

Considered 3-1 1981

2. Name of Applicant DELMAR FAWCETT
3. Post Office Address RR 1, Box 53, REE HEIGHTS, 57371
4. Amount of Water Claimed 1.43
5. Source of Water Supply 93' WELL
6. Water to be used for IRR.
7. Acres to be irrigated 100 maximum acre feet
8. Water to be diverted and used in HAND County
about 6S, 2W miles of REE HEIGHTS
9. PROOF OF PUBLICATION Received 4-27-81

Not Received _____

APPLICATION

Approved _____

Subject to _____

Not Approved _____

Action deferred _____

Priority

Date

Received 3-5-81 Application Complete yes _____ no _____ FEE 225.00

Remarks _____

Date information and/or
fee or corrected Application received _____

Period of Annual use APRIL THRU OCTOBER

WATER
QUALITY

Received yes 4/10/81 no _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes () no _____ Remarks _____

Disapproved _____

Returned _____

Diversion Point _____

SW⁴ SE⁴ 10-111-70

Lands to be irrigated _____

S¹/₂ SW⁴ and W¹/₂ SE¹

10-111-70

WELL
LOG

Remarks _____

Driller Huron Dist. Licensed () no _____

Depth 93' deep

Water Right No. _____

MAP Map No. 3898-3 Map located in Water Right X Map file _____
Type of Map Aerial Prepared by SCS

+++++

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 5-1-81.
B. Swetland
(Signed)

+++++

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 _____



No. 4688-3
 Map No. 3898-3 Water Division No. 3 MISSOURI RIVER District
 Above for Office Use 10140105

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 ✓

1. Name of Applicant Delmar Fawcett Phone No. 943-5685
 Post Office Address RR1 Box 53 Rec Heights State So. Dak 57371
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Combination3. Name of diversion work Delmar Fawcett Irrigation Project # 24. Amount of water claimed (cubic feet per second) 1.43 cu foot MAX ALLOWABLE5. Source of water supply Well6. Location of point of diversion 2400' W - 800' N of SE Corner
Section 10, 11, 70County HAND7. Annual period or periods during which water is to be used April thru Oct8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, _____ Total number of acres to be irrigated 100

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.
<u>SE 1/4 of SW 10-111-70</u>	<u>30</u>
<u>SW 1/4 of SW 10-111-70</u>	<u>30</u>
<u>SW 1/4 of SW 10-111-70</u>	<u>30</u>
<u>SW 1/4 of SW 10-111-70</u>	<u>30</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 1 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Nibbler Press

12. Principal Features of the Proposed Water Supply System.

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

Turbine Pump

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

Underground pipe
Some above ground

C. Works proposed to apply water to beneficial use.

Center Pivot - two linesEstimated Total Cost \$4,000

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 Hand) ss.I, Delmar Fawcett, 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 Delmar FawcettSubscribed and sworn to before me this 4 day of March, 19 87John D. Stennard

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4688-3

DELMAR FAWCETT

RT #1, Box 53

REE HEIGHTS

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57371

(State)

With the following qualifications

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.

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

Date of first receipt of application MARCH 5, 1981
 Date of return to applicant for correction, amendments or changes required MARCH 9, 1981
 Date of receipt of corrected application APRIL 10, 1981
 Approved MAY 1, 1981, Recorded in Book 22 Page 132

WATER RIGHT PERMIT NO. 4688-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4688-3 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 MARCH 5, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 1, 1982
3. The whole of said work is to be completed on or before MAY 1, 1983
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 1, 1984
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 1.5 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 MAY 1, 1984, said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 19th day of MAY, 1981

THE WATER MANAGEMENT BOARD

By:

John H. Sch
 Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Delmar Fawcett
Recheights, So. Dak.

FIELD PUMPING TEST
Water Level Measurements

Well No. _____

Location: _____

Date: _____

15" Plastic Well 93' deep Pump set 85'

Measurement 1' above ground level

Time of Measurement	Elapsed Time - Minutes	Tape Measurement		Elec. Elev. of Marker Inches	Depth of Water Feet	Draw-down Feet	Pumping Rate GPM	REMARKS
		Mark Held Ft	Wetted Port. Inches					
9:00	9:15 Start		Static	14'4"				
9:20					46'9"	32'5"	418	Cloudy
9:30					49'3"	34'11"		Cloudy
9:40					52'11"	38'7"		Clear
9:50					54'7"	40'3"		Clear
10:00					54'6"	40'2"		Clear
10:15					56'8"	42'4"	383	Clear
10:30					57'	42'8"		Clear
10:45					58'	43'8"	362	Clear
11:00					58'	43'8"	362	Clear
11:15					58'6"	44'2"	362	Clear
11:30					59'1"	44'9"	346	Clear
11:45					59'3"	44'11"	346	Clear
12:00					59'	45'3"	346	Clear
12:30					60'1"	45'9"	346	Clear
1:00					61'3"	46'11"	346	Clear
2:00					61'	46'8"	346	Clear
2:30					71'2"	57'4"	414	Clear
3:00					72'6"	58'2"	414	Clear
3:30					72'5"	58'1"	408	Clear
4:00					72'11"	58'7"	408	Clear
4:30					79'8"	65'2"	449	Clear
5:00					80'2"	65'8"	449	Clear
5:30					80'9"	66'3"	446	Clear

D Well Information

- (1) Drill Hole, Diameter 28", Depth 93'
- (2) Casing, Type PVC Plastic, Diameter 15", Thickness _____
(wood, concrete, steel, etc)
- (3) Screen, Type Jensen Stainless, Diameter 16", Length 20'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 93 ft

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)

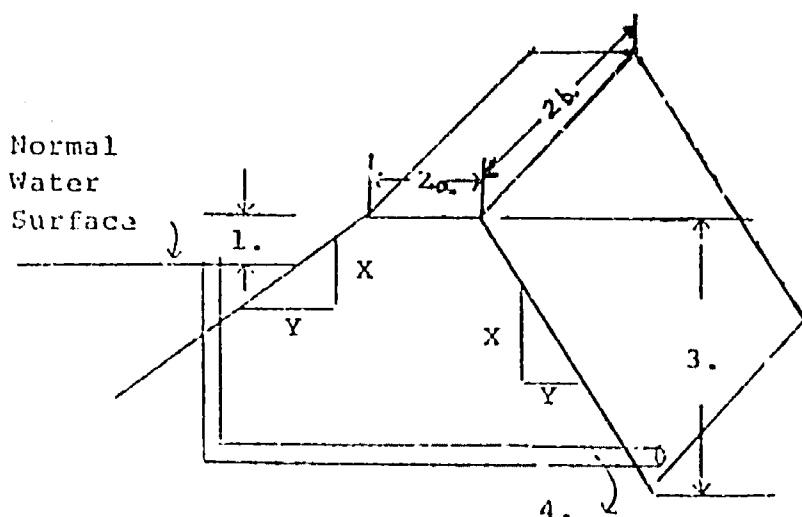
Depth to top of water bearing material 40'
 Depth to bottom of water bearing material 93'
 Depth to water (ground surface to water level) 14' 4"

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

On same owner's property 116 rds.
 On property owned by others 208 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.



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

Delmar Fawcett
 Signature of Applicant

CONSERVATION COMMISSION

Office Use Only

1/1 FORM
3/80

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

4688-3

OWNERS NAME: Behmer Fawcett OWNERS ADDRESS: RR1 Box 53
Ree Heights, S.D. 57371
 COUNTY LAND LOCATED IN: Hand PHONE: 943-5685
 TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, If a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

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

1. WELL LOCATION OR DIVERSION POINT: 2400' W - Sec 10 N of SE Corner
Sec 10 - 10-11-70
 2. SURFACE WATER SOURCE: _____
 3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
SW 1/4 of SW 10-11-70	30		
SW 1/4 of SW 14-10-11-70	30		
SW 1/4 of SW 1/2 of SE 10-11-70	70		
SW 1/4 of SW 1/2 of SE 10-11-70	70		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify) _____
 5. CROPS TO BE IRRIGATED: Alfalfa - Sudan Grass
 6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1968
 LEGAL DESCRIPTION: Permit No 1550-3
 IN WHAT NAME: Behmer Fawcett

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

7. WATER SAMPLE NUMBER: 80-974
 8. SALINITY (EC X 10⁶): 1304
 9. SODIUM (SAR): 1.60
 10. ADJUSTED (SAR): 4.20 (.7) 2.94

RECEIVED

SDSU

South Dakota
Division of Conservation

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 instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on 11-18-80, 19____, at the following location: Sec 10 - 10-11-70 by Beattie Fawcett (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 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

4 DAY OF November, 1981

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

IMPORTANT

Action of the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

Conditional

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

HeA - Harriet Complex,
PrD - Promiss Silt, clay

These soils contain concentrations of salts and have very slow permeability and intake rates.

These soils are indicated by red hatch marks.

RECOMMENDED MANAGEMENT:

Publish first publication, on or before April 16, 1931NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 10, 1931

Notice is hereby given that Delmar Fawcett whose post office address is Reo Heights, 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 1.43 cubic feet of water per second of time from groundwater (one well) through the Delmar Fawcett Irr Pro #2, the point(s) of diversion of which is (~~are~~) to be located in the SW 1/4 SE 1/4

of Section 10, Twp. 111N, Range 70W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S 1/2 SW 1/4 and W 1/2 SE 1/4, Section 10, T110N, R70W

This Application No. 4038-3 will be considered by the Water Management Board at Civil Defence Room, State Capitol Bldg., Pierre SD upon the 1st day of May, 1931 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, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Delmar Fawcett
Rt #1, Box 53
Reo Heights SD 57371

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

No. 4688-3

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 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:

April 16, 1981

April 23, 1981

Robert H. McFarlane
(Signature)

Publisher
(Title)

4-24-81
(Date Signed)

Cost of Printing: 21.98

No. 4688-3
NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
April 10, 1981

Notice is hereby given that
Delmar Fawcett whose post
office address is Ree Heights,
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
APSD 52:01:01:01 thru 52:01:
01:13, for a permit to appro-
priate for beneficial use 1.43
cubic feet of water per second
of time from groundwater (one
well) through the Delmar Faw-
cett Irr. Pro. No. 2, the point of
diversion of which is to be
located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
Section 10, Twp. 111N, Range
70W. Said water to be used for
the purpose of providing irriga-
tion on portions of the follow-
ing described land: S $\frac{1}{2}$, SW $\frac{1}{4}$
and W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 10,
T110N, R70W.

This Application No. 4688-3
will be considered by the
Water Management Board at
Civil Defense Room, State
Capitol Bldg., Pierre, SD upon
the 1st day of May, 1981 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 hear-
ing.

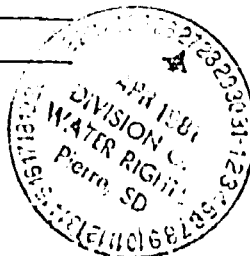
This hearing is an adversary
proceeding. Any person has the
right to be present or to be
represented by a lawyer. These
and other due process rights
will be forfeited if they are not
exercised at the hearing.
Decisions of the Board may be
appealed to the Courts as pro-
vided by law.

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 hear-
ing.

WATER MANAGEMENT
BOARD

Beity Westlund
Water Rights Specialist

FPNO 31 LPNO 22



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

NO 4 8069

March 13, 1981

PIERRE,

Delmar Fawcett, RR 1, Box 53, Ree Heights, SD 57371

RECEIVED OF

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

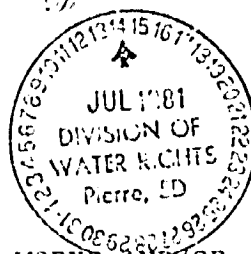
Fee for Application for Permit to Appropriate Water No. 4688-3 (examination, processing, recording and filing)	22.00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.	
Fee for Inspecting Beneficial Use, and Issuing Water License No.	
Fee for issuing Location Certificate-Dry Draw, 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	224.00

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer

JOHN HATCH / 64

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Rice HeightsDate July 11, 1981

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.

4688-3

Water Right Permit No. 4688-3 states that the diversion system is to be constructed by May 1-83, and that the water is put to beneficial use by May 1-84.

The diversion system was completed on June 18, 1981. Applying the water to beneficial use was completed on June 23, 1981

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.

Delmar Stewart
(Signature)



Department of Water & Natural Resources

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

5245-3

SEP 14 1989

Delmar Fawcett
RR #1 Box 53
Ree Heights, SD 57371

Dear Mr. Fawcett:

Enclosed is Water License No. 5245-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 4118:4 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. 5245-3, 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) 773-3352

enclosures

NOTE: The applicable portions of Water Permit No. 4688-3 have been incorporated into Water License No. 5245-3.