

1. Considered May 27 19 81 188
2. Name of Applicant Melvin Walz
3. Post Office Address Wakonda 57073
4. Amount of Water Claimed .57
5. Source of Water Supply 135' well, existing on W/L 2944-3
6. Water to be used for IRR
7. Acres to be irrigated 40 additional maximum acre feet
8. Water to be diverted and used in (145) Clay County
about 13S, 2W miles of Centerville

9. PROOF OF PUBLICATION Received 5-18-81
Not Received
- APPLICATION Approved 5/27/81
Subject to W-E-I-Q
Not Approved
Action deferred

Priority Date
3/23/81 Received 3/23/81 Application Complete yes no FEE 150.00

Remarks

WATER
QUALITY

Date information and/or
fee or corrected Application received
Period of Annual use May - October
Received yes 4/10/81 no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes no Remarks

Disapproved

Returned

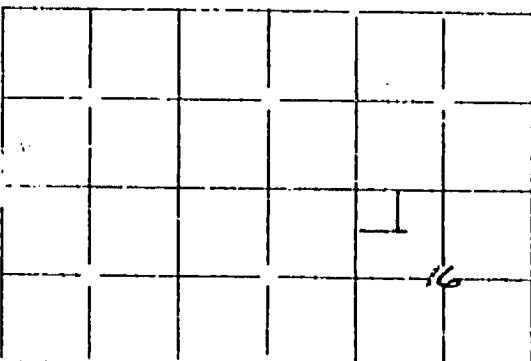
Diversion point

Approximate Center of the

NE 1/4, Sec. 16-94-52

Lands to be irrigated

NW 1/4 NE 1/4, 16-94-52, to add
additional acreage on an existing water right



WELL
LOG

Remarks The Log is on Form 2A, existing since 1976, the original
permit No. 2944-3 has been licensed

Driller unknown Licensed yes no

Depth 135' deep

MAP Map No. 2276-3 Map located in Water Right xx Map file _____
 Type of Map Aerial Prepared by Wiersma

+++++

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 4/27/81

Betty R. Williams
 (Signed)

+++++

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

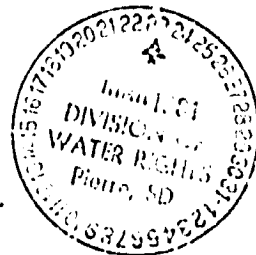
REMARKS Date
 F.F. & C Final Decision, including F.F. & C of Law were adopted _____
 OF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision
 DECISIONS was adopted _____
 ETC.

Remarks _____

*651-1 was in
 a different name
 & was not catch
 by name*

No. 4731-3
 Map No. 2276-3 Water Division No. 3 VERMILLION RIVER District
 (Blanks to be Filled by the Engineer for the W. R. C.)

101 70102



APPLICATION FOR PERMIT

ADD'L ACCEGE ON 2944-3

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Melvin Walz 267-2427
 Postoffice address Wakonda, State South Dakota
 If a corporation show date and place of incorporation NA
 2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
 3. Name of diversion work Melvin Walz, Irrigation Project #1
 4. Amount of water claimed (cubic feet per second) 4.5 CFS .57 ADD'L
 5. Source of water supply ground water
 6. Location of point of diversion 253 rods N 109° E of NW corner - Sec. 16-94-52
 County CLAY

7. Annual period or periods during which water is to be used May-October
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
 9. For irrigation use, Total number of acres to be irrigated 445 + 0

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>NE 1/4 NE 1/4 16-94-52</u>	<u>35</u>		
<u>SE 1/4 NE 1/4 16-94-52</u>	<u>35</u>		
<u>SW 1/4 NE 1/4 16-94-52</u>	<u>35</u>		
<u>NW 1/4 NE 1/4 16-94-52</u>	<u>40</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system done 1 years. Additional time required to complete application of water to the proposed beneficial use 40 additional acres off original well.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Plain Talk
 12. Principal Features of the Proposed Water Supply System.

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

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

well near center of pivot

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ no additional cost
original \$40,000

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 Clay

I, Melvin Walz 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

Subscribed and sworn to before me this 19th day of March 1981

Patricia S. Gorseth
 Notary Public (or other qualified officer)

PATRICIA S. GORSETH
 Notary Public, Clay County, S. D.
 My Commission Expires Dec. 22, 1982

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4731-3MELVIN WALZ

(Applicant)

WAKONDA

(Post Office Address)

SOUTH DAKOTA 5703

(State)

With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

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

Date of first receipt of application March 23, 1981Date of return to applicant for correction, amendments or changes required April 10, 1981Date of receipt of corrected application May 27, 1981Approved May 27, 1981, Recorded in Book 22 Page 188WATER RIGHT PERMIT NO. 4731-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4731-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is March 23, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 27, 1981
3. The whole of said work is to be completed on or before May 27, 1982
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is May 27, 1983
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 .57 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before May 27, 1983; said water to be used during the following described annual period: May - October

Witness my hand this 1st day of June, 1981

WATER RIGHTS COMMISSION

By:

John Hatch

Chief Engineer, Executive Officer

JOHN HATCH

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 17 in., Depth 135 ft.
- (2) Casing, Type steel (wood, concrete, steel, etc) Diameter 14 in. Thickness .025
- (3) Perforated Screen.
Type stainless steel, Diameter 14 in., Length 25 ft.
- (4) Gravel Pack. Thickness 3 in., Length of gravel pack 135 ft.

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 0 to 75 ft. clay
75 to 80 ft. granite
80 to 135 ft. water bearing sand & gravel

Depth to top of water bearing material 80 ft.

Depth to bottom of water bearing material 135 ft. plus

Thickness of water bearing material 55 ft.

Depth to water (ground surface to water level) 25 to 30 ft.

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

On same owner's property 80 rds. On property owned by others 80 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.

McQuinn Wally
Signature of Applicant

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

Submitted by: Melvin Walz Date Rec'd August 12, 1976
 Address: Rt. 1 Sample No. 76-1010
Wakonda, SD 57073 Identification _____

WATER ANALYSIS

Calcium (Ca)	27.2	ppm*	10.60	me/l**
Magnesium (Mg)	58	ppm	4.76	me/l
Sodium (Na)	18	ppm	0.78	me/l
Potassium (K)	12	ppm	0.31	me/l
Sulfate (SO ₄)	515	ppm	10.71	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.11	me/l
Bicarbonate (HCO ₃)	400	ppm	6.56	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	328	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1393	microhmhos per cm at 25° C.		
Sodium Adsorption Ratio	0.28			
Sodium	4.74	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.24			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

***g.p.g.=grams per gallon

COMMENTS: Total cations 16.45 me/l
 Total anions 17.38 me/l

By: Shirley Mittan

Service Performed

Amount Due

Irrigation analysis

\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1010

Amount Enclosed \$

Signed _____

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

Office Use Only

OWNERS NAME: Clara & Annamie Collins

OWNERS ADDRESS: Nakonda, S.D. 57073

COUNTY LAND LOCATED IN: Clay PHONE: 267-2427

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

Nakonda, S.D. 57073

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.

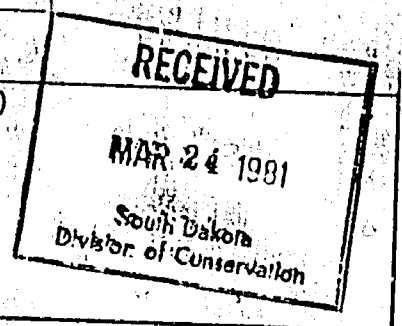
- LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)
1. WELL LOCATION OR DIVERSION POINT: 253 rod & 19° SE of NW Corner of Section 16-94-52
 2. SURFACE WATER SOURCE: none
 3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
NW 1/4 of NE 1/4 Sec. 16-94-52	40		

4. TYPE OF IRRIGATION: GRAVITY: TOWLINE CENTER PIVOT: x GUN: OTHER (Specify)
5. CROPS TO BE IRRIGATED: corn, beans
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1976
LEGAL DESCRIPTION: NE 1/4 NE 1/4, SE 1/4 NE 1/4, SW 1/4 NE 1/4 16-94-52
IN WHAT NAME: Helvin Walz

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

7. WATER SAMPLE NUMBER: 76-1010
8. SALINITY (EC X 10⁶): 1393 (high)
9. SODIUM (SAR): 0.28 (low)
10. ADJUSTED (SAR): (0)



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 , 1981, 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 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

1st DAY OF March, 1981.

Patricia S. Unrath

PATRICIA S. UNRATH, PUBLIC

Notary Public, Clay County, S.D.

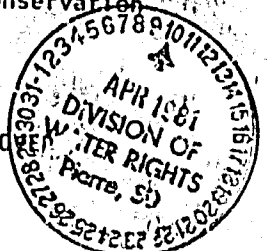
My Commission Expires Dec. 29, 1981

Helvin Walz
APPLICANT'S SIGNATURE

Frank M. Felt
Director, Division of Conservation

Action by 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
Y CONDITIONALLY APPROVED



No. **4731-3**

Publish first publication, on or before **May 7, 1981**

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 27, 1981

Notice is hereby given that **Melvin Walz**

whose post office

address is **Wakonda**, 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 **.57** cubic feet of water per second of time from **groundwater**

(one existing well) through the **Melvin Walz Irrigation Project #1**, the point **XX** of diversion of which is **XXX** to be located in the

approximate center of the NE $\frac{1}{4}$

of Section **16**, Twp. **94 N**, Range **52 W**. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16 - T94N - R52W to add additional acreage on an existing water right.

This Application No. **4731-3** will be considered by the Water Management Board at **Meeting Room #1, Kneip Building, Church & Illinois Street, Pierre, SD** upon the **27th** 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 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: **James Guffey**
PLAIN TALK
Vermillion, SD 57069

BETTY WESTLUND
Water Rights Specialist

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

No. 4731-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clay) ss.

I, Darlene Buttrick

certify that the annexed printed copy of Notice of

Water was taken from the Wormell

A newspaper which during the whole time of pu
herein after stated, has been and is printed and p

City of Wormell

County of Clay and

that the said notice was published in said news
two dates:

May 2, 1981

May 14, 1981

Darlene Buttrick
(Signature)

Secretary
(Title)

May 14, 1981
(Date Signed)

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

NOTICE IS HEREBY GIVEN
that Melvin Walz whose post office
address is Wakonda, 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 ap-
propriate for beneficial use .57
cubic feet of water per second of
time from groundwater (one ex-
isting well) through the Melvin
Walz Irrigation Project #1, the
point of diversion of which is to be
located in the approximate center
of the NE $\frac{1}{4}$ of Section 16, Twp.
94N, Range 52W. Said water to be
used for the purpose of providing
irrigation on portions of the follow-
ing described land: NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 16, T94N, R52W to add ad-
ditional acreage on an existing
water right.

This Application No. 4731-3 will
be considered by the Water
Management Board at Meeting

& Illinois Street, Pierre, SD upon
the 27th day of May, 1981 at 10
a. m. The Board is authorized to
make a determination on this ap-
plication at the hearing. All in-
terested 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 pro-
ceeding. 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 hear-
ing. 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

Betty Westlund,

variance of 576.3 square feet to

Cost of Printing: \$21.17



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8097

PIERRE, March 27, 1931

RECEIVED OF Melvin Walz, RR 1, Box 51, Wakonda, SD 57073

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

Fee for Application for Permit to appropriate Water No. 4731-3 (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 filing	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	150.00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / *CH*



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4731-3

March 23, 1987

Melvin Walz
RR1, Box 61
Wakonda, South Dakota 57073

Dear Mr. Walz:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 4731-3 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 issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

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

Sincerely,

Maxine Stirling
Secretary

ms/

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Box 61 Pierre, March 21, 1957

RECEIVED OF Melvin Malz, RR 1, Wakonda, SD 57073

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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>4731-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By J. H. Hatch
Chief Engineer JOHN HATCH (15)

INCORPORATE PERMITS

*2944-3 (PREVIOUSLY LICENSED, SAME WATER SUPPLY AND DIVER
LICENSE FOR PERMIT NUMBER 4731-3 MELVIN WALZ (ADD'L ACREAGE)

1. Legal location of wells: CENTER OF NE 1/4 OF SECTION 16, T44N, R52W

dams & structures: _____

2. Well Information: Well Drilling Firm KAISER DRILLING FROM DESMET

No. of wells ONE Depth _____

Casing a) diameter 14" Screen a) type STAINLESS STEEL
b) length 110' b) length 25'
c) type STEEL Static Water Level _____

Pump a) make NATIONAL Motor a) make GENERAL ELECTRIC
b) model N 200 b) model no. 5K6257XM501A
c) size SERIAL # H76 608 SERIAL # KMT 1020399
d) capacity 900 GPM c) horsepower rating 100
e) turbine pump d) motor efficiency rating _____
no. of stages _____

3. Distribution lines:

a) size of lines 10" MAINLINE TO CENTER PIVOT
b) type _____
c) length 10'

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

h) Distribution lines or canals:

1) size _____
2) type _____
3) length _____

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

- 1) make BUTLER HYGROMATIC
- 2) number of towers 7
- 3) distance between towers
183'
- 4) overall length 1280'
- 5) End gun (Y/N) Y
- 6) high or low pressure _____
- 7) make & size of nozzles

- 8) PSI reading while system is
running _____
- 9) GPM 900

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

1. Soil and water permit lands agree with lands being irrigated
and lands listed on permit.
✓ _____
2. Special Qualifications to permit being abided by.
✓ _____
3. All Structures, wells and lands on map.
✓ _____

REMARKS: INCORPORATE PERMITS # 2944-3 AND 4731-3, USING SAME SYSTEM

VERMILLION RIVER — Water District

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

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

I have this day made a thorough examination of the water use system constructed by MELVIN WALZ
RL #1 Box 6-1
WAKONDA holder of
 Permit No. *2944-3 4731-3, bearing the priority of *AUGUST 26, 1976
MARCH 23, 1981 to authorizing
 the diversion of * 1.5
0.5 cu. ft. per second of the waters of GROUND WATER
 for IRRIGATION purposes, in CLAY County.

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

A. Works used to divert the water:

WELL, 135' DEEP, 14" STEEL CASING, 25' STAINLESS STEEL SCREEN
 NATIONAL PUMP, MODEL # N 200, 900 GPM CAPACITY, SERIAL # 1176 608
 GENERAL ELECTRIC MOTOR, 100 HP, MODEL # 5K6257XM501A, SERIAL # KMT1020399

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

10' OF 10" MAINLINE TO CENTER PIVOT

C. Works used to apply water to beneficial use:

BUTLER HYDROMATIC, 7 TOWERS, 1280' LONG, END GUN

The system is in the following condition GOODThe point of diversion is located CENTER OF NE 1/4 OF SECTION 16, T94N, R52WThe works are capable of diverting and conveying to the place of use 2.0cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 16, T94N, R52WPERMIT # 4731-3: NW 1/4 NE 1/4 35 ACRES

*PERMIT # 2944-3:	NE 1/4 NE 1/4	35 ACRES
	SW 1/4 NE 1/4	35 ACRES
	SE 1/4 NE 1/4	35 ACRES

comprising a total of 140 acres of land and the license should be issued for 2.0 cfs
 (1.5 cfs from 8-26-76
 0.5 cfs from 3-23-81)
Applicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date MARCH 11, 1987

* PERMIT # 2944-3 WAS PREVIOUSLY LICENSED
 - INCORPORATE PERMIT # 4731-3 WITH
 PERMIT # 2944-3 BECAUSE SAME
 SYSTEM OPERATES BOTH PERMITS

David S. Brown
 (signature)

State of South Dakota
Water License No. 4731-3

(1) Melvin Walz
of RR#1, Box 61, Wakonda, South Dakota 57073
made Application No. 4731-3, March 23, 1981 for a water permit to appropriate
0.5/ cubic feet per second of water from groundwater (one existing well)
Clay County, South Dakota for irrigation purposes.
Permit No. 4731-3, with a priority date of March 23, 1981
was approved May 27, 1981 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before May 27, 1982 and for the application to beneficial use of said
water on or before May 27, 1983.

The applicable portions of Water Right No. 2944-3 have been incorporated into this
Water License No. 4731-3. A priority date of August 26, 1976 (Water Right No. 2944-3)
is retained for 1.5 cfs and a priority date of March 23, 1981 (Water Permit No. 4731-3)
is retained for 0.5 cfs. Priority dates as they pertain to the lands irrigated
are described in #3 of this license.

and

(2) It is certified that the application 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 2.00 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is in the center of the NE 1/4 of Section
16, T94N-R52W

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T94N-R52W

Section 6 *NW $\frac{1}{4}$ NE $\frac{1}{4}$ 35 Acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 35 Acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 35 Acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 35 Acres

TOTAL 140 ACRES

*NW $\frac{1}{4}$ NE $\frac{1}{4}$ carries a priority date of March 23, 1981 remaining land carries a priority date of August 26, 1976

(4) Pursuant to §46-5-39.1 Melvin Walz

of RR#1, Box 61, Wakonda, SD 57073

the holder(s) and/or owner(s) of Water Permit No. 4731-3 is issued a license to appropriate water, the right to use

2.0 cubic feet per second of water from groundwater (one well) with a priority date

of 1.5 cfs from August 26, 1976

of 0.5 cfs from March 23, 1981 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. 4731-3 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

APR 30 1987



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 4731-3

APR 30 1987

Melvin Walz
RR 1, Box 61
Wakonda, South Dakota 57073

Dear Mr. Walz:

Enclosed herewith is, Water License No. 4731-3. This is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

Enclosures

Applicable portions of Water Right No. 2944-3 have been incorporated into this Water License No. 4731-3.

WNR-817 3/83

Transmittal of Water License.

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 17 1991

Melvin Walz
RR 1, Box 61
Wakonda, SD 57073

Dear Mr. Walz:

Enclosed is Reissued Water License No. 4731-3. The license has been reissued to correct an error in the legal description of the irrigated area. The remaining portions of the original license were not affected by the reissuance of this water license.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have continuing right to use the water.

Very truly yours,

John Hatch

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

enclosures

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 4731-3

(1) Melvin Walz of RR 1, Box 61, Wakonda, SD 57073 was issued Water License No. 4731-3, April 30, 1987 for a water right to appropriate 2.0 cubic feet of water per second from groundwater (one well), Clay County, South Dakota for irrigation purposes. Water License No. 4731-3 with priority dates of August 26, 1976 and March 23, 1981 was issued to the applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

A review of Water License No. 4731-3 issued April 30, 1987, found the license contained an error in the legal description of the acreage irrigated. The land irrigated described as being in Section 6, T94N, R52W is actually in Section 16, T94N, R52W.

Water License No. 4731-3 is being reissued to correct the legal description of the acres irrigated. The remaining portions of the original license are not affected by the reissuance of this License.

(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 2.0 cubic feet of water per second for beneficial use. The location of the diversion point is: in the center of the NE 1/4 of Section 16, T94N, R52W.

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

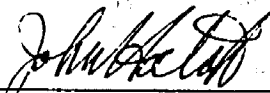
T94N, R52W Section 16	*NW 1/4 NE 1/4	35 Acres
	NE 1/4 NE 1/4	35 Acres
	SW 1/4 NE 1/4	35 Acres
	SE 1/4 NE 1/4	35 Acres
	Total-----	140 Acres

*NW 1/4 NE 1/4 carries a priority date of March 23, 1981 (established by Permit No. 4731-3).

NE 1/4 NE 1/4, S 1/2 NE 1/4 carries a priority date of August 26, 1976 (established by Permit No. 2944-3).

(4) Pursuant to Section 46-5-30.1 Melvin Walz of RR 1, Box 61, Wakonda, SD 57073 the holder(s) and/or owner(s) of Water Right No. 4731-3 is issued a license to appropriate water, the right to

use 2.0 cubic feet of water per second from groundwater (one well) with priority dates of August 26, 1976 (1.5 cfs) and March 23, 1981 (0.5 cfs) from the location specified in (2) of this license. The water is 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. 4731-3 and subject to South Dakota State Law.

 SEP 17 1991
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

December 15, 1998

4731-3

Richard & Gail Johnson
30534 461st Ave
Wakonda, SD 57073-6410

Dear Mr. & Mrs. Johnson:

I am contacting you in regard to ownership of land described in Water Right No. 4731-3. Melvin Walz called December 14th and indicated he had sold the land to you.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with the water right. Please review the form and complete as needed. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50.

Also enclosed is a copy of the water right. You may keep this for your records. If you have any questions concerning the water right or completion of the transfer form, please give me a call.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

encl

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. 4731-3

Date: 12/22/98

I/We request that Water Right No. 4731-3

formerly owned by: Melvin Walz

be transferred to: (name & address) Richard + Gayle Johnson
30534 461st Ave Wakarusa S. Dak Telephone No. 605-267-2691

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

140 acres in the NE 1/4 Section 16, T94N, R52W

I/We understand that the validity of Water Right No. 4731-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCI 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Clay)

I/We Richard Johnson being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Richard D. Johnson
(Signed)

Subscribed and sworn to before me this 22nd day of December, 19 98.

Shirley Jacobson
(Notary Public) Shirley Jacobson

My commission expires May 10, 2000

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three 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 Environment and Natural Resources

№ 416019

Pierre, January 25 19 99

RECEIVED OF Richard and Gayle Johnson, 30534 - 461st Ave., Wakonda, SD 57073
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 <u>Water Right No. 4731-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	2	50

By

Chief Engineer

John H. Hotal



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/dnr

January 25, 1999

4731-3

Richard & Gayle Johnson
30534 461st Ave
Wakonda, SD 57073-6410

Dear Mr. & Mrs. Johnson:

Thank you for sending in the ownership change and filing fee for transferring Water Right No. 4731-3. The transfer has been completed and the water right is now listed in your names.

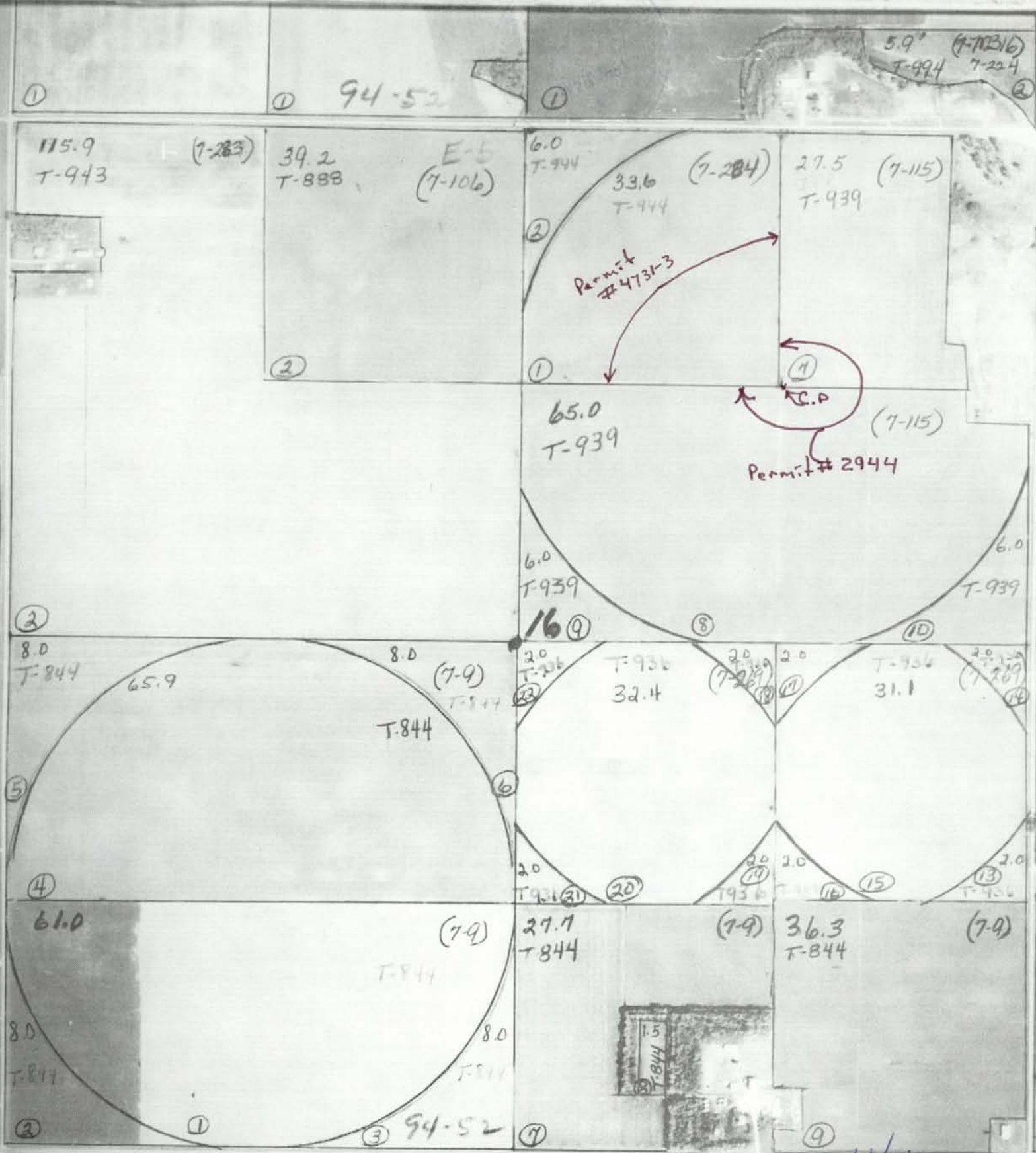
Enclosed is your Receipt No. 416019 in the amount of \$2.50. If I can answer any questions for you, please get in touch with me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

encl

NOT TO SCALE



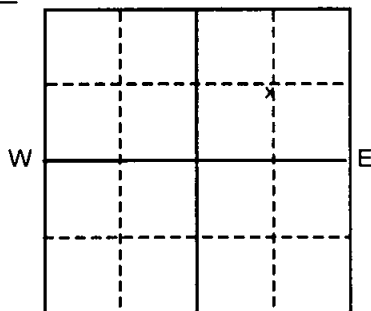
W/License
4731-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location sw 1/4 ne 1/4 Sec 16 Twp 94n Rg 52wCounty Clay

North

Please mark well
location with an "X"

Well Completion Date

6/10/15

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
1,500.0 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Direct Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>16.00</u> IN	<u>0.0</u> FT	<u>139.0</u> FT	<u>20.00</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>bentonite</u>	<u>26</u>	<u>9.5</u> Lb/gal	<u>0.0</u> Ft	<u>135.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 40.0 FeetMaterial PVCSlot Size .050 Set From 139.0 Feet to 179.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

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

Business Name:

Address: 30534 461 aveCity, State, Zip: Wakonda SD 57073

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Topsoil, Black	0	2
Clay, brown, silty, loess?	2	21
Clay, brown, silty, pebbly, till	21	70
Gravel, fine to medium, sandy	70	120
Gravel, medium, sandy	120	180
Shale, gray,	180	200

STATIC WATER LEVEL 66.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

80.0 Ft. After 4.0 Hrs. pumped 750.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 775.0 GPM

REMARKS

RECEIVED

SEP 14 2015

WATER RIGHTS
PROGRAMThis well was drilled under license # 810 and this report is true and accurate.Drilling firm: Heine Electric & Irrigation, Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 8/25/2015

Water Rights Program File Documentation

Permit/Right No. and Owner:

Permit No.	Owner	Status	Uses
973-3	Nicholas & Courtney Blake	License	Irrigation
974-3	Hansen Ventures LLC	License	Irrigation
1813-3	Hansen Ventures LLC	License	Irrigation
1916-3	Troy & Sheila Gust	License	Irrigation
3905-3	Clay Rural Water System Inc	License	Rural Water System
4731-3	Richard & Gayle Johnson	License	Irrigation
5979-3	Clay Rural Water System Inc	License	Rural Water System
6563-3	Rus Farms Real Estate LLC	License	Irrigation
6565-3	Rus Farms Real Estate LLC	License	Irrigation
6566-3	Hansen Ventures LLC	License	Irrigation
6569-3	Smit Family Trust	Permit	Irrigation
6571-3	Rus Farms Real Estate LLC	License	Irrigation
6572-3	Brad & Linda Trudeau Living Trust	License	Irrigation
6808-3	Lovejoy Family Trust	License	Irrigation
6813-3	Rus Farms Real Estate LLC	License	Irrigation
6815A-3	Rus Farms Real Estate LLC	License	Irrigation
6817-3	Hansen Ventures LLC	Permit	Irrigation
6818-3	Hansen Ventures LLC	Permit	Irrigation
6819-3	Hansen Ventures LLC	License	Irrigation
6821-3	Tim Gregoire	License	Irrigation
6822-3	Hansen Properties	Permit	Irrigation
7001-3	Rus Farms Real Estate LLC	License	Irrigation
7003-3	Hansen Ventures LLC	License	Irrigation
7383-3	Hansen Ventures LLC	Permit	Irrigation
7693-3	Hansen Ventures LLC	Permit	Irrigation

Date: January 14, 2025

County: Clay

RE: aquifer designation

COMMENTS:

Jensen (2025) as part of a review of the Lower Vermillion Missouri aquifer (LVM) determined that Water Right Nos. 973-3, 974-3, 1813-3, 1916-3, 3905-3, 4731-3, 5979-3, 6563-3, 6565-3, 6566-3, 6569-3, 6571-3, 6572-3, 6808-3, 6813-3, 6815A-3, 6817-3, 6818-3, 6819-3, 6821-3, 6822-3, 7001-3, 7003-3, 7383-3, & 7693-3, should have the aquifer reassigned. In reviewing the best information currently available for aquifer and management unit naming

conventions, the best aquifer designation for Water Rights previously listed is the Southern management unit of the Upper Vermillion Missouri aquifer (UVM:S) shown in Figure 1.

This change of aquifer designation, to the Southern management unit of the Upper Vermillion Missouri aquifer, does not represent a physical change in the water source. It is an update to the name of the aquifer materials to reflect the currently best available information for aquifer extents. This update to the aquifer name does not authorize any increase in the amount of water appropriated by Water Right Nos. 973-3, 974-3, 1813-3, 1916-3, 3905-3, 4731-3, 5979-3, 6563-3, 6565-3, 6566-3, 6569-3, 6571-3, 6572-3, 6808-3, 6813-3, 6815A-3, 6817-3, 6818-3, 6819-3, 6821-3, 6822-3, 7001-3, 7003-3, 7383-3, & 7693-3, relocation of existing wells, or completion of additional wells into the aquifer. Going forward, issuance of any pertinent documents will reflect the updated aquifer designation.

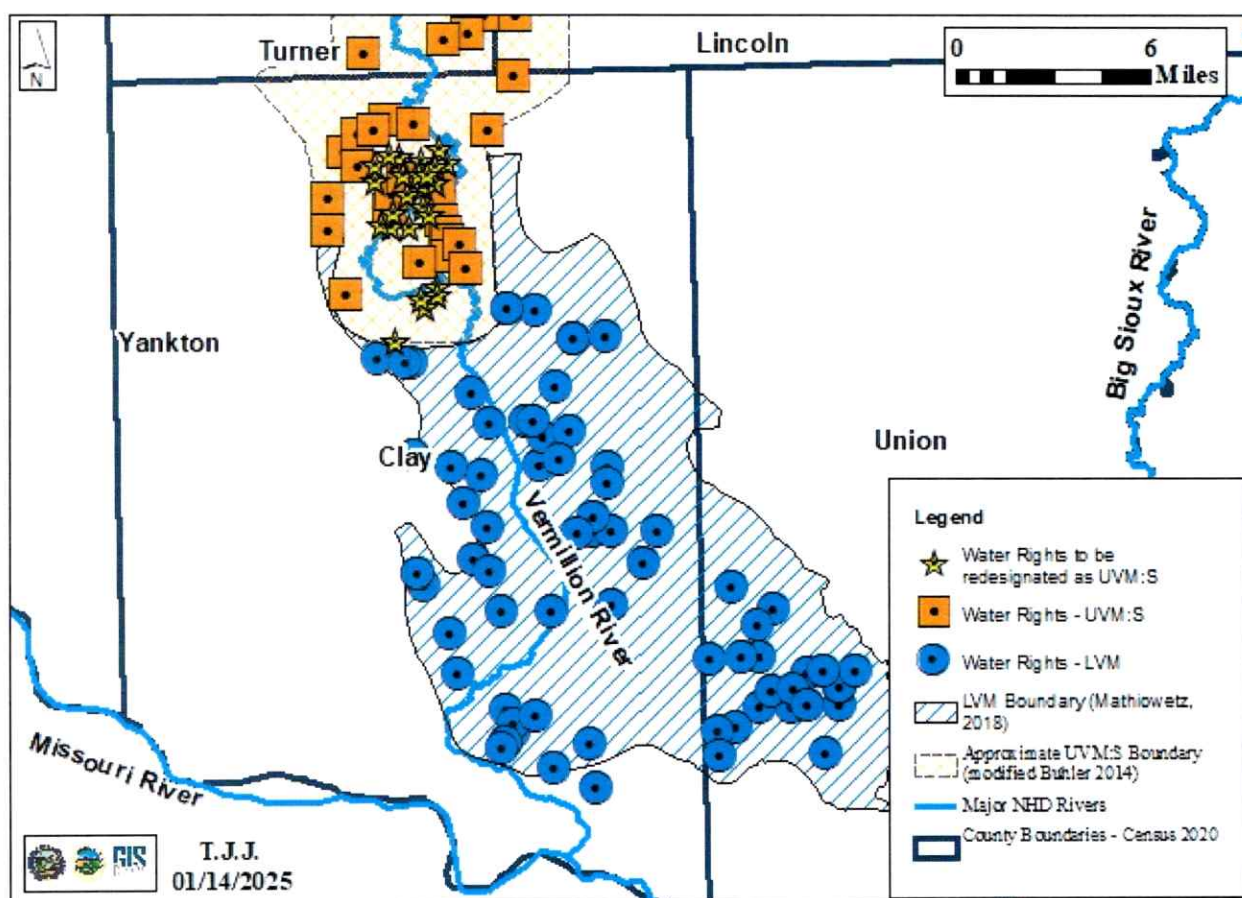


Figure 1. Map of the approximate Upper Vermillion Missouri: South aquifer boundary (Buhler, 2014), map of the approximate Lower Vermillion Missouri aquifer boundary (Mathiowetz, 2018), Water Rights/Permits for Upper Vermillion Missouri: South aquifer, Water Rights/Permits for Lower Vermillion Missouri aquifer, and Water Rights/Permits for Upper Vermillion Missouri: South aquifer previously assigned Lower Vermillion Missouri aquifer.



Tyler Jensen
Natural Resources Engineer I



Eric Gronlund
Chief Engineer

References

Buhler, K. A. 2014. Report to the Chief Engineer on 21 Water Permit Applications from the Upper Vermillion Missouri Aquifer. SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.

Jensen, T. 2025. Report to the Chief Engineer on Water Permit Application No. 8910-3. SD DANR-Water Rights Program. Joe Foss Building, Pierre, South Dakota.

Mathiowetz, A. 2018. Report to the Chief Engineer on Water Permit Application 8335-3. Natural Resource Engineer IV, SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.