

Map No. 3125-3 Water Division No. 3 Big Sioux River District 4
 (Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant M. Russell Hall
 Postoffice address R.R. 3 Box 84 Elk Point, State S.D. 57025
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
 3. Name of diversion work Hall #3
 4. Amount of water claimed (cubic feet per second) 1 c.f.s.
 5. Source of water supply Well
 6. Location of point of diversion 720' North and 850' East of the Southwest corner of
section 29 91-49
 _____ County Union
 7. Annual period or period during which water is to be used April through October
 8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, _____ Total number of acres to be irrigated 70

List below each forty acres 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.
That portion West of			
Highway 77 in the NW quarter			
of Sec 29 91-49	70		

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 5 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Elk Point Leader Courier
 12. Principal Features of the Proposed Water Supply System.

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

Well

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

Pump

C. Works proposed to apply water to beneficial use.

SprinklersEstimated Total Cost \$ 25,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Union

I, Russell M. Hall, 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 Russell M. HallSubscribed and sworn to before me this 11th day of March, 1977

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3866-3

RUSSELL M. HALL
(Applicant)

R.R. #3, Box 84, ELK POINT
(Post Office Address)

SOUTH DAKOTA 57025
(State)

With the following modifications:

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

Date of first receipt of application MARCH 14 19 77

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

Date of receipt of corrected application APRIL 4 19 77

Approved MAY 25 19 77, Recorded in Book 18 Page 266

WATER RIGHT PERMIT NO. 3866-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3866-3 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 MARCH 14 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 25 19 79
3. The whole of said work is to be completed on or before MAY 25 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25 19 82
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 1.0 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 MAY 25 19 82; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 14TH day of JUNE 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 29 19 79

Water License Issued NOVEMBER 29 19 79

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 16" I.D., Depth 100'
- (2) Casing, Type Transite Diameter 16" I.D. Thickness 3/4 inch
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type 1/8" slotted, Diameter 1 1/2" I.D., Length 20'
- (4) Gravel Pack, Thickness 6-9 inches, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

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

Character of Water bearing materials Waterbearing Gravel and Rock

Depth to top of water bearing material _____

Depth to bottom of water bearing material 100'

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

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

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Russell M. Hall x
Signature of Applicant

CONSERVATION
COMMISSION
FORM 1 #1

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



NAME Russell M. Hall
ADDRESS RT 3 Box 84 Elk Point SD Dak 57025
COUNTY Union

LEGAL DESCRIPTION

1. WELL LOCATION SW 1/4 NW 1/4 Sec 29 91-49
2. LOCATION OF AREA TO BE IRRIGATED Same as above

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn beans alfalfa small grains

WATER QUALITY

5. SAMPLE NUMBER 77-368
6. SALINITY (EC X 10⁶) 1171
7. SODIUM (SAR) 1.36
8. RESIDUAL SODIUM CARBONATE (meq/l.) 1.40

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 Union 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.

Russell M. Hall
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
24 DAY OF FEBRUARY 1977.

Notary
(TITLE OR SEAL)

Albert J. [Signature]
APPROVED/DEPUTY

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Russell H. Hall Date Rec'd March 2, 1977
Address Rt. 3, Box 84 Sample No. 77-368
Elk Point, SD 57025 Identification Well-
NW1, Sec. 29, T 91N, R 49W

WATER ANALYSIS

Calcium (Ca)	136	ppm*	6.80	me/l**
Magnesium (Mg)	39	ppm	3.20	me/l
Sodium (Na)	70	ppm	3.04	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	128	ppm	2.65	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.17	me/l
Bicarbonate (HCO ₃)	695	ppm	11.40	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	570	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1171	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.36			
Sodium	22.94	% of cations		
Residual sodium carbonate	1.40	me/l		
pH	7.60			

*ppm==parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 13.25 me/l
Total anions 14.22 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-368

Amount Enclosed \$

Signed

March 22, 1977

Mr. Russell M. Hall
R.R. 30, Box 84
Elk Point, SD 57025

Dear Mr. Hall:

Your water sample (Lab. No. 77-366) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

This water is marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

(1) It will be used no more than 3 times (preferably less) in any growing season.

(2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.

(3) Water applications will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.

(4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission
L. Pahl, Extension Service

April 23, 1976

Mr. Russell M. Hall
R.R. #1, Box 84
Elk Point, SD 57025

Dear Mr. Hall:

You will find enclosed the original copy of the report of analysis of water sample 076-314 submitted by you for analysis on April 6. I am also enclosing a copy of A2S publication #13 with the approximate quality of this water for irrigation purposes designated by a red cross in the chart on the outside back cover. You see that it is in the high salinity, low sodium category.

Although this water is used satisfactorily in some areas, the soils have to much more permeable than the Albaton which you have to be suitable for irrigation. The infiltration or intake rate of these soils is less than .2 of an inch per hour and the subsoil materials from 15 inches on down to about 60 inches is all of a silty clay nature with practically no structure. Thus, water movement is extremely slow in this zone of the soil. As a result of this situation concerning water movement, salts accumulate readily in a soil like this. With very little penetrating past the bottom of the root zone, the water in the root zone gradually becomes more and more saline as you add irrigation water, inasmuch as the salts which are added in the water cannot get out the bottom of the soil, or past the bottom of the root zone. Consequently, I recommend that you proceed no further in the development of this water supply for irrigation. However, this is only a recommendation and the decision will be made by the State Conservation Commission after reading this letter and reviewing the situation. A copy of my letter, and the water analysis will accompany the WI-1 form, which you sent, and they will be sent to the State Conservation Commission for their action.

Sincerely yours,

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

LOF:ckb
Enclosures
cc: State Conservation Commission
D. Fahl
Louie DeSmet, County Extension Agent



CONSERVATION
COMMISSION
WI #1

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

FOR COMMISSION USE ONLY

IRRIGATION SYSTEM _____

WATER QUALITY _____

SOILS CAPABILITY _____

APPROVED _____

DISAPPROVED _____

NAME Russell M. Hall

ADDRESS RT 1, Box 84, Elk Point S.Dak 57005

COUNTY Union

LEGAL DESCRIPTION

1. WELL LOCATION NW 1/4, Section 1, T14N, R10W, S14

2. AREA TO BE IRRIGATED 6.8 Acres in that portion of Section 1, T14N, R10W, S14, on the west side of Highway 77

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (INDICATE TYPE) Handy

4. CROPS TO BE IRRIGATED Corn, Soybeans

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE 0.2%

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION Alfisol, S. 2, heavy, silty loam

(Description is same as other two.)

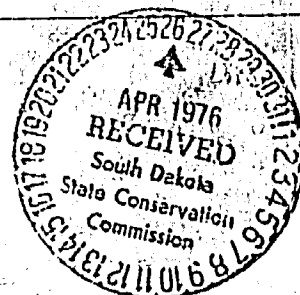
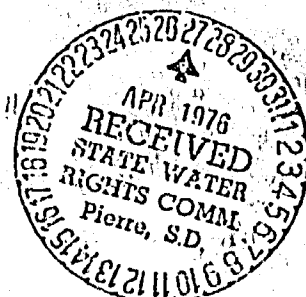
WATER QUALITY

(TO BE COMPLETED BY COMMISSION)

7. SAMPLE NUMBER 76-314

8. SALINITY EC = 1631 μ mhos/cm (high)

9. SODIUM SAR = 1.83 (low)



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

Submitted by: Russell M. Hall
 Address: Rt. 1, Box 84
Elk Point, SD 57025

Date Rec'd: April 6, 1976
 Sample No.: 76-314
 Identification #: 2 Hall-
SMA, Dec. 23, T. 91N, R. 49W

WATER ANALYSIS

Calcium (Ca)	230 ppm*	11.50 me/l**
Magnesium (Mg)	78 ppm	6.40 me/l
Sodium (Na)	126 ppm	5.48 me/l
Potassium (K)	16 ppm	0.40 me/l
Sulfate (SO ₄)	400 ppm	8.32 me/l
Nitrate (as N)	ppm	me/l
Chloride (Cl)	98 ppm	2.74 me/l
Bicarbonate (HCO ₃)	537 ppm	8.80 me/l
Carbonate (CO ₃)	ppm	me/l
Iron (Fe)	ppm	me/l
Fluoride (F)	ppm	me/l
Hardness (EDTA as CaCO ₃)	ppm	g.p.g.***
Alkalinity (Methyl Orange)	440 ppm (as CaCO ₃)	
Alkalinity (Phenolphthalein)	0 ppm (as CaCO ₃)	
Electrical Conductivity	1631 micromhos per cm at 25° C.	
Sodium Adsorption Ratio	1.83	
Sodium	23.04% of cations	
Residual sodium carbonate	0.00 me/l	
pH	7.60	
Others:		

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 23.78 me/l
 Total anions 19.36 me/l



By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$3.00

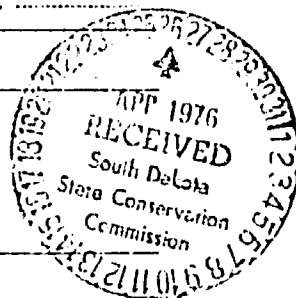
Make checks payable to: Water Quality Laboratory

Cut along dot line and return the lower portion with payment

Sample No. 76-314

Amount Enclosed \$

Signed



I DO HEREBY CERTIFY THAT A CHEMICAL ANALYSIS OF THE GROUND WATER TO BE
ACQUIRED FOR IRRIGATION FROM SOUTH DAKOTA STATE UNIVERSITY AND:
THE LAND CAPABILITY FOR IRRIGATION INFORMATION HAS BEEN ACQUIRED FROM

S.C.S.

AND:

THAT THE LEGAL DESCRIPTION FOR THE LOCATION OF THE WELL AND LAND TO BE
IRRIGATED IS TRUE AND CORRECT.

Russell M. Hall

SUBSCRIBED AND SWORN BEFORE ME THIS

5TH DAY OF APRIL 1976.

William L. Durnell

NOTARY

(TITLE)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3866-2

(1) WHEREAS, On the 14th day of March A. D. 19 77
Russell M. Hall

made Water Right Application No. 3866-2 for a permit to use 1.0 cubic feet per second of the waters of groundwater (one well)

County of Union State of South Dakota, for irrigation

purposes and

(2) WHEREAS, On the 25th day of May A. D. 19 77

Permit No. 3866-3, with a date of priority of March 14, 1977

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 25th day of May A. D. 19 82 and for the application to beneficial use of said water on or before the 25th day of May A. D. 19 82

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.0 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate 70 acres south and west of old highway 77 in the NW 1/4, Section 29, T91N, R49W

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Russell H. Hall

of Elk Point SD
the holder _____ and owner _____ of said permit No. 3566-3 a water right, dating from March 14, 1977
_____ use of 1.0 cubic feet per second of the water
of groundwater (one well)

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 790' East and 780' North of the W 1/4 corner
Section 29, T91N, R49W

and conduct to and upon 70 acres of land south and west of old Highway 77,
in the NW 1/4, Section 23, R91N, R49W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3566-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 29th day of November A. D.
Nineteen Hundred and seventy nine

Board of Water Management

By:

John H. Harts
Chief Engineer

Permit No. 3866-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Russell M. Hall

_____ the holder _____ of
Permit No. 3866-3, issued upon Application No. 3866-3 bearing date of priority of March 14, 1977

_____ authorizing the diversion of 1.0 cu. ft. per second of the waters of _____
groundwater (one well) County of Union, State of South Dakota at _____
a point 790' East and 780' North of the W $\frac{1}{2}$ corner, Section 29,
T91N, R49W

_____ for irrigation

_____ purposes has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.11 from point and 1.33 from big gun systems.
_____ cu. ft. per second of water

Date November 22, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WID

No. 3866-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E. Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader-Courier

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

April 21, 1977

April 28, 1977

Lester E. Emerson
(Signature)

Publisher
(Title)

April 28, 1977
(Date Signed)

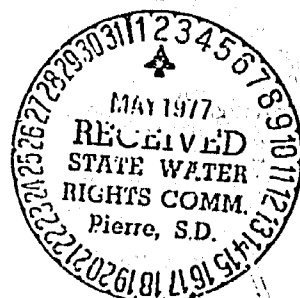
NOTICE OF INTENT TO APPROPRIATE WATER
Pierre, South Dakota 57501
April 8, 1977

Notice is hereby given that
Russell M. Hall whose post off-
ice address is Elk Point, South
Dakota, has made an application
in accordance with the provis-
ions of the water laws of South
Dakota for a permit to appropri-
ate for beneficial use 1.0 cubic
feet of water per second of time
from ground water through the
Hall #3, the point of diversion of
which is to be located in the
SW 1/4 NW 1/4, Section 29, Twp.
91N, Range 49W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:

NW 1/4, Section 29, T91, R49W.
This application No. 3866-3
will be considered by the Water
Rights Commission at their off-
ice at Pierre upon the 25th, day
of May, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION

By James Winterton
Water Rights Specialist
Pub. April 21, 28.



Form 6 - Notice of Intent to Appropriate Water

No. 3866-3

Publish first publication, on or before May 13, 19 77

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 8, 19 77

Notice is hereby given that Russell M. Hall
whose post office address is Elk Point, 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
1.0 cubic feet of water per second of time from the ground water through the
Hall #3, the point of diversion of which is to be located in the _____

SW 1/4 NW 1/4

of Section 20, Twp. 01N, Range 40W. Said water to be used for the purpose
of providing irrigation on the following described land:
NW 1/4, Section 20, T01N, R40W

This application No. 3866-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 25th day of May, 19 77, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

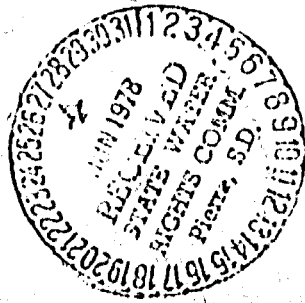
By:

JAMES WINTERTON
Water Rights Specialist

BFJ/bw
cc:

Russell M. Hall, R.R. #3, Box 84, Elk Point, S.D. 57025

Form 10.



No. 3866-3

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

Post Office Ells Point, SD

Date Jan 23-1978

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. 3866-3.

Water Right Permit No. 3866-3 states that the diversion system is to be constructed by May 25, 1982 and that the water is to be put to beneficial use by May 25, 1982.

The diversion system was completed on Jul 20, 1977.
Applying the water to beneficial use was completed on Jul 20, 1977.

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.

Russell M Hall
(Signature)

Permit No. 3866-3Water 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 / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by RUSSELL M.HALL of ELK POINT holderof Permit No. 3866-3, bearing date of priority of MARCH 14., 1977authorizing the diversion of 1.0 cu. ft. per second of the waters of GROUNDWATERfor IRRIGATION purposes, in UNION 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:

104' DEEP WELL WITH 16" TRANSITE CASING
 LAYNE BOWLER WELL LINE 8" PUMP # 81390K - 5 STAGE - 10 KWH BOWLS
 POWERED BY 50HP US ELECTRIC MOTOR

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

10' OF 10" MAINLINE TO CENTER OF PLOT
 2200' OF 6" MAINLINE FOR BIG GUN. (GUN & PIPE USED
 INTERCHANGEABLY WITH PERMIT NO. 3284-3)

C. Works used to apply water to beneficial use.

4 TOWER ELECTROGATOR CENTER PLOT SYSTEM WITH END GUN
 NELSON BIG GUN WITH 1.5 NOZZLE WITH 660' OF 5" RUBBER
 FLEXIBLE HOSE

The system is in the following condition: GOOD

The point of diversion is located 790'E & 780'N OF THE NW 1/4 CORNER,
SECTION 29, T91N, R49W

The works are capable of diverting and conveying to the place of use PIVOT SYSTEM 1.11 (500 GPM)
BIG GUN 1.33 (600 GPM)

cu. ft. per second of water which is to be used for IRRIGATION

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

FOR IRRIGATING 70 ACRES S & W OF OLD HIGHWAY 77
IN THE NW 1/4 SECTION 29, T91N, R49W

comprising a total of 70 acres of land. = 1.0Date SEPTEMBER 11, 1979

[Signature]
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7035

PIERRE, October 29, 1979

RECEIVED OF Russell M. Hall, RR #3, Box 84, Elk Point, SD 57025

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and Issuing Cert. of Construction No. 3866-3	50	10
Fee for inspecting Beneficial Use, and Issuing Water License No. 3866-3		
Fee for Issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____		
(any other work as provided by law)		
TOTAL	51	10

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer

JOHN HATCH

gy

No. 3866-3



Department of Water & Natural Resources

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

December 20, 1979

Russell M. Hall
RR #3, Box 34
Elk Point SD 57025

Dear Mr. Hall:

Enclosed herewith are, Water License No. 3866-3 and Certificate of Construction.

Water License No. 3866-3 is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:kw

enclosures

NOTE: Your pump capacity is 1.11 or 1.33 cfs (500 or 600 gpm) and based upon the acreage actually irrigated, you are entitled to divert 1.0 cfs (449 gpm). Any diversion in excess of 1.0 cfs would be a violation of your Water Right.

3866-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Russell Hall
RR 1, Box 84
Elk Point, SD 57025

Dear Mr. Hall:

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

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

The new standards include:

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



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

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

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

Very truly yours,

John Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division

3866-3

SOUTH DAKOTA Department of
Water & Natural Resources

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

February 9, 1990

RUSSELL M HALL
RR #1 BOX 84
ELK POINT, SD 57025

NOTICE

RE: Violation of Water Permit No(s). 5273-3, 5274-3 and 1989 Irrigation Questionnaire Requirements

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 5273-3, 5274-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board has directed that owners of water permits who have not submitted the 1989 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 5273-3, 5274-3 qualification:

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

The hearing will also be to determine if Permit No. 2753-3, 3284-3, 3866-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

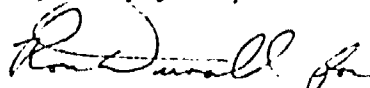
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 5273-3, 5274-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 2753-3, 3284-3, 3866-3 also held by RUSSELL M HALL to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

If the questionnaires are received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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

 **Department of
Water & Natural Resources**

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

February 28, 1990

2753-3
3284-3
3866-3
5273-3
5274-3

Russeil Hall
RR 1, Box 84
Elk Point SD 57025

Dear Mr. Hall:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for the Water Permits listed above. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall

RON DUVAL
Natural Resources Engineer
Water Rights Division



3866-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

DEC 10 1999

5273-3

5274-3

Russell Hall
47715 County Road 1B
Elk Point, SD 57025-9740

Dear Mr. Hall:

Enclosed are Water License Nos. 5273-3 and 5274-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 416217 and 416218 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 5273-3 and 5274-3, 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 Licenses, 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 Program
(605) 773-3352

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enclosures

NOTE: The applicable portions of Water License No. 3284-3 are incorporated into this Water License No. 5273-3, and the applicable portions of Water License No. 3866-3 are incorporated into this Water License No. 5274-3.

6-240

NOT TO SCALE

3866-3

~~1777-1777~~ APR 17 1977

