

2486-3

1. Considered 1-22, 1976
2. Name of Applicant CLIFFORD E. NOWELL
3. Post Office Address TULARE
4. Amount of water claimed 1.95
5. Source of water supply GROUND WATER (46' 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, 2N miles of TULARE
8. Proof of Publication Received 1-12-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Map No. 1860-3 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)

- Name of Applicant Clifford E. Nowell Box 4, Box 6
Postoffice address Tulare Box 4A State So. Dakota
If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) Direct labor
- Name of diversion work Clifford E. Nowell Unit No. 1
- Amount of water claimed (cubic feet per second) 1.95
- Source of water supply ground water
- Location of point of diversion A POINT IN THE SE¹ SE⁴, SECTION 28, T15N, R63W
- Annual period or periods during which water is to be used April - October County Spink
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
- For irrigation use, Total number of acres to be irrigated 138
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>W 1/2 - SE 1/4 S28-115-63</u>	<u>19</u>		
<u>E 1/2 - SW 1/4 S. 28-115-63</u>	<u>69</u>		

Attach sheet if more space is needed

- 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.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Daily Plainsman, Huron, So. Dakota
- Principal Features of the Proposed Water Supply System.

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

Bowl Pump

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 Spink ss.

I, Clifford E. Nowell 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 Clifford E. Nowell

Subscribed and sworn to before me this 3 day of December 1975

Deane G. Salinger
Notary Public (or other qualified officer)

Comm. exp. 11-6-75

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2486-3
CLIFFORD E. NOWELL Rt. 1 Box 446 TULARE
 (Applicant) (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 1975
 Date of return to applicant for correction, amendments or changes required — 19—
 Date of receipt of corrected application — 19—
 Approved JANUARY 23 1976 Recorded in Book 14 Page 242

WATER RIGHT PERMIT NO. 2486-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2486-3 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 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23 1978
3. The whole of said work is to be completed on or before JANUARY 23 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23 1983
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 1983; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 30TH day of JANUARY 1976

WATER RIGHTS COMMISSION

By: John H. Heston
 Chief Engineer, Executive Officer

Certificate of Construction Issued — 19—

Water License Issued — 19—

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

Clifford Howell

S.L. 28-115-63 Spink Co.

11/26/75

15

Lloyd Peterson

JOB NAME

LOCATION

DATE _____

RUG NO.

FOREMAN

[illegible]

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.

Well drilled with furnish log

- (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 0 rds. On property owned by others 2.25 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.

[Signature]
Signature of Applicant

December 12, 1975



Mr. Clifford E. Nowell
Box 4A
Tulare, SD 57476

Dear Mr. Nowell:

Enclosed you will find the original copy of the report of analysis of the water sample submitted here December 8. It has been given the designation 75-1115 for our laboratory records.

This water is moderately good in quality, being high in total salt content as indicated by an electrical conductivity of 1290 but rather low in sodium as indicated by a sodium adsorption ratio of 0.69. Therefore, it is suitable for use on practically all soils with no restriction on internal drainage. If, however, the soils are poorly drained or have claypans in them, this water will cause a gradual increase in salt content of your soil, and eventually be unsuited for production of moderately salt sensitive crops. Only the most salt tolerant crops will be able to grow after a period of use, perhaps 10 or 12 years.

The soil survey information for the quarter section you intend to irrigate indicates that the bulk of the quarter is Beadle silt loam stony phase but with non-saline substratum. This means that the soil has from 5-20 cu. yd. of rock per acre foot of soil and these rock are greater than 10 in. in average diameter. This means, of course, that the soil is not suitable for leveling and not suitable for deep cultivation with ordinary equipment. There are 2 areas of soil which have more strict limitations than the Beadle, however, these are the areas designated as 103 (Tetonka) and 31 (Cavour thin surface Tetonka complex). These 2 soil areas both have very poor internal drainage and would cause puddling and water table rise almost immediately. You perhaps have noticed that in the very wet years, they do have water stand on them occasionally. These areas are in the northwest and southwest parts of the quarter, and it may be possible for you to construct some kind of drainage to lead off the surface water when it accumulates. If this is not so, you may have to stop the center pivot system before it enters soil area 31 and back it up, or speed it up very rapidly over this portion of the farm. Whatever you do in the use of this water, be careful to irrigate as seldom as you can possibly get away with it and in as large quantities as possible, that is, you should use water applications of not less than 3 inches at any one time and you should never irrigate more than 4 times in a growing season, preferably 2 or less if you can get away with it. The water quality itself is not a serious thing but the probability of salt rise and water table rise from these soil areas which I mentioned above is a serious hazard to the land.

Mr. Howell
December 12, 1975
Page 2

A copy of the extension circular 654 is enclosed which gives the quality of this water for irrigation purposes as indicated by a red cross on the outside back cover and there is also some information in the circular which may be helpful to you. You will also find enclosed the receipt for payment of the analysis fee.

The check for the analysis ^{Water} ~~for the Conservation Commission~~, the WI-1 forms, a copy of this letter, and a copy of water analysis are being sent to the State Conservation Commission along with your other application materials.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

D. Pahl

Dick Fadgen, County Extension Agent
Huron Drilling Co.



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
Irrigation System: _____
Water Quality: _____
Soils Capability: _____
Approved: [Signature]
Disapproved: _____

NAME: Clifford E Nowell
ADDRESS: Tulare Box 44, So. Dakota
COUNTY: Spink

LEGAL DESCRIPTION

1. WELL LOCATION: W 1/2 - SE 1/4 SW 1/4 S 28-115-63
2. AREA TO BE IRRIGATED: 138 acres

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (Indicate Type): Pivot
4. CROPS TO BE IRRIGATED: corn, alfalfa

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: 15-1115
8. SALINITY: EC = 1290 μ mho/cm (high)
9. SODIUM: SAR = 0.89 (low)

I do hereby certify that a chemical analysis of the ground water to be
required for irrigation from South Dakota State University and:
the land capability for irrigation information has been acquired from

Soil Science Test (S.C.S.)

and:

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

x Clifford E. Russell

Subscribed and sworn before me this

3 day of April 19 45

Deane J. Hocking

Deane J. Hocking

(Title)

Deane J. Hocking
Notary Public



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

Submitted by: Clifford Nowell
 Address: Tulare, SD
cc: Luron Drilling, Inc.
P.O. Box 1422
Eurot, SD 57350

Date Rec'd December 8, 1979
 Sample No. 75-1115
 Identification # 1 Cell-
LAB, Dec. 28, T 1151, A 637

WATER ANALYSIS

Calcium (Ca)	190	ppm*	9.50	me/l**
Magnesium (Mg)	55	ppm	2.51	me/l
Sodium (Na)	54	ppm	2.35	me/l
Potassium (K)	12	ppm	0.30	me/l
Sulfate (SO ₄)	220	ppm	6.66	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.18	me/l
Bicarbonate (HCO ₃)	473	ppm	7.76	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)	388	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1290	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.89			
Sodium	14.10	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.60			
Others:				
*ppm=parts per million				***g.p.g.=grains per gallon
**me/l=milliequivalents per liter				

COMMENTS: Total cations 16.66 me/l
 Total anions 14.60 me/l

By: Clifford Nowell

Service Performed

Amount Due

Irrigation analysis

6.00 FID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-1115

Amount Enclosed \$

Signed

No. 2486-3

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 CLIFFORD W. NOWELL
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

1.35 cubic feet of water per second of time from the GROUND WATER through the

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

SE1/4 SE1/4
of Section 28, Twp. 115N, Range 63W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

W1/4 SE1/4, E1/4 SW1/4, Section 26, T115N, R63W

This application No. 2486-3 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: Clifford E. Nowell

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

No. 2486-3

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 of Huron

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)

Beadle Plainsman
(Title)

1-6-76

(Date Signed)

F.P. 12-3075 L.P. 1-376
NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
December 22, 1975
Notice is hereby given that Clifford E. Nowell 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 1.93 cubic feet of water per second of time from the ground water through the Nowell Unit No. 1, the point of diversion of which is to be located in the SE 1/4 SE 1/4 of Section 28, Twp. 115N, Range 63W. Said water to be used for the purpose of providing irrigation on portions of the following described land: W 1/2 SE 1/4, E 1/2 SW 1/4, Section 28, T115N, R63W. This application No. 2486-3 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
No. 570 (adv.)

JAN 12 1976
STATE WATER RIGHTS COM
PIERRE, SOUTH DAKOTA



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

September 2, 1982

Clifford E. Nowell
RR #1, Box 6
Tulare SD 57476

Dear Mr. Nowell:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 2486-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

You will also receive the Certificate of Construction as required by statute.

Sincerely,

KAREN SCHLAACK
Administrative Secretary

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

SECOND NOTICE
PERMIT NO. 2486-3

WATER RIGHTS DIVISION (605) 773-3352

December 7, 1982

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Clifford E. Howell
RR#1, Box 6
Tulare, South Dakota 57476

Dear Mr. Howell:

September 2, 1982 you were notified the required final inspection fee of \$50.00 is due before Water License No. 2486-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL-46-2-13 (3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. You will also receive a Certificate of Construction as required by Statute. These are the final papers for the perfection of your Water Right.

A perfected water right is similar to property right and once a water right is perfected, it cannot be lost as long as the water is used. Failure to pay the fee means that the legal requirements to establish a water right have not been completed and a property right has not been established.

Please submit the required fee immediately to avoid jeopardizing your water permit or advise if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:GY:ms

P 200 485 712
RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED—
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

PS Form 3800, Apr. 1977

SENT TO	
Clifford E. Nowell	
STREET ADDRESS	
RR#1 - B - C	
P.O. STATE AND ZIP CODE	
Tulare SD 57476	
POSTAGE	
CERTIFIED FEE	
CONSULT POSTMASTER FOR FEES	SPECIAL DELIVERY
	RESTRICTED DELIVERY
	OPTIONAL SERVICES
	RETURN RECEIPT SERVICE
SHOW TO WHOM AND DATE DELIVERED	
SHOW TO WHOM, DATE AND ADDRESS FOR DELIVERY	
SHOW TO WHOM AND DATE DELIVERED WITH RETURN RECEIPT	
SHOW TO WHOM, DATE AND ADDRESS FOR DELIVERY WITH RESTRICTED DELIVERY	
TOTAL POSTAGE AND FEES	
POSTMARK OR DATE	
12-7-82	

PS Form 3811, Jan. 1978

SENDER Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

☒ Show to whom and date delivered.....

☐ Show to whom, date and address of delivery.....

☐ RESTRICTED DELIVERY

☐ RESTRICTED DELIVERY

Show to whom and date delivered.....

Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Clifford E. Nowell
 RR#1, Box 6
 Tulare, SD 57476

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

P200 485 712

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

4. DATE OF DELIVERY

12-7-82

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK

TULARE, SD

DEC 8 1982

CLERK'S INITIALS

☆GPO : 1979 553-470

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

Irrigation System

Water Quality: ..

Soils Capability

Approved: [Signature]

Disapproved: _____

NAME: Clifford E. Nowell

ADDRESS: Tulare Box 4A, So. Dakota

COUNTY: Spink WR-2486-3

LEGAL DESCRIPTION

1. WELL LOCATION: SE¹/₄ 28² W¹/₂ - SE¹/₄ + S.W. 1/4 S 28-115-63
2. AREA TO BE IRRIGATED: 138 acres = 2² SW¹/₄ + W²/₂ SE¹/₄

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (Indicate Type): Pivot 28-115-63
4. CROPS TO BE IRRIGATED: corn, alfalfa

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: 15-1115
8. SALINITY: EC = 1290 μ mhos/cm (high)
9. SODIUM: SAR = 0.89 (low)

Permit No. 2486-3Water 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 CLIFFORD E. NOWELL of TULARE RR#1, Box 6 holder of Permit No. 2486-3, 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 SPINK 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:

50' DEEP WELL WITH 16" PLASTIC CASING-30' SLOTTED SCREEN
WESTERN LAND ROLLER 8" PUMP (NOTR) WITH HOLLOW SHAFT
GEAR HEAD @ 1760 RPM. POWERED BY 90HP DEUTZ DIESEL
MOTOR. OPERATES CIBELITY 440 VOLT GENERATOR TO POWER
CENTER PIVOT

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

100' OF 8" ALUMINUM LINE TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

211MMATIC 7 TOWER LOW PRESSURE CENTER PIVOT
SYSTEM - NO END GUN

The system is in the following condition: GOOD

The point of diversion is located 100' W OF THE CENTER OF THE S²,
SECTION 28, T115N, R63W

The works are capable of diverting and conveying to the place of use 1.22 (550 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 125 ACRE CIRCLE IN THE
W²SE⁴ & E²SW⁴, SECTION 28, T115N, R63W

comprising a total of 125 acres of land.

AERIAL PHOTO IS WITH
PERMIT NO. 2486-3

Date AUGUST 26, 1982

[Signature]
(signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2486-3

(1) WHEREAS, On the 19th day of December A. D. 1975
Clifford E. Howell

made Water Right Application No. 2486-3 for a permit to use 1.95 cubic feet per second of the waters 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. 1976
 Permit No. 2486-3, 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. 1981 and for the application to beneficial use of said water on or before the 23rd day of January A. D. 1983

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 1.22 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,

for irrigating a 125 acre circle in the W½SE¼ and E½SW¼ Section 28, T115N, R63W

(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 Clifford E. Nowell

_____ of RR#1, Box 6, Tulare, South Dakota 57476

the holder _____ and owner _____ of said permit No. 2486-3 a water right, dating from December 19, 1975

_____ to use of 1.22 cubic feet per second of the waters

of 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 100' W of the center of the S4 Section 28,

T115N, R63W (CA)

and conducted to and upon a 125 acre circle in the W4SE4 and E4SW4 Section 28, T115N, R63W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2486-3 and subject to the laws of the State of South Dakota.

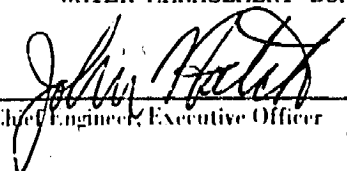
WITNESS, My hand and seal of our office at Pierre, South Dakota

this 3rd day of February A. D.

Nineteen Hundred and Eighty-Three

WATER MANAGEMENT BOARD

By:


Chief Engineer, Executive Officer **JOHN HATCH**

Permit No. 2486-3

Water Diversion No. 3 James River Water District
10160006

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Clifford E. Nowell

_____ the holder _____ of
Permit No. 2486-3, issued upon Application No. 2486-3, bearing date of priority of _____
December 19, 1975 authorizing the diversion of 1.95 cu. ft. per second of the waters of _____
groundwater (one well) County of Spink, State of South Dakota at _____
a point 100'W of the center of the S $\frac{1}{2}$ Section 28, T115N, R63W (CA)

_____, for Irrigation

_____ purposes, he is complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.22 (550gpm) cu. ft. per second of water.

Date February 3, 1982



JOHN HATCH, Chief Engineer
Water Rights Division

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

February 3, 1983

Clifford E. Nowell,
RR#1, Box 6
Tulare, South Dakota 57476

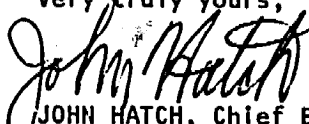
Dear Mr. Nowell:

Enclosed herewith are, Water License No. 2486-3 and Certificate of Construction.

Water License No. 2486-3 is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosures

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9141

PIERRE, February 2, 1983

RECEIVED OF Clifford E. Nowell, RR#1, Box 6, Tulare, SD 57476
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 2486-3	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 2486-3		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
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 (MS)

SOUTH DAKOTA Department of
Water & Natural Resources

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

February 17, 1989

Clifford E. Nowell
RR 1, Box 6
Tulare, SD 57476

Dear Mr. Nowell:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

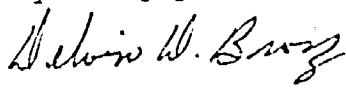


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

for 
JOHN HATCH, Chief Engineer
Water Rights Division

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

2486-3
CLIFFORD E NOWELL
RR 1 BOX 6
TULARE SD 57476

4a. Article Number

P378 081 386

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

2-6-97

5. Received By (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

Clifford E. Nowell

6. Signature: (Addressee or Agent)

X Clifford E. Nowell

2.486-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: CLIFFORD E NOWELL, RR 1 BOX 6, TULARE, SD 57476

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 2486-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2486-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (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.

2486-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 27, 1997

2486-3

Clifford Nowell
RR 1 Box 6
Tulare, SD 57476

Dear Mr. Nowell:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

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

If you have any questions, please contact me.

Sincerely,

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

Prepared by Dick Fadgem, Beadle Co. Extension Agent
Dick Fadgem

Clifford E. Nowell, Unit No. 1.

W $\frac{1}{2}$ - SE $\frac{1}{4}$ S.W. $\frac{1}{4}$ S-28

T-115

R-63

X Proposed Well
Location

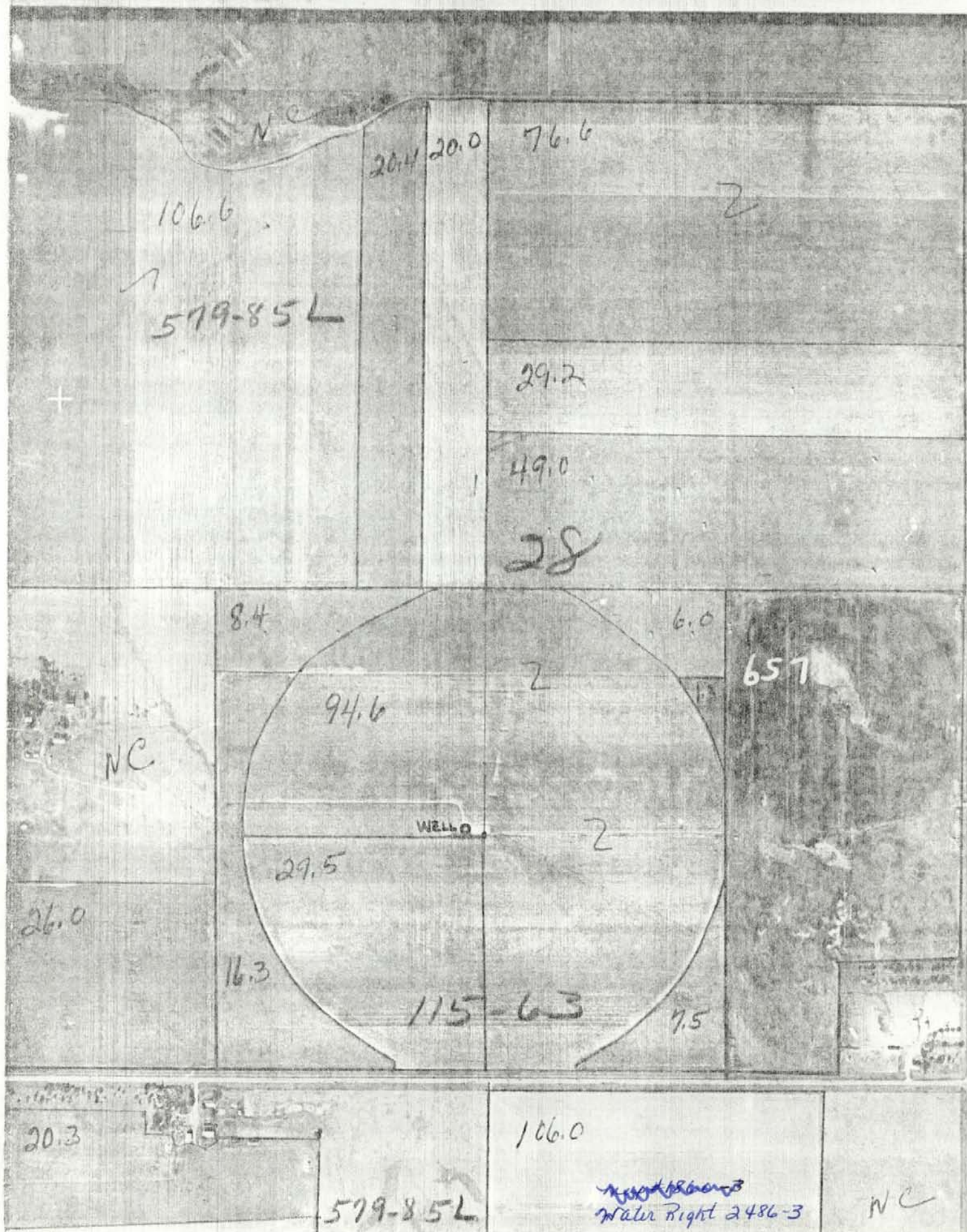
THIS AREA TO
BE ADDED UNDER
APPL NO 4138-3

X NEW WELL
LOCATION

X RWT

NOT TO SCALE

2486
4138
3255





2486-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: CLIFFORD E NOWELL, 18262 390TH AVE, TULARE, SD 57476 7201

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire has not been submitted for Permit No(s) 2486-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 7, 2012**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2486-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2012

2486-3

Clifford E Nowell
18262 390th Ave
Tulare SD 57476 7201

Dear Nowell:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 2486-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 15, 2012

2486-3

Clifford Nowell
PO Box 125
Tulare SD 57476 0125

Dear Mr. Nowell:

Enclosed is a "Notice" dated October 12, 2012 concerning the 2012 irrigation questionnaire.

The notice was originally mailed to 18262 390th Ave, Tulare SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures