

Water Right Number 2983-3

1. Considered 9-29, 19 76
2. Name of Applicant MARVIN TELLINGHUISEN
3. Post Office Address LYONS
4. Amount of water claimed 1.7
5. Source of water supply 40' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 120
7. Water to be diverted and used in MINNEHAHA County
about 2W-15 Miles 2W of BALTIMORE
8. Proof of Publication
Received 1ST
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 2923-3Map No. B75-3 Water Division No. 3 BIG SIOUX RIVER District
(Blank to be filled by the Engineer (Sec. 2, Art. 2))

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Maurice W. Tellinghuisen
Postoffice address 24043 State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of others
3. Name of diversion work Tellinghuisen #1
4. Amount of water claimed (cubic feet per second) 1.7
5. Source of water supply Well Ground Water
6. Location of point of diversion 1/4 of SE 1/4 7-103-50

County Minnehaha

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 120

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>NW 1/4 SE 1/4 7-103-50</u>	<u>40</u>		
<u>SW 1/4 SE 1/4 7-103-50</u>	<u>40</u>		
<u>SE 1/4 SW 1/4 7-103-50</u>	<u>40</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 3 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Sioux Falls Argus Leader
12. Principal Features of the Proposed Water Supply System.

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

Well & Pump

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

Pipe Line

C. Works proposed to apply water to beneficial use.

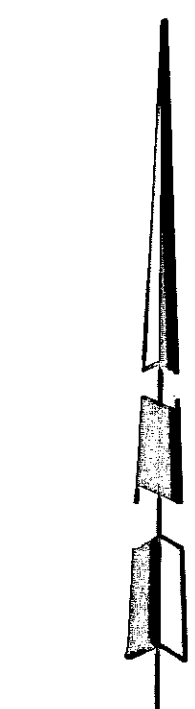
Center PivotEstimated Total Cost \$ 20,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of MinnehahaI, Maurice W. Tellinghuisen, 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 Maurice W. TellinghuisenSubscribed and sworn to before me this 21 day of April 1976

Notary Public (or other qualified officer)

MAP NO 875-3 (APP. NO 1258-3)



RECEIVED
MAR 1 1966
U.S. AIR FORCE
HONOLULU, HAWAII

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2923-3

MILVIN TELLINGHUISEN
(Applicant)

LYONS

(Post Office Address)

SOUTH DAKOTA 57041
(State)

With the following modifications:

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application AUGUST 24, 19 76
Date of return to applicant for correction, amendments or changes required _____, 19 ____
Date of receipt of corrected application SEPTEMBER 1, 19 76
Approved SEPTEMBER 29, 19 76, Recorded in Book 16 Page 271
WATER RIGHT PERMIT NO. 2923-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2923-3 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 AUGUST 24, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 29, 19 79
3. The whole of said work is to be completed on or before SEPTEMBER 29, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 29, 19 84
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.7 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before SEPTEMBER 29, 19 84; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 6TH day of JANUARY, 19 77

WATER RIGHTS COMMISSION

By:

John H. Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

Form 21 -- Wells (Supplement to Form 2)
Following is estimate of cost of well. Exact
design will be determined by test hole.

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 24" , Depth 70'
Type of casing STEEL OR CONCRETE
(wood, concrete, steel, etc.)
Size of casing 16" , Thickness of casing 1/2"
Length of casing 25' . If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen WIRE WRAP
Size of perforated screen 16" (diameter) , 15' (length)
Thickness of gravel pack 4" , length of gravel pack 15'

(c) Water Bearing Materials

Distance to water 177 ft 8" to 15" Character of water bearing materials SAND & GRAVEL
Thickness of water bearing material 20'

(d) Pump and Motor

Type of pump TURBINE OR CENTRIFUGAL
(centrifugal, propeller, mixed flow, etc.)
Name of pump GORDON PUMP , size 50 HP - 750 GPM
Kind of motor DIESEL OR ELECTRIC
(gasoline, electric, diesel, etc.)
Horsepower 55 , Name of Motor INTERNATIONAL

(e) Complete well

Capacity 100 GPM at drawdown of

Estimated cost 1000

(f) Owner of land upon which well is located

GORDON O. EDWARDS
Name

1601 S. 2nd Ave, Santa Falls, S.D.
Address

(g) Distance to nearest existing wells

On same owner's property NONE rods. On property owned by others 120 rods.

2923-3 Thompson 4 Pump
7-9-71 C.P. Kinglake by Salgado
Model 2B3 1175015352
Motor 5 down

Motor GE

Model 5K623 75018

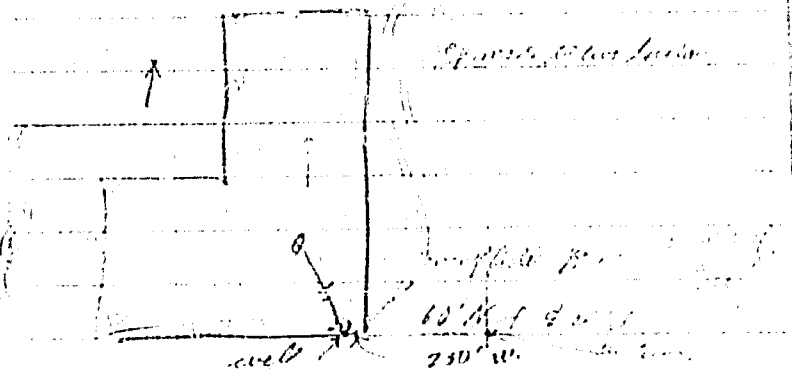
Per # KMS 103327

40 HP - 1750 RPM

Pump Motor 1000

Serial # C761320, Prod. 6M

6 120° M



24273 *Microgaster*

11 3 77 well 43 ft deep 6 ft 6 in

100 yds pumping 10 ft 6 in

6 ft 6 in 10 ft 6 in

5 ft 6 in - 10 ft 6 in

10 ft 6 in

Notes: *Microgaster* 118 ft 6 in

10 ft 6 in 10 ft 6 in

Permit No. 2923-3
 Water Division 3 Big Sioux River Water District

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by MARVIN
TELLINGHUISEN of LYONS holder
 of Permit No. 2923-3, bearing date of priority of AUGUST 24, 1976
 authorizing the diversion of 1.7 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in MINNEHAHA 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:

40' DEEP WELL - 18" STEEL CASING - 15' WIRE WRAP SCREEN
WESTERN LAND ROLLER 6" PUMP - TYPE 6M 6.10CM
POWERED BY 40 HP GE ELECTRIC MOTOR @ 1750 RPM

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

2,010' 6" BURIED PVC TO TWO PIVOT PADS

C. Works used to apply water to beneficial use.

5 TOWER MINIGATOR - MODEL 5E5 WITH NELSON #100
END GUN

The system is in the following condition: GOOD

The point of diversion is located 1670' W & 60' N OF THE SE CORNER,
SECTION 7, T103N, R50W

The works are capable of diverting and conveying to the place of use 1.11 (500 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: ALL IN SECTION 7, T103N, R50W

<u>NW 1/4 SE 4</u>	<u>33 ACRES</u>
<u>SW 1/4 SE 4</u>	<u>33 ACRES</u>

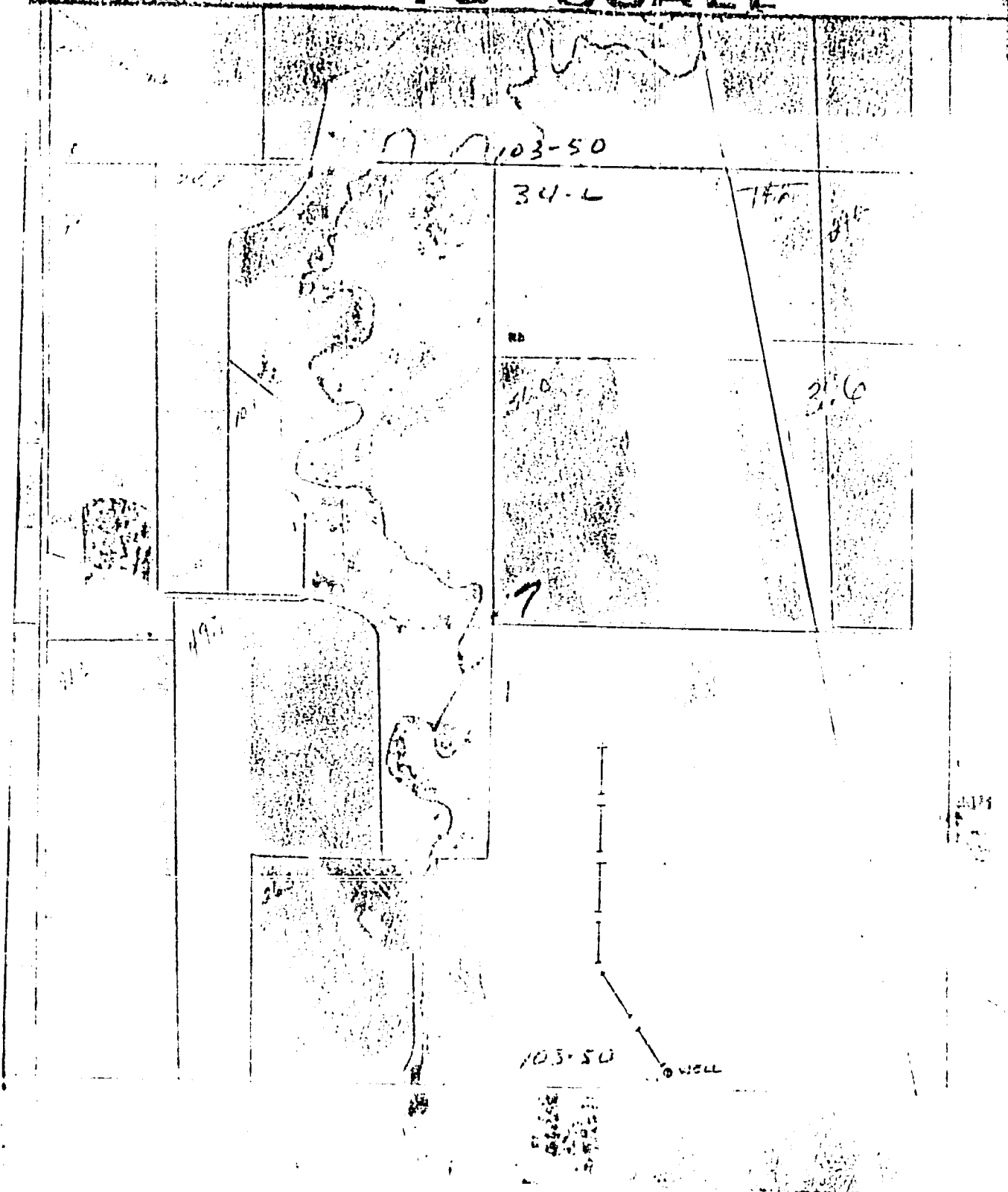
comprising a total of _____ acres of land.

Date _____

(Signature) _____

NOT TO SCALE

6-223-3



August 26, 1976

Division of Conservation
Sigurd Anderson Building
Pierre, S.D. 57501

To Whom It May Concern;

I wasnt sure on water quality no. 5, 6, & 8, although Im enclosing information from Frookings that would explain water quality. Test hole no. 80 gives the chemical analysis of water and is located on my land.

Yours truly,

Marvin Tellinghuisen

Marvin Tellinghuisen



STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME Marvin W. Tellinghuisen

ADDRESS Lyons, S.D.

COUNTY Minnehaha

LEGAL DESCRIPTION

1. WELL LOCATION SW $\frac{1}{4}$ of W $\frac{1}{2}$ of SE $\frac{1}{4}$
2. LOCATION OF AREA TO BE IRRIGATED SW $\frac{1}{4}$ of W $\frac{1}{2}$ of SE $\frac{1}{4}$

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT Y GUN X
4. CROPS TO BE IRRIGATED corn

WATER QUALITY

5. SAMPLE NUMBER _____
6. SALINITY (EC X 10⁶) _____
7. SODIUM (SAR) 4
8. RESIDUAL SODIUM CARBOATE (meq/l.) _____

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

Marvin W. Tellinghuisen
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
26th DAY OF August 19 76.

Allen R. Knight
(TITLE OR SEAL)

Allen R. Knight
APPROVED/DISAPPROVED

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

Table 1.-Chemical analysis of water
[Concentrations of dissolved constituents, dissolved solids, and hardness given in parts per million]

Data Collection point number	Location number	Source ¹	Date of Collection	Depth of well (feet)	Temperature (°F)	Silica (SiO ₂) (ppm)	Total dissolved solids (TDS) (ppm)	Total hardness (ppm)	Calcium hardness (ppm)	Magnesium hardness (ppm)	Chloride (Cl) (ppm)	Fluoride (F) (ppm)	Sulfate (SO ₄) (ppm)	Phosphate (PO ₄) (ppm)	Nitrate (NO ₃) (ppm)	Ammonia (NH ₄) (ppm)	Total solids (ppm)	Specific conductivity (micro-mhos/cm)	pH	Bottom material		
14	101-50-1300	D ²	8/26/54	172	53	15	0.81	122	35	12	6.6	346	130	3.0	0.5	0.4	0.61	408	115	7.6	0.3	
15	101-50-1300	R	5/31/55	---	---	9.5	1.01	124	32	23	7.7	32	291	3.6	1.2	2.3	1.08	518	143	7.8	1.6	
16	101-51-1300	R	12/8/61	120	69	20	1.23	144	38	29	5.2	613	306	1.1	1.9	1.6	1.19	822	265	7.0	1.6	
21	101-50-1300	D	9/28/60	61	56	18	1.11	75	28	9.7	6.6	824	92	2.2	1.5	1.0	1.11	379	84	7.7	1.2	
26	101-50-1300	D	12/9/61	19	62	23	1.3	86	32	19	1.6	627	19	1.9	1.6	2.1	1.0	616	362	0	1.6	
541	101-51-1200	R	10/7/53	152	---	---	1.1	103	62	33	6.3	627	633	6.0	1.3	1.0	---	3,170	713	---	1.5	
543	101-51-1300	R ²	10/7/53	632	---	---	2	232	87	39	6.6	676	636	7.0	1.3	1.0	---	3,160	917	---	1.5	
546	101-50-1300	R	10/7/53	238	---	---	0.0	637	160	55	10.0	316	1,660	8.0	1.9	1.6	---	3,110	1,680	---	1.5	
67	101-51-1300	D	9/27/60	26	54	23	1.0	60	27	6.6	1.2	215	51	6.6	1.8	1.2	1.13	382	190	63	1.2	
50	101-51-1300	D	12/11/58	62	---	---	30	1.3	96	29	9.9	3.5	592	67	1.7	1.3	1.1	1.06	675	386	48	1.2
52	101-51-1300	D	9/13/60	37	54	28	1.01	49	26	7.2	1.6	270	20	1.0	1.6	1.3	1.06	549	236	15	1.2	
73	101-50-1300	D	12/7/61	24	50	26	1.05	107	36	13	16	360	126	19	1.6	6.9	1.09	562	615	125	1.2	
76	101-51-1300	R	12/7/61	15	60	19	1.35	167	69	24	8.7	372	663	8.0	1.3	1.3	1.09	993	699	625	1.6	
80	101-50-1300	D	9/26/60	46	56	21	2.6	90	30	7.6	8.3	212	155	2.0	1.2	1.0	1.13	625	366	132	1.2	
87	101-51-1300	R	12/7/61	15	66	26	1.02	153	69	26	6.2	687	210	60	1.6	7.7	1.11	910	676	277	1.6	
92	101-51-1300	R	11/7/53	26	---	---	1.2	136	55	---	---	776	290	36	1.3	5.3	---	790	567	---	1.5	
93	101-50-1300	R	12/6/61	30	67	31	1.6	76	39	17	1.6	369	83	5.2	1.6	60	1.09	676	373	89	1.6	
101	101-51-1300	R	12/7/61	50	62	23	6.6	363	142	66	12	656	1,130	5.9	1.6	26	1.03	2,130	1,660	1,577	1.7	
121	101-50-1300	D	12/6/61	20	66	30	1.18	116	39	15	3.6	120	111	32	1.6	53	1.07	632	666	167	1.5	
118	101-51-1300	D	-----	37	66	30	1.03	83	36	17	3.6	323	173	3.2	1.3	1.6	1.06	665	355	90	1.5	
137	101-51-1300	D	9/10/60	88	59	23	1.03	81	66	1.3	1.6	392	112	1.8	1.3	1.1	1.11	695	621	80	1.5	
162	101-51-1300	D	12/6/61	33	66	33	5.6	133	14	14	9.0	661	136	11	1.6	26	1.03	790	576	136	1.5	
151	101-51-1300	L	12/6/61	---	63	29	1.11	162	120	85	32	296	750	30	1.2	1.9	1.23	1,670	876	660	1.5	
176	101-51-1300	L	12/6/61	---	63	32	1.07	103	86	100	21	173	590	66	1.7	1.8	1.23	1,150	619	663	1.5	
186	101-51-1300	R	12/7/61	80	62	23	1.3	95	65	26	3.3	317	196	6.9	1.7	1.8	1.30	386	677	137	1.5	
193	101-51-1300	D	10/7/60	60	---	---	1.6	962	98	106	16	336	793	30.1	1.6	1.1	---	3,180	1,320	---	1.5	
196	101-51-1300	D	10/7/60	30	---	---	1.1	216	72	87	11	336	616	63	1.3	1.6	---	3,160	840	---	1.5	
198	101-51-1300	D	10/7/60	30	---	---	1.3	80	27	116	9.6	283	673	83	1.6	1.9	---	762	311	---	1.5	
200	101-51-1300	L	12/6/61	---	33	11	1.07	112	62	50	18	301	675	5.1	1.1	1.2	1.10	810	362	377	1.5	
206	101-51-1300	D	12/6/61	19	68	22	1.2	69	29	18	6.0	261	126	5.9	1.6	7.2	1.09	353	293	29	1.5	
212	101-51-1300	R	12/11/61	18	67	30	1.3	259	200	75	1.8	341	56	11.7	1.6	576	1.07	2,350	1,670	1,136	1.9	

¹Source: L, lake; D, surface deposits; R, surface deposits; S, stream.

²Well completed to bedrock, but water obtained from glacial drift.

³Revised values corrected by methods of determinations in column.

⁴Revised values.

⁵Analysed by South Dakota Dept. of Health, Pierre, South Dakota.

Stewart
Curtis

DATE MICROFILMED

BEST IMAGE POSSIBLE FROM POOR ORIGINAL

33

MINNEAPOLIS COUNTY--Continued

Test hole 72 (103-50-1333) Altitude, 1,151 feet (T). Depth to water
4 feet (reported summer 1958) Drilled by SIGS

Material

	Thickness (feet)	Depth (feet)
Soil	3	3
Sand, medium to coarse, silty	6	9
Sand, medium	5	14
Sand, medium to coarse	10	24
Till, brown	11	35

Test hole 73 (103-50-1334) Altitude, 1,120 feet (T). Depth to water
9 feet (reported summer 1958) Drilled by SIGS

Material

	Thickness (feet)	Depth (feet)
Clay, argillaceous sand, silty	8	8
Sand, medium to coarse	8	16
Till	23	39

Test hole 74 (103-50-1335) Altitude, 1,531 feet (T). Depth to water
10 feet (reported summer 1958) Drilled by SIGS

Material

	Thickness (feet)	Depth (feet)
Soil	2	2
Sand, clayey	7	9
Sand, medium, silty	5	14
Sand, medium to coarse	11	25
Till, tan	6	31

Test hole 77 (103-50-1336) Altitude, 1,512 feet (T). Depth to water
10 feet (reported September 1950) Drilled by SIGS

Material

	Thickness (feet)	Depth (feet)
Soil, clay	1	1
Sand, fine to medium	3	4
Sand, fine to medium, and fine gravel	5	14
Gravel, fine to medium, and coarse sand	6	20
Gravel, fine to medium	6	26
Sand, medium to coarse, clayey	9	35
Gravel, medium to coarse, clayey	2	37
Till, brown, sandy	1	38

BEST IMAGE POSSIBLE FROM POOR ORIGINAL

34

MINNEHAHA COUNTY--Continued

Test hole 77 (103-50-16bab). Continued.

<u>Material</u>	<u>Thickness (feet)</u>	<u>Depth (feet)</u>
Till, brown, silty and sandy.....	20	58
Till, gray.....	8	66

Test hole 78 (103-51-14bba). Altitude, 1,545 feet (T). Depth to water
5.3 feet (measured October 25, 1961). Drilled by USGS.

<u>Material</u>	<u>Thickness (feet)</u>	<u>Depth (feet)</u>
Soil.....	2	2
Sand, brown, clayey.....	24	26

Test hole 79 (103-50-8ccc). Altitude, 1,532 feet (L). Depth to water
8.0 feet (measured September 1960). Drilled by USGS.

<u>Material</u>	<u>Thickness (feet)</u>	<u>Depth (feet)</u>
Soil.....	2	2
Sand, medium to coarse, brown.....	10	12
Sand, coarse, and fine to medium gravel....	39	51
Till.....	1	52

Test hole 80 (103-50-7abd). Altitude, 1,528 feet (L). Depth to water
5.0 feet (measured September 1960). Drilled by USGS.

<u>Material</u>	<u>Thickness (feet)</u>	<u>Depth (feet)</u>
Soil.....	1	1
Sand, medium to coarse, and fine gravel....	12	13
Sand, and coarse gravel.....	1	14
Sand, medium to coarse, and fine to medium gravel.....	10	24
Coarse sand and gravel.....	12	36
Till.....	12	48

near
your
property

BEST IMAGE POSSIBLE FROM POOR ORIGINAL

35

WINNEHAWA COUNTY--Continued

Test hole B3 (103-50-8bhr). Altitude, 1,537 feet (T). Depth to water

22 feet (reported summer 1958). Drilled by SDGS

<u>Material</u>	<u>Thickness (feet)</u>	<u>Depth (feet)</u>
Soil, clay, silty.....	2	2
Sand, medium, silty.....	17	19
Sand, medium.....	5	24
Sand, fine, clayey.....	15	39
Sand, fine to medium.....	6	45
Sand, medium to coarse.....	4	49
Till, tanish-brown.....	5	54

Test hole B4 (103-50-7aaa). Altitude, 1,537 feet (T). Depth to water

7 feet (reported summer 1958). Drilled by SDGS

<u>Material</u>	<u>Thickness (feet)</u>	<u>Depth (feet)</u>
Soil.....	3	3
Sand, medium to coarse, and fine gravel.....	6	9
Sand, fine to medium.....	10	19
Sand, coarse, and fine gravel.....	10	29
Till, tan.....	10	39

Test hole B5 (103-50-6aaa). Altitude, 1,540 feet (T). Depth to water

5 feet (reported summer 1958). Drilled by SDGS

<u>Material</u>	<u>Thickness (feet)</u>	<u>Depth (feet)</u>
Soil.....	2	2
Sand, medium, silty.....	12	14
Sand, medium to coarse.....	6	20
Sand, coarse, and fine gravel.....	4	24
Till, tan.....	5	29

Test hole B6 (103-52-3ach). Depth to water 7.4 feet (measured October

25, 1961). Drilled by USGS

<u>Material</u>	<u>Thickness (feet)</u>	<u>Depth (feet)</u>
Clay, silty.....	12	12
Sand and gravel, clayey.....	31	43
Till, dark-gray.....	2	45

Other characteristics of irrigation water that are objectionable are the content of individual chemicals that might be toxic to crops, and the chemical changes that may take place in the soil after the water has been applied.

The following tabulation shows five quality classifications and limiting factors (Seefeldt, 1935) for irrigation water.

Classes of irrigation water and permissible limits of constituents

Class of water	Total dissolved solids		Sodium, percent	Baron, Ppm			Concentration, Ppm	
	Electrical conductance, K x 10 ⁶ , 25°C	Ppm		Fruit trees	Vines and cereals	Vegetables	Chloride (Cl)	Sulphate (SO ₄)
Excellent less than	250	175	20	0.33	0.67	1.0	142	192
Good	250-750	175-525	20-40	0.33-0.67	0.67-1.33	1.0-2.0	142-248	192-336
Permissible	750-2,000	525-1,400	40-60	0.67-1.00	1.33-2.00	2.0-3.0	248-426	336-576
Doubtful	2,000-3,000	1,400-2,100	60-80	1.00-1.25	2.00-2.50	3.0-3.75	426-709	576-961
Unsuitable, more than	3,000	2,100	80	1.25	2.50	3.75	709	961

Sodium absorption water

< 4

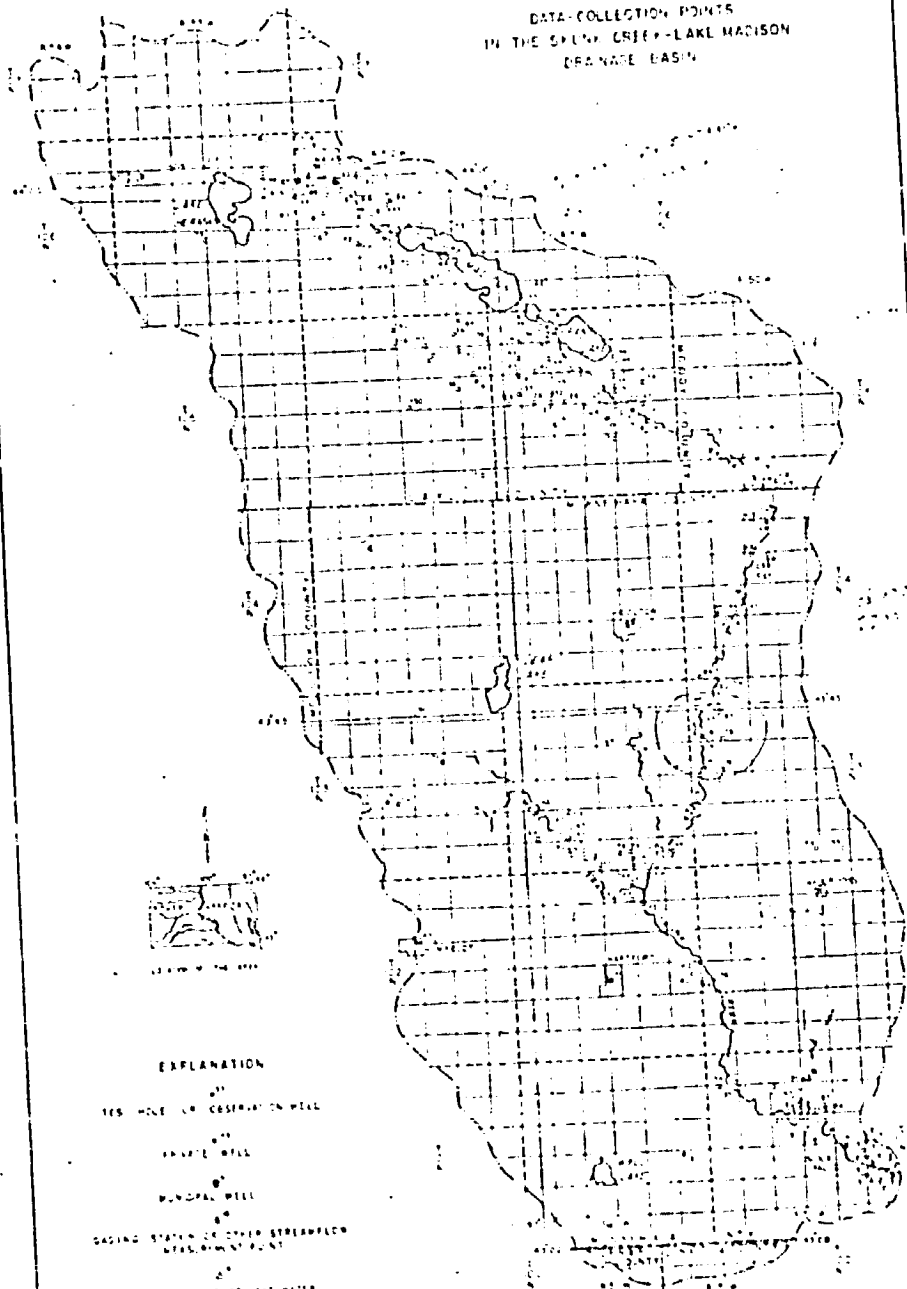
6

10

20

30

DATA-COLLECTION POINTS
IN THE SPUNK CREEK-LAKE MADISON
DRAINAGE BASIN



480
should
be in
or
near
your
Property

Form 9 - Notice of Intent to Appropriate Water

2023-3

Publish first publication, on or before September 16, 19 76

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 7, 19 76

*Call
page 9-8-76
notified of water*

Notice is hereby given that Harvin Tellinghuisen
whose post office address is Lyons, 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

1.7 cubic feet of water per second of time from the ground water through the
Tellinghuisen #1, the point of diversion of which is to be located in the

Center of the W&S&H
of Section 7, Twp. 103N, Range 50W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

W&S&H, Section 7, T103N, R50W

This application No. 2023-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 29th day of September, 19 76, at 9:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Harvin Tellinghuisen, Lyons, S. D. 57041

SIOUX FALLS ARGUS-LEADER

"A NEWSPAPER FOR THE HOME"
SIOUX FALLS, SOUTH DAKOTA 57102

WILLIAM H. LEOPARD
PUBLISHER

December 23, 1976

Dear Sir:

Enclosed please find copy of Notice of Proposed Appropriation of Water, as proposed in Application No. 2923-3.

Mr. Marvin Tellinghuisen phoned me that you did not receive a notice of this publication, however the Affidavit and receipt was sent to you on the 26th of September, must have gotten lost in the mail.

Thank you for the inconvenience.

Eleanor Targue

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, } ss.
COUNTY OF MINNEHAHA }

JOHN K. KOIL, being duly sworn, says: That The Sioux Falls Argus-Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDC Supp. 65,0509, as amended published at Sioux Falls, Minnehaha County, South Dakota by Sioux Falls Newspapers Inc.; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

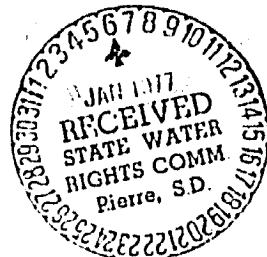
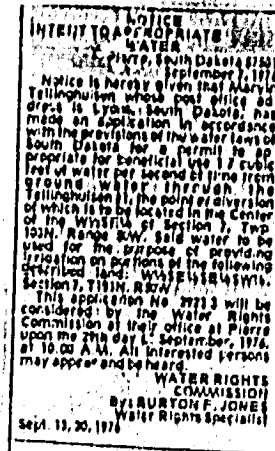
Monday, the 13 day of September, 1976,
Monday, the 20 day of September, 1976,
_____, the _____ day of _____, 19____,
_____, the _____ day of _____, 19____,
_____, the _____ day of _____, 19____,
_____, the _____ day of _____, 19____,
_____, the _____ day of _____, 19____,

and that \$ 19.85 was charged for publishing the same.

Subscribed and sworn to before me December 5, 1977.

Brendy Johnson
Notary Public, South Dakota

(SEAL)



REPRODUCTION: REDUCTION 75% / ROL NO 36 / 4-19-82 / DATE MICROFILMED /

Form 10.

No. _____



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Lyons, S.D.

Date May 20, 1977

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. 2923-3

Water Right Permit No. 2923-3 states that the diversion system is to be constructed by Sept 29, 19 81 and that the water is to be put to beneficial use by Sept 29, 19 84.

The diversion system was completed on May 14, 19 77.
Applying the water to beneficial use was completed on May 18, 19 77.

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.

Maurice T. Lichner
(Signature)

 **Department of
Water & Natural Resources**

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

May 26, 1988

Marvin Tellinghuisen
Box 102
Lyons, SD 57041

Dear Mr. Tellinghuisen:

I am writing in regard of our review of irrigation questionnaire records. No irrigation has been reported for the last five irrigation seasons under Permit No(s). 2923-3.

South Dakota Codified Laws state that when any person fails to use water for the purpose for which it was appropriated for a period of three years, or abandons the use of the water, such unused water shall revert to the public. An exception to the law is when there is legal excuse for nonuse of water. Examples of legal excuse for nonuse of water are when water is not available or legal proceedings which prevent the use of water.

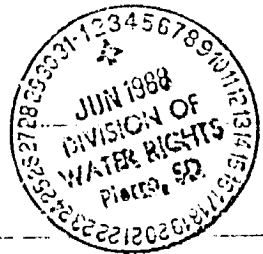
Since your permit(s) has (have) not been used for five years, the permit(s) may be subject to cancellation by the Water Management Board unless there is a legal reason for not using water. Please advise by June 17, 1988 if you still want to keep your water right and if there is a reason why water has not been used. Let us know, if you have any questions.

Very truly yours,



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





Dear Mr. Hatato

I am writing in regard to your letter concerning my irrigation permit - the past few years I have taken a very serious financial loss for the reasons am going to give you why I haven't used my irrigation the past five years.

1983 I put my land in the Gov't pick program, I did not plant any crops that year.

1984. Flood conditions prevented me from planting any crops - plus I lost my Gov't payment because of this.

1985 - Flood conditions again, I did plant, but lost some of my crops. The quality of my corn was poor -

1986 - Again too much rain, poor crops, corn was light and had some damage -

over

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2923-3

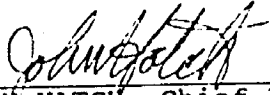
(1) Marvin Tellinghuisen of P.O. Box 102, Lyons, SD 57041-0102 made Application No. 2923-3, August 24, 1976 for a water permit to appropriate 1.70 cubic feet of water per second from groundwater (one well), Minnehaha County, South Dakota for irrigation purposes. Permit No. 2923-3 with a priority date of August 24, 1976 was approved September 28, 1976 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before September 29, 1981 and for the application to beneficial use of said water on or before September 29, 1984.

(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 0.97 cubic feet of water per second for beneficial use. The location of the diversion point is: 1650'W and 100'N of the SE corner of Section 7, T103N, R50W.

(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:

T103N, R50W Section 7	NW 1/4 SE 1/4	35 Acres
	SW 1/4 SE 1/4	33 Acres
	Total-----	68 Acres

(4) Pursuant to Section 46-5-30.1 Marvin Tellinghuisen of P.O. Box 102, Lyons, SD 57041-0102 the holder(s) and/or owner(s) of Water Permit No. 2923-3 is issued a license to appropriate water, the right to use 0.97 cubic feet of water per second from groundwater (one well) with a priority date of August 24, 1976 from the location specified in (2) of this license. The water is to be 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. 2923-3 and subject to South Dakota State Law.

 MAR 26 1982

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 26 1992

2923-3

Marvin Tellinghuisen
P.O. Box 102
Lyons, SD 57041-0102

Dear Mr. Tellinghuisen:

Enclosed is Water License No. 2923-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413149 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. 2923-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,


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

enclosures

REPORT ON WATER PERMIT NO 2923-3
MARVIN TELLINGHUISEN
October 8, 1991

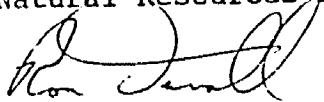
Water Permit No. 2923-3 appropriates 1.7 cubic feet of water per second from one well 36 feet deep to irrigate 120 acres located in the W 1/2 SE 1/4, SE 1/4 SW 1/4 Section 7-T103N-R50W. Readvertisement of this permit is necessary to correct the location of the point of diversion. The location of the point of diversion is the SW 1/4 SE 1/4 and was incorrectly advertised on September 13 and 20, 1976 in the Sioux Falls Argus-Leader as being the center of the W 1/2 SE 1/4 Section 7-T103N-R50W. This readvertisement does not authorize any increase in developed water appropriation or irrigated acreage.

Conclusions

1. This is a readvertisement of the Notice of Hearing for Water Permit No. 2923-3.
2. This readvertisement is necessary to correct the legal description of the location of the point of diversion prior to issuance of the water license.
3. The correct legal description of the point of diversion is the SW 1/4 SE 1/4 Section 7-T103N-R50W.

Eric Gronlund 

Eric Gronlund
Natural Resources Engineer



Ron Duvall
Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR READVERTISED WATER PERMIT
APPLICATION NO. 2923-3, Marvin Tellinghuisen

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2923-3, Marvin Tellinghuisen, Box 102, Lyons, SD 57041.

The Chief Engineer is recommending APPROVAL of Readvertised Application No. 2923-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

See report on application for additional information.



JOHN HATCH, Chief Engineer
October 29, 1991



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 29, 1991

Harvin Tellinghuisen
Box 102
Lyons, SD 57041

Dear Mr. Tellinghuisen:

The original notice of hearing for Water Permit Application No. 2923-3 was published with an error. Therefore, the notice of hearing needs to be readvertised to correct the error. A notice of hearing has been sent to the Publisher of the Sioux Falls Argus Leader printed at Sioux Falls, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the readvertisement are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

South Dakota



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 29, 1991

Sioux Falls Argus Leader
PO Box 5034
Sioux Falls, SD 57117-5034

Attn: Legal Department

Enclosed is a Readvertisement of Notice of Hearing on Permit No. 2923-3 to be published twice. Please publish the first notice on November 5, 1991, with the second publication 7 days later.

Please bill the Water Rights Division for the cost of the advertisement.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication Form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund /KS

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Readvertisement of Notice of Hearing to Appropriate Water by Permit No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

L

Instruction to Newspaper - Publish first Notice on November 5, 1991, with the second publication 7 days later.

Readvertisement of NOTICE OF HEARING on Application No. 2923-3 to Appropriate Water

Notice is given that Marvin Tellinghuisen, Box 102, Lyons, SD 57041 filed an application for a water permit on August 24, 1976. Water Permit No. 2923-3 appropriates 1.7 cubic feet of water per second from one well 36 feet deep to irrigate lands in the W 1/2 SE 1/4, SE 1/4 SW 1/4 Section 7-T103N-R50W. The well is located in the SW 1/4 SE 1/4 and was incorrectly advertised on September 13 and 20, 1976 in the Sioux Falls Argus-Leader as being the center of the W 1/2 SE 1/4 Section 7-T103N-R50W. This readvertisement does not authorize any increase in the developed water appropriation or increase the irrigated acreage.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of readvertised Application No. 2923-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 22, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

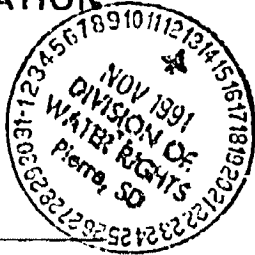
If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application on December 4, 1991, at 10:15 am in the Kneip Room, Governor's Inn, 700 West Sioux Avenue, Pierre, SD. If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 4, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 22, 1991.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This readvertisement is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-25; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Minnehaha) ss.



I, M. DEVISH
certify that the attached printed Notice was taken
from the Argus Leader

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 Sioux Falls

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

Tuesday November 5, 1991

Tuesday November 12, 1991

Mary Devish (Signature)
Controller (Title)
11/12/91 (Date Signed)

Cost of Printing: \$99.56

Readvertisement of
NOTICE OF HEARING
on Application No. 29233
to Appropriate Water
Notice is given that Marvin Tellinghusen, Box 102, Lyons, SD 57041 filed an application for a water permit on August 24, 1976. Water Permit No. 29233 appropriates 1.7 cubic feet of water per second from one well 36 feet deep to irrigate lands in the W 1/2 SE 1/4, SE 1/4 SW 1/4 Section 7-T102N R50W. The well is located in the SW 1/4 SE 1/4 and was incorrectly advertised on September 13 and 20, 1976 in the Sioux Falls Argus Leader as being the center of the W 1/2 SE 1/4 Section 7-T103N R50W. This readvertisement does not authorize any increase in the developed water appropriation or increase the irrigated acreage.
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of readvertised Application No. 29233 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.
Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building 523 E Capitol, Pierre SD 57501 (505 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 22, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in this application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.
If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application on December 4, 1991, at 10:15 am in the Kneip Room, Governor's Inn, 700 West Sioux Avenue, Pierre, SD. If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 4, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 22, 1991.
Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.
This readvertisement is made pursuant to SDCL 46-1.1 thru 46-1.9, 46-1.12 thru 46-1.15, 46-2.3.1, 46-2.9, 46-2.11, 46-2.13, 46-2.17, 46-2A.1 thru 46-2A.10, 46-2A.12, 46-2A.14, 46-2A.15, 46-5.1 thru 46-5.11, 46-5.13 thru 46-5.15, 46-5.21, 46-5.25, 46-5.30.2, 46-5.31.4, 46-5.31, 46-6.3, 46-6.3.1, 46-6.6.1, 46-6.10, 46-6.13, 46-6.14, 46-6.26, and Board Rules ARSD 74.02.01.01 thru 74.02.01.15.
31RB Nov 5, 12, 1991

Permit No. 2923-3

Big Sioux 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 Marvin Tellinghuisen of Lyons, SD holder of Permit No. 2923-3, bearing the priority of August 24, 1976 authorizing the diversion of 1.7 cu. ft. per second ~~and/or the storage of acre feet~~ of the waters of Skunk Creek Aquifer for irrigation purposes, in Minnehaha County.

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

A. Works used to divert the water:

One Well - 36.67' deep, 27' of 14" Steel casing and 10' of 14" Steel screen (.080 slot size); 6 Stage Western Land Roller pump Model No. 6 10C M, Serial No. C 761320, 6" 600 GPM @ 70 PSI, GE Motor Model No. 5K6237XM501B, 40 HP

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

200' of 6" PVC pipe

C. Works used to apply water to beneficial use:

Reinke Center Pivot - Model No. 5E5, 5 towers, 646' long with Rain Bird Sprinklers and Nelson 100 End Gun, 500 GPM @ 70 PSI

The system is in the following condition Good. The point of diversion is located 1650' W and 100' N of the SE corner of Section 7- T103N-R50W, Minnehaha County, SD. The works are capable of diverting and conveying to the place of use 1.11 cu. ft. per second of water ~~and/or storing acre feet of water~~ which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in Section 7-T103N-R50W:

NW1/4 SE1/4 - 35 acres

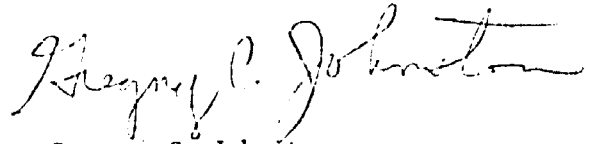
SW1/4 SE1/4 - 33 acres

comprising a total of 68 acres of land and the license should be issued for 0.97 cfs.

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: None

Date 9/4/91

A handwritten signature in cursive script, reading "Gregory C. Johnston". The signature is written in dark ink and is positioned above the printed name and title.

Gregory C. Johnston
Natural Resources Engineer
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 2923-3

1. Legal location of wells: 1650' West and 100' North of the SE corner of Section 7-T103N-R50W, Minnehaha County, SD

Dams and Structures None

2. Well Information: Well Drilling Firm Lacey Drilling

Completion Report? Yes X No No. of Wells 1 Depth(s) 36.67 feet

Casing a) diameter 14 inches Screen a) type Johnson (.080 slot size)

b) length 27 feet b) length 10 feet

c) type Steel Static Water Level 6 feet

Pump a) make Western Land Roller

Motor a) make GE

b) model 6 10C H

b) model no. 5K6237XM501B

c) size 6"

c) horsepower rating 40

d) capacity 700 GPM

d) serial no. Unknown

e) turbine pump - no. of stages 6

f) operating PSI 70

3. Distribution lines or canals

a) size 6" inches

b) type PVC

c) length 2000 feet

5. System Type a) sideroll:

b) towline:

c)gun:

d) center pivot:

1) make

1) make Reinke Model 51.5

2) nozzle size

2) number of towers 5

- | | |
|---------------------------------|---------------------------------------|
| 3) capacity (GPM) | 3) distance between towers |
| 4) hose size inches | 4) overall length <u>664</u> feet |
| 5) hose length feet | 5) end gun (Y/N) <u>Y</u> |
| e) gated pipe: | 6) high or low pressure <u>Low</u> |
| 1) length feet | 7) make and size of nozzles: |
| 2) diameter inches | <u>Rain Bird Sprinklers</u> |
| 3) spacing of gates inches | 8) capacity (GPM) <u>500 @ 70 PSI</u> |

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project

- | Yes | No | Check Items |
|------------|----------|---|
| <u>X</u> | | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit? |
| <u>X</u> | | 2. Special qualifications to permit being abided by? |
| <u>X</u> | | 3. All structures, wells and lands on map? |
| <u>X</u> | | 4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period? |
| | <u>X</u> | 5. Is chemigation used? |
| <u>N/A</u> | | 6. If yes, does equipment comply with chemigation rules? |

REMARKS:

File No. 2923-3

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Marvin Tellinghuisen

ADDRESS: Box 102, Lyons, SD 57041

COUNTY: Minnehaha

DATE: October 2, 1991

TELEPHONE:

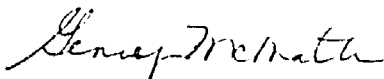
RE: Readvertisement of Water Permit No. 2923-3

COMMENTS:

In reviewing the permit for licensing purposes, I noted that the advertised legal description of the diversion point was described as the center of the W 1/2 SE 1/4, Section 7. The well was actually drilled in the SW 1/4 SE1/4 (near the section line). This is approximately 1200 feet from the advertised area.

Since the Mr. Tellinghuisen listed the whole W 1/2 SE 1/4 on the permit application, and the advertising specified a more exact point, I believe the permit can be readvertised to correct the error and a permit for a change of diversion point will not be needed.

Permit No. 2923-3 can be licensed upon approval of the readvertisement.



Genny McMath
Natural Resources Analyst



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 16, 1992

2923-3

Marvin Tellinghuisen
Box 102
Lyons, SD 57041

Dear Mr. Tellinghuisen:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 2923-3, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

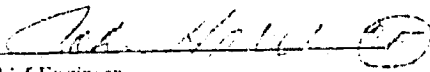
Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ March 26, 19 92

RECEIVED OF Harvin or Doreen Tellinghulsen, P.O. Box 102, Lyons, SD 57041
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. <u>2523-3</u>	50	00
Fee for Filing Transfer Form _____		
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	50	00

By 
Chief Engineer

NOTICE OF WELL CONSTRUCTION

(11) WELL CONSTRUCTION - 40 ft, 14 ft

Location of well: SW 1/4 Sec 14, T14N, R14W Section 14 Township 103 Range 50-14

Full owner Mary Tellinghuisen Townshp 100-2 Range 50-16
 (Print) (Print) (Print)

Date well drilling completed 11-26-76 Purpose of well Investigation
 WELL LOG (domestic, irrigation, municipal, industrial, other)

WELL LOG

DEPTH IN FEET	DESCRIPTION OF LAYER
0-2	Topsoil
2-4	yellow clay
4-7	brown sand
7-11	Gravelly silt
11-21	Fine gray sand
21-21 1/2	Cood gravel

At least about 17 more spots to consider

Depth to top of water producing aquifer _____ 6' _____ ft.
Depth to static water level _____ 6' _____ ft.
Name of producing aquifer (if known) _____
Total depth of drill hole _____ 36' 10" _____ ft.
Depth to bottom of casing _____ 36' 10" _____ ft.

Give information in the space below show kind, size, weight, length or diameter, etc., for production casing and surface casing, if used.

27' x 14", 1/4" steel casing

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

10' x 14" x csc Johnson

If a flowing well, flow of completed well _____ O.P. 50

Ed H. Looney & Sons
Name of Building Corp. (if any)

(E) PUMP INSTALLATION

Company name and size of pump _____ HR _____

Type of pump _____ Capacity of installed pump _____

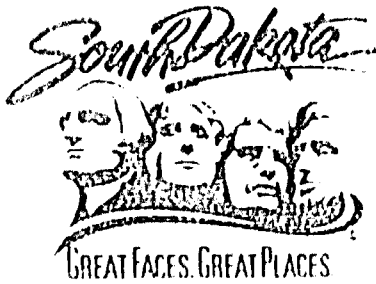
Depth of pump placement _____ ft., Date of pump installation _____

WORK SURFACE MEASURING TUBE

When used on air-tight water measuring tubs is required. See Section 48.40b of Chapter 48, MINIMUM CONSTRUCTION STANDARDS.

[illegible]

~~Notes of VONA Instructional Conference~~



2923-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 26 1993

Lyle Johnson
Water/Wastewater Manager
City of Sioux Falls
224 West 9th Street
Sioux Falls, SD 57102

Dear Mr. Johnson:

Enclosed is Water Permit No. 5726-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

SOUTH DAKOTA WATER PERMIT NO. 5726-3

Date of first receipt of application October 23, 1992.

Date of return to applicant for corrections, amendments or changes November 6, 1992.

Date of receipt of corrected application December 23, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5726-3 to the City of Sioux Falls, 224 West 9th St, Sioux Falls, SD 57102 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5726-3 transfers the use of water appropriated by Water Right No. 2923-3 for irrigation use to municipal use by the City of Sioux Falls. Water Right No. 2923-3 appropriates 0.97 cubic feet of water per second (cfs) from one well (Middle Skunk Creek Aquifer) located in the SW 1/4 SE 1/4 Section 7 to irrigate 68 acres located in the W 1/2 SE 1/4 Section 7; all in T103N-R50W. This permit transfers 0.97 cfs from this well to municipal use with an annual volume limitation of 66 acre-feet annually during a period from April 1 through October 31. The August 24, 1976, priority date established by Water Right No. 2923-3 for use of the 0.97 cfs is retained by the City.

This permit changes the point of diversion of a well authorized by Water Permit No. 5613-3 to the existing irrigation well. Water Permit No. 5613-3 authorized construction and placement to beneficial use of 2.40 cfs (605 acre-feet annually) from water appropriated and reserved by Future Use Permit No. 5522-3. The Permit authorized construction of two wells (Middle Skunk Creek) located in the SW 1/4 SW 1/4, NW 1/4 SW 1/4 Section 8-T103N-R50W. This permit changes the location of the well to be located in the NW 1/4 SW 1/4 Section 8 to the irrigation well located in the SW 1/4 SE 1/4 Section 7-T103N-R50W.

The water appropriated shall be used for the purpose of supplying water to the city of Sioux Falls and may not exceed the amount of water needed for beneficial use for municipal purposes.

2. The water is to be used during the following described annual period: January 1 - December 31.
3. The date of approval of Permit No. 5726-3 is February 16, 1993.
4. The date from which applicant may claim right is August 24, 1976 for transferring the use of water appropriated by Water Right No. 2923-3 and August 22, 1991 for change of the point of diversion of the well authorized by Water Permit No. 5613-3.
5. One-fifth of the construction is to be completed on or before August 2, 1995.
6. All construction is to be completed on or before February 16, 1998.
7. Water is to be put to beneficial use on or before February 16, 2002.

continued

Water Permit No. 5726-3

Page 2

1. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Qualifications for transfer the use of water appropriated by Water Right No. 2923-3 from irrigation use to municipal use.
 - a. Approval of Permit No. 5725-3 transfers the use of 0.97 cfs with a total annual diversion of 66 acre feet of water annually from April 1 through October 31 for water appropriated by Water Right No. 2923-3.
 - b. Diversions under Permit No. 5726-3 may not interfere with existing water rights in effect prior to approval of No. 5726-3 or any domestic rights.
 - c. The amount of water with an August 24, 1976, priority date is 0.97 cfs during the period of April 1 through October 31.
 - d. Approval of Permit No. 5726-3 retires the irrigation of 68 acres in the NW 1/4 SE 1/4, SW 1/4 SE 1/4 Section 7, T103N, R50W.
3. Qualifications for the change of the point of diversion of a well authorized by Water Permit No. 5613-3 to the existing irrigation well.
 - a. Approval of Permit No. 5726-3 authorizes a change in the point of diversion of one of the two wells authorized by Permit No. 5613-3 to the existing well located in the SW 1/4 SE 1/4 Section 7, T103N, R50W.
 - b. The amount of water with an August 22, 1991, priority date is 2.4 cfs (605 acre-feet annually) from the two wells during the period of January 1 through December 31.
 - c. If development and pumping of the August 22, 1991, priority, Middle Skunk Creek Aquifer water authorized by Water Permit No. 5726-3 results in adverse impairment of adequate domestic wells or adequate wells having prior water rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.

continued

2923-3

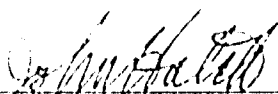
Water Permit No. 5726-3

Page 3

4. The City of Sioux Falls shall report to the Chief Engineer annually the amount of water withdrawn each year from the Big Sioux:Middle Skunk Creek Aquifer.
5. That the irrigation well construction to be used under Permit No. 5726-3 be brought into compliance (as necessary) with Water Management Board Well Construction Rules, Chapter 71:02:04 for public water supplies.

WATER MANAGEMENT BOARD

By:



John Hatch, Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

MAR 26 1993

date

NOT TO SCALE

~~4223-3~~

Appl. # 2923-3

103-50

Marvin Tellinghuisen

34-L

T4N

Drawn by:

Gregory C. Johnston

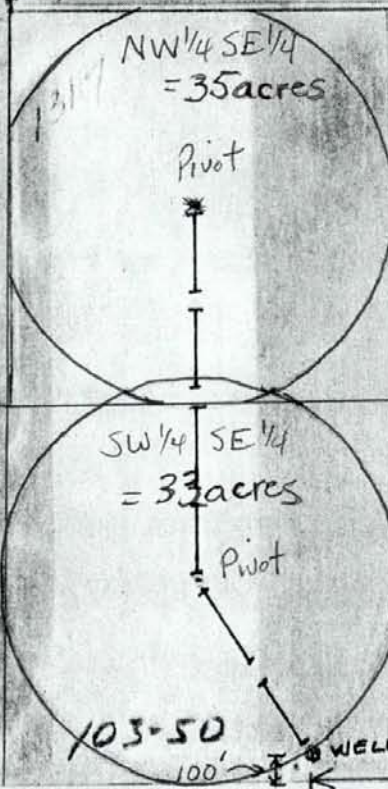
Gregory C. Johnston

560 Natural Resources Engineer

DENR, Water Rights Division

7/13/01

Section 7 - T103N - R50W:



NW 1/4 SE 1/4 = 35 acres
SW 1/4 SE 1/4 = 33 acres
Total = 68 acres

2923-3

NOT TO SCALE

~~4223-3~~

