

Water Right Number 4352-3

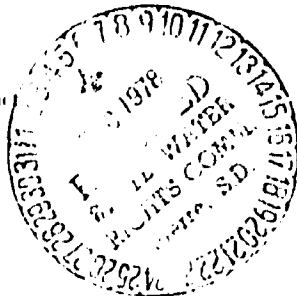
1. Considered JANUARY 31, 19 79
2. Name of Applicant ROY LEE BULTMAN
3. Post Office Address WESSINGTON, S.D.
4. Amount of water claimed 2.0 11-113-66
5. Source of water supply G.W. 51' WELL (ADD DIVERSION)
2986-3
6. Water to be used for IRRIGATION
Acres to be irrigated 320 (COVERED UNDER 2986-3)
7. Water to be diverted and used in HAND County
about _____ Miles _____ of _____
8. Proof of Publication
Received 1-23-79
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

Map No. 3551-3Water Division No. 3

James River

District

(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT TO ADD AN ADDITIONAL POINT OF DIVERSION ON PERMIT NO. 2986-3

To Appropriate Water within the State of South Dakota

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

- Name of Applicant Roy Lee Bultman
Postoffice address Rt #12, Wessington Box 114, State South Dakota 57381
If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) contract & direct labor
- Name of diversion work Bultman No. 2
- Amount of water claimed (cubic feet per second) 2.0
- Source of water supply ground water
- Location of point of diversion About midpoint of NE⁴ of SW⁴ of SW⁴ Section 11 Twp 113 Range 66
County Hand
- Annual period or periods during which water is to be used April thru October
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
- For irrigation use, Total number of acres to be irrigated 640
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.
see attachment			

Attach sheet if more space is needed

- Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Press, Miller, SD
- Principal Features of the Proposed Water Supply System.

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

bowl pump

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

main line

C. Works proposed to apply water to beneficial use.

sprinkler

This application is for an additional diversion point on Permit No. 2986-3. The acreage shown on this application is covered under Permit No. 2986-3

Estimated Total Cost \$ 5

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 Hand

I, Roy Lee Bultman, 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 Roy Lee BultmanSubscribed and sworn to before me this 20th day of December 19 78

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4352-3
ROY LEE BULTMAN Rt #12, WESSINGTON
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57381 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.

Land covered under this Permit is also covered under Permit No. 2986-3. Combinations of diversion under the two permits shall not exceed the Statutory limit of 1 c.f.s. for each 70 acres of land to be irrigated.

Date of first receipt of application DECEMBER 5 19 78
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved FEBRUARY 1 19 79 Recorded in Book 20 Page 176

WATER RIGHT PERMIT NO. 4352-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4352-3 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 DECEMBER 5 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 31 19 81
3. The whole of said work is to be completed on or before FEBRUARY 1 19 84
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is FEBRUARY 1 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 2.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 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 FEBRUARY 1 19 86; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 27th day of FEBRUARY 19 79

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

All in Section 11, T113N, R66W

NW $\frac{1}{4}$ of NW $\frac{1}{4}$	40 acres
SW $\frac{1}{4}$ of NW $\frac{1}{4}$	40 "
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	40 "
SE $\frac{1}{4}$ of NW $\frac{1}{4}$	40 "

NW $\frac{1}{4}$ of SW $\frac{1}{4}$	40 "
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	40 "
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	40 "
SE $\frac{1}{4}$ of SE $\frac{1}{4}$	40 "

NW $\frac{1}{4}$ of NE $\frac{1}{4}$	40 "
SW $\frac{1}{4}$ of NE $\frac{1}{4}$	40 "
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	40 "
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	40 "

NW $\frac{1}{4}$ of SE $\frac{1}{4}$	40 "
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	40 "
NE $\frac{1}{4}$ of SE $\frac{1}{4}$	40 "
SE $\frac{1}{4}$ of SE $\frac{1}{4}$	40 "

THESE 2 QUARTERS
TO BE IRRIGATED BY
THIS WELL APPLIED FOR.

640 acres

IR

IRRIGATION DRILLING CO.

FRANKFORT, SOUTH DAKOTA

PHONE 472-0304

AK.
D.F.

DRILLING REPORT

Location of Well: E. 1/4 Twp 1/4, SW 1/4, Section 11, Township 66, Range 113

Well to be drilled for: Roy Lee Buffman (Name) Wessington (Address)

Hend (County) S. Dak (State)

Date well drilling started: 8-23-78 (finished)

Purpose of well: For test hole (domestic, irrigation, industrial, other)

Depth _____ ft. Casing Diameter _____ inches

Slot Size _____ Screen Size _____

Screen Depth: From _____ ft. to _____ ft.

Remarks: _____

1 Mile

REPORT OF FINAL PUMPING TEST				
Write Additional Times and Readings on Back of Page				
Date _____				
Elapsed Time From Start of Pumping		Water Level		Discharge
0 hr.	0 min.	ft.	in.	(Static)
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	RECOVERY

Formation (Continued)	Depth (ft.)	
	From	To
Clay	32	36
Sand	36	37
Clay	37	41
Gravel	41	51
Clay	51	60

Top Soil	0	2
Clay	2	9
fine sand	9	14
Clay	14	25
Sand	25	26
Clay	26	30
Sand	30	32

W. R. W. G. M.
Empire Drilling

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (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 Top soil 0-2 sand 25-26 sand 36-37
clay 2-9 clay 26-30 clay 37-41
fine sand 9-14 sand 30-32 fine sand 41-51
clay 14-25 clay 32-36 clay 51-60

Depth to top of water bearing material 41

Depth to bottom of water bearing material 51

Thickness of water bearing material 10

Depth to water (ground surface to water level) 11

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

On same owner's property 250 + rds. On property owned by others 160 + 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.

[Signature]
 Signature of Applicant

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Ray L. Thompson OWNERS ADDRESS: 1000 1st St. S. Rapid City, SD 57701

COUNTY LAND LOCATED IN: Glenn PHONE: 738-2681

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: Section 2 of SW 1/4 of Sec 11 T14N R10W

2. SURFACE WATER SOURCE _____

3. LOCATION OF AREA TO BE IRRIGATED: East 1/2 of Sec 11 T14N R10W

4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc)

TYPE OF IRRIGATION: (Show approximate acres under each type of system)

5. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN _____ OTHER (Specify) _____

6. CROPS TO BE IRRIGATED: Wheat

7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____

LAND: Section 11 T14N R10W W/R # 1352-3 and

IN WHAT NAME: Ray L. Thompson W/R # 2986-3

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

8. SAMPLE NUMBER: _____

9. SALINITY (EC X 10⁶) _____

10. SODIUM (SAR) _____ ADJUSTED (SAR) _____

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at _____ A.M./P.M., on _____, 19____, at the following location: _____

by _____ (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I also hereby certify that a chemical analysis of the irrigation 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 further, that the legal description for the location of the well and land to be irrigated is true and correct.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 19____.

(NOTARY PUBLIC)

[Signature]
APPLICANT'S SIGNATURE

Director, Division of Conservation

APPROVED

DISAPPROVED

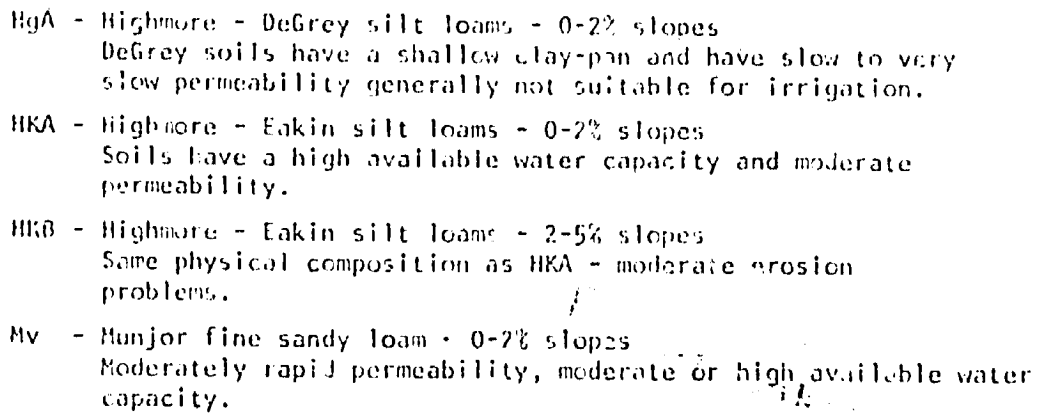
CONDITIONALLY APPROVED

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

E X A M P L E



Residents of counties with no up-to-date soil survey information should contact the Soil Conservation Service or their local Conservation District to obtain the best information available. If soil survey information is not available, the applicant is requested to obtain this information from a private consultant or professional soil classifier.

MAP

PLEASE USE BACK OF THIS SHEET FOR NARRATIVE
OR EACH SEPARATE SHEET

No. 4352-3

Publish first publication, on or before January 11, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 3, 1979

Notice is hereby given that Roy Lee Sultman whose post office

address is Wessington, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 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, 46-6-3.1, 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 2.0 cubic feet of water per second of time from groundwater

(one well) through the Sultman #2 - to add an additional ~~XXX~~ point (x) on an existing permit which is (XXX) to be located in the SW 1/4 SW 1/4

of Section 11, Twp. 113N, Range 66W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

E 1/2, Section 11-T113N-R66W.

This Application No. 4352-3 will be considered by the Water Rights Commission at the SDEA Auditorium, 411 E. Capitol, Pierre, SD upon the 31st day of January, 1979

at 10 AM. 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.

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.

WATER RIGHTS COMMISSION

Betty Vestlund,
Water Rights Specialist

RW:plh

cc: Roy Lee Sultman, At. #1, Wessington, SD 57381

No. 4352-3

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 of Miller

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

January 11, 1979

January 18, 1979

Robert H. McFarlane
(Signature)

Publisher
(Title)

January 18, 1979
(Date Signed)

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
No. 4352-3

Pierre, South Dakota 57501
January 3, 1979

Notice is hereby given that
Roy Lee Bultman whose post
office address is Wessington,
South Dakota, has made an
application in accordance with
the provisions of SDCL 46-1-1
thru 46-1-9, 46-1-14; 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, 46-6-3.1, 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
2.0 cubic feet of water per
second of time from ground-
water (one well) through the
Bultman No. 2 - to add an
additional point of diversion
on an existing permit of which is
to be located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 11, Twp. 113N, Range
66W. Said water to be used for
the purpose of providing irriga-
tion on portions of the following
described land: E $\frac{1}{2}$, Section
11-T113N-R66W.

This Application No. 4352-3
will be considered by the Water
Rights Commission at the SDEA
Auditorium, 411 E. Capitol,
Pierre, SD upon the 31st day of
January, 1979 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 Com-
mission decision who desires to
present evidence or cross-
examine witnesses according to
SDCL 1-26 may notify the Com-
mission in writing prior to the
hearing or orally at the hearing.

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. De-
cisions of the Commission may
be appealed to the Courts as
provided by law.

WATER RIGHTS
COMMISSION

Betty Westlund, Secretary
Water Rights Specialist
FPNO 17 LPNO 18



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6585

PIERRE, December 5, 1978

RECEIVED OF Roy Lee Bultman, Rt #1, Wessington SD 57381

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

Fee for Application for Permit to Appropriate Water No. 4352-3 (examination, processing, recording and filing)	150	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 filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch Chief Engineer, Executive Officer
JOHN HATCH RJW

Hardin County HN 53

S-6 HN-77-G HN 77 H

S-7 ^{Destroyed} HN-65-L

S-8 Destroyed

ST-1 ^{Destroyed} HN 65-2

ST-2 HN 65-3

HN-75 B HN 65 4

HN 75 C

HN 65 5

HN 75 D

HN 76 A

HN 76 B

HN 76 C

HN 76 D

HN 76 E

HN 77 A

HN 77 B

HN 77 C

HN 77 D

HN 77 E

HN 77 F

6-1-81 2:15 PM

Clyde Johnson Wessington S.D.
#58-2485 (lives in town)

well NW 14-113-66

Say Roy Veltman - ^(old man) 2486-3
all his art stick water

Said someone would check it out next
couple of days -

12-10-80

CLYDE JOHNSON LIVES IN
WESSINGTON.

458-2485
BACK OF FLOOD STATION (44166)

INDICATES BULTMAN IS PUMPING
FROM WELLS RIGHT ADJACENT
TO CREEK - HE RELIES ON
CREEK FOR STOCKWATERING
WANTS TO KNOW WHAT RECOURSE
HE HAS IF IRRIGATOR DRIES
UP CREEK - INDICATED THAT IT
WOULD BE TOUGH TO DO ANY
THING ABOUT GROUNDWATER
PERMITS DEPLETING SURFACE
WATER - WANTS TO KNOW IF
WE THINK A DUGOUT WOULD
SOLVE HIS PROBLEMS - WOULD
LIKE TO HAVE SOMEONE STOP
& VISIT HIM !! LOOK AT AREA -
- CALL DAY BEFORE -

No. _____

Post Office WESSINGTON, S.D.
Date MAY 16, 1981 - - -

Dear Sirs:

Water Right Permit No. 4352-3 states that the diversion system is to be constructed by FEB 1, 1984 and that the water is to be put to beneficial use by FEB 1, 1986.

The diversion system was completed on May 16, 1981.
Applying the water to beneficial use was completed on May 18,
1981.

Ray L. Bullock
(Signature)

2986-3

4352-3

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

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

February 17, 1989

Roy Lee Bultman
RR 2, Box 114
Wessington, SD 57381

Dear Mr. Bultman:

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;

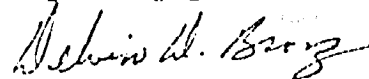


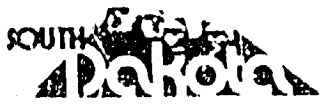
Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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



Department of Water & Natural Resources

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

5240-3

SEP 14 1989

Roy Lee Bultman
RR #2 Box 114
Wessington, SD 57381

Dear Mr. Bultman:

Enclosed is Water License No. 5240-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 411470 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. 5240-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 772-3352

enclosures

NOTE: The applicable portions of Water Permit Nos. 2986-3 and 4352-3 have been incorporated into this Water License No. 5240-3.