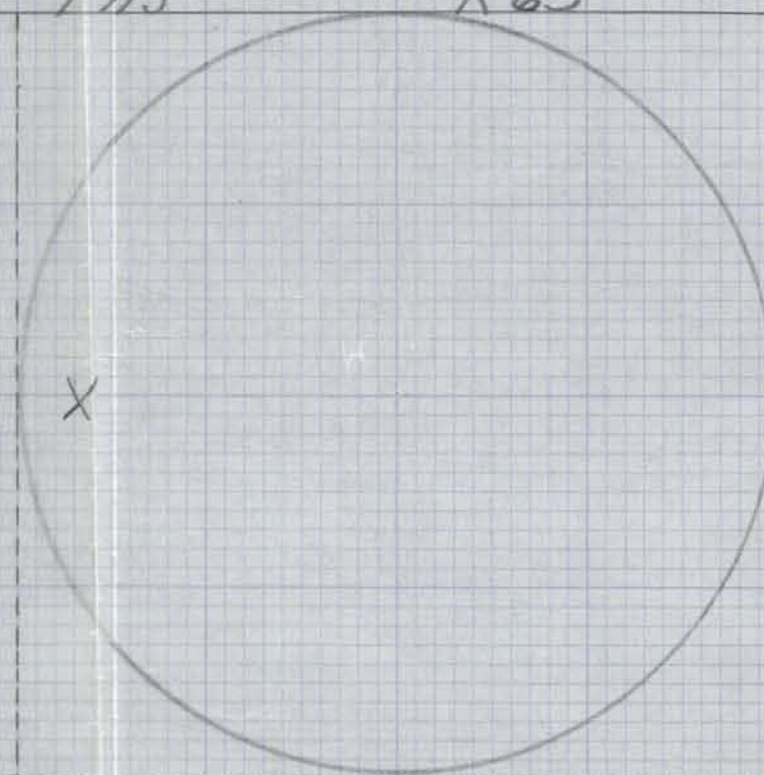
J. Paul E. Anderson Unit No. 2

Dick Fadgen

NE 1/4 Section 29

T115

R63



X Proposed Well Location



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 16 2008

2485-3

6193-3

6764-3

Lee Gatzke
18479 389th Ave
Tulare SD 57476

Dear Mr. Gatzke:

Enclosed is your Water License No. 6764-3. This is the final water right document completing your process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 6764-3, 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.

The staff engineer who conducted the field investigation noted that the factory insert with your equipment combined the check valve, interlock, low pressure drain and vacuum relief valve. In order to comply with Water Management Board Rules for installation of chemigation equipment, you will need to install a hose on the low pressure drain to convey any drainage at least 20 feet from the water source. Enclosed are excerpts of Board Rules dealing with chemigation.

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.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The applicable portions of Water Right No. 2485-3 and Water Permit No. 6193-3 were incorporated into Water License No. 6764-3