

(later Right Number 4295-3)

1. Considered 7-26, 19 78
2. Name of Applicant LARRY W. MOULTON
3. Post Office Address ELKTON
4. Amount of water claimed 2.1
5. Source of water supply 2 - 49' DEEP WELLS
6. Water to be used for IRRIGATION
- Acres to be irrigated 156
7. Water to be diverted and used in BROOKINGS County
about 35 Miles of ELKTON
8. Proof of Publication Received 7-18-78
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 4295-3
 Map No. 3507-3 Water Division No. 3 BIG SIOUX RIVER (District)
 (Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriately Water within the State of South Dakota

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

1. Name of Applicant LARRY W. MOULTON
 Postoffice address Elkton South Dakota State 57026
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work LARRY W. MOULTON Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.1
5. Source of water supply Two nearly identical wells
6. Location of point of diversion Well #1 - 2550' N 89° W of SE corner Sec 32 - 109-47
Well #2 - 2644' N 74° W of SE corner Sec 32 - 109-47
 County Brookings
7. Annual period or periods during which water is to be used April through October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 156

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>NW 1/4 SE 1/4 Sec 32 - 109-47</u>	<u>40</u>		
<u>SE 1/4 of SE 1/4 Sec 32 - 109-47</u>	<u>39</u>		
<u>SW 1/4 of SE 1/4 Sec 32 - 109-47</u>	<u>39</u>		
<u>SE 1/4 of SE 1/4 Sec 32 - 109-47</u>	<u>38</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use Three years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Elkton Record
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source 2 nearly identical wells with deep well turbine

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

C. Works proposed to apply water to beneficial use center pivot irrigation machine

Estimated Total Cost \$ 100,000

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 Brookings

I, LARRY W. MOULTON 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 Larry W. MoultonSubscribed and sworn to before me this 22 day of May 1978.

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4295-3LARRY W. MOULTON
(Applicant)ELKTON,
(Post Office Address)SOUTH DAKOTA 57026
(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 JUNE 26, 19 78

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

Date of receipt of corrected application _____, 19 _____

Approved JULY 26, 19 78, Recorded in Book 20 Page 57WATER RIGHT PERMIT NO. 4295-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4295-3 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 JUNE 26, 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 26, 19 81
3. The whole of said work is to be completed on or before JULY 26, 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 26, 19 86
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 2.1 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 2 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 JULY 26, 19 86; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 1ST day of AUGUST, 19 78

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

IRRIGATION SUPPLIES

- Berkeley Pumps
- E-Z Rein Machines
- Aluminum or Plastic Pipe
- Nelson Volume Guns
- Traveling Gun Hose
- Hygromatic Center Pivot
- Deep Well Turbine Pumps
- Hot Vulcanized Hose Repair
- Gravel Packed Irrigation Wells
- Test Boring

ED H. LACEY & SONS

Box 796

TRENT, SOUTH DAKOTA 57065

Phone (605) 428-5686 Ed (605) 428-5979 Jim

June 24, 1978

Re: Test Well Log
Larry Moulton
R.R.
Elkton, So. Dak. 57026

Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Gentlemen,

Below is the test well log for Larry Moulton,
Elkton, So. Dak.

0' To 2' Top Soil
2' To 9' Brown Sand
9' To 30' Open Gray Sand
30' To 49' Open Gray Gravel
49' Blue Clay
Static Water level - 9'



Very truly yours

Ed H. Lacey

Ed H. Lacey
Ed H. Lacey & Sons
So. Dak. Lic. No. 111

Larry Manton - Ediston
542 2461

Test bore log

0-2' topsoil

2-9' Brown sand & silt

9-30' open grey sand

30-49' open grey gravel

49' Blue clay

Distance from nearest neighbors
well 80 rods

160 rods from owners well

Amount of water claimed
1.8 c.f.s.

	450
	<u>360</u>
1 qt water sample	810

SCS W-1-1 form

John Wiersma

1-693-3780

(Over)

To Water Rights Commission Staff:

This is the well log that came in. Lacey drilled the hole. I've asked Lacey to send to you directly a signed (and hopefully more professional) well log. Time is getting short for your next meeting but hope it can still be considered.

John Williams

Two nearly identical wells

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 34', Depth 49'
- (2) Casing, Type Steel (wood, concrete, steel etc) Diameter 16" Thickness 1/8"
- (3) Perforated Screen.
Type Continuous slot, Diameter 16", Length 10'
- (4) Gravel Pack, Thickness 4", Length of gravel pack Full length

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 3' top soil, 3' to 9' brown sand, 9' to 30' open gray sand, 30' to 49' open gray gravel, 49' to 61' blue clay

Depth to top of water bearing material 9'

Depth to bottom of water bearing material 49'

Thickness of water bearing material 40'

Depth to water (ground surface to water level) 9'

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

On same owner's property No supply rds. On property owned by others 80 ~~100~~ rds.

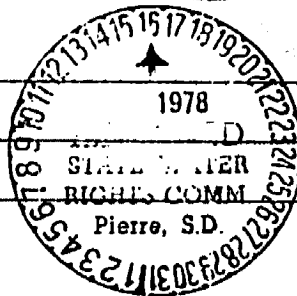
G. Water Storage Dams.

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.

Larry W. Moulton
Signature of Applicant

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

NAME Larry W. Moulton
ADDRESS Elkton South Dakota 5702
COUNTY Brookings



LEGAL DESCRIPTION

1. WELL LOCATION SW¹ of SE⁴ Sec 32 - 109 - 47
2. LOCATION OF AREA TO BE IRRIGATED SE¹ S. 10 32 - 109 - 47

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED _____

WATER QUALITY

5. SAMPLE NUMBER 78-288
6. SALINITY (EC X 10⁶) 1234 (high)
7. SODIUM (SAR) 0.95 (2.67 adjusted) (low)
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 Brookings Co. 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.

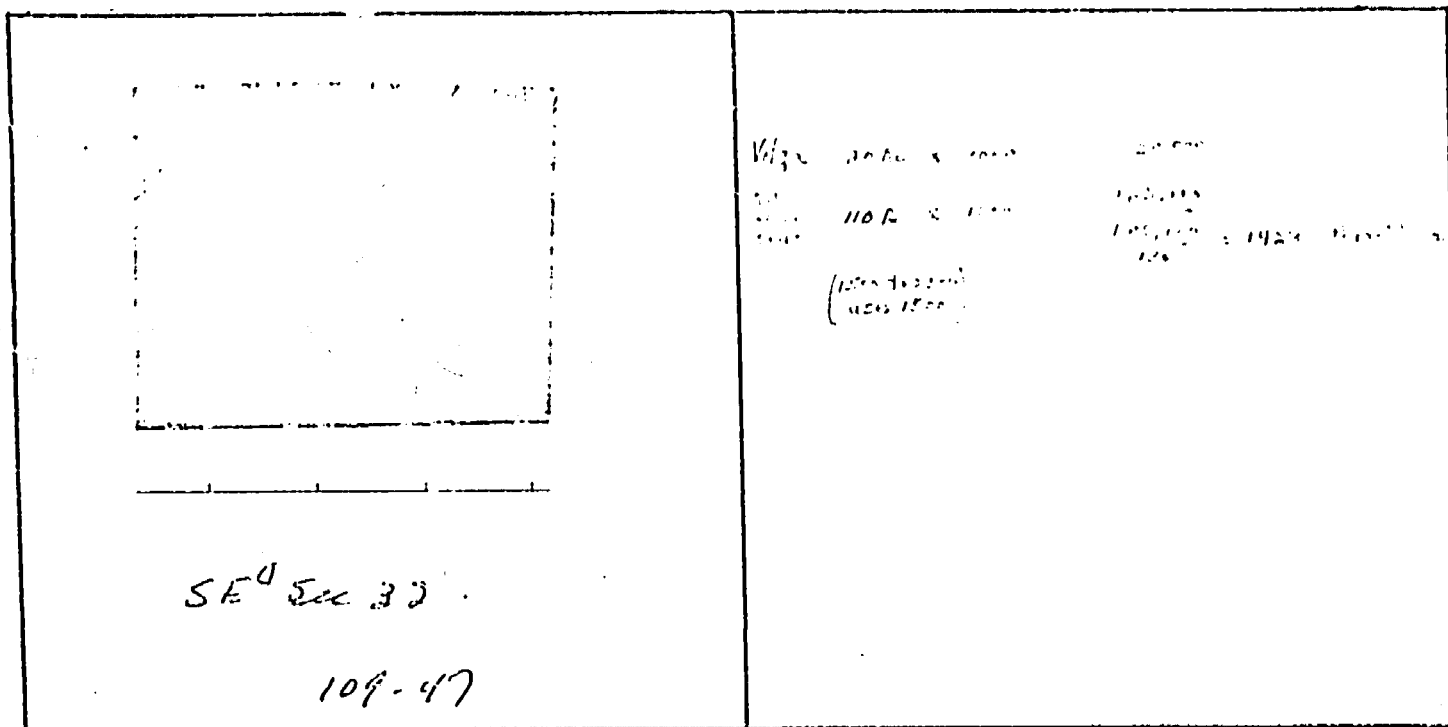
Larry W. Moulton
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
30 DAY OF May 19 78.

John L. Anderson
(TITLE OR SEAL)

Albert J. Hoff
APPROVED/CONFIRMED

MAP



NARRATIVE

Fm - Fordville loam nearly level

Fs - Fordville sandy loam, gently undulating

Fo - Fordville loam, thick solonch, nearly level

Vr - village silty clay loam, poorly drained

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57007

Submitted by: Harry Keulton
 Address: Brookings, SD 57026

Date Rec'd: Nov 20, 1973
 Sample No. 7-23
 Identification 11-49
32, 1101, 147

WATER ANALYSIS

Calcium (Ca)	96	ppm*	4.80	mc/l**
Magnesium (Mg)	86	ppm	7.03	mc/l
Sodium (Na)	53	ppm	2.31	mc/l
Potassium (K)	4	ppm	0.10	mc/l
Sulfate (SO ₄)	73	ppm	1.62	mc/l
Nitrate (as N)		ppm		mc/l
Chloride (Cl)	30	ppm	0.64	mc/l
Bicarbonate (HCO ₃)	556	ppm	9.12	mc/l
Carbonate (CO ₃)		ppm		mc/l
Iron (Fe)		ppm		mc/l
Fluoride (F)		ppm		mc/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	456	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1234	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.95		2.67	
Sodium	16.17	% of cations		
Residual sodium carbonate	0.00	mc/l		
pH	7.33			

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

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

COMMENTS: Total cations 14.29 mc/l
 Total anions 11.53 mc/l

By: Shirley Hutton

Service Performed	Amount Due
Irrigation analysis	115.00 1.15

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 73-233

Amount Enclosed \$

Signed

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

(RECOMMENDED MANAGEMENT)



NAME OF APPLICANT Larry Moulton, Elkton, SD

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 - on any flat area that tends to pond water.
4. ☐ Yes ☐ No Subsurface drainage suggested
5. ☒ Yes ☐ No Specific land areas that ~~need special management.~~
Volga silty clay loams are generally non-irrigable. A few areas along the intermittent draw on the northwest will give you problems. The topography may be such that it would be feasible to alter the course of the intermittent draw.

6. ☒ Deep tillage (For the purpose of aiding movement of water through dense subsoils) See below.

7. ☐ Heavy fall application of irrigation water

Water intake rates are adequate on your Fordville soils so that generally you will have no ponding or water-logging; however, the volga soils will not take water as fast, so you can expect runoff on the Volga soils if you use the same rate of application over-all.

Also, the water holding capacity is greater on your Volga soils; meaning that they would not require as frequent irrigations as your Fordville.

You may be able to arrange your crops so you can sometimes swing your pivot system back and forth against your Volga soil area or sometimes run your system over this area without applying water. Some systems may give you the option to shut off certain nozzles at selected areas.

Deep chisel type tillage, usually done in the fall, help the infiltration of water to the subsoil. The extent of such tillage, as to depth, spacing, and frequency, will be dictated by your experiences. Portions of your Volga soils area as well as other isolated small areas may be benefited by such tillage.

Copy to Applicant

- 1

Copies to Water Rights

- 2

Copy to File

- 1

RECEIPT

WATER RIGHTS COMMISSION

No 4 6470

State of South Dakota

PIERRE, June 26, 1978

RECEIVED OF Larry Moulton, RR #1, Elkton, SD 57026 Fund 290
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 4295-3 (examination, processing, recording and filing)	275	00
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		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	275	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

cy

Publish first publication, on or before July 14, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 26, 1978

Notice is hereby given that Larry W. Moulton whose post office address is Elkton, 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 2.1 cubic feet of water per second of time from ground water (wells) through the Moulton Irrigation Project #1, the point^s of diversion of which ^{are} to be located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 32, Twp. 109N Range 47W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE $\frac{1}{4}$ of Section 32-T109N, R47W

This Application No. 4295-3 will be considered by the Water Rights Commission at the Ramada Inn, Sioux Falls, SD upon the 30th day of July, 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

DETTY WESTLUND
Water Rights Specialist

cc: Larry W. Moulton, Elkton, SD 57026

Affidavit of Publication

State of South Dakota

55

County of Brookings

Dennis D. Koenders

of said county, being first duly sworn, on oath, says: That he is one of the editors of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that he has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year next prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed in the office maintained at said place of publication; and that the

Legal No. 343

13 lines x .367

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit "A," and is made a part

of this affidavit, was published in said newspaper for Two

successive weeks, to-wit:

July 10, 1978

July 17, 1978

1978

1978

That the full amount of the fee charged for the publication of said Exhibit "A" inures to the sole benefit of the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Fifteen dollars and seventy-eight cents

Dollars

Subscribed and sworn to before me this 17th day of

July, 1978

E. Pappas

Notary Public in and for the County of Brookings, South Dakota.

My Commission expires September 6, 1985

Exhibit "A"



Legal No. 343 July 10, 17

NOTICE OF HEARING ON APPLICATION TO APPROPRIATE WATER

Notice is hereby given that Larry W. Moulton, whose post office address is Elkton, 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 46-5-3; 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 2.1 cubic feet of water per second of time from ground water (2 wells) through the Moulton Irrigation Project No. 1, the points of diversion of which are to be located in the SW 1/4, SE 1/4 of Section 32, Twp. 109N, Range 47W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SE 1/4 of Section 32, T109N, R47W.

This Application No. 125-1 will be considered by the Water Rights Commission at the Ramona, Sioux Falls, SD upon the 26th day of July, 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 may desire 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

Betty Westlund
Water Rights Specialist I



Permit No. 4295-3Water Division 3 BIG SIOUX RIVER Water DistrictREPORT OF EXAMINATION (IF 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 LARRY W. MOULTON of ELKTON holder of Permit No. 4295-3, bearing date of priority of JUNE 26, 1978 authorizing the diversion of 2.1 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in BROOKINGS 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:

52' DEEP WELL WITH 16" STEEL CASING - 15' SS SCREEN
WESTERN LAND ROLLER 8" PUMP - MODEL 510C
POWERED BY 50 HP US ELECTRIC MOTOR

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

1485' OF 8" PVC PIPE - BURIED TO CENTER OF PLOT

C. Works used to apply water to beneficial use.

ELECTROGATOR 8 TOWER CENTER PIVOT SYSTEM WITH
NELSON #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located N 14° W 360' FROM THE SE CORNER,
SECTION 32, T129N, R47W

The works are capable of diverting and conveying to the place of use 1.88 (850 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
SE⁴, SECTION 32, T129N, R47W

comprising a total of 132 acres of land.

Date JUNE 9, 1981
[Signature]
(Signature)



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

April 9, 1985

Larry W Moulton
Rt 1 Box 6
Elkton SD 57026

Mr. Moulton:

This letter is in regard to the irrigation questionnaire you returned for Water Permit No. 4452-3. You state on the bottom of the questionnaire that you plan on putting up a system in the near future. Our records indicate a system was in place in June, 1981. Our files show three water permits in your name, they are:

<u>Permit No.</u>	<u>Source</u>	<u>Land</u>	<u>Status</u>
4295-3	1 well	SE 1/4 Sec. 32, T109N, R47W	inspected 6-9-81 license never issued
4332-3	1 well	NE 1/4 Sec. 32, T109N, R47W	has not been inspected
4452-3	2 wells	NE 1/4 Sec. 29, T109N, R47W	inspected 6-9-81 (incomplete) license never issued

Any clarification you can provide will be appreciated as it appears our records are in error. If you have any questions, please contact me.

Thank you,

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

Equal Opportunity Employer

#4295-3

#4332-3

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

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

February 17, 1989

Larry W. Moulton
Rt.1, Box 6
Elkton, SD 57026

Dear Mr. Moulton:

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

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

The new standards include:

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

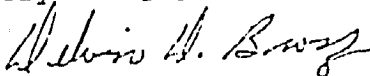


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

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

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division

South Dakota

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

GREAT FALLS. GREAT PLACES.

FEB 17 1992

4295-3A

Larry W. Moulton
RR 1, Box 6
Elkton, SD 57026

Dear Mr. Moulton:

Enclosed is Water License No. 4295-3A. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413028 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4295-3A, 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.

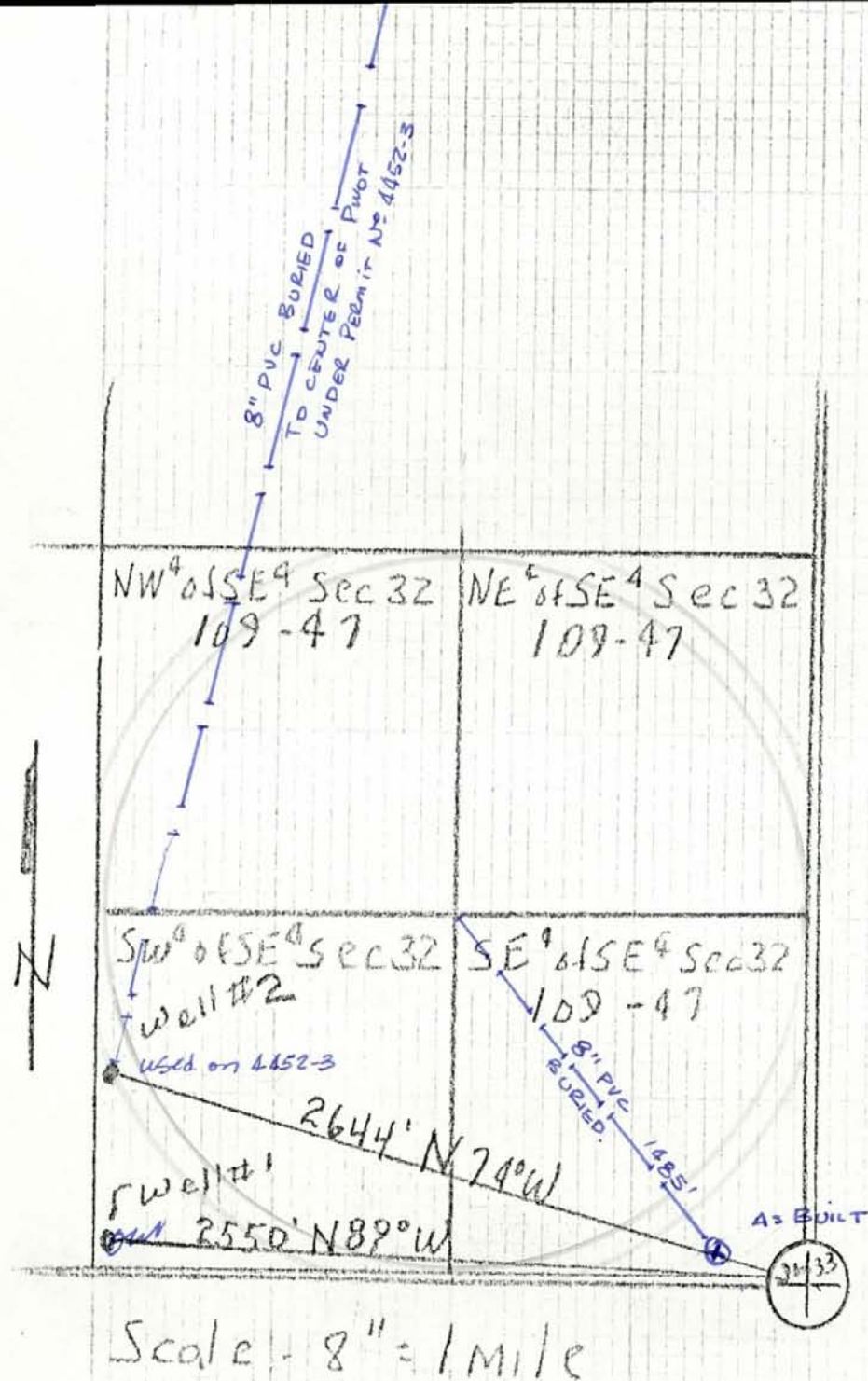
Very truly yours,

John Hatch

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

enclosures

NOTE: The applicable portions of Water Permit No. 4295-3 are incorporated into this Water License No. 4295-3A. A priority date of June 26, 1978 is retained.



Larry W. Moulton
Irrigation Project #1
Elkton S. Dist.
57026

Brookings County

Area Irrigated - SW 1/4 Sec 32 - 109-47
Acres Irrigated - 156
Water Claimed - 2.1 cfs

6-12-78

Certified Correct
John L. Williams

NOT TO SCALE

4295-3

4332-3

5.0

1.2

2.3

5.8

63.2

113.4

136L

51.4

32

128.1

65.0

20.2

13.6

5.6

4.2

109-47



4295-3A
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 21, 2011

NOTICE

TO: ALICE MOULTON, 48549 219TH ST, ELKTON, SD 57026 7302

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaires

Our records indicate that the 2010 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 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) 4332-3 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) 4295-3A 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 9, 2011** 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) 4295-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4332-3 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 on/or before **March 4, 2011**, 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**

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March 1, 2011

4295-3A
4332-3

Dave Moss
48551 219th St
Elkton SD 57026

Dear Mr. Moss:

I am writing to acknowledge receipt of the 2010 irrigation questionnaires for water rights held by Alice Moulton.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right Nos. 4295-3A and 4332-3. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

As you requested, future irrigation questionnaires will be directed to your attention. This does not alter ownership of the water right; it just allows us to send the forms to the person handling the irrigation.

If you have any questions, please contact me.

Sincerely,

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

c: Alice Moulton