

Considered: _____

WATER PERMIT NO. 3178A-3MAP No. 3178A-3Name of Applicant M.J.T. INC.Post Office Address M.L. MASON, PRES.
Frankfort, S.D. 57440Amount of Water Claimed no additional Total Acres no additionalSource of Water Supply one 68' deep well, existing on permit (W/R) 3178-3Water to be used for IRR County SpinkAbout SE 1 miles south of FrankfortPROOF OF PUBLICATION: Received 1.5X 7-7-84 Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F.S. C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 2/29/84 Fee 50.00 Remarks _____
Old original well to be used as a helper well10-22-76Corrected Application Received _____ Period of Annual Use 5/1 to 9/30

WATER QUALITY APPROVAL RECEIVED _____

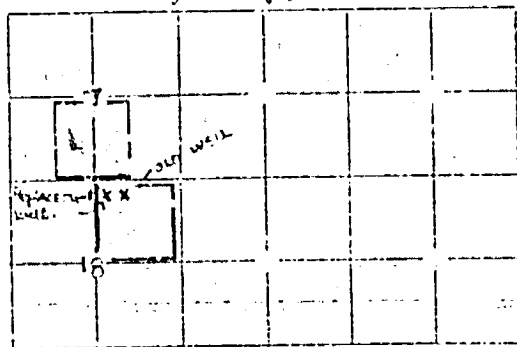
APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES ☒ NO ☐ REMARKS After drilling the 1977 well- did not produce enough water
1983 drilled a replacement well 500' west of old well. This appl is for
using the original well as a helper well and this well does have s/w approval
at the time the replacement well met R/R of SCC. Dept. of Ag was contacted
on this and notified of the two wells. Memo in file. Reissue priority gets A-3-A

NW 1/4 NE 1/4, Section 18-116N-R61W

Land to be Irrigated _____

Lands are covered under Water Right 3178-3

Well Log: Driller Empire Drilling Licensed YES ☒ NO ☐Depth of Well 68' deep REMARKS Well drilled 1977 log not available. havelog for replacement well in fileType of Map aerial PREPARED BY Mark Rosenberg Co. Agent Reviewed and the Numberassigned on 3/29/84 By B. G. Westlund

cc. Nelson

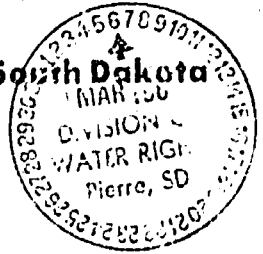
272
ORIGINALLY RECEIVED FEBRUARY 29, 1984 9:30 AM

FORM 2: Application for irrigation (type or print)

Mail to: Water Rights Div.
DWR, Foss Bldg.
Pierre, SD 57501
(605) 779-3352

No. _____ Hydrologic Unit 10160006
Map No. _____ Basin JR
Newspaper Press, Box 140, Redfield 57469

Application For Permit To Appropriate Water Within The State Of South Dakota



of Application: Check one or more of the following:

New ☐ Vested Right ☐ Future Use ☐

☒ Application to amend Permit No. 3172-3 with old priority date retained

☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐

☐ Application to: ☐ Change use ☐ Change diversion point(s) ☒ Add diversion point(s) W/R 3178-3

☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____

☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____

1. Name of Applicant M.J.T. INC Phone No. 472-1569

Post Office Address FRANKFORT, State SD Zip Code 57440
(Street, RR or Box)

2. Amount of water claimed (c.f.s.) no additional Total acres irrigated no additional

3. Source of Water supply one well - 68' deep

4. Location of point of diversion NW 1/4 NE 1/4, Section 18-T116N-R61W, 500 feet east of new well

County Spink

5. Counties where water will be used Spink

6. Annual period during which water is to be used 5/1 - 9/30

7. 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.
<u>Lands covered under W/R 3178-3</u>	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

We put in a well in 1977, dug by Empire Drilling. At times being short of water. We had a new well put in by Pullman Drilling in 1983, as a replacement well, if this should not be sufficient we would like to use the 1977 well as a helper well.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA
County of SPINK

I, M.J.T. Inc the applicant, certify that I have read the foregoing application, 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 Bonnie M. Wagner

Subscribed and sworn to before me this 8th day of March 1984

Bonnie M. Wagner 2791
Notary Public in and for the State of South Dakota

Supplemental Information

(type or print in ink)

THIS WELL NO. 1
DRILLED BY EMJARE
THE WELL DRILL 1977 - NO LOG DRILLING
AVAILABLE

1. Well Information - Proposed construction

- a) Drill Hole Diameter 28" Depth 68 ft
- b) Casing Type FIBER GLASS Diameter 68" Thickness _____
- c) Screen Type SAME Diameter 18" Thickness _____
- d) Gravel Pack Thickness 4" Length of Gravel Pack 40 ft.
- e) Depth to Top of Water Bearing Material 32 ft
- f) Depth of Water (ground surface to water level) 30 ft
- g) Distance to nearest existing domestic well:
On applicants property 1/2 MILE On property owned by others 1/2 MILE

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:

Pipe diameter _____

Spillway width _____

f) X & Y Slope

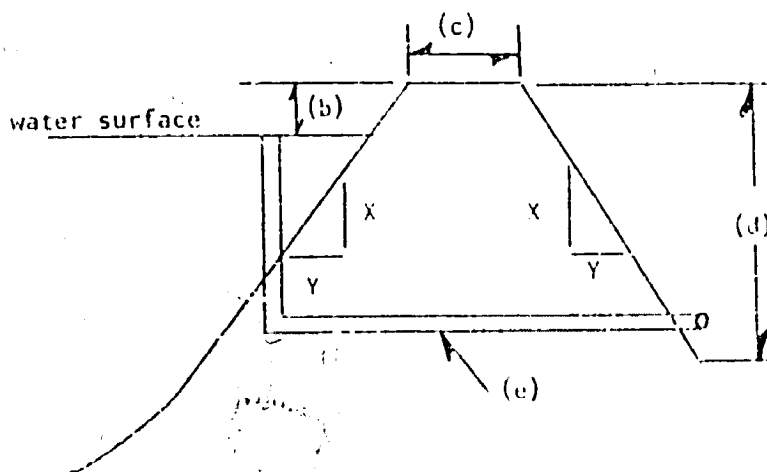
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



M. J. T. Alne - President
Applicant

REPORT ON APPLICATIONS No. 5009-3 Duane Muxen,
No. 3178A-3 M.J.T. Inc., and
No. 2235A-3 Gary D. Wipf

May 15, 1984

All three applications are included in the same report because of location and the water source is the same aquifer (Tulare East James, T:EJ).

Application No. 5009-3 by Duane Muxen requests 1.88 CFS from one 110 foot deep well located in the approximate center of the SW1/4 of Section 33, T117N R61W. Water Right No. 2553-3 was licensed September 15, 1977 for 2.11 cfs to irrigate both the SE 1/4 Section 32 and SW1/4 Section 33 from one 94 foot deep well in SE1/4 Section 32. Application No. 5009-3 is to drill a second well to irrigate the SW1/4 Section 33 and to divert an additional 1.88 cfs.

Application No. 2235A-3 by Gary D. Wipf is to clarify the location of three wells and to allow the connection of the three wells to irrigate lands covered under Water Permit No. 1552-3 and Water Permit No. 2235-3. The wells have been constructed and are in use. The wells are 83, 120 and 125 feet deep and located in the E1/2 of Section 35, T116N R62W. The application is not to appropriate any new water.

Application No. 3178A-3 by M.J.T. Inc. requests one additional point of diversion located in NW1/4 NE1/4 of Section 18, T116N R61W. The well is 68 feet deep and was drilled as a replacement for the well constructed under Water Right No. 3178-3. The applicant wants to keep the old well as a helper well. A second well is necessary to allow the applicant to continue to pump the 2.01 cfs authorized by Water Right License No. 3178-3. If approved, No. 3178A-3 should be assigned the October 22, 1979 priority date for No. 3178-3. The application is not to appropriate any new water.

AQUIFER - Tulare East James (T:EJ)

AQUIFER AND AQUIFER CHARACTERISTICS

The Tulare-East James (T:EJ) is a Pliocene outwash (sand and gravel) aquifer which contains water under both artesian and water table conditions. The T:EJ underlies approximately 102,400 acres in Spink County and contains an estimated 630,000 acre-feet of recoverable water. This figure is higher than the 476,000 acre-feet reported by the SDGS (Hedges, ET AL 1982). For documentation see the saturated thickness map accompanying this report (Figure 9).

Specific capacity data for irrigation wells in the T:EJ vary considerably, but generally are in the 20-100 gpm/foot of drawdown range (Water Rights, Permit and Well Files, 1984).

Recharge to the T:EJ is by direct infiltration of rainfall and snowmelt and by runoff through an aquifer connection between Timber Creek and various tributaries especially along the eastern boundary the aquifer. The following observations were made in reviewing precipitation data (Figure 8), preparing cross-sections (Figure 9), preparing the piezometric surface map (Figure 10) and the drawdown contour map (Figure 11). Observation well hydrographs for the T:EJ were also examined and are included with this report.

1. Regionally, groundwater flow is from north to south and east to west with the James River being a discharge boundary.
2. Timber Creek and tributaries to Timber Creek are incised into the T:EJ (northern half) and provide recharge to the aquifer. The lowering of the water levels due to irrigation has reversed the gradient of the water level which originally was toward Timber Creek and now is away from Timber Creek now enabling the aquifer to capture more runoff water.
3. Recharge also occurs in the northern 1/2 of the T:EJ where the depth to gravel is 20 feet or less. This coincidentally is also the area where 3-4 feet of drawdown has occurred since 1979. The aquifer is under water table conditions in this area.
4. Recharge estimates for the T:EJ range from an estimated 0.83 in/yr (Kuiper, unpublished) and 0.38 to 1.52 in/yr (Hedges, ET AL, 1983) with a "best fit" estimate of 0.76 in/yr (Hedges, ET AL, 1983). There is a good discussion of the methods used to determine these rates in the Hedges report.
5. There is inflow to the T:EJ from Clark County. In Clark County this aquifer is called the Altamont. For the purposes of this report, there is an apparent at least partial hydrologic barrier dividing the aquifer into northern and southern parts.
6. Water levels have declined 3-4 feet since 1979 in the northern 1/2 of the aquifer (Water Rights, Obs. well files, 1984) also see accompanying hydrographs. This is in addition to 2-3 feet of decline occurring prior to 1979.
7. Water levels in the observation wells indicate the James River has very little effect upon the aquifer. Only the observation wells near the river appear to correlate with high flows in the river.
8. Ground water is being discharged to the James River. However, any increase in the river flows is not significant enough to be obvious looking at the flow records. Gauging records may not be accurate enough to make this determination.

REVIEW OF EXISTING WATER RIGHTS

There are 88 ground water permits (1984) issued for the T:EJ. Of these, seven reported no system indicating a high percentage of development. Water use data for the T:EJ is reported as follows:

	<u>Reported</u>	<u>Projected</u>
1983	5,394 AF	6,995 AF
1982	7,340 AF	9,579 AF
1981	12,935 AF	16,816 AF
1980	7,348 AF	9,552 AF
1979	<u>5,321 AF</u>	<u>6,917 AF</u>
	38,338 AF	49,859 AF

The source of this data is the irrigation questionnaire. Projected data attempts to quantify the water use of permit holders who failed to report for that year.

The total water appropriated (1984) from the T:EJ is 49,800 acre-feet. This is approximately 8% of the recoverable water in storage. More importantly, assuming a recharge rate of 0.8 in/yr, this would yield about 6800 AF/yr over the 102,400 acres. Looking at the last 5 years of record, the projected water use exceeded the 34,000 AF available by 16,000 AF. This should mean there were declines in the piezometric surface and there is (Figure 11). However, calculating the water lost to storage during the five year period results in 9,600 AF of lost storage. Theoretically, the loss in storage over the five year period should be the same as the amount pumped in excess of the estimated recharge. The loss in storage is less than expected indicating the recharge estimate is a little low. However, because of the numerous variables involved, the 0.8 in/yr average is a reasonable estimate even if a little conservative.

There are other very good physical reasons for the drawdowns shown in Figure 11 which complicate the conceptual model.

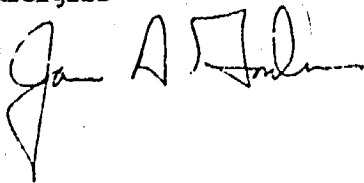
1. Aquifer development is concentrated in local areas and not dispersed over the entire aquifer.
2. Artesian head fluctuations are not significant compared to the declines measured in the water table portion of the aquifer (northern 1/2).
3. Recharge is difficult to quantify by observing the total precipitation available. Apparently, the pattern of precipitation is as important as the total. For example, the summer precipitation events are not reflected in the ground water levels where as early spring precipitation is. Water levels recover in one area of the aquifer, but continue to decline in another area.

CONCLUSIONS

1. Water is available from the T:EJ, however, pumping or water use is at or even exceeds the estimated average annual recharge under present conditions.
2. In the northern 1/2 of the aquifer, water levels have declined 3-4 feet since 1979 and 6-7 feet total.
3. Hydrographs from the various observation wells illustrate the areas of decline and the rates.
4. Barring the abandonment of existing permits, even though water is available, new permits cannot be issued without exceeding the estimated average annual recharge.
5. Interference between wells is not a problem. The aquifer in the area of these three applications is under water table conditions and the drawdown cones of influence are minimal.
6. These are three deferred applications in this area - Nos. 3325-3, 3391-3 and 3470-3.

7. Applications No. 3178A-3 and No. 2235A-3 can be approved as long as the already permitted diversion rates are not exceeded. Application No. 5009-3 is a new permit for more water and should be denied.

James Goodman
Hydrologist

A handwritten signature in dark ink, appearing to read "James Goodman", written over a faint rectangular stamp.

BIBLIOGRAPHY

Hedges, L.S., ET AL, 1983, Ground Water Recharge, SDGS, USD Science Center,
Vermillion, South Dakota 57069

Kuiper, L.K., 1982, Appraisal of the Water Resources of the Eastern Part of the
Tulare Aquifer, Beadle, Hand and Spink Counties, S.D., USGS, Huron, S.D.

Water Rights, 1984, Observation Well Records, Joe Foss Bldg., Pierre, S.D.
57501, 605-773-5227

Water Rights, 1984, Permit and Well Files, Joe Foss Bldg., Pierre, S.D. 57501,
605-773-5227

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 3178A-3, MJT, Inc.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 3178A-3, MJT Inc., M.D. Mason, President, Frankfort SD.

The Chief Engineer is recommending APPROVAL of Application No. 3178A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualification:

The irrigation well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

The total diversion from both wells may not exceed 2.01 cfs (900 gpm).

See the attached report for additional information.



JOHN HATCH, Chief Engineer
May 22, 1984

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

No. 96

NOTICE OF HEARING ON
APPLICATION NO. 3178A-33 TO
AMEND WATER RIGHT NO. 3178-3
Notice is hereby given that M.J.T.
Inc., M.D. Mason, President, whose
mailing address is Frankfort, South
Dakota, has made an application for a
permit to amend Water Right No. 3178-
3 to add one diversion point, one well 68
feet deep. The new well will be located
in the NW¹/₄ NE¹/₄ Section 18, T116N,
R61W. Application No. 3178A-3 is not to
appropriate any additional cubic feet of
water per second or change the 264
acres authorized for irrigation by No.
3178-3.

Pursuant to SDCL 46-2A-2 the Chief
Engineer of the Water Rights Division
recommends Approval of Application
No. 3178A-3 because

- 1) will be no unlawful impairment of
existing rights,
- 2) is beneficial use of water and
- 3) is in the public interest.

This application will be considered by
the Water Management Board at Room
216, Joe Foss Building, 523 E. Capitol,
Pierre, SD, on July 11, 1984, at 10:00
a.m.

The recommendation of the Chief
Engineer is not final or binding upon
the Board and the Board is authorized
to make a determination on this ap-
plication after it reaches a conclusion
based upon facts presented at the
public hearing. Any interested person
who may be affected by a Board
decision and who intends to participate
in the hearing before the Board and
present evidence or cross-examine wit-
nesses according to SDCL 1-26, must
file a written petition with BOTH the
Applicant and the Chief Engineer by
June 29, 1984. The petition may be in-
formal, but it must include a statement
describing the petitioner's interest in
the application, the reason for the
petitioner's opposition to or support of
the application, and the signature and
mailing address of the petitioner or his
legal counsel if legal counsel is ob-
tained. The applicant need not file a
petition.

This application is made pursuant to
the provisions of SDCL 46-1-1 through
46-1-9, 46-1-12 through 46-1-15; 46-2-3.1,
46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1
through 46-5-16, 46-5-21, 46-5-25, 46-5-
30.2, 46-5-31; 46-2A-1 through 46-2A-19,
46-2A-12; 46-6-3, 46-6-3.1, 46-6-5.1, 46-6-10,
46-6-13, 46-6-14; and Board Rules ARSD
74:02:01:01 through 74:02:01:15.

This hearing is an adversary
proceeding. The applicant or any per-
son, after filing a petition, 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.

Any person wishing a copy of the
Chief Engineer's recommendation, fur-
ther information on this application or
to assure access to the hearing by the
handicapped can contact the Water
Rights Division, DWNR, Joe Foss
Bldg., Pierre, SD (605 773-3352) for
assistance prior to the hearing date.
The time of the hearing will be
automatically extended for at least
twenty days upon written request of the
applicant or any person who has filed a
petition to oppose or support the ap-
plication. The request for extension
must be filed with the Chief Engineer
by June 29, 1984.

(May 30, June 6)

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.

I, Roger Matz hereby

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

Water was taken from the The Redfield Press

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 Redfield

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

May 30, 1984 and June 6, 1984

Patricia J. Rose
(Signature)

Legal Dept.
(Title)

6/16/84
(Date Signed)

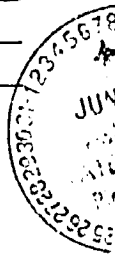
Cost of Printing:

M. J. T. Inc. - \$40.13

WNR-808-7/79

Proof of Publication

412-0822



Instruction to Newspaper - Publish first publication of the following Notice on or before May 30, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 3178A-3 ~~to appropriate water~~
~~and/or~~ to Amend ~~Water Permit or~~ Water Rights No. 3178-3

Notice is hereby given that M.J.T. Inc., M.D. Mason, President whose mailing address is Frankfort, South Dakota has made an application for a permit

to amend Water Rights No. 3178-3 to add one diversion point, one well 58 feet deep. The new well will be located in the NW 1/4 NE 1/4 Section 18, T116N, R61W. Application No. 3178A-3 is not to appropriate any additional cubic feet of water per second or change the 264 acres authorized for irrigation by No. 3178-3.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 3178A-3 because ~~it is appropriate water is available~~
 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and
 3) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on July 11 19 84 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by June 29, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of 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, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000-AFA)~~ 46-5-20.1; 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000-AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 29, 1984.

RECEIPT

Division of Water Rights

№ 4 9563 -

South Dakota Department of Water and Natural Resources

Pierre, February 29, 1934

RECEIVED OF M. J. T. Inc., M. D. Mason, Pres., Frankfort, SD 57640

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

Fee for Application for Permit No. <u>3178A-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of _____ even years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
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 John Hatch
Chief Engineer JOHN HATCH (S)

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

NAME James D. Mann
ADDRESS Franklin, N.D. 58440
COUNTY Ward

LEGAL DESCRIPTION

1. WELL LOCATION NE 1/4 S. 18-116-61
2. LOCATION OF AREA TO BE IRRIGATED NE 1/4 S. 18-116-61 SE 1/4 S. 17-116-61
+ W 1/2 S. 17-116-61

TYPE OF IRRIGATION

3. GRAVITY _____ TOWNE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED Alfalfa, wheat & corn

WATER QUALITY

5. SAMPLE NUMBER 76-1653
6. SALINITY (EC X 10⁶) 1410 (high)
7. SODIUM (SAR) 2.05 (mod)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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.

SUBSCRIBED AND SWORN BEFORE ME THIS
DAY OF Dec. 1976.

(TITLE OR SEAL)

(SOILS INFORMATION ON REVERSE SIDE)

James D. Mann
APPLICANT'S SIGNATURE

Approval is granted for this project can be carried
out under the following conditions: Individual man-
agement to a large degree, determine the relative
success.

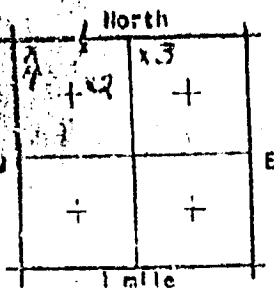
James D. Mann
APPROVED/NOT APPROVED

1983 Replacement Well

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

3112-5

Location Twp. 12N Rg. 41W Sec. 11



Well Completion Date 8-16-83

PROPOSED USE:

☐ Domestic ☐ Municipal ☒ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Forward Rotary

WELL CONSTRUCTION:

Diameter of hole 2 1/2 inches Depth 83 feet

Casing: ☐ Steel ☒ Plastic ☐ Other
Specify PVCPipe Weight Diameter From To
PVC 11/2 lb/ft 1 1/2 inches 0 feet 13 feet
lb/ft inches feet feetWas a well screen used? ☒ Yes ☐ No

If Not Specify

Screen Type 1/2 inch steel Silt Size 60

Length 20 ft Diameter 16"

Was Casing left open end? ☐ Yes ☒ NoWas a Facker or seal used? ☐ Yes ☒ No

If so what material?

Was well gravel packed? ☒ Yes ☐ NoWas well grouted? ☐ Yes ☒ No

Describe grouting procedure

To what depth? Feet

What was grouting material?

If cement, how many sacks?

Location of packer(s) and screen or perforated pipe

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No
If so how and with what material?

Well Owner:

Name Maria Mraz

Address 1201 1st St. S. Rapid City

Well Log:

Depth

Formation	From	To
Top soil	0	7
Yellow clay	7	21
Yellow sand	21	34
Gravelly sand	34	40
Gravelly sand	40	46
Gravelly sand	46	50
Gravelly sand	50	54
Gravelly sand	54	58
Gravelly sand	58	62
Gravelly sand	62	66
Gravelly sand	66	70
Gravelly sand	70	74
Gravelly sand	74	78
Gravelly sand	78	82
Gravelly sand	82	86
Gravelly sand	86	90
Gravelly sand	90	94
Gravelly sand	94	98
Gravelly sand	98	102
Gravelly sand	102	106
Gravelly sand	106	110
Gravelly sand	110	114
Gravelly sand	114	118
Gravelly sand	118	122
Gravelly sand	122	126
Gravelly sand	126	130
Gravelly sand	130	134
Gravelly sand	134	138
Gravelly sand	138	142
Gravelly sand	142	146
Gravelly sand	146	150
Gravelly sand	150	154
Gravelly sand	154	158
Gravelly sand	158	162
Gravelly sand	162	166
Gravelly sand	166	170
Gravelly sand	170	174
Gravelly sand	174	178
Gravelly sand	178	182
Gravelly sand	182	186
Gravelly sand	186	190
Gravelly sand	190	194
Gravelly sand	194	198
Gravelly sand	198	202
Gravelly sand	202	206
Gravelly sand	206	210
Gravelly sand	210	214
Gravelly sand	214	218
Gravelly sand	218	222
Gravelly sand	222	226
Gravelly sand	226	230
Gravelly sand	230	234
Gravelly sand	234	238
Gravelly sand	238	242
Gravelly sand	242	246
Gravelly sand	246	250
Gravelly sand	250	254
Gravelly sand	254	258
Gravelly sand	258	262
Gravelly sand	262	266
Gravelly sand	266	270
Gravelly sand	270	274
Gravelly sand	274	278
Gravelly sand	278	282
Gravelly sand	282	286
Gravelly sand	286	290
Gravelly sand	290	294
Gravelly sand	294	298
Gravelly sand	298	302
Gravelly sand	302	306
Gravelly sand	306	310
Gravelly sand	310	314
Gravelly sand	314	318
Gravelly sand	318	322
Gravelly sand	322	326
Gravelly sand	326	330
Gravelly sand	330	334
Gravelly sand	334	338
Gravelly sand	338	342
Gravelly sand	342	346
Gravelly sand	346	350
Gravelly sand	350	354
Gravelly sand	354	358
Gravelly sand	358	362
Gravelly sand	362	366
Gravelly sand	366	370
Gravelly sand	370	374
Gravelly sand	374	378
Gravelly sand	378	382
Gravelly sand	382	386
Gravelly sand	386	390
Gravelly sand	390	394
Gravelly sand	394	398
Gravelly sand	398	402
Gravelly sand	402	406
Gravelly sand	406	410
Gravelly sand	410	414
Gravelly sand	414	418
Gravelly sand	418	422
Gravelly sand	422	426
Gravelly sand	426	430
Gravelly sand	430	434
Gravelly sand	434	438
Gravelly sand	438	442
Gravelly sand	442	446
Gravelly sand	446	450
Gravelly sand	450	454
Gravelly sand	454	458
Gravelly sand	458	462
Gravelly sand	462	466
Gravelly sand	466	470
Gravelly sand	470	474
Gravelly sand	474	478
Gravelly sand	478	482
Gravelly sand	482	486
Gravelly sand	486	490
Gravelly sand	490	494
Gravelly sand	494	498
Gravelly sand	498	502
Gravelly sand	502	506
Gravelly sand	506	510
Gravelly sand	510	514
Gravelly sand	514	518
Gravelly sand	518	522
Gravelly sand	522	526
Gravelly sand	526	530
Gravelly sand	530	534
Gravelly sand	534	538
Gravelly sand	538	542
Gravelly sand	542	546
Gravelly sand	546	550
Gravelly sand	550	554
Gravelly sand	554	558
Gravelly sand	558	562
Gravelly sand	562	566
Gravelly sand	566	570
Gravelly sand	570	574
Gravelly sand	574	578
Gravelly sand	578	582
Gravelly sand	582	586
Gravelly sand	586	590
Gravelly sand	590	594
Gravelly sand	594	598
Gravelly sand	598	602
Gravelly sand	602	606
Gravelly sand	606	610
Gravelly sand	610	614
Gravelly sand	614	618
Gravelly sand	618	622
Gravelly sand	622	626
Gravelly sand	626	630
Gravelly sand	630	634
Gravelly sand	634	638
Gravelly sand	638	642
Gravelly sand	642	646
Gravelly sand	646	650
Gravelly sand	650	654
Gravelly sand	654	658
Gravelly sand	658	662
Gravelly sand	662	666
Gravelly sand	666	670
Gravelly sand	670	674
Gravelly sand	674	678
Gravelly sand	678	682
Gravelly sand	682	686
Gravelly sand	686	690
Gravelly sand	690	694
Gravelly sand	694	698
Gravelly sand	698	702
Gravelly sand	702	706
Gravelly sand	706	710
Gravelly sand	710	714
Gravelly sand	714	718
Gravelly sand	718	722
Gravelly sand	722	726
Gravelly sand	726	730
Gravelly sand	730	734
Gravelly sand	734	738
Gravelly sand	738	742
Gravelly sand	742	746
Gravelly sand	746	750
Gravelly sand	750	754
Gravelly sand	754	758
Gravelly sand	758	762
Gravelly sand	762	766
Gravelly sand	766	770
Gravelly sand	770	774
Gravelly sand	774	778
Gravelly sand	778	782
Gravelly sand	782	786
Gravelly sand	786	790
Gravelly sand	790	794
Gravelly sand	794	798
Gravelly sand	798	802
Gravelly sand	802	806
Gravelly sand	806	810
Gravelly sand	810	814
Gravelly sand	814	818
Gravelly sand	818	822
Gravelly sand	822	826
Gravelly sand	826	830
Gravelly sand	830	834
Gravelly sand	834	838
Gravelly sand	838	842
Gravelly sand	842	846
Gravelly sand	846	850
Gravelly sand	850	854
Gravelly sand	854	858
Gravelly sand	858	862
Gravelly sand	862	866
Gravelly sand	866	870
Gravelly sand	870	874
Gravelly sand	874	878
Gravelly sand	878	882
Gravelly sand	882	886
Gravelly sand	886	890
Gravelly sand	890	894
Gravelly sand	894	898
Gravelly sand	898	902
Gravelly sand	902	906
Gravelly sand	906	910
Gravelly sand	910	914
Gravelly sand	914	918
Gravelly sand	918	922
Gravelly sand	922	926
Gravelly sand	926	930
Gravelly sand	930	934
Gravelly sand	934	938
Gravelly sand	938	942
Gravelly sand	942	946
Gravelly sand	946	950
Gravelly sand	950	954
Gravelly sand	954	958
Gravelly sand	958	962
Gravelly sand	962	966
Gravelly sand	966	970
Gravelly sand	970	974
Gravelly sand	974	978
Gravelly sand	978	982
Gravelly sand	982	986
Gravelly sand	986	990
Gravelly sand	990	994
Gravelly sand	994	998
Gravelly sand	998	1002

STATIC WATER LEVEL

Feet

If flowing: closed in pressure PSI

GPM flow through inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify

Can well be completely shut off?

WELL TEST DATA:

☐ Pumped☐ Galled Describes:☐ Other

Pumping Level Below Land Surface

ft. After Hrs. pumped

ft. After Hrs. pumped

ft. After Hrs. pumped GPM

Remarks: 12" 1/2" sand

10" 1/2" gravel

shale

top soil

yellow clay

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand

11" 1/2" sand



Department of Water & Natural Resources

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

March 1, 1984

M.J.T. Inc.
M.D. Mason, President
Frankfort, S.D. 57440

Dear Mr. Mason:

Enclosed are typed completed application forms of your application to add an additional point of diversion on water right No. 3178-5. Please check over, sign, notarize and return to our office. Water Rights are eventually microfilmed and must be legible. The application form submitted by you was for uses other than irrigation.

Also the following information will be required.

1. As we do not have a copy of the 1977 signed drillers log for Well #1, if you could obtain one for your application it would be helpful.

2. Enclosed are your maps. Our suggestion is you use aerial photos which can be obtained from the ASC Office. The actual areas to be irrigated and location of the wells must be clearly delineated. Poorly drawn maps are hard to interpret and do a disservice to the applicant applying for the water permit. The map must be signed by your local ASC agent. (see instruction sheet enclosed)

To maintain the priority date of February 29, 1984 on your application for permit to appropriate water, in accordance with SDCL 46-5-16, you will now have sixty days from the date of this letter to correct your application and/or have the above information submitted to this office.

Soil/water compatibility will not be required for Well #1 as we have it on file in Water Right No. 3178-5. We have notified the Division of Conservation that you will have two wells. If you have any questions feel free to contact our office.

Sincerely,

BETTY WESTLUND
Natural Resource Analyst III

bw/Encl: as stated
cc: Jim Stukel, Division of Conservation

*Mason,
3/5/84 - Called
Driller of old well no longer in
business. We have log of new
well same aquifer etc. on 3178-3
3/6/84
Returned map for signature
again told him on the 5th to be
sure the map was signed*

Equal Opportunity Employer

March 1, 1984

TO: Jim Stakel, Division of Conservation

FROM: Betty Westlund, Division of Water Rights

Enclosed is a copy of the map for M.J.T. Inc. (your records as Maurice D. Mason) who have made application to use their original well #1 as a helper well in case their replacement Well #2 does not produce enough water.

Permit No. 3178-3 was licensed in 1979 for well #1, sometimes they were short of water, therefore in 1983 they drilled a replacement well, 500 feet west of the original well in the same aquifer, etc. Legal description is the same also, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18-116-61. Now they are concerned if they might not have a sufficient amount of water so they want to be able to use the old Well #1 as a helper well.

This is to inform you that MJT Inc., has two wells.

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 3178A-3

July 20, 1988

M.J.T., Inc.
H. D. Mason, President
Frankfort, South Dakota 57440

Dear Mr. Mason:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 3178A-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.

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

Sincerely,

Maxine Stirling
Secretary

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411082

Pierre, July 25, 1933

RECEIVED OF M.J.T., Inc., M.D. Mason, President, Frankfort, SD 57440
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>3178 A-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 John Hatch
Chief Engineer **JOHN HATCH** (ms)

3178-3
Permit No. 3178A-3

James River Water District
1016 0006

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

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

I have this day made a thorough examination of the water use system constructed by M. J. T. INC.
M.D. Mason Pres. of Frankfort, SD 57440 holder of
Permit No. 3178-3 & 3178A-3, bearing the priority of October 22 19 76 authorizing
the diversion of 2.2 cu. ft. per second of the waters of groundwater (2 wells)
for irrigation purposes, in Spink County.

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

- A. Works used to divert the water: Well #2: 83' deep, 16" Plastic Casing, 20' Stainless Steel Screen
Western Land Roller Pump
General Electric Motor: Model 5K6255XM502A, Ser. No. CNJ302428,
Well #1 (Back-up Well): 73' deep (No Well Log Available) 75 H.P.

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

≈ 3400' of 8" PVC pipe (underground)

C. Works used to apply water to beneficial use:

NE 1/4 Sec. 18 - Zimmatic Center Pivot:
7 towers, Model 307, Ser. No. 213909,
operated at 100 psi

1/2 Sec. 7 - Lockwood Center Pivot:
8 towers, Model 2286,
Ser. No. 815176,
operated at 100 psi

The system is in the following condition Good

The point of diversion is located NW 1/4 NE 1/4 Sec. 18, T116N, R61W; Well #2 -
2640' W of the NE corner of Sec. 18; Well #1 (Back-up) - 2140' W
of the NE corner of Sec. 18.

The works are capable of diverting and conveying to the place of use 2.0

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: Sec. 7, T116N, R61W

Sec. 18, T116N, R61W NE 1/4 SW 1/4 - 33 acres

NW 1/4 NE 1/4 - 33 acres SE 1/4 SW 1/4 - 33 "

NE 1/4 NE 1/4 - 33 " NW 1/4 SE 1/4 - 33 "

SW 1/4 NE 1/4 - 33 " SW 1/4 SE 1/4 - 33 "

SE 1/4 NE 1/4 - 33 "
comprising a total of 264 acres of land and the license should be issued for 2.0 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date 6-29-88

James L. Wendt
(signature)

6-29-88
Mason

LICENSE FOR PERMIT NUMBER 3178A-3

1. Legal location of wells: NW 1/4 NE 1/4 18-116-61
↳ replacement well

dams & structures: _____

2. Well information: Well Drilling Firm Pullman

No. of wells 1 Depth 8.3'

Casing a) diameter 16" Screen a) type 4. Steel
b) length - b) length 20'
c) type Plastic Static Water Level _____

Pump a) make Western Land Roller-Motor a) make Gen. Electric
b) model No Tag b) model no. 5K6255XM502A
c) size _____ c) horsepower rating 75
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump Ser. No. CNJ32428
no. of stages _____

3. Distribution lines:

a) size of lines 8"
b) type PVC (underground)
c) length ≈ 3400'

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

NE 1/4 18

Model 307

Type 7

Ser. No.
L13909

- 1) make Zimmerman
- 2) number of towers 7
- 3) distance between towers —
- 4) overall length —
- 5) End gun (H)
- 6) High or low pressure —
- 7) make & size of nozzles —
- 8) PSI reading while system is running 100
- 9) GPM 900

g) Gun

- 1) make —
- 2) serial number —
- 3) nozzle size —
- 4) capacity (GPM) —
- 5) PSI —
- 6) hose size —
- 7) hose length —

d) Gate Pipe

- 1) length —
- 2) diameter —
- 3) spacing of gates —

e) Siphons

- 1) number —
- 2) size —

f) Portable boom

- 1) make —
- 2) serial number —
- 3) nozzle size —
- 4) capacity (GPM) —
- 5) PSI —

h) Hydromatic

- 1) make —
- 2) model —
- 3) serial number —
- 4) length —
- 5) nozzle size —
- 6) spacing —
- 7) PSI —
- 8) capacity (GPM) —

YES

NO

Check Items

☒
☒
☒

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
2. Special Qualifications to permit being abided by.
3. All Structures, wells and lands on map.

REMARKS:

S 1/2 Sec. 7
Lockwood C.P.
8 towers
Endgun - (H)
High Pressure
100 psi
900 gpm
Model 2286
Ser. No. 815176

State of South Dakota
Water License No. 3178A-3

(1) M. J. T. Inc., M.D. Mason, President
of Box 47, Frankfort, South Dakota 57440
made Application No. 3178A-3, February 29, 1984 for a water permit to appropriate
No Add'l cubic feet per second of water from groundwater (one well)
Spink County, South Dakota for irrigation purposes.
Permit No. 3178A-3, with a priority date of October 22, 1976
was approved July 11, 1976 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ and for the application to beneficial use of said
water ~~on or before~~ completed.

Water Permit No. 3178A-3 authorizes an additional point of diversion to irrigate lands
authorized under No. 3178-3. Permit No. 3178A-3 did not allow for any increase in acreage
irrigated or the amount of water appropriated.

The applicable portions of Water Permit No. 3178-3 have been incorporated into this Water
License No. 3178A-3. A priority date of October 22, 1976 is retained.

and

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 2.0 cubic feet per second of water
for beneficial use. The location of the diversion point(s) ~~is~~ are Well #1, (backup) 2140'W of the NE
Corner of Section 18, Well #2, 2640'W of the NE Corner of Section 18, T116N, R61W (NW1/4NE1/4)

and

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

T116N, R61W Section 18 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 Acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 Acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 Acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 Acres

Section 7 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 33 Acres

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 33 Acres

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 33 Acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 33 Acres

TOTAL 264.0 ACRES

(4) Pursuant to §46-5-30.1 M.J.T. Inc., M.D. Mason, President

of Box 47, Frankfort, South Dakota 57440

Incorporated
the holder(s) and/or owner(s) of Water Permit No. 3178A-3 is issued a license to appropriate water, the right to use

2.0 cubic feet per second of water from groundwater (two wells) with a priority date

of October 22, 1976 from the location specified in (2) of this license. The water 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 Incorporated
Water Permit No. 3178A-3 and subject
to South Dakota State Law.

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

JOHN HATCH

DEC 21 1983

**South Dakota Department of
Water & Natural Resources**

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

3178A-3
3178-3

DEC 21 1988

M J T Inc.
M D Mason, President
Box 47
Frankfort, SD 57440

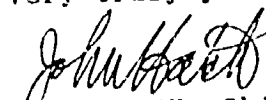
Dear Mr. Mason:

Enclosed is Water License No. 3178A-3. This is the final water right document completing your process of obtaining a Water Right. The applicable portions of Water Right No. 3178-3 were incorporated into Water License No. 3178A-3.

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. 3178A-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.

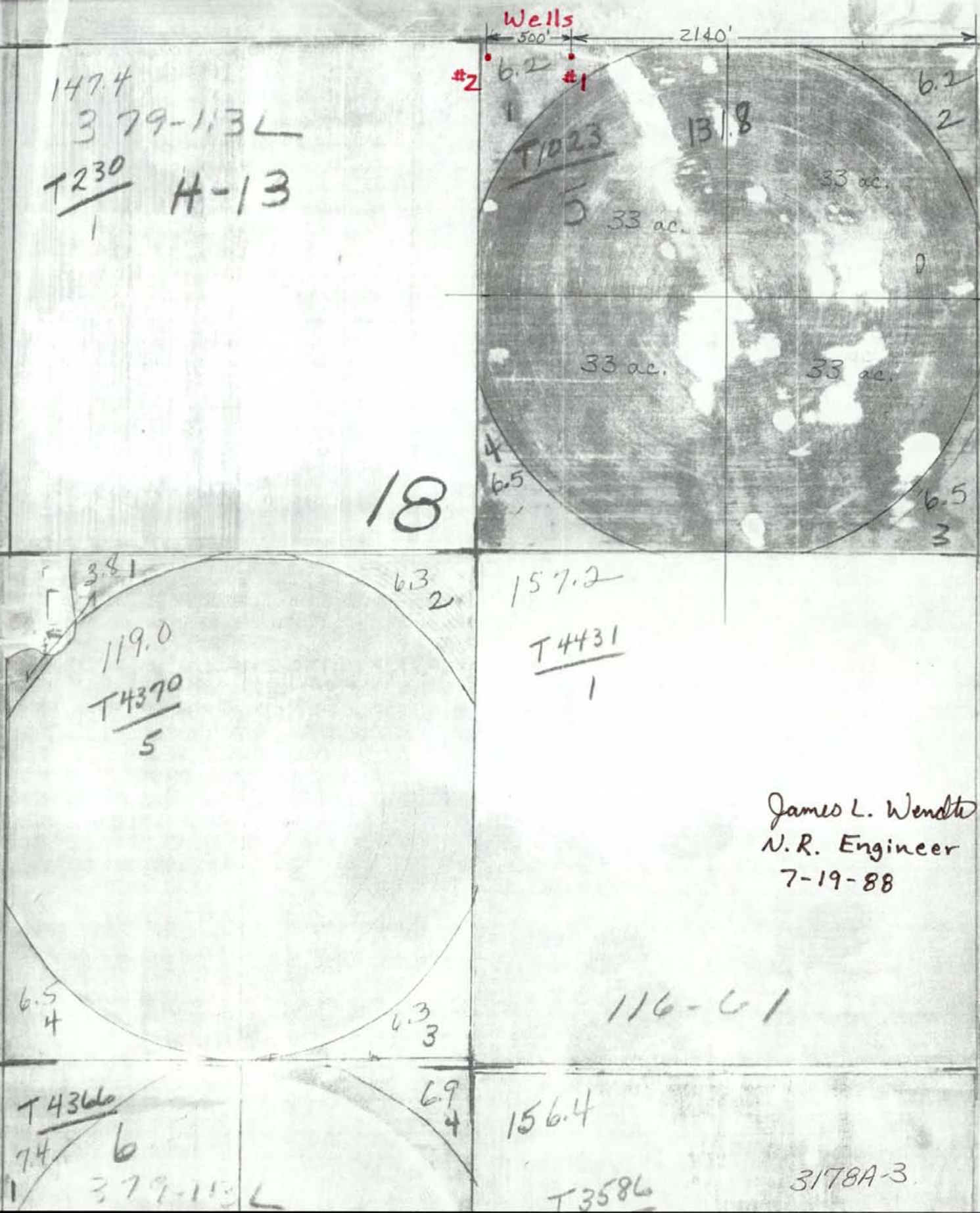
Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

enclosures



NOT TO SCALE



NOT TO SCALE

116-61

114.5 $\frac{T1024}{7}$
379-113R
I-13

4.0
4

134.0
 $\frac{T241}{5}$

3.6
1

NC

8.0
2

7

3.6
3

6.0
2

135.0
5

33 ac.

33 ac.

81.0
6

49.5
3

33 ac.

33 ac.

37.5
4

116-61

NOT TO SCALE

116-61

114.5

379-113R

5.6

NC

8.0

4.0

134.0

3.6

3.6

6.0

135.0

South $\frac{1}{2}$ 7-116-61

81.0

IRRIGATED

South $\frac{1}{2}$ 7-116-61

37.5

116-61

Well no 2

Well no 1

0 < South > 0

Mark Rosenberg
Sprink Co. Inc.



3178 A-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: M J T INC, JERRY MASON, PRESIDENT, 17360 SD HWY 37, FRANKFORT, SD 57440
6805

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(s) has not been submitted for Permit No(s) 3178A-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3178A-3 qualification:

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

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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3178A-3 in accordance with applicable provisions of SDCL 46-1-12;
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

February 2, 2012

3178A-3

Jerry Mason
MJT Inc
17360 SD Hwy 37
Frankfort SD 57440

Dear Mr. Mason:

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. 3178A-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for letting us know there was an issue with receiving the first questionnaire in October. The forms were sent by first class mail so that they would be forwarded if necessary. The post office did not return it to us and so we were not aware that you did not receive it. The uncertainty of whether or not the mail is received is the reason all follow-up notices are sent by "signature confirmation" to ensure the water right holder actually receives the mail.

If you have any questions, please contact me.

Sincerely,

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

3178A-3

August 8, 2022

Water Permit No. 3178B-3 amends Water Right No. 3178A-3, held by MJT Inc by transferring a portion of the irrigated acreage to a new location. Water Right No. 3178A-3 appropriates 2.0 cubic feet of water per second from two wells located in the NW 1/4 NE 1/4 Section 18 to irrigate 264 acres located in the NE 1/4 Section 18 and E 1/2 SW 1/4, W 1/2 SE 1/4 Section 7; all in T116N-R61W. This permit moves the center pivot located in Section 7 approximately one-half mile to irrigate 132 acres located in the NW 1/4 Section 18-T116N-R61W. The irrigated acreage in the NE 1/4 of Section 18 remains the same. The water source for this irrigation system is the Tulare:East James Aquifer. No increase in the diversion rate or number of acres irrigated is authorized by this application.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

SEP 30 2024

3178A-3

MJT Inc.
c/o Jerry Mason
17360 SD Hwy 37
Frankfort SD 57440

Dear Mr. Mason:

Enclosed is Reissued Water License No. 3178A-3, which was reissued based on the information gathered during the inspection and licensing of Water Right No. 3178B-3.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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.

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

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

NOTE: Water Right No. 3178B-3 shares diversion authority with Water Right No. 3178A-3. Cumulative diversion from both systems may not exceed 2.0 cfs (900 gpm) at any given time.

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 3178A-3

(1) Water Right No. 3178A-3 held by MJT Inc., 17360 SD Hwy 37, Frankfort SD 57440, authorized the appropriation of 2.0 cubic feet of water per second from two wells completed into the Tulare: East James Aquifer, for irrigation of 264 acres, located in the E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 7 & NE $\frac{1}{4}$ Section 18; all in T116N, R61W, Spink County, with a priority date of October 22, 1976.

Mark LaBrie made Application No. 3178B-3, April 6, 2022, for a water permit to amend Water Right No. 3178A-3, transferring the irrigated acres from Section 7 to a new location and utilizing the appropriative authority of Water Right No. 3178A-3, with no increase to the rate of diversion. Permit No. 3178B-3, with a priority date of October 22, 1976 (established by 3178A-3), was approved August 1, 2022, and issued to the applicant.

Based on land ownership, Water Right No. 3178A-3 is held in the name of MJT Inc. and Water Right No. 3178B-3 is held in the name of Mark LaBrie. The diversion rate of 2.0 cfs originated under Water Right No. 3178-3 which was incorporated into Water Right No. 3178A-3 in 1988.

The inspection of Water Permit No. 3178B-3 found that each irrigation system is supplied independently from one of the wells and that the systems are operated in rotation. As set forth in qualification No. 3 on Water Permit No. 3178B-3, the combined instantaneous diversion from the two wells authorized by Water Right Nos. 3178A-3 and 3178B-3 may not exceed 2.0 cubic feet of water per second (900 gpm).

Water Right No. 3178A-3 is being reissued based on the development and licensing of Water Right No. 3178B-3.

(2) It is certified that the holder of Water Right No. 3178A-3 has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and may utilize up to 2.0 cubic feet of water per second, for beneficial use. The location of the diversion point authorized under Water Right No. 3178A-3 is:

- 2,075 ft W & 30 ft S of the NE corner of Section 18, T116N, R61W (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
(Latitude 44.86406 & Longitude -98.20872)

(3) The amount of appropriation may not exceed 2 acre-feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.

(4) The holder of Water Right No. 3178A-3 has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate to following land:

Section 18, T116N, R61W			
NE $\frac{1}{4}$ NE $\frac{1}{4}$	33 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$	33 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	33 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$	33 acres
TOTAL: 132 acres			

(5) Pursuant to South Dakota Water Law 46-5-30.1 MJT Inc., the holder and/or owner of Water Right No. 3178A-3 is reissued a license authorizing use of water up to 2.0 cubic feet of water per second from groundwater, one well (Tulare: East James Aquifer), with a priority date of October 22, 1976, from the location specified in (2) of this license for irrigation purposes. This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 3178A-3.

Eric Gronlund

Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

SEP 30 2024
date

