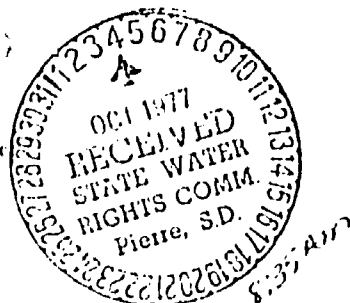


Water Right Number 4167-3

1. Considered 11-30, 1977
2. Name of Applicant JOHN CLEMENT
3. Post Office Address REDFIELD
4. Amount of Water claimed 2.2
5. Source of Water supply 110' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in HAND County
about 11W, 4N miles of TULARE
8. Proof of Publication Received ISI 12-5-77
Not Received
9. Application 2nd time
notice Approved
Subject to 1-31-78
Not Approved will enter
Action Deferred
10. Remarks:

No. 4167-3Map No. 3396-3 Water Division No. 3 JAMES RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(If not, draw a line through items not applicable)

1. Name of Applicant Herbert Heidepriem
Postoffice address Miller SD 57362If a corporation show date and place of incorporation None2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor3. Name of diversion work John Clement4. Amount of water claimed (cubic feet per second) 2.2 cfs (approx) 1000 gpm approx5. Source of water supply Well6. Location of point of diversion SW 1/4 of 11-115-667. Annual period or periods during which water is to be used March to November8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 160

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.
SW 1/4 of 11-115-66	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 54 days11. Choice of newspaper for Notice of Intent to Appropriate Water publication Miller Press

12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$55,000.-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 AdamsI, John Clement, 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 John ClementSubscribed and sworn to before me this 5 day of October, 19 77.Delores Harnick
Notary Public (or other qualified officer)

Register of Deeds, Spearhead

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4167-3
 Herbert Heideprien
 Miller SD 57362

~~416 East 1st, Rapid City~~
 (Post Office Address)

SOUTH DAKOTA 57469 With the following modifications:
 (State)

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

Date of first receipt of application OCTOBER 4, 19 77
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application NOVEMBER 4, 19 77
 Approved JANUARY 31, 19 79, Recorded in Book 20 Page 157

WATER RIGHT PERMIT NO. 4167-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4167-3 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 OCTOBER 4, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 31, 19 79
3. The whole of said work is to be completed on or before JANUARY 31, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 31, 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 2.2 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JANUARY 31, 19 84; said water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 20th day of FEBRUARY, 19 79

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 4", Depth 110'

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

(3) Perforated Screen.

Type , Diameter , Length

(4) Gravel Pack. Thickness , Length of gravel pack

E. Dugout Information or Estimates.

(1) Surface dimensions , Depth

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

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

Character of Water bearing materials

Sand, Gravel + Coal

Depth to top of water bearing material 15 ft

Depth to bottom of water bearing material 110 ft

Thickness of water bearing material 95 ft

Depth to water (ground surface to water level) 15 ft

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

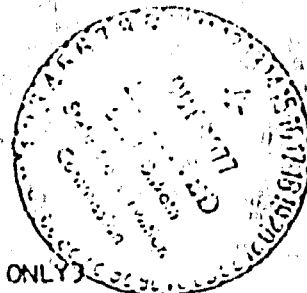
On same owner's property 200 rds. On property owned by others 240 rds.

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.

John Clement
Signature of Applicant

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



NAME

John Clement

ADDRESS

*1416 East 1st Street
Redwood, S.Dak. 57469*

LEGAL DESCRIPTION

1. WELL LOCATION

SW 1/4g 11-115-66

2. LOCATION OF AREA TO BE IRRIGATED

SW 1/4g 11-115-66

TYPE OF IRRIGATION

3. GRAVITY

TOWLINE

CENTER PIVOT

GUN

4. CROPS TO BE IRRIGATED

Corn & Alfalfa

WATER QUALITY

5. SAMPLE NUMBER

77-1502

6. SALINITY (EC x 10⁶)

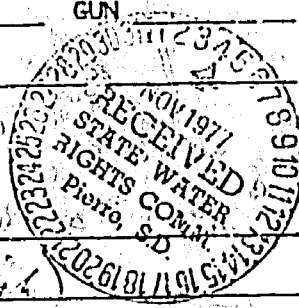
8.50 (medium-high)

7. SODIUM (SAR)

1.03

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.

APPLICANT'S SIGNATURE

John Clement

SUBSCRIBED AND SWORN BEFORE ME THIS
2nd DAY OF October 1977.

Delores Hamel
(TITLE OR SEAL) *Register of Deeds
Spink Co.*
(SOILS INFORMATION ON REVERSE SIDE)

APPROVED/STAMPED

Albert J. [Signature]

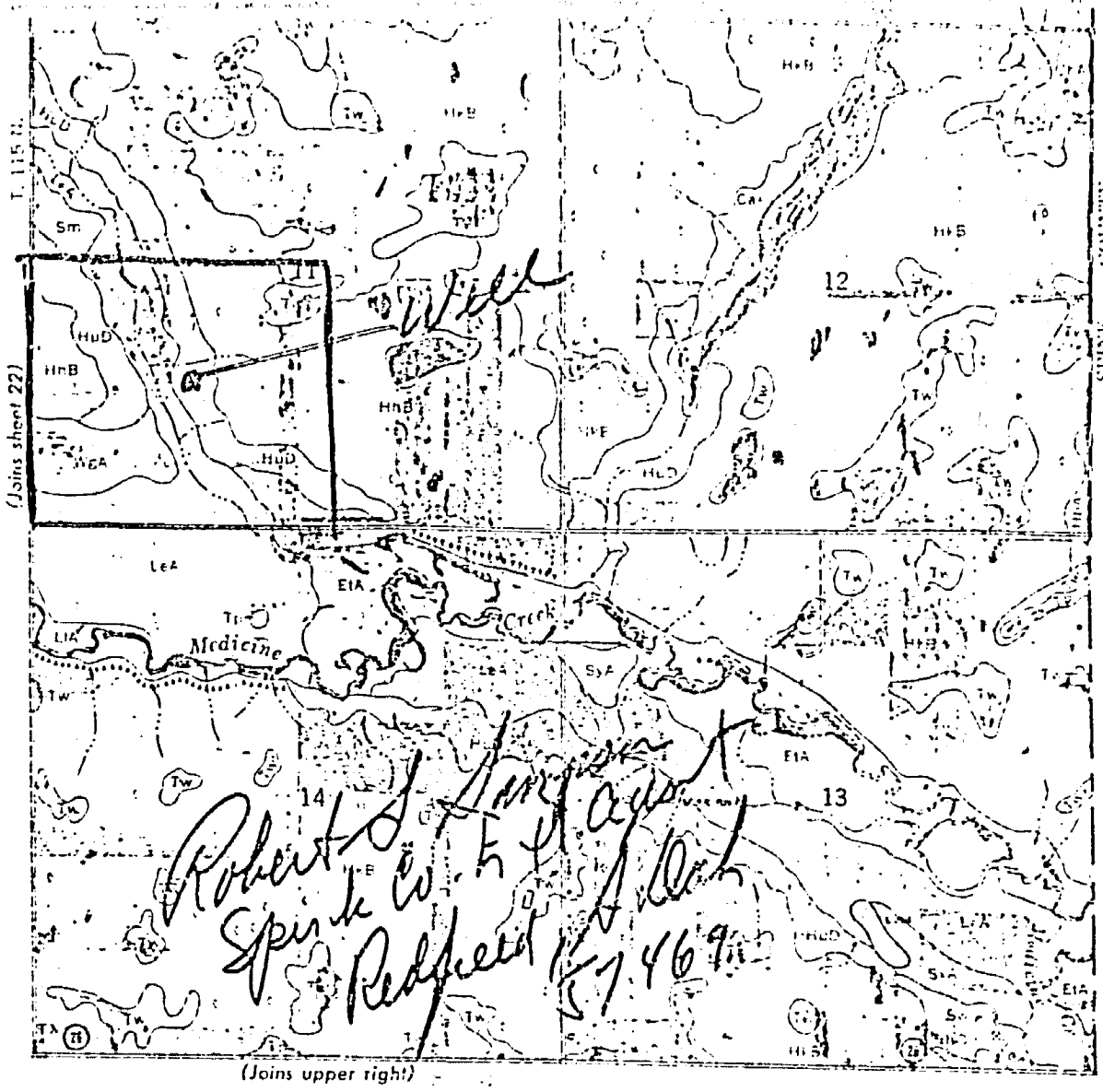
MAP

Robert A. Thompson
 Sprink Co. E. M. Agent
 Redfield. A. Leah.
 57469

NARRATIVE

- Hu D. Houdok - 2 phl Loam (6 to 8% slope)
 Fair for sprinkler irrigation
- H & B 1' alk Loam (3 to 5% slope)
 Fair for sprinkler irrigation
- Wig A Wessington - Heavy Loam - (2% slope, nearly level)
 Fair for sprinkler irrigation
- Le A La Cille - Aberdeen - silty clay Loam (Level 0-1%)
 Good Prospect for sprinkler irrigation
- Tw Tetonka silt Loam
 Poor for irrigation because of low area.
- Wc A Wessington Loam, Nearly level (good)

Range, township, and section corners shown on this map are indicated.



(Joins upper right)

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

Submitted by: John Clement
 Address: 1416 East 1st St.
Bedfield, SD 57469

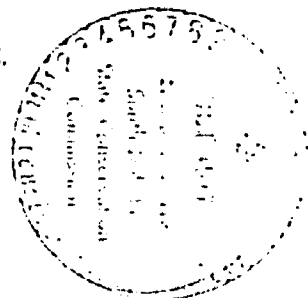
Date Rec'd: October 5, 1977
 Sample No. 77-1502
 Identification Well-
S. 12, Sec. 11, T 115N, R 66W

WATER ANALYSIS

Calcium (Ca)	121	ppm*	6.05	me/l**
Magnesium (Mg)	26	ppm	2.13	me/l
Sodium (Na)	48	ppm	2.09	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	89	ppm	1.85	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	10	ppm	0.29	me/l
Bicarbonate (HCO ₃)	434	ppm	7.12	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)	356	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	950	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.03			
Sodium	19.94	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.47			

*ppm=parts per million
 **me/l=millequivalents per liter

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



COMMENTS: Total cations 10.48 me/l
 Total anions 9.26 me/l

By: Shirley Litter

Service Performed	Amount Due
Irrigation analysis	\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-1502

Amount Enclosed \$

Signed

REC-MENT/FORM
6/77

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

(RECOMMENDED MANAGEMENT)

NAME OF APPLICANT John Clement, Redfield, South Dakota

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 1, 2, 3, 4, 5, times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 1, 2, 3, 4, inches of water.
3. ☐ Yes ☐ No Surface drainage suggested
4. ☐ Yes ☐ No Subsurface drainage suggested
5. ☒ Yes ☐ No Specific land areas that ~~should be drained~~ ^{need special attention.}

The Tetonka is a small area that should be drained or raise the wheel tracks

Shaping or grading the intermitant draw (Ladelle-Aberdeen), so that water

does not pond from irrigation or rainfall, will be beneficial.

6. ☐ Deep tillage (For the purpose of aiding movement of water through dense subsoils)
7. ☐ Heavy full application of irrigation water

Actual EC 850 SAR-1.03
Permissable EC 1200-1500

Copy to Applicant - 1
Copies to Water Rights - 2
Copy to File - 1

Publish first publication, on or before November 17, 1977

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 8, 1977

Notice is hereby given that John Clement whose post office

address is Redfield, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from ground water

through the J. Clement #1, the point of diversion or which is to be located in the center of the SW $\frac{1}{4}$

of Section 11, Twp. 115N Range 66W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$, Section 11, T115N, R66W.

This Application No. 4167-3 will be considered by the Water Rights Commission at

Pierre, South Dakota upon the 30 day of November, 1977 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS COMMISSION

JAMES WINTERTON
Water Rights Specialist

cc: John Clement, 1416 East 1st Street, Redfield, SD 57469

NOTE: Final Proof of Publication must be received by the hearing date for the Commission to take action.

No. 4167-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hand) ss.

I, Robert H. McFarlane hereby

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

Water was taken from the Miller 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 Miller

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

November 17, 1977

November 24, 1977

Robert H. McFarlane
(Signature)

Publisher

(Title)

November 25, 1977

(Date Signed)

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501

November 8, 1977

Notice is hereby given that John Clement whose post office address is Redfield, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22; 46-6-1, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from ground water through the J. Clement No. 1, the point of diversion of which is to be located in the center of the SW 1/4 of Section 11, Twp. 115N, Range 66W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW 1/4, Section 11, T115N, R66W.

This Application No. 4167-3 will be considered by the Water Rights Commission at Pierre, South Dakota upon the 30 day of November, 1977 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS
COMMISSION

JAMES WINTERTON

Water Rights Specialist

LPNO 10



4167-3



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

January 16, 1979

TO: Holders of Deferred Applications in Certain Aquifers in Spink, Hand and Beadle Counties

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred water right applications proposing diversions from the Tulare, Hitchcock, and East James aquifers in Spink, Hand and Beadle counties at 4:00 p.m., January 31, 1979 at the South Dakota Education Association Building, 411 E. Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These applications were deferred by the Water Rights Commission during 1977 and 1978, pending Staff investigation.

After reconsideration of the deferred applications, the Commission can approve, defer, or deny all or part of these applications.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the courts as provided by law.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/gy

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8090

March 20, 1981

PIERRE,

RECEIVED OF Herbert Heidepriem, Lawyer for John A. Clement, 218 W. 4th St., Miller, SD 57362
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.	
Fee for inspecting Beneficial Use, and Issuing Water License No.	
Fee for Issuing Location Certificate-Dry Draw, No.	
Fee for filing extension of time on WR# 4167-3	2 50
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for	
(any other work as provided by law)	
TOTAL	2 50

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer
JOHN HATCH /bt/

Form 18.

No. 4167-3

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date March 19, 1981



Dear Sirs:

In Water Right Permit No. 4167-3 it is specified that the water diversion system is to be completed by January 31, 1980 and that the water is to be put to the limit of beneficial use by January 31, 1984.

I hereby request that the date for completing the diversion system be extended to January 31, 1984 and that the date for putting the water to the limit of beneficial use be extended to January 31, 1984.

The extension of time for the completion of these works is requested for the following reasons: Wife started a divorce action soon after permit was approved and financial affairs were tied up for three years until case was finally decided by the Supreme Court. Otherwise applicant would have had system completed and desired very much to do so.

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

John A. C. C. C.
(Signed)

4167-3
Permit Number

APPROVED: March 27, 1981

Board of Water Management

BY:

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8588

December 16, 1981

PIERRE,

Herbert A. Heidepriem, Miller, SD 57362

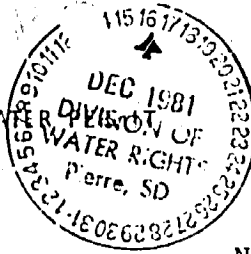
RECEIVED OF the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for Initiating Construction, and Issuing Cert. of Construction No.	
Fee for Inspecting Beneficial Use, and Issuing Water License No.	
Fee for Issuing Location Certificate-Dry Draw, No.	2.50
Fee for filing transfer of WR# 4167-3	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	2.50

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer



No. 4167-3

NOTICE OF TRANSFER



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: September 3, 1982

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

132 acre circle in the SW $\frac{1}{4}$, Section 11, T115N, R66W

formerly owned by Herbert Heidepriem, Miller SD

has been transferred to H & J Partnership, Box 108, Miller SD 57362

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4167-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Hand) ss.

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

Herbert A. Heidepriem
(Signed)

Subscribed and sworn to before me this 3rd Day of September, 1982.

Janet McInnis
(Notary Public)

(SEAL)

Janet McInnis
My commission expires: 7/11/90

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8958

PIERRE, September 10, 1982

H & J Partnership, Box 108, Miller SD 57362

RECEIVED OF

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. 4167-3	5	00
Fee for inspecting Beneficial Use, and issuing Water License No. 4167-3		
Fee for issuing Location Certificate-Dry Draw. No.		50
Fee for filing transfer of Permit No. 4167-3		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	52	50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH

No. 4167-3

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

September 10, 1982

H & J Partnership
Box 108
Miller SD 57362

Dear Sirs:

Enclosed herewith are, Water License No. 4167-3 and Certificate of Construction.

Water License No. 4167-3 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
JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosures

NOTE: Enclosed is receipt No. 4 8958 for transferring Permit No. 4167-3. Our records now show you as owner of this Permit.

WNR-817-7/79
Transmittal of Water License

Permit No. 4167-3Water Division 3 JAMES 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 H & J
PARTNERSHIP of Box 108, MILLER holder
 of Permit No. 4167-3, bearing date of priority of OCTOBER 4, 1977
 authorizing the diversion of 2.2 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in HAND 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:

110' DEEP WELL. WITH 16" STEEL CASING - 20' SS SCREEN
 LAYNE BOWLER. 8" PUMP MODEL N3184, POWERED BY
 60 HP US ELECTRIC MOTOR @ 1760 RPM.

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

10' OF 8" ALUMINUM PIPE TO CENTER OF PILOT

C. Works used to apply water to beneficial use.

ZIMMATIC 8 TOWER CENTER PILOT - MODEL # 410, WITH
 NELSON #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located 10' E OF THE CENTER OF THE SW⁴
SECTION 11, T115N, R166W

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

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

FOR IRRIGATING A 132 ACRE CIRCLE IN THE
SW⁴ SECTION 11 T115N, R166W

comprising a total of 132 acres of land.

Date AUGUST 23, 1982
[Signature]
 Signature

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4167-3

(1) WHEREAS, On the 4th day of October A. D. 19 77
John Clement

made Water Right Application No. 4167-3 for a permit to use 2.2 cubic feet per second of the waters
of groundwater (one well)
County of Hand State of South Dakota, for Irrigation
purposes; and

(2) WHEREAS, On the 31st day of January A. D. 19 79
Permit No. 4167-3 with a date of priority of October 4, 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 31st day of January A. D. 19 84 and for the
application to beneficial use of said water on or before the 31st day of January A. D. 19 84

WHEREAS on the 16th day of December, 1981 Permit No. 4167-3 was transferred to
Herbert Heldepreim, Miller, South Dakota, and,

WHEREAS on the 10th day of September, 1982 Permit No. 4167-3 was transferred to
H & J Partnership, Miller, South Dakota

and;

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

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

for irrigating a 132 acre circle in the SW $\frac{1}{4}$ Section 11, T115N, R66W (C)

(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 H & J Partnership

_____ of Miller, South Dakota

the holder s and owner s of said permit No. 4167-3 a water right, dating from October 4, 1977

_____ to use of 1.78 cubic feet per second of the waters of groundwater (one well)

in the County of Hand and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 10'E of the center of the SW $\frac{1}{4}$, Section 11, T115N, R66W (BA)

and conducted to and upon a 132 acre circle in the SW $\frac{1}{4}$, Section 11, T115N, R66W (C)

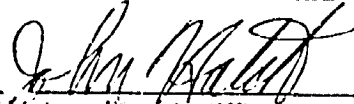
for the purpose of Irrigation

subject to any limitations listed in Water Right Permit No. 4167-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 10th day of September A. D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:


Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 4167-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

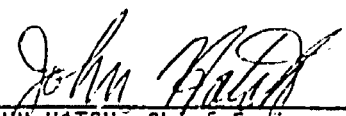
This is to Certify, That H & J Partnership

_____ the holder S of
Permit No. 4167-3, issued upon Application No. 4167-3, bearing date of priority of October 4,
1977 authorizing the diversion of 2.20 cu. ft. per second of the waters of _____
groundwater (one well) County of Hand, State of South Dakota at _____
a point 10'E of the center of the SW $\frac{1}{4}$, Section 11, T115N, R66W (BA)

_____, for Irrigation

purposes, has Yes 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 1.78 cu. ft. per second of water.

Date September 10, 1982



JOHN HATCH, Chief Engineer
Water Rights Division

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

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

February 26, 1990

386-3
4167-3

Richard Jackson
RR #1 Box 74
Zell, SD 57483

Dear Mr. Jackson:

Enclosed are copies of Water Right Nos. 386-3 and 4167-3. In response to our telephone conversation of February 23, 1990, I have included your name in the water right files as that of renter. This will cause the yearly irrigation questionnaires (mailed out in October each year) to be mailed directly to you.

If you have any questions concerning these water rights, please contact me.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



DEPARTMENT OF WATER & NATURAL RESOURCES

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

January 23, 1991

386-3
4167-3

Galen Gillette, Attorney
PO Box 60
Redfield, SD 57469

Dear Mr. Gillette:

Enclosed, as you requested, are "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 386-3 and 4167-3. The water rights are currently listed in the name of H & J Partnership.

The transfer forms should be completed and then signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$5.00).

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

I have also included a copy of each of the water rights. You may keep them for your records. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

412554

Pierre, February 25, 1991, 19

RECEIVED OF Kraig Jackson, RR #1 Box 22, Tell, SD 57483

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. _____		
Fee for Filing Transfer Form <u>Water Right No. 4167-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

JOHN HATCH

NOTICE OF TRANSFER OF OWNERSHIP

No. 4167-3

TO: Chief Engineer
Water Rights Division, DWNR
523 East Capitol
Pierre, SD 57501-3181

Date: 2-25-91

I/We request that Water ~~Right~~ Permit/Right No. 4167-3

formerly owned by: H & J Partnership

be transferred to: (name & address) Kraig Jackson

RR1 Box 22 Zc 11, S D 57483 (telephone No.) 605-472-2607

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

SW 1/4 Section 11, T115N, R66W

I/We understand that the validity of Water ~~Right~~ Permit/Right No. 4167-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

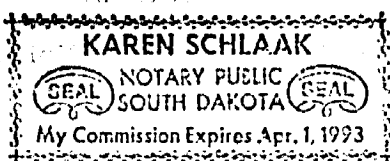
STATE OF SOUTH DAKOTA)

County of Hughes)

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

Kraig Jackson
(Signed)

Subscribed and sworn to before me this 25th day of February, 19 91.



Karen Schlaak
(Notary Public)

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

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

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Kraig Jackson, 37134 171st St, Redfield SD 57469

DATE: September 8, 2003

TELEPHONE: 605 472-2607

RE: Water Right Nos. 386-3 and 4167-3

COMMENTS:

Eric Gronlund and I spoke with Mr. Jackson regarding ownership of land described in Water Right No. 386-3 and 4167-3.

- **No. 386-3** authorizes irrigation of portions of the SW ¼ Sec 11 and NW ¼ Sec 14, T115N, R66W from a well in the NW ¼ Sec 14 (Tulare-Western Spink Aquifer).
- **No. 4167-3** authorizes irrigation of 132 acres in the SW ¼ Section 11, T115N, R66W using a well in the SW ¼ Sec 11 (Tulare-Western Spink Aquifer).

Mr. Jackson said he owned the land in the SW ¼ Section 11 (with the county owning a small piece in the corner) and Harold Booze owned the land in the NW ¼ Section 14. We discussed with Mr. Jackson the method to get the water rights clarified by dividing No. 386-3 into two water rights and incorporating the portion he owned (SW ¼ Section 11) into No. 4167-3. He would be able to retain his old priority date for a portion of the land. He thought his pivot covered about 133 acres.

The staff feels the portion owned by Mr. Booze in Section 14 would be subject to cancellation due to non-use. Mr. Jackson confirmed that the land has not been irrigated but inquired about what would be involved in getting permission to irrigate. Eric told him that new permits in this area would be problematic. The Water Management Board has determined that the aquifer is fully appropriated. Currently, there are a number of water permit applications that have been deferred for a period of 5 years to allow for existing permit holders to construct their systems. If they do not construct a system within the 5 year time frame, those on the deferred list would get an opportunity to have their applications reviewed and possibly approved.

RECOMMENDED ACTION:

Divide 386-3 into 386A-3 and 386B-3 to reflect separate ownership. No. 386A-3 will be incorporated into No. 4167-3 and No. 386B-3 will be scheduled for cancellation consideration due to abandonment and/or forfeiture. Mr. Booze will need to be contacted to confirm the above information. The Hand County Register of Deeds will also be contacted for verification of ownership records.



Eric Gronlund
Natural Resources Engineer



Genny McMath
Environmental Scientist



41167-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 8, 2003
VIA FACSIMILE

Shelia Coss
Hand County Register of Deeds
415 W 1st Ave
Miller SD 57362

Dear Ms. Coss:

I am currently in the process of reviewing two water rights for land in Hand County. Prior to doing anything with them, I need to find out if the ownership records I have are current.

The land in question is as follows:

- SW ¼ Section 11, T115N, R66W Kraig R. Jackson
- NW ¼ Section 14, T115N, R66W Opal Joan Booze Living Trust dated 5/1/97
Harold D. & Opal Joan, Trustees

Would it be possible for you to supply the name and current mailing addresses of the owners of the above land? I believe that Kraig Jackson is the owner of most of the SW ¼ Section 11 and Harold Booze may own the portion in Section 14.

You may fax the information to me, phone or send by regular mail. Thank you in advance for your help.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
Phone: (605) 773-3352
fax: (605) 773-4068

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Kraig Jackson

ADDRESS: 37134 171st St, Redfield SD 57469

DATE: September 10, 2003 COUNTY: Hand TELEPHONE: 605 472-2607

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The water source is the Tulare – Western Spink aquifer.

- Water Right No. 386-3 authorizes irrigation of portions of the SW ¼ Section 11 and NW ¼ Section 14, T115N, R66W from a well in the NW ¼ Section 14.
- Water Right No. 4167-3 authorizes irrigation of portions of the SW ¼ Section 11 from a well in the SW ¼ Section 11, T115N, R66W.

Due to separate ownership, No. 386-3 is being divided and reissued. The portion of land in the SW ¼ Section 11 will be incorporated into No. 4167-3. The well in Section 11 authorized under No. 4167-3 will continue to supply the pivot in the SW ¼ Section 11 with no increase in diversion rate or additional water appropriated. The well in the NW ¼ Section 14 authorized under No. 386-3 is no longer used for irrigation.

- **If irrigation, no new land is irrigated**

No additional land is irrigated

- **Review of Existing Diversions**

The nearest other permitted diversion from the Tulare – Western Spink aquifer is Water Right No. 1613-3 located approximately 5 miles to the East. No interference has occurred between these wells and none is expected in the future.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion authorized under No. 386-3 (0.58 cfs with a priority date of January 11, 1957) be changed to the diversion point authorized by No. 4167-3 in the SW¼ Section 11. No increase in the total authorized diversion rate (1.78 cfs) or acres irrigated (132 acres) under No. 4167-3 is authorized by this change in diversion points.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program



SEP 11 2003

4167-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

386A-3
4167-3

Kraig Jackson
37134 171st St
Redfield SD 57469

Dear Mr. Jackson:

Enclosed are your Water License Nos. 386A-3 and 4167-3.

Water License No. 386-3 was divided between you and Harold Booze to reflect separate ownership. Once Water License No. 386A-3 was issued, it was incorporated into Water Right No. 4167-3. The incorporation allows all one system to be described within one water right. A priority date of 1957 was retained for the land once authorized by No. 386-3 and a 1977 priority date for the remaining land described in 4167-3.

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. 4167-3, 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.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 4167-3

(1) H & J Partnership of Miller, SD was issued Water License No. 4167-3, September 10, 1982 for a water right to divert 1.78 cubic feet of water per second (cfs) from ground water (one well – Tulare:Western Spink Aquifer), Brown County, South Dakota for irrigation purposes. Water Right No. 4167-3, with a priority date of October 4, 1977 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

On February 25, 1991, Water Right No. 4167-3 was transferred to Kraig Jackson.

Water Right No. 386A-3, carrying a priority date of January 11, 1957, authorizes diversion of 0.58 cfs from a well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14 to irrigate 42.1 acres in the SW $\frac{1}{4}$ Section 11. The well is no longer used to irrigate the SW $\frac{1}{4}$ Section 11. The acreage is part of a pivot system described in Water Right No. 4167-3. A well located in the SW $\frac{1}{4}$ Section 11, authorized under No. 4167-3, irrigates the land described in both 386A-3 and 4167-3.

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 that the change in location of the diversion point described in Water Right No. 386A-3 to the diversion point authorized by Water Right No. 4167-3 does not increase the potential for adverse effects to existing diversions.

The applicable portions of Water Right No. 386A-3 have been incorporated into Water Right No. 4167-3.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Kraig Jackson, 37134 171st St, Redfield SD 57469 the holder and/or owner of Water Right No. 4167-3 is issued a license, bearing priority dates of January 11, 1957 (0.58 cfs) and October 4, 1977 (1.20 cfs) to appropriate 1.78 cubic feet of water per second from ground water (one well – Tulare:Western Spink Aquifer) to irrigate 132 acres.

The diversion point is located in 10 feet E of the center of the SW $\frac{1}{4}$ Section 11, T115N, R66W.

The acres authorized for irrigation are as follows: 132 acre circle in the SW $\frac{1}{4}$ Section 11, T115N, R66W.

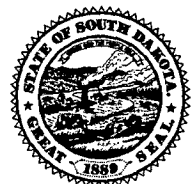
(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Permit No. 4167-3 including the following qualification:

- 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 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.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 11 2003
date



NOT TO SCALE

4167-3

39-175-182
39-111-126

40.5

~~39-115~~
~~39-111-161~~

178-318

19.5

39.4

41.0

89.9

154.4

11

39-
183
~~179~~

39-~~142~~ 180
39-~~111~~ 181

1.5

20.1

42.0

1.3

2.9

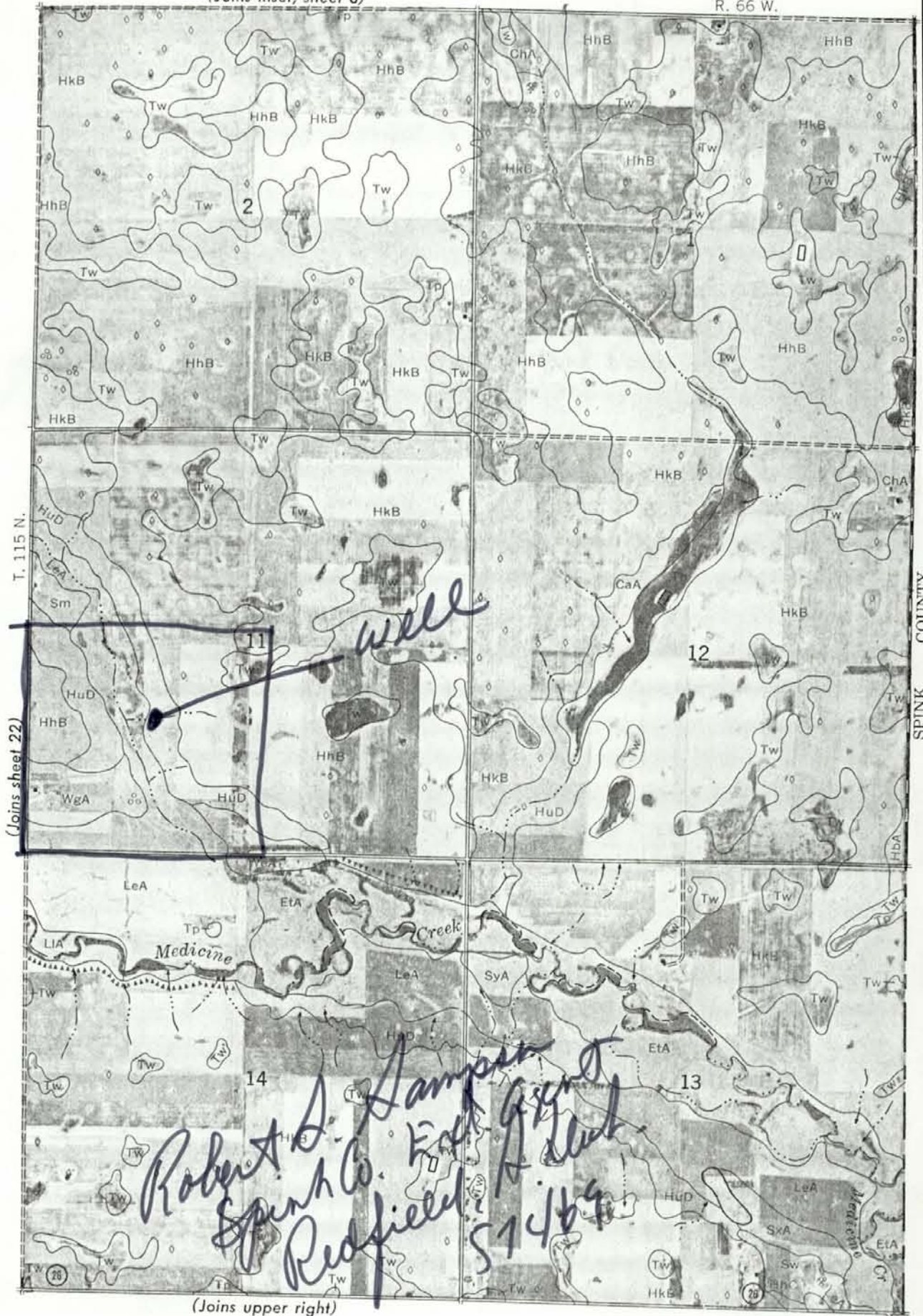
42.0

147.9
1.5
146.4

11566

(Joins inset, sheet 8)

R. 66 W.



Range, township, and section corners shown on this map are indefinite.

(Joins upper right)



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 8, 2024

4167-3

Kraig Jackson
17353 370th Ave
Zell SD 57469

Dear Mr. Jackson:

I am writing you today to follow up on our telephone conversation regarding the potential construction of a new well to supplement the well authorized under Water Right No. 4167-3.

Water Right No. 4167-3 authorizes the diversion of 1.78 cubic feet per second (approx. 800 gpm) from one well located in the center of the SW $\frac{1}{4}$ Section 11, T115N-R66W, for the irrigation of 132 acres within the SW $\frac{1}{4}$ Section **11**; all in T115N-R66W, Hand County.

If development of the new well will not cause the diversion rate to exceed a maximum instantaneous rate of 1.78 cfs, then it may be possible for the new well to be included under the existing water right. Our office will complete a review to determine whether the change in location may increase the potential for interference with other existing diversions.

Please complete the highlighted portions of the enclosed permit application and return it to our office with a "X" on the enclosed map marking the well location. A prepaid envelope has been provided for your convenience.

Do not remit a fee with the application and map. If the potential for interference is not increased, the well location can be changed without the need to process the application pursuant to South Dakota Codified Law 46-5-13.1.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

4167-3

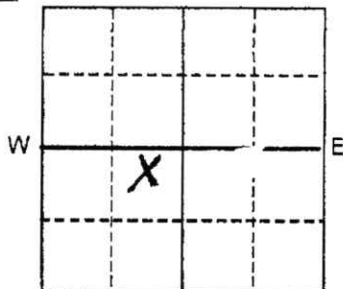
SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE 1/4 SW 1/4 Sec 11 Twp 115 Rg 66County Faulk Hand per AWM 11/5/24 North

Please mark well location with an "X"



Well Completion Date

5-3-2024

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?

None ft. from

(Identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse Circulation

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SR26</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>66</u> FT	<u>26</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>#20</u>	<u>30</u>	Lb/gal	<u>0</u> Ft	<u>60</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Tremmie Pipe

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16 Inches Length 20 FeetMaterial Stainless SteelSlot Size .050 Set From 60 Feet to 80 Feet

Other Information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No

If so, what material?

Enviro Plug

Describe packer(s) and location

Above Screen

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner:

Kraig Jackson

Business Name:

Address:

17353 370th Ave

City, State, Zip:

2011SD 57469

WELL LOG:

DEPTH

FORMATION	FROM	TO
<u>Sandy Yellow Clay</u>	<u>0</u>	<u>12</u>
<u>Yellow Clay Rocks</u>	<u>12</u>	<u>25</u>
<u>Blue Clay Stones</u>	<u>25</u>	<u>60</u>
<u>Sand & Gravel</u>	<u>60</u>	<u>80</u>

STATIC WATER LEVEL

0

FEET

If flowing: closed in pressure

PSI

GPM flow through

Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: Air Lifted☐ Balled☐ Other

Pumping Level Below Land Surface

10 Ft. After 4 Hrs. pumped 800 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

This well was drilled under license #

722

and this

report is true and accurate.

Drilling firm:

Stretch's Well Service Inc.

Signature of License Representative:

Tom Ratten

Signature of Well Owner or Equitable Property Holder:

Date:

RECEIVED

NOV 06 2024

OFFICE OF
WATER

4167-3

RECEIVED

NOV 08 2024

OFFICE OF
WATER**FORM 2: Application for irrigation in South Dakota**
(type or print)

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. _____ Hydrologic Unit _____
	Basin _____
	Newspaper _____
	(office use only)

Application for Permit to Appropriate Water for Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 4167-3
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)
additional diversion point

1. Name to Appear on Irrigation Permit Kraig Jackson

Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.

Mailing Address 17353 370th Ave Zell SD 57469
(Address) (City) (State) (Zip Code)

Phone _____ Mobile _____ Email _____

2. Amount of water claimed N/A *CFS or N/A **GPM N/A ***AF Total Acreage N/A
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply groundwater

4. Location of point of diversion SW 1/4 Sec 11, T115N, R66W
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Hand

5. County or counties where water will be used Hand

6. Annual period during which water is to be used March 1 - November 31

7. List below each forty-acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
SW 1/4 Section 11, T115N, R66W	132.0		

8. Give a description of the project. (Attach sheet if more space is needed)

Requesting approval of an additional well to supplement the diversion authorized under 4167-3 with no increase to the number of irrigated acres or rate of diversion.

I, Kraig Jackson owner, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

2021-08

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Also, attach map and any other technical information. (see instructions)

RECEIVED

NOV 08 2024

Form 2A
(Complete applicable portions only)

Supplemental Information

(type or print)

OFFICE OF
WATER

1. Well Information (check one or both as applicable)

☒ Drilling new well(s) ☐ Using existing well(s)

- a) If new wells, how many 1 Have test holes been drilled? ☐ Yes ☒ No Drilled by Strechos
(if yes, please provide copies of logs)
- b) If existing wells, how many _____ Provide copy of log(s), if available. Drilled by _____

For either existing or proposed wells:

- c) Well Depth (required) 80 Depth to Top of Water Bearing Material _____ Depth to Water from Surface 0
- d) Distance to nearest domestic well on applicant's property No well Property owned by others 1 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

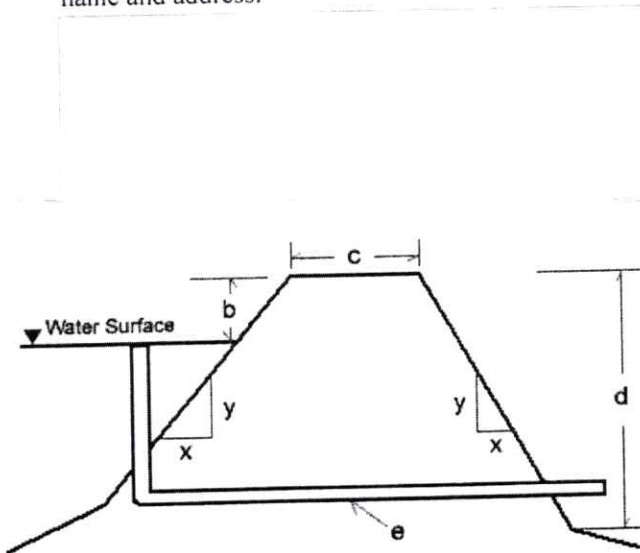
3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to 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) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



RECEIVED

NOV 08 2024

OFFICE OF
WATER

Approval of Location Change and/or Additional Diversion Point(s)

Name: Kraig Jackson

Date: November 20, 2024

Address: 17353 370th Ave, Zell SD 57469

County: Hand

General Description of Authorized Project: Water Right No. 4167-3 authorizes the appropriation of 1.78 cfs from one well, completed into the Tulare: Western Spink Hitchcock Aquifer (T:WSH), located in the approximate center of the SW ¼ Section 11, T115N, R66W, for the irrigation of 132 acres in the SW ¼ Section 11, T115N, R66W.

Authority: Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed, or additional diversion points may be approved provided the following conditions are met, and the potential for interference with other existing diversions is not increased and the overall project is consistent with the original application.

Developed Water Source is the Same is Permitted, with no Additional Appropriations: Mr. Jackson has submitted a request for one additional well, with no increase to the rate of diversion or the number of irrigated acres. The well is strictly to be used to supplement the existing well, which is no longer producing the amount of water it did at the time of licensing. The additional well will be completed into the T:WSH at a depth of 80 feet, near the center of the SW ¼ Section 11, T115N, R66W, approximately 330 feet northeast of the existing well.

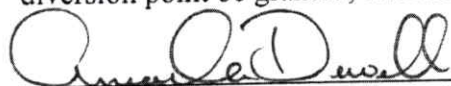
Review of Existing Diversions: There are no existing permit/rights located within 2 miles of the existing and proposed wells intended for use under Water Right No. 4167-3. The nearest appropriator utilizing water from the T:WSH is Water Right No. 971-3, held by William St Clair, located approximately 5.3 miles southeast. It was determined in the initial permitting of Water Right No. 4167-3 that there is reasonable probability any well interference due to pumping would not adversely or unlawfully impair existing rights. The same would be expected for the additional well intended to supplement Mr. Jackson's original well.

It should be noted that the Tulare: Western Spink Hitchcock Aquifer is considered to be fully appropriated, and no new permits are being issued from the aquifer at this time.

The nearest domestic well completed into the same source (T:WSH) is located near the center of the NE ¼ Section 10, T115N, R66W, approx. 0.7 northwest of Mr. Jackson's well. The domestic well was drilled for Don Shade in 1977, on property currently owned by the Donovan Shade Trust, according to the Hand County Plat Book..

The location of the domestic wells in the Well Completion Database, maintained by the Water Rights Program, is based on the location listed by the well driller on the well completion report.

Recommended Action: Based on the above criteria, it is recommended that the request for the additional diversion point be granted, with no increase to the rate of diversion.



Amanda Dewell, Permitting Administrator
Water Rights Program

The Chief Engineer makes a finding Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01 that: The additional diversion point does not increase the potential for adverse effects to existing diversions.



Eric Gronlund, Chief Engineer
Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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PIERRE SD 57501-3182
danr.sd.gov

NOV 21 2024

4167-3

Kraig Jackson
17353 370th Ave
Zell SD 57469

Dear Mr. Jackson:

This letter is in regard to your request for an additional diversion point under Water Right No. 4167-3. Your request stated that the new well would be located near the center of the SW $\frac{1}{4}$ Section 11, T115N, R66W, Hand County, and was made because the original well was not producing as well as it had in the past. The new well is not meant to replace the original well, but rather to supplement it.

Water Right No. 4167-3 authorize a diversion rate of 1.78 cfs from one well completed into the Tulare: Western Spink Hitchcock Aquifer, for irrigation purposes.

Upon review of your request and pursuant to SDCL 46-5-13.1, the additional well is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4.

No increase to the number of acres or authorized diversion rate from the Tulare: Western Spink Hitchcock Aquifer is authorized.

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

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program