

Water Right No. 4523-3

1. Considered JULY 24 1980
2. Name of Applicant JAMES STUEFEN
3. Post Office Address ELKTON, S.D.
4. Amount of Water Claimed 1.7
5. source of Water Supply 37' WELL
6. Water to be used for IRR.
7. Acres to be irrigated 118 maximum
acre feet
8. Water to be diverted and used in MOODY County
about 3 1/2 E, 8 1/2 miles NORTH of FLANDREAU
9. PROOF OF PUBLICATION Received 7-3-80

Not Received

APPLICATION

Approved 7-24-80

Subject to WI & I.R.

Not Approved

Action deferred

Priority

Date

Received 4-4-80 Application Complete yes no FEE 225.00

4-4-80

Remarks

Date information and/or

fee or corrected Application received 4-14-80

Period of Annual use APRIL THRU OCTOBER

WATER
QUALITY

Received yes 5/13/80 no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes no Remarks

Disapproved

Returned

Diversion Point

NE⁴ NE⁴ - 7-108-47

Lands to be irrigated

NE⁴ 7-108-47

			*		

WELL
LOG

Remarks

Driller Clark Dr.

Licensed yes

no

Depth 37' well.

Water Right No. _____

MAP Map No. 3745-3 Map located in Water Right X Map file _____
 Type of Map Aerial Prepared by W. L. Wilson

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete. Number assigned and written up for advertisement before the Board on July 24, 1980. B. W. Wastland
 (Signed)

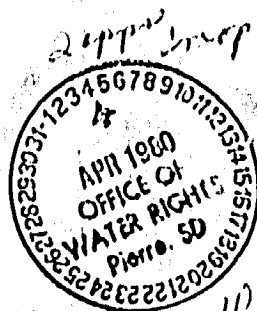
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PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
 F.F. & C Final Decision, including F.F. & C of Law were adopted _____
 OF LAW, Date _____
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision
 DECISIONS was adopted _____
 ETC. Remarks _____

Form 2 - Application for Permit to Appropriate Water-Original (Includes Approval and Permit)

No. 4523-3
 Map No. 3745-3 Water Division No. 3 BIG SIOUX District
 Above for Office Use 10170203



APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right ☐ Future Use ☐

Change in Diversion ☐ Additional Diversion ☐

Change in Acreage ☐ Additional Acreage ☐

- Name of Applicant James Stuefer Phone No. 573-2191
 Post Office Address 511 Broadway ST Elkton State S.D. 57026 (Zip Code)
 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 James Stuefer Irrigation Project #1
- Amount of water claimed (cubic feet per second) 1.7
- Source of water supply Well
- Location of point of diversion R25°N130°W at NE corner Sec. 7-108-47

- Annual period or periods during which water is to be used April 7 through October
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
- For irrigation use, Total number of acres to be irrigated 118

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.
NE 1/4 of NE 1/4 Sec. 7-108-47	37
NW 1/4 of NE 1/4 Sec. 7-108-47	13
SW 1/4 of NE 1/4 Sec. 7-108-47	33
SE 1/4 of NE 1/4 Sec. 7-108-47	36

Land Description	No. Acres Irr.

Attach sheet if more space is needed

- 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. Modeling
- Choice of county newspaper for publication of Notice of Intent to Appropriate Water Brackley Register
- Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
well 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 \$ 56,000

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)
) ss.
 County of Brackley)

I, James Stuefer 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 James Stuefer
22 day of March, 1960
John Sawicki
 Notary Public (or other qualified officer)

Subscribed and sworn to before me this

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 4523-3

JAMES STUEFFEN 518 BEAVER ST. ELKTON
(Applicant) (Post Office Address)
SOUTH DAKOTA 57026 With the following qualifications.
(State)

The irrigation well(s) 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.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application APRIL 4, 1980
Date of return to applicant for correction, amendments or changes required APRIL 4, 1980
Date of receipt of corrected application NO MAY 13, 1980
Approved JULY 24, 1980, Recorded in Book 21 Page 209

WATER RIGHT PERMIT NO. 4523-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4523-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 4, 1980
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 24, 1983
3. The whole of said work is to be completed on or before JULY 24, 1985
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 24, 1988
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 1.7 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 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 24, 1988; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 28th day of JULY, 1980

THE BOARD OF WATER MANAGEMENT

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

INVOICE NO. 1984

CLARK IRRIGATION
 W. Highway 7 905 S. Main
 Appleton, MN 56208 Brookings, SD 57006

(612) 289-2000

(605) 692-7332

JOB PHONE	DATE OF ORDER
	3/25/80
JOB NAME / LOCATION	
2 South 1 West	
1/4 north of Elkton	

TO	James Stuefen	PHONE
	Elkton, SD 542-2191	
		ORDER TAKEN BY

TERMS:

DESCRIPTION OF WORK					AMOUNT	
2' top soil						
1' sand						
37' gravel ground						
LABOR	HOURS	RATE	AMOUNT	TOTAL MATERIAL		
				TOTAL LABOR		
WORK ORDERED BY			DATE COMPLETED		TAX	
SIGNATURE (I hereby acknowledge the satisfactory completion of the above described work.)					Thank You! PAY THIS AMOUNT →	
Mickey Harvey						

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

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

D. Well Information

- (1) Drill Hole, Diameter 2 1/2", Depth 37'
- (2) Casing, Type Steel, Diameter 1 1/4", Thickness 3/16"
(wood, concrete, steel, etc)
- (3) Screen, Type Coarse Slat, Diameter 1 1/4", Length 15'
- (4) Gravel Pack, Thickness 4", Length of gravel pack Entire length

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

(1) Water Bearing Materials. (Attach a copy of test well log)

- Depth to top of water bearing material 7'
- Depth to bottom of water bearing material 37'
- Depth to water (ground surface to water level) 7'

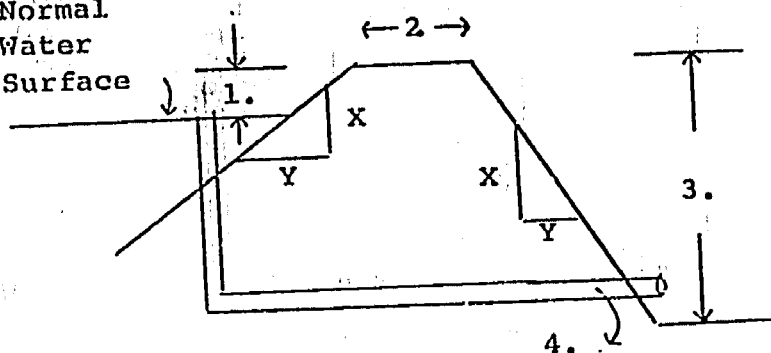
(2) Distance to nearest existing household or livestock watering well.

- On same owner's property No Supply 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.

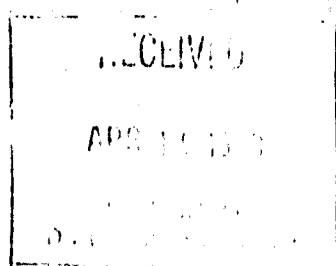
Normal
Water
Surface



1. Freeboard _____
2. Crest width _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
Drainage area above dam _____

James Stuefer
Signature: Applicant

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



OWNERS NAME: James S. L... OWNERS ADDRESS: ...
COUNTY LAND LOCATED IN: ... PHONE: ...
LAND'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.

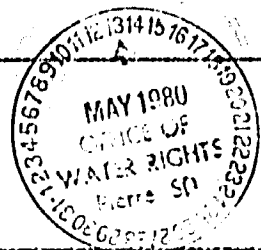
LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

WELL LOCATION OR DIVERSION POINT: NW 1/4, 1/4, NE 1/4
SURFACE WATER SOURCE: ... Total: 118 ac.
LOCATION OF AREA TO BE IRRIGATED: ...
INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)
TYPE OF IRRIGATION: (Show approximate acres under each type of system)

GRAVITY TOWLINE CENTER PIVOT GUN OTHER (Specify)
CROPS TO BE IRRIGATED
SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED:
LAND:
IN WHAT NAME:

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

SAMPLE NUMBER: SD-1
SALINITY (EC X 10⁶) 5
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 a sample was taken at 4:30 A.M./P.M., on 4/11/80, 1980, at the following location: ...

James S. L... (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 shall be acquired from Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the land 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 11 DAY OF APRIL, 1980.

(NOTARY PUBLIC)

James S. L...
APPLICANT'S SIGNATURE
Robert J. Williams
Director, Division of Conservation

☒ APPROVED
☐ DISAPPROVED
☐ CONDITIONALLY APPROVED

IMPORTANT

Approval 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 Right Commission.

—Approved—

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT James Stinson, Ellerton, SD, Deuel County

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than NA times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least NA inches of water.
3. ☒ Yes ☐ No Surface drainage suggested on any area that tends to pond water.
4. ☐ Yes ☐ No Subsurface drainage suggested on _____
5. ☐ Deep tillage (for the purpose of aiding movement of water through dense subsoils.

COMMENTS:

6. ☐ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application pivot (See map).

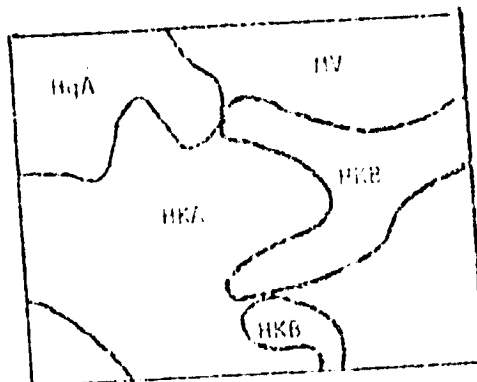
GENERAL COMMENTS:

Because most of your soils take water rapidly and tend to have a low water holding capacity, some crops may require frequent irrigations.

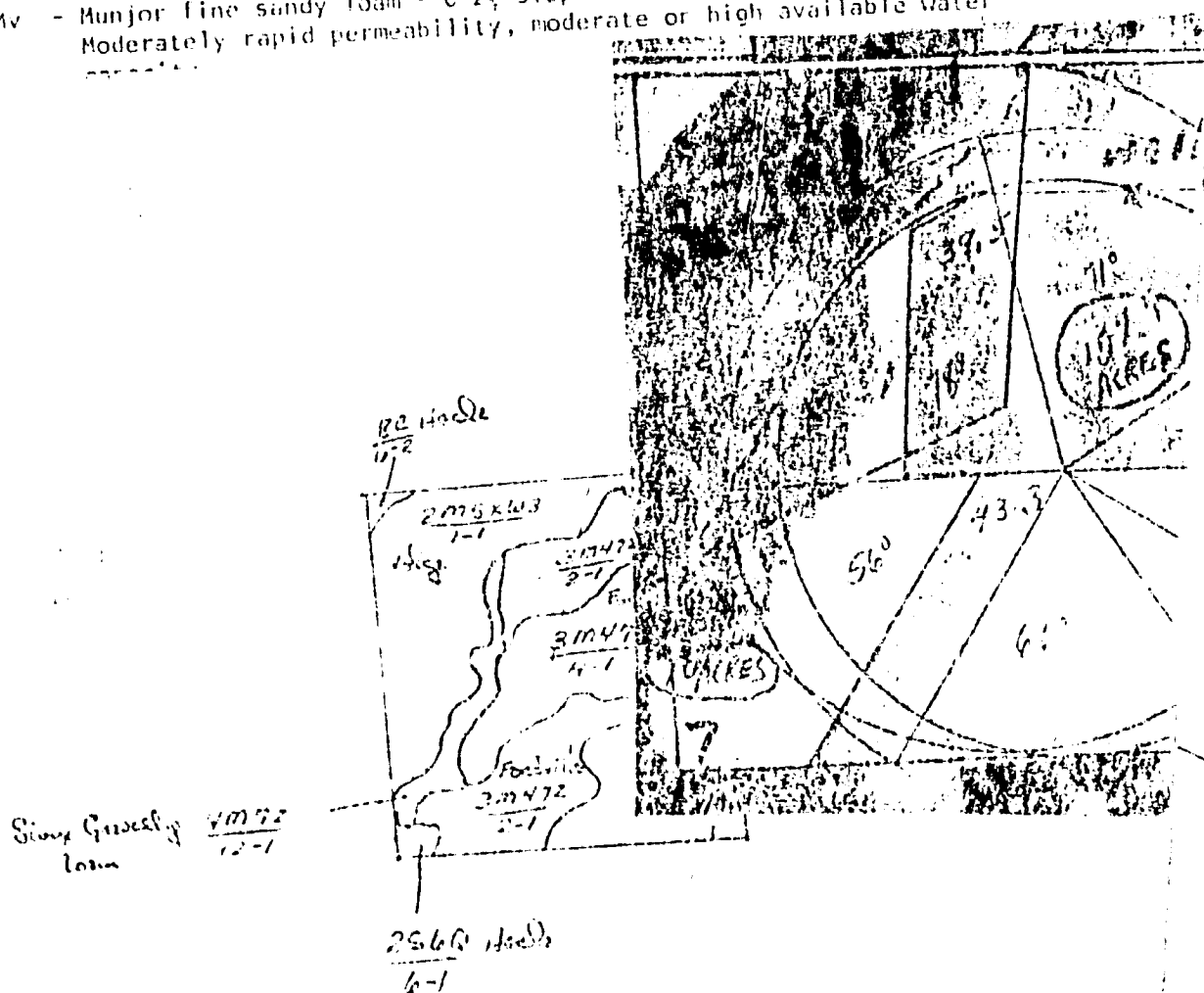
Copy to applicant
Copy to Water Rights
Copy on File

SOILS INFORMATION

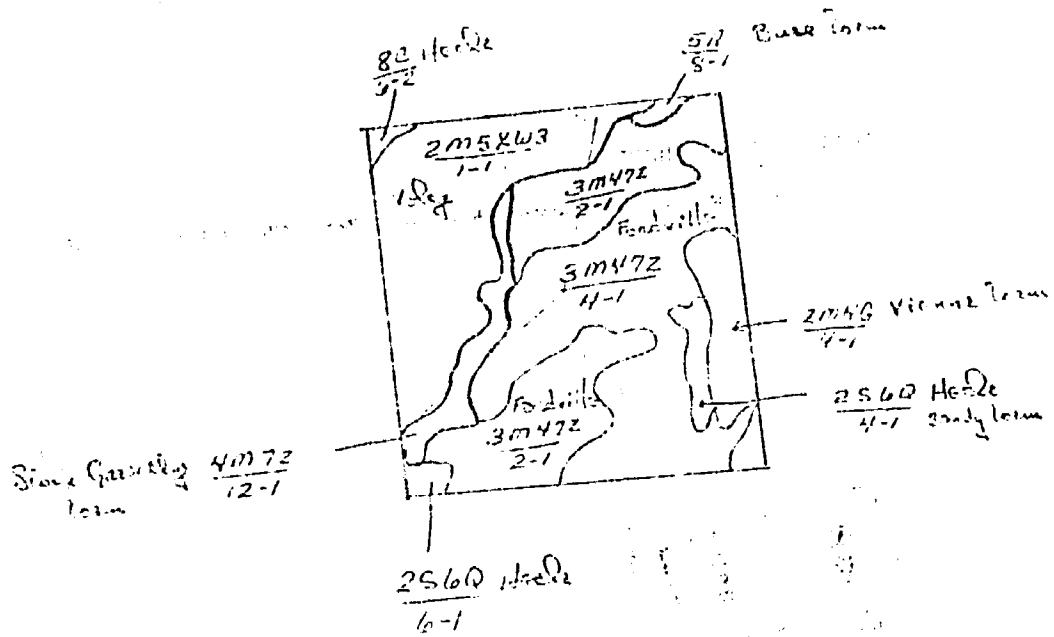
EXAMPLE



- HqA - Highmore - DeGrey silt loams - 0-2% slopes
DeGrey soils have a shallow clay-pan and have slow to very slow permeability generally not suitable for irrigation.
- HKA - Highmore - Eakin silt loams - 0-2% slopes
Soils have a high available water capacity and moderate permeability.
- HKB - Highmore - Eakin silt loams - 2-5% slopes
Same physical composition as HKA - moderate erosion problems.
- Hv - Munjor fine sandy loam - 0-2% slopes
Moderately rapid permeability, moderate or high available water capacity.



NE 1/4 7-108-47



NE 1/4 7-108-47

No. 4523-3

Publish first publication, on or before June 18, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 11, 1980

Notice is hereby given that James Stuefen whose post office address is Elkton, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 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 Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 1.7 cubic feet of water per second of time from groundwater

(one well) through the Stuefen Irr. Proj. #1, the point ~~of~~ of diversion of which is ~~(xxx)~~ to be located in the NE 1/4 NE 1/4

of Section 7, Twp. 108N, Range 47W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4 Section 7, T108N, R47W

This Application No. 4523-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Building
Church & Illinois, Pierre SD upon the 24th day of July, 1980

at 10 A. M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board 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 Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: **James Stuefen**
518 Deaver St.
Elkton SD 57026

BETTY WESTLUND
Water Rights Specialist

WNR-906A-7/79
GROUNDWATER

No. 4523-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Moody) ss.

I, Angela Nibbelink hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Moody County Enterprise

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 Flandreau of Flandreau

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

June 18, 1980

June 25, 1980

Angela Nibbelink
(Signature)

Bookkeeper
(Title)

July 2, 1980
(Date Signed)

NOTICE OF HEARING ON APPLICATION
TO APPROPRIATE WATER

Pierre, South Dakota 57501
June 11, 1980

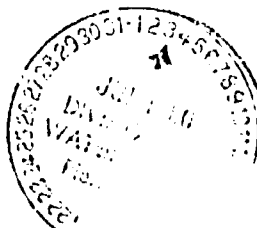
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This Application No. 4523-3 will be considered by the Water Management Board at Meeting Room No. 1, Kneip Building, Church and Illinois, Pierre, SD upon the 24th day of July, 1980 at 10 a.m. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

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Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD
Betty Westlund
Water Rights Specialist
(June 18-25)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

N^o 4 7454

April 14

80

PIERRE,

19

RECEIVED OF James Stuefen, 514 Beaver St., Elkton SD 57026

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

Fee for Application for Permit to Appropriate Water No. <u>4523-3</u> (examination, processing, recording and filing) -----	225	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	225	00

WATER RIGHTS COMMISSION

By: John H. Hatcher
Chief Engineer, Executive Officer
JOHN H. HATCHER

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office ElktonDate 6-20-81

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 4523-3.

Water Right Permit No. 4523-3 states that the diversion system is to be constructed by 7-24-85, and that the water is put to beneficial use by 7-24-88.

The diversion system was completed on 1-28-81. Applying the water to beneficial use was completed on 2-19-81.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Jeanie Stuebe
(Signature)

#4523-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

James Stuefen
518 Beaver St
Elkton, SD 57026

Dear Mr. Stuefen:

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;

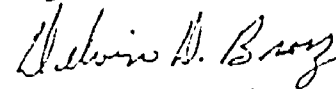


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4523-3

(1) James Stuefen, PO Box 94, Elkton, SD 57026-0094 made Application No. 4523-3, April 4, 1980 for a water permit to divert 1.70 cubic feet of water per second from ground water (one well), Moody County, South Dakota for irrigation purposes. Permit No. 4523-3, with a priority date of April 4, 1980 was approved July 24, 1980 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 24, 1985 and for the application to beneficial use of said water on or before July 24, 1988.

Water Permit No. 4523-3 authorized construction of one well to be located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, T108N, R47W. A June 11, 1996, investigation of the water use system found two wells had been developed in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7. Pursuant to SDCL 46-5-13.1, the Chief Engineer made a finding that the change in location and the additional well does not increase the potential for interference with existing diversions.

(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 1.00 cubic feet of water per second for beneficial use. The location of the diversion points are Main well - 1,175'S and 1,350'W; helper well - 900'S and 1,425'W; both from the NE corner of Section 7, T108N, R47W (NW $\frac{1}{4}$ NE $\frac{1}{4}$).

(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 71 acres - all in Section 7, T108N, R47W:

NE $\frac{1}{4}$ NE $\frac{1}{4}$	14 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	4 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	16 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	37 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 James Stuefen, PO Box 94, Elkton, SD 57026-0094 the holder and/or owner of Water Permit No. 4523-3 is issued a license to appropriate water, the right to use 1.00 cubic feet of water per second from ground water (two wells) with a priority date of April 4, 1980 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 Water Permit No. 4523-3 and subject to South Dakota State Law.

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

OCT 16 1996
date



Permit No. 4523-3
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, June 11, 1996, made a thorough examination of the water use system constructed by James Stuefen of 518 Beaver Street, Elkton SD 57026 holder of Permit No. 4523-3, bearing the priority of April 4, 1980 authorizing the diversion of 1.70 cu. ft. per second of the waters of ground water for irrigation purposes in Moody County.

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

A. Works used to divert the water:

Pump:

- 1) Make Western Land Roller
- 2) Model no plate

Motor:

- 1) Make US Electrical
- 2) Model No. 286TPH
- 3) Horsepower rating 30 hp

Helper Motor/Pump:

- 1) Make Unknown
- 2) Model submersible
- 3) Size 2 HP

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

- | | | |
|--------------------|-------------------------|---------------------------|
| 1) Type <u>PVC</u> | 2) Size <u>6</u> inches | 3) Length <u>660</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>2</u> inches | 3) Length <u>300</u> feet |

C. Works used to apply water to beneficial use:

Center pivot:

- | | |
|------------------------------|---------------------------------------|
| 1) Make <u>Valley</u> | 4) High or low pressure <u>50</u> psi |
| 2) Number of towers <u>5</u> | 5) Capacity <u>450</u> GPM |
| 3) End gun <u>X</u> | |

The system is in the following condition: good. The point of diversion is located: Main well: 1.175 feet S and 1.350 feet W; Helper well: 900 feet S and 1.425 feet W; both from the NE corner section 7-T108N-R47W (NW¼NE¼). The works are capable of diverting and conveying to the place of use 1.00 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:

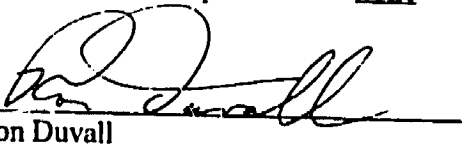
All in section 7-T108N-R47W

<u>NE¼NE¼</u> 14 acres	<u>SW¼NE¼</u> 16 acres
<u>NW¼NE¼</u> 4 acres	<u>SE¼NE¼</u> 37 acres

comprising a total of 71 acres of land and the license should be issued for 1.00 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none Date report completed: July 24, 1996


 Ron Duvall

Natural Resources Engineer
 DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 4523-3

DATE OF INVESTIGATION:	June 11, 1996
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	James Stuefen
NAME & ADDRESS OF PERMIT HOLDER	James Stuefen 518 Beaver Street Elkton SD 57026
DIVERSION POINT LEGAL LOCATION	Main well: 1,175 feet S and 1,350 feet W Helper well: 900 feet S and 1,425 feet W both from the NE corner section 7-T108N-R47W (NW $\frac{1}{4}$ NE $\frac{1}{4}$)

Other permit(s) associated with the project: **none**

WELL INFORMATION:

- 1) Well Drilling Firm: Lacey Well Drilling
- 2) No. of Wells **2**
- 3) Depth(s) **34 (main) 27 (helper)** feet
- 4) Well log is available Y (for main well)
- 5) Comment: Received written description of helper well from Lacey

Main Well Casing:

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

Helper Well Casing:

- 1) Diameter **8** inches
- 2) Length **26** feet
- 3) Type PVC

Pump (main well):

- 1) Make Western Land Roller
- 2) Model no plate

Main Well Screen:

- 1) Type low carbon steel (has been rescreened)
- 2) Length unknown feet
- 3) Static water level **12** feet

Helper Well Screen:

- 1) Type Stainless steel
- 2) Length **2** feet
- 3) Static water level **8** feet

Motor (main well):

- 1) Make US Electrical
- 2) Model No. 286TPH
- 3) Horsepower rating 30 hp

Motor/Pump (helper well):

- 1) Make Unknown
- 2) Model submersible
- 3) Size 2 HP

DISTRIBUTION LINES OR CANALS:

- | | | |
|--------------------|-------------------------|---------------------------|
| 1) Type <u>PVC</u> | 2) Size <u>6</u> inches | 3) Length <u>660</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>2</u> inches | 3) Length <u>300</u> feet |

SYSTEM TYPE:

Center pivot:

- 1) Make Valley
- 2) Number of towers 5
- 3) End gun Y
- 4) High or low pressure 50 psi
- 5) Capacity 450 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y
- 2) Main line check valve Y
- 3) Inspection port/air relief Y
- 4) Low pressure drain Y
- 5) Discharge is 20' from source Y
- 6) Interlock type electrical
- 7) Injection pump type piston
- 8) Injection check valve Y
- 9) Injection line check valve or positive displacement pump Y
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y
- 11) Comments: Need hose to ensure discharge from low pressure drain is 20 feet from source

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

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

NAME: James Stuefen

ADDRESS: 518 Beaver St, Elkton SD 57026

DATE: July 24, 1996

COUNTY: Moody

RE: Addition of Well to Water License and Location Correction

BACKGROUND:

Water Permit No. 4523-3 was approved on July 24, 1980, for construction of one well to be located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ section 7-T108N-R47W to irrigate 118 acres. According to No. 4523-3, works were to be completed by July 24, 1985. An investigation of the permit on June 11, 1996, found two wells developed in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ section 7 to irrigate 71 acres. A well completion report filed by Lacey Well Drilling indicated that the main irrigation well was completed in December of 1980. No well completion report is on file for the other well, but information received from Lacey Drilling indicates the well was completed in 1982. Both wells are located approximately 800 feet from the location described on the permit application and map.

INTERVIEW:

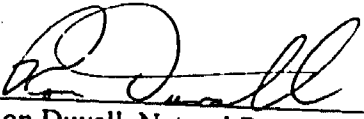
James Stuefen indicated that the second (helper) well was constructed by Lacey Drilling following construction of the main well. The main well needed to be rescreened which slightly reduced production and resulted in pumping air. Therefore, a helper well was constructed to provide sufficient water to operate the irrigation system. No complaints have been received concerning use of the irrigation wells.

RECORDS REVIEW:

A review of the Moody county file found no complaints concerning well interference or any other concerns in reference to water use under No. 4523-3. The nearest other well (Water Permit No. 2574-3, Lowell Christensen), is located approximately 7,000 feet from the two wells developed under No. 4523-3.

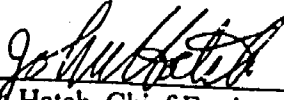
RECOMMENDED ACTION:

According to Mr. Stuefen and Lacey Drilling, the helper well was constructed within the construction period authorized by No. 4523-3 and no record exists of any well interference problems. The developed diversion rate of 1.00 cfs is less than the 1.7 cfs authorized by the permit. Pursuant to SDCL 46-5-13.1, it is recommended that the additional well be added to the water license without application or publication. In addition, it is recommended that the permitted location of the wells be changed from the NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the NW $\frac{1}{4}$ NE $\frac{1}{4}$ section 7-T108N-R47W.


 Ron Duvall, Natural Resources Engineer
 Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-13.1 that:

This change in location does not increase the potential for interference with existing diversions. In making this finding, "does not increase the potential for interference" is interpreted to mean potential for adverse interference.


 John Hatch, Chief Engineer
 Water Rights Program

8-7-96

In Water Since 1946

LACEY WELL DRILLING

RR 1 Box 24

Dell Rapids, South Dakota 57022

Telephone (605) 428-5979

Wells
Dewatering Work
Test Drilling

Pumps
Water Specialists
Irrigation Supplies

Water Rights

7-24-96

Our records show the 'helped'
well drilled for JAMES STUFEN
7-22-82 AS HAVING BEEN FILED.

0-2 top soil, 2-15 sand 15-27' GRAVEL
S.W. 8' SET 2' x 8" S.S. SCREEN
AND 26' OF 8" C/160 PVC
CASING.

hope this helps,



Jim
Lacey



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 8, 1996

4523-3

James Stuefen
518 Beaver St.
Elkton, SD 57026

Dear Mr. Stuefen:

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 No. 4523-3, has been completed. Your final water right document, the Water License, can now be issued.

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

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

OCT 16 1996

4523-3

James Stuefen
PO Box 94
Elkton, SD 57026-0094

Dear Mr. Stuefen:

Enclosed is Water License No. 4523-3. This is the final water right document completing your process of obtaining a water right. Also enclosed, is your Receipt No. 415045 in the amount of \$50.00 which you paid for the investigation and issuance of the water license.

For your information, SDCL 46-5-27 requires that if the owner of an existing well, such as those authorized by Water Right No. 4523-3, constructs a replacement well and does not plan to use the old well(s), 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 under ground or at the surface.

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

Very truly yours,

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

gm
enclosures

NOTE: The field investigation of your water use system included a review of your chemigation equipment. The on-site equipment appeared to be installed properly. However, in order to comply with chemigation rules, a hose will need to be installed to ensure discharge from the low pressure drain is 20 feet from the well.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

4523-3
415045

Pierre, _____ August 12, 19 96

RECEIVED OF James Stuefen, Stuefen Farms, P.O. Box 94, Elkton, SD 57086

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

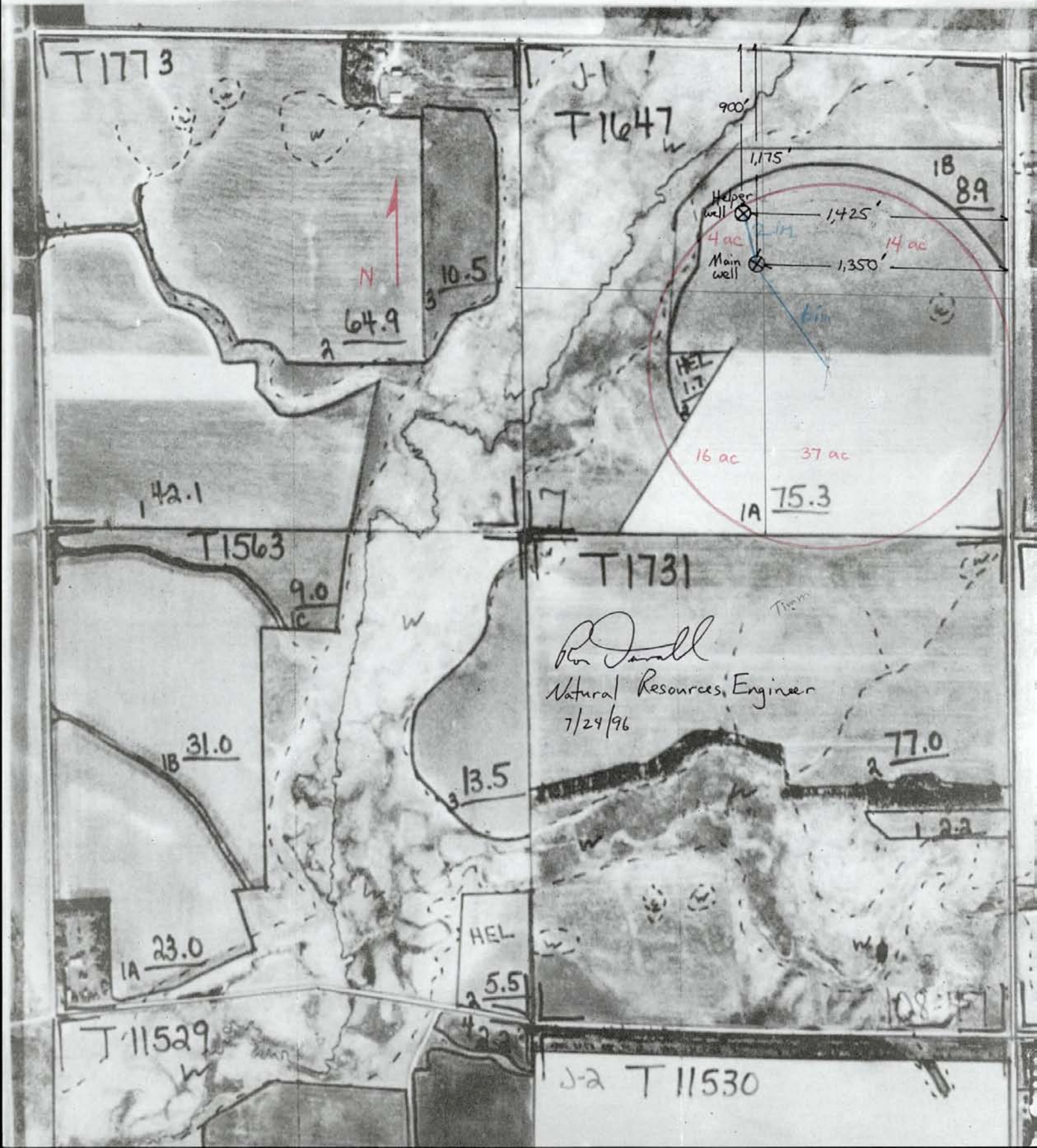
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4523-3</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 Hatch
Chief Engineer

4523-3

NOT TO SCALE



NOT TO SCALE

108-47

1073

James Stuefen
Irrigation Project #1
Edkton S. Dak

2.6

well 925' N 130° W

90 ACRES

7

77.0

10.4

108-47

5.5

14.6

4-2-80

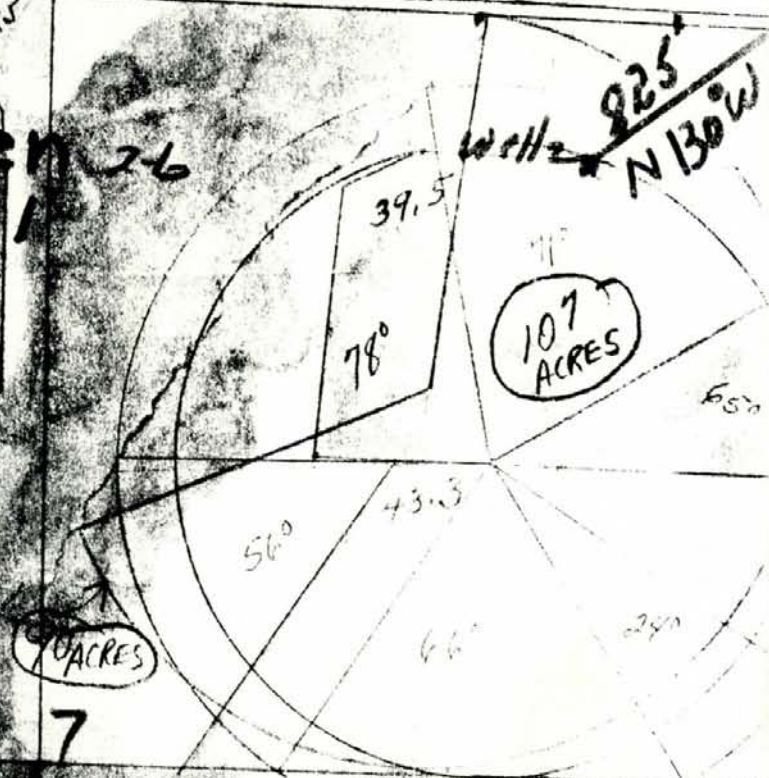
John Swenson

Appl No. 3745-3 appl 4523-3

NOT TO SCALE

108-47

James Stuefen 26
Irrigation Project #1
Edkton S. Dak



7

17.0

108-47

5.5

14.6

4-2-80

John Williams

Map # 3745-3 Appl. 4523-3

NOT TO SCALE

4523-3

108-47

124.9

W-R

39.5

43.3

7

77.0

19.3

45.5

2.2

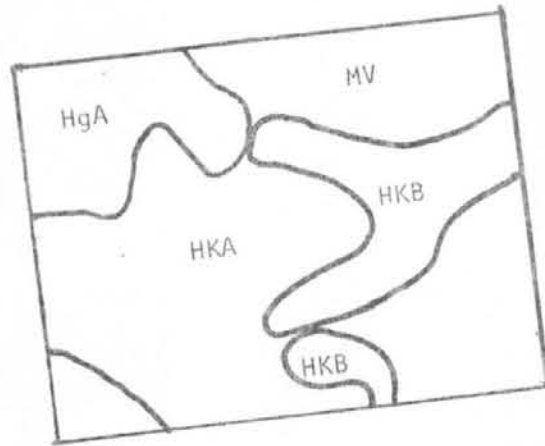
108-47

3.4

James Stuefer

SOILS INFORMATION

EXAMPLE



HgA - Highmore - DeGrey silt loams - 0-2% slopes
DeGrey soils have a shallow clay-pan and have slow to very slow permeability generally not suitable for irrigation.

HKA - Highmore - Eakin silt loams - 0-2% slopes
Soils have a high available water capacity and moderate permeability.

HKB - Highmore - Eakin silt loams - 2-5% slopes
Same physical composition as HKA - moderate erosion problems.

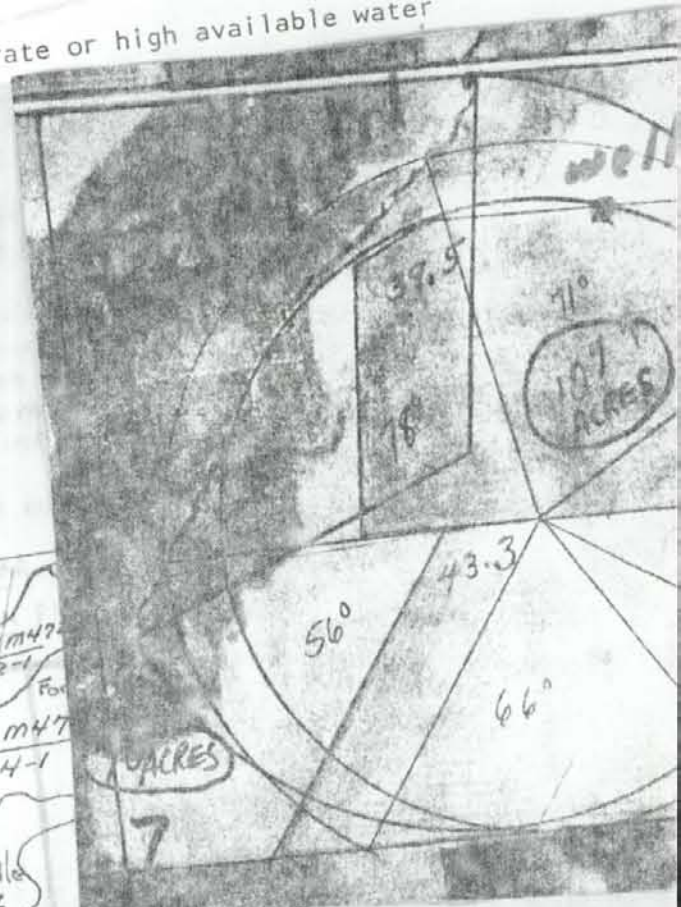
Mv - Munjor fine sandy loam - 0-2% slopes
Moderately rapid permeability, moderate or high available water capacity.

Residents of counties within the
Conservation District for
various subdivisions of land.

Residents of counties within the
Conservation District for
various subdivisions of land.

NOTE: If at all possible, the
obtaining of information from the
Conservation District for the
various subdivisions of land.

PLEASE READ LEGAL DESCRIPTION



NE 1/4 7-108-47

narrative explanation of the soil
 Results of samples with no more data than the information on shall
 Co. Service or their local Co. Service to obtain the
 If soil survey information on is not available the applicant
 Information from a private or public soil survey



NE $\frac{1}{4}$ 7-108-47

South Dakota
 This Document
 Copied At State Expense

PLEASE USE THIS INFORMATION TO ADVISE



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 4th, 2025

4523-3

Corey Stuefen
PO Box 93
Elkton, SD 57026

Dear Mr. Stuefen:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters.

After speaking with you, you indicated that you were the new Owner of this Water right. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosures

PAID

DEC 15 2025

Ck# 10024

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 4523-3

Date: 12/8/25

RECEIVED

DEC 16 2025

I/We request that Water Right/Permit No. 4523-3 formerly owned by:
James Stuefen

be transferred to:
OFFICE OF
WATER

New Owner Name: Cory Stuefen

Address: R.R. Box 83

mobile: 605-690-1246

City, State, Zip SIKTON SD 57026

email: cstuefen@tcl.com

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

71 acres, all located in Section 7, T108N, R47W
NE1/4 NE1/4 - 14 acres
NW1/4 NE1/4 - 4 acres
SW1/4 NE1/4 - 16 acres
SE1/4 NE1/4 - 37 acres

- ☒ I understand that the validity of Water Right/Permit No. 4523-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Cory Stuefen, the new owner, certify that the above information is true and correct.



(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

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

RECEIPT

WATER RIGHTS PROGRAM

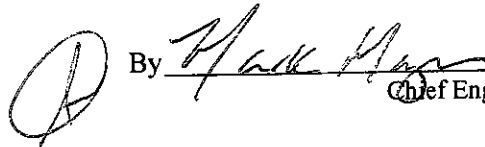
South Dakota Department of Agriculture and Natural Resources

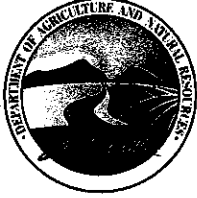
Date December 15, 2025

RECEIVED OF Cory Stuefen PO Box 93 Elkton SD 57026

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. _____	\$ _____
Fee for Filing Transfer Form #4523-3 _____	\$50.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$50.00

By  _____
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 22nd, 2025

4523-3

Cory Stuefen
PO Box 93
Elkton, SD 57026

Dear Mr. Stuefen:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fees you submitted for Water Right No. 4523-3. Enclosed is a receipt of payment for your records.

Water Right No. 4523-3 previously held by James Stuefen is now listed under Cory Stuefen. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right No. 4523-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure