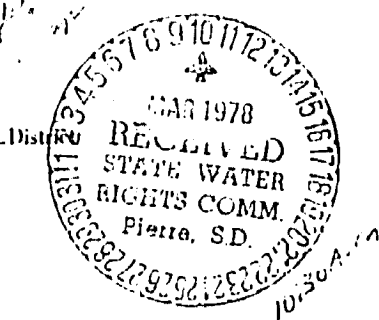


4251.3

1. Considered MARCH 28, 1978
2. Name of Applicant MORRIS NELSON
3. Post Office Address YANKTON, S.D.
4. Amount of Water claimed NO ADD'L
5. Source of Water supply 150' DEEP WELL (EXISTING)
6. Water to be used for IRRIGATION
- Acres to be irrigated 40.00
7. Water to be diverted and used in YANKTON County
about 4 NORTH & 6 miles EAST of YANKTON
8. Proof of Publication Received 3-24-78
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 4251-3Map No. 3472-3 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

AND ACRES TO EXISTING

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

PERMIT # 2338-3

1. Name of Applicant MORRIS NELSON
Postoffice address RR2 Box 307 Yankton State S.D.
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 NELSON IRRIGATION No. 1 (ADDITIONAL 40 A)
4. Amount of water claimed (cubic feet per second) 1.67
5. Source of water supply WELL
6. Location of point of diversion 1716' N 123° W OF NORTHWEST CORNER OF SEC 25-94-55
County YANKTON
7. Annual period or periods during which water is to be used April through Oct.
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION
9. For irrigation use, Total number of acres to be irrigated 40

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>SE 1/4 NE 1/4 25-94-55</u>	<u>40A</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Press & Sentinel - Yankton
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.

PIPE

C. Works proposed to apply water to beneficial use.

SPRINKLER TYPE (PIVOT)Estimated Total Cost \$ 10,000Attachments: 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 YanktonI, Morris Nelson 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 constructionSigned Morris NelsonSubscribed and sworn to before me this 5th day of March, 1978

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4251-3MORRIS NELSON

(Applicant)

RR 2, Box 307 - YANKTON

(Post Office Address)

SOUTH DAKOTA 57078

(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 10, 19 78

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

Date of receipt of corrected application _____, 19 _____

Approved MARCH 29, 19 78, Recorded in Book 19 Page 330WATER RIGHT PERMIT NO. 4251-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4251-3 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 10, 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPT. 29, 19 80
3. The whole of said work is to be completed on or before MARCH 29, 19 83
4. The limit of time from onset of beneficial use of water appropriated in accordance herewith is MARCH 29, 19 83
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.

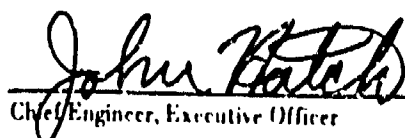
7. The amount of the appropriation herein granted shall not exceed NO ADD'L cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation 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 MARCH 29, 19 83; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 7th day of APRIL, 19 78

WATER RIGHTS COMMISSION

By:



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 26", Depth 150'
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 14" Thickness 3/16"
- (3) Perforated Screen.
Type CONTINUOUS SLOT, Diameter 14", Length 20'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 40'

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 0' to 25' yellow clay; 25' to 110' blue clay; 110' to 130' medium clean sand; 130' to 140' coarse gravel; 140' to 150' medium gravel; 150' + blue clay

Depth to top of water bearing material 110'

Depth to bottom of water bearing material 150'

Thickness of water bearing material 40'

Depth to water (ground surface to water level) 20'

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

On same owner's property 40 rds. On property owned by others 100 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.

Morris Nelson
Signature of Applicant

Conservation
Commission
Form 01 01

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: [Signature]

Date: _____

NAME: Morris Nelson

ADDRESS: Rt 2 Box 307

COUNTY: Pennington S.D.

LEGAL DESCRIPTION

1. WELL LOCATION: SW 1/4 of NE 1/4 Sec 25 - T4N - R5W

2. AREA TO BE IRRIGATED: N 1/2 of NE 1/4 Sec 25 - T4N - R5W

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (Indicate Type): Center Pivot

4. CROPS TO BE IRRIGATED: Corn & Alfalfa - Soybeans

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 3%

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Class F & Class II

Land 1 - Sandy loam - highly permeable

WATER QUALITY (To Be Completed by Commission)

7. SAMPLE NO: 75 - 716

8. SALINITY: EC = 999 μ S/cm (med-high)

9. SODIUM: SAR = 0.97 (low)



August 21, 1975

Mr. Morris Nelson
R. R. #2, Box 307
Yankton, SD 57078

Dear Mr. Nelson:

I am enclosing herewith the original report of analysis of the water sample submitted here about a week ago. This is your copy to keep. Also, you will find enclosed a copy of extension circular 654 with the approximate quality of this water for irrigation purposes indicated by an encircled red cross on the outside back cover. Please read this circular carefully.

There should be no specific problem in irrigating the lands which you have with this quality water. They're moderately high in total salts so that you should be as careful as possible to irrigate in rather large quantities but infrequently. This will reduce the chances of salt accumulation.

A copy of this letter and of the water analysis and the WI 1 form are being sent to the State Conservation Commission.

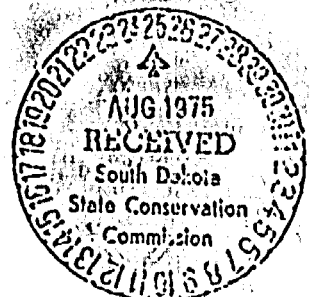
Sincerely yours,

L. O. Fino

L. O. Fino
Water Quality Lab

LOF:ckh //
Enclosures

cc: State Conservation Commission
D. Pahl
Vera Miller, County Extension Agent



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

Submitted by: Norris Nelson
 Address: At. 2, Box 307
Yankton, SD 57078

Date Rec'd: August 12, 1975
 Sample No.: 75-716
 Identification: Well-160
NE 1/4, Sec. 25, T 94N, R 55W

WATER ANALYSIS

Calcium (Ca)	81	ppm*	3.52	me/l**
Magnesium (Mg)	57	ppm	4.67	me/l
Sodium (Na)	45	ppm	1.96	me/l
Potassium (K)	19	ppm	0.49	me/l
Sulfate (SO ₄)	310	ppm	7.20	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	9	ppm	0.24	me/l
Bicarbonate (HCO ₃)	122	ppm	2.00	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)	100	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	999	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.97			
Sodium	18.42	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.52			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 10.64 me/l
 Total anions 9.44 me/l

By: Shirley Hittan

Service Performed

Amount Due

Irrigation analysis

\$6.00 paid

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-716

Amount Enclosed \$

Form 6 - Notice of Intent to Appropriate Water
GROUND WATER

No. 4251-3

Publish first publication, on or before March 17, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 10, 1978

Notice is hereby given that Morris Nelson whose post office address is Yankton, SD, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-13; 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 no add'l cubic feet of water per second of time from groundwater (existing well) through the Nelson Irrigation # 1, the point of diversion of which is to be located in the 11N/4 NE1/4

of Section 25, Twp. 94N Range 55W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S1/4 NE1/4, Section 25-T94N-R55W

This Application No. 4251-3 will be considered by the Water Rights Commission at The Guest House, Watertown SD upon the 28th day of March, 1978 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.

NOTE: The final proof of publication must be received before the hearing date for the Commission to take action.

WATER RIGHTS COMMISSION

Betty Westlund
Water Rights Specialist

cc: Morris Nelson
RR 2, Box 307
Yankton SD 57076

2338-3
4251-3

WATER RIGHTS DIVISION
(505) 773-3352

December 1, 1987

Martin Weeks
Box 435
Vermillion, South Dakota 57069

Dear Mr. Weeks:

With regard to your recent inquiry, I checked through our files and found two permits for Morris Nelson in Section 25, T94N, R55W. Enclosed are the following copies:

- 1) Water Permit Nos. 2338-3 and 4251-3;
 - 2) the 1985 and 1986 irrigation questionnaires;
 - 3) Water Management Board General Rules.
- (I have highlighted the section you asked about)

The 1987 irrigation questionnaires for these permits have not yet been returned and could not be included with the above information.

If you have any questions, or need additional data, please contact me.

Sincerely,

Genny McElath
Natural Resources Analyst

GMM:ms
Enc.

4251-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4251-3

(1) Morris Nelson, RR 2 Box 102, Yankton SD 57078-9607 made Application No. 4251-3, March 10, 1978 for a water permit to divert no additional water from groundwater (one well), Yankton County, South Dakota for irrigation purposes. Permit No. 4251-3, with a priority date of March 10, 1978 was approved March 29, 1978 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 29, 1983 and for the application to beneficial use of said water on or before March 29, 1983.

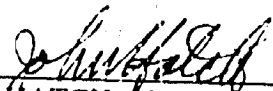
Water Permit No. 2338-3 authorizes irrigation of 117 acres located in the NE 1/4 Section 25. Water Permit No. 4251-3 authorizes the irrigation of an additional 40 acres located in the NE 1/4 Section 25. The applicable portions of Water Permit No. 2338-3 have been incorporated into this Water License No. 4251-3.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is 1.716 feet S 57 degrees W from the NE corner of Section 25-T94N-R55W (NW 1/4 NE 1/4)

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

Section 25-T94N-R55W	NE 1/4 NE 1/4	38 acres
	NW 1/4 NE 1/4	38 acres
	SW 1/4 NE 1/4	38 acres
	SE 1/4 NE 1/4	38 acres
Total		152 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Morris Nelson, RR 2 Box 102, Yankton SD 57078-9607 the holder and/or owner of Incorporated Water Permit No. 4251-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from groundwater (one well) with priority dates of August 18, 1975 (117 acres) and March 10, 1978 (35 acres) from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license, for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 4251-3 and subject to South Dakota State Law.


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

JUL 2 1996
date



Permit No. 2338-3 & 4251-3
Missouri River - Water District

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

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

I have this day, September 29, 1993, made a thorough examination of the water use system constructed by Morris Nelson, of Yankton holder of Permit Nos. 2338-3 & 4251-3, bearing the priority of August 18, 1973, and March 10, 1978 respectively authorizing the diversion of 1.67 cu. ft. per second for irrigation purposes, in Yankton County.

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

A. Works used to divert the water:

Water is diverted from a well located 1716' S57°W of the NE corner of Sec. 25, T94N-R55W, with a Western Land Roller, 8-inch diameter, 5 stage, turbine pump, (Serial No. E76445), powered by a US Electric 75 horsepower, motor (ID No. R-6326-01-H-819 R209864).

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

Water is transported from the well to a center pivot irrigation system through 400 feet of buried 8-inch diameter PVC pipe.

C. Works used to apply water to beneficial use:

Water is applied to beneficial use through a high pressure, 7 tower Lindsey Zimmatic Center Pivot (Model No. 307, Serial No. L08795) with a corner system. The system is 1300 feet long and has a Nelson 100 End Gun. The Corner system is 178.5 feet long and has a Nelson 150 End Gun.

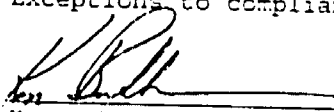
The system is in the following condition good. The point of diversion is located 1716' S57°W from the NE corner of Sec. 25, T94N-R55W, (NE SE NW NE Sec. 25, T94N-R55W). The works are capable of diverting and conveying to the place of use 1.56 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>NE 1/4 NE 1/4 Sec. 25, T94N-R55W</u>	<u>38 acres</u>
<u>NW 1/4 NE 1/4 Sec. 25, T94N-R55W</u>	<u>38 acres</u>
<u>SW 1/4 NE 1/4 Sec. 25, T94N-R55W</u>	<u>38 acres</u>
<u>SE 1/4 NE 1/4 Sec. 25, T94N-R55W</u>	<u>38 acres</u>

comprising a total of 152 acres of land and the license should be issued for 1.56 cfs. Applicable permit qualifications have been complied with: Yes ☒ No ☐

Exceptions to compliance are:

Date: December 22, 1993


 Ken Buhler
 Natural Resources Engineer
 DENR, Water Rights Division

11) Comments :

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y/N
- 2) Special qualifications to permit being abided by Y/N
- 3) All structures, wells and lands on map Y/N
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y/N

REPORT ON INSPECTION OF PERMIT NOS. 2338-3 & 4251-3

DATE: December 21, 1993

Other permit(s) associated with the project:

DIVERSION POINT LEGAL LOCATION: 1716 feet south 57 degrees west of the NE corner of Section 25, Township 94 North, Range 55 West; (NE 1/4 SE 1/4 NW 1/4 NE 1/4 Sec.25, T94N-R44W).

WELL INFORMATION:

- 1) Well Drilling Firm: Schmelfeng Well Drilling
- 2) No. of Wells one
- 3) Depth(s) 160 feet
- 4) Well log is available Y/N
- 5) Comment:

Casing:

- 1) Diameter 14 inches
- 2) Length 135 feet
- 3) Type steel

Screen:

- 1) Type galvanized
- 2) Length 25 feet
- 3) Static water level 65 feet

Pump:

- 1) Make Western Land Roller
- 2) Serial No. E76445
- 3) Size 8" diameter, 5 stage
- 4) Capacity 700 GPM
- 5) Operating pressure 70 psi

Motor:

- 1) Make US Electric
- 2) I.D. No. R-6326-01-H-819 R209864

3) Horsepower rating 75 hp

DISTRIBUTION LINES OR CANALS:

1) Type PVC 2) Size 8 inches 3) Length 400 feet

SYSTEM TYPE:

Center pivot:

- 1) Make Lindsey Zimmatic, (Model No. 307, Serial No. L08795)
- 2) Overall length 1300 feet + corner system overall length 178.5 feet
- 3) Number of towers 7
- 4) Distance between towers: PVT to #1: 200 feet, #1 to #2: 200 feet, 178.5 feet between remaining towers
- 5) End gun Y/N Nelson 100 End Gun before corner, Nelson 150 End Gun at end of corner
- 6) High or low pressure High: 62 PSI Just End Gun (No corner system)
68 psi No End Gun, No corner system
90 psi corner system and Nelson 150 End Gun only
- 7) Capacity 700 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y/N
- 2) Main line check valve Y/N
- 3) Inspection port/air relief Y/N
- 4) Low pressure drain Y/N
- 5) Discharge is 20' from source Y/N
- 6) Interlock type Electric
- 7) Injection pump type TXE American Pump, positive displacement electric pump, (no Model No. or Serial No. available)
- 8) Injection check valve Y/N
- 9) Injection line check valve or positive displacement pump Y/N
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y/N



June 5, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Permit No. 4251-3

Morris Nelson
RR 2, Box 102
Yankton, SD 57078

Dear Mr. Nelson:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 2338-3 and 4251-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 2338-3 will be incorporated into 4251-3.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

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

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

4251-3

Morris Nelson
RR 2, Box 102
Yankton, SD 57078-9607

Dear Mr. Nelson:

Enclosed is Water License No. 4251-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414986 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4251-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

ks
enclosures

NOTE: The applicable portions of Water Permit No. 2338-3 have been incorporated into this Water License No. 4251-3.

RECEIPT

4251-3
414986

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, June 11, 19 96

RECEIVED OF Morris Nelson, RR 2, Box 102, Yankton, SD 57078-9607

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4251-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John H. Hutton
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 8, 1997

Martin Weeks
PO Box 435
Vermillion SD 57069

Dear Mr. Weeks:

As requested, enclosed are copies of the following:

- Water License No. 4251-3 for irrigation of the NE 1/4 Section 25-T94N-R55W.
- Water Permit No. 5449-3 for irrigation of the E 1/2 SW 1/4, W 1/2 SE 1/4 Section 30-T94N-R54W.
- Irrigation questionnaires for the past six years for each of the permits. We have not received the irrigation questionnaires for this past summer.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352

enclosures

4251-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 9, 1997

Martin Weeks
PO Box 435
Vermillion SD 57069

Dear Mr. Weeks:

Here is the additional information you requested.

- Water Permit Nos. 2338-3, 4251-3, 5449-3 and the soil/water compatibility approvals.

Again, if you have any questions, please contact me.

Sincerely,

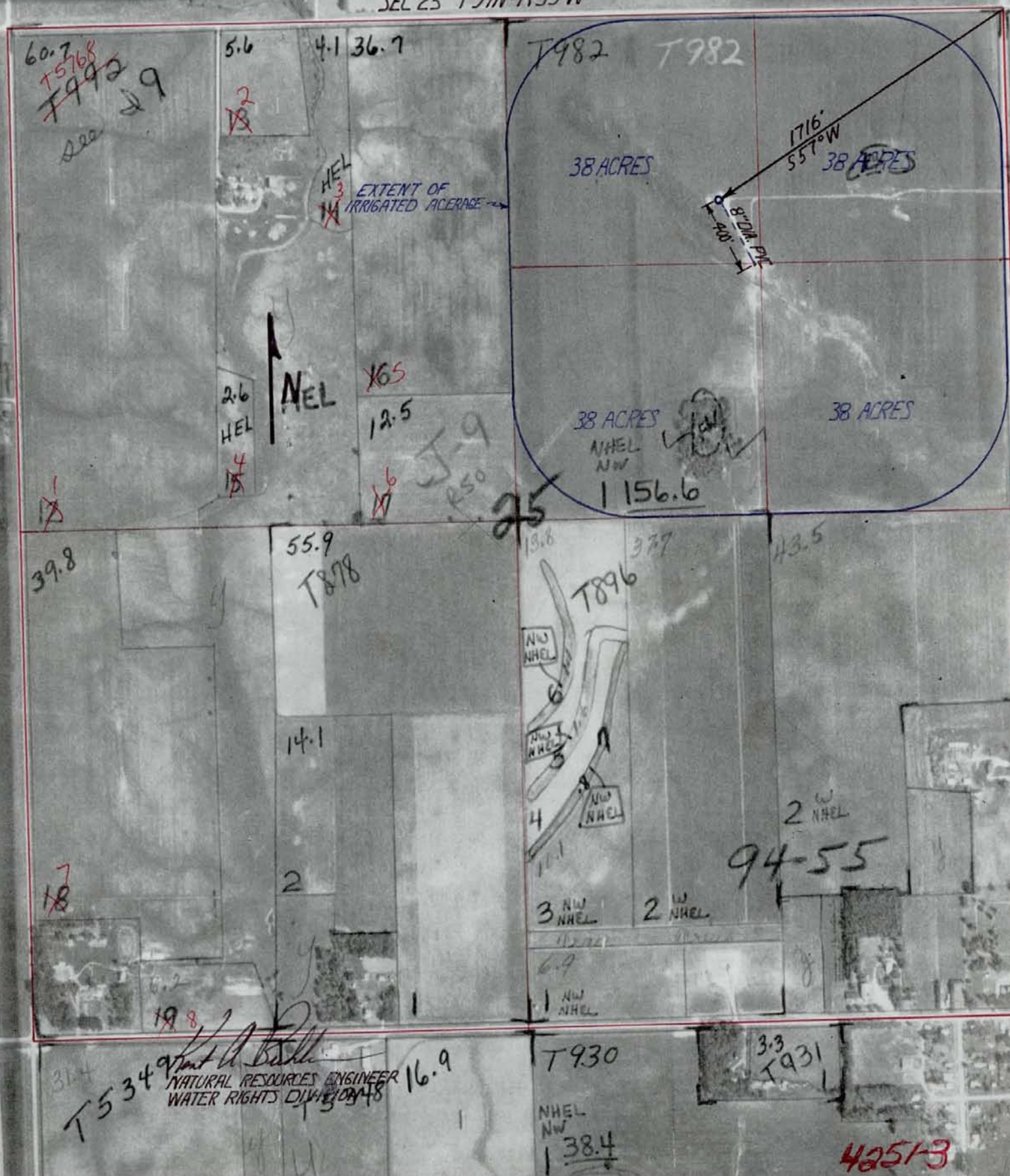
Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352

enclosures

NOT TO SCALE 1993

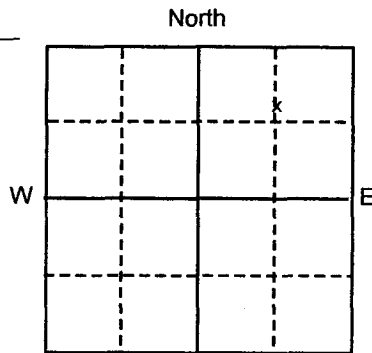
SEC 25 T94N-R55W



4251-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location ne 1/4 ne 1/4 Sec 25 Twp 94n Rg 55wCounty yanktonPlease mark well
location with an "X"

Well Completion Date

9/13/09

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

1,800.0 ft. from septic tank

(identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	100.0 FT	22.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
bent grt	24	9.5 Lb/gal	0.0 Ft	96.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 60.0 FeetMaterial pvcSlot Size .060 Set From 100.0 Feet to 160.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☐ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? hth tablets☐ No, Why Not?Lab to which water
quality sample sent for analysisWell Owner: Morris Nelson Farms

Business Name:

Address: 44023 306th StreetCity, State, Zip: Yankton SD 57078

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Silt, dark brown, clayey	0	2
Clay, brown, silty, pebbly, till	2	36
Clay, gray, silty, pebbly, till	36	94
gravel, v coarse,	94	145
Sand, medium to coarse	145	165

STATIC WATER LEVEL 77.0 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 lift development☒ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

Replacement well for old 12" steel well (collapsed)

This well was drilled under license # 666 and this
report is true and accurate.Drilling firm: Hammond-Wetmore Drilling

Signature of License Representative:

RECEIVED

Signature of Well Owner or Equitable Property Holder:

JAN 29 2010

WATER RIGHTS
PROGRAM

Date:



4251-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2015

NOTICE

TO: NELSON FAMILY PARTNERSHIP, DARRELL NELSON, 44023 306TH ST, YANKTON, SD 57078

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



SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 27, 2015

Darrell Nelson
Nelson Family Partnership
44023 306th St
Yankton SD 57078

RE: Irrigation Questionnaires for Permit or Right Nos. 1661-3, 2600A-3, 3369B-3, 4251-3, 4443-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3

Dear Mr. Nelson:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for the above listed Water Permits and Water Rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



4251-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: NELSON FAMILY PARTNERSHIP, DARRELL NELSON, 44023 306TH ST, YANKTON, SD 57078

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaires

Our records indicate your 2015 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



4251-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 26, 2016

Darrell Nelson
44023 306th St
Yankton SD 57078

RE: Water Right or Permit Nos. 1661-3, 2600A-3, 3369B-3, 4251-3, 4443-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3

Dear Mr. Nelson:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires for the above listed water permits and water rights. You may disregard the January 15, 2016, "Notice" concerning reporting requirements. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

With respect to the ownership changes needed, I have enclosed partially completed transfer forms for use in filing the ownership changes. Copies of the corresponding water rights and permit are also included. Please review the forms and make any necessary corrections. Upon completion, the forms need to be signed and returned to our office with a required filing fee of \$50.00 each (total of \$300). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

Enclosures: Transfer forms & copies of Water Right Nos. 3369B-3, 4251-3, 4443-3, 2600A-3, 5414-3 and Water Permit No. 7199-3.



4251-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: NELSON FAMILY PARTNERSHIP, DARRELL NELSON, 44023 306TH ST, YANKTON, SD 57078

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/ig> using this password: VTCLLD**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



4251-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 10, 2020

Darrell Nelson
Nelson Family Partnership
44023 306th St
Yankton SD 57078

RE: Water Right/Permit Nos. 1661-3, 2600A-3, 3369B-3, 4251-3, 4443-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3

Dear Mr. Nelson:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for the above listed water rights and permits. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2025

NOTICE

TO: DARRELL & DENNIS NELSON, 44023 306TH ST, YANKTON, SD 57078 6008

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2600A-3, 4551-3, 5414-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2600A-3, 4551-3, 5414-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: URZTFB**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 17, 2025

1661-3, 2600A-3, 3369B-3, 4251-3,
4443-3, 4551-3, 5414-3, 6704-3,
6756-3, 7138-3, 7199-3,
7544-3, 7972-3 & 8348-3

Nelson Farms Inc
44023 306th St
Yankton SD 57078

Dear Mr. Nelson:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 1661-3, 2600A-3, 3369B-3, 4251-3, 4443-3, 4551-3, 5414-3, 6704-3, 6756-3, 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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