

1. Considered: 2-15, 1984 Water Right No. 4983-3
2. Name of Applicant Nels Sorensen
3. Post Office Address Rt. 3, Box 23, Vermillion 57069
4. Amount of Water Claimed 3.60 maximum acre feet
5. Source of Water Supply ground water one 108' well
6. Water to be used for IRR acres to be irrigated 267
7. County Clay about 1 miles SW of VERMILLION
8. PROOF OF PUBLICATION: Received 1-13-84 Not Received
- APPLICATION: Approved 2-15-84 Subject to
- Not Approved Action Deferred

PRIORITY 10-26-83 Dated Received 10/26/83 Application complete-yes no FEE 300.00

Remarks sent appl back for correction map and log

Log Appl rec 11/8/83 map 11/14/83 Period of Annual Use 5/1 to 10/31

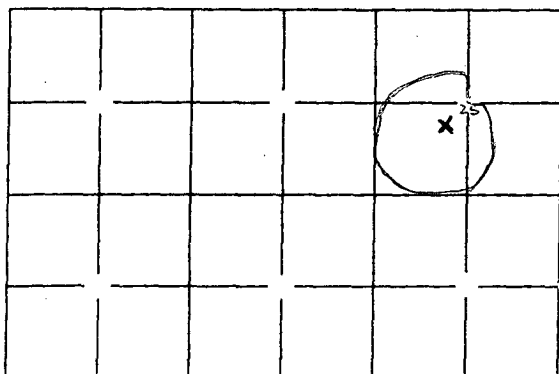
Corrected Application received 11/14/83

WATER
QUALITY

Received yes 11/14/83 no APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application yes no Remarks

Disapproved Returned



Diversion Point

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25-T92N-R52W

Land to be irrigated

w $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ Section

25-92-52

WELL LOG Driller James Wetmore Drilling Licensed - yes x no

Depth 108' deep

Remarks

MAP Map No. 4983-3 Map located in Water Right X Map file _____
 Type of Map Aerial Prepared by Brian Top, DC

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

11-15-83

Betty Westlund
 (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 was
 DECISIONS adopted _____
 ETC.

Remarks _____

No. 4983-3

Map No. 4983-3 Water Division No. 3 Missouri River District

Above for Office Use 10170101

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 Nels Sorensen Phone No. 624-4535
 Post Office Address Rt. 3 Box 23 Vermillion S. State South Dakota 57069
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation N/A

2. Method of accomplishing work (contract, employment of others, or by direct labor) contract

3. Name of diversion work N/A

4. Amount of water claimed (cubic feet per second) 3.6 c.f.s.

5. Source of water supply Well

6. Location of point of diversion 135 rods E. and 160 rods N. of
SW corner section 25-92-52
NE 1/4 CA

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 267

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.
NW ⁴ SE ⁴ 25-92-52	34
SW ⁴ SE ⁴ 25-92-52	30
NE ⁴ SW ⁴ 25-92-52	40
NW ⁴ SW ⁴ 25-92-52	38

Land Description	No. Acres Irr.
SE ⁴ NW ⁴ 25-92-52	32
SW ⁴ NW ⁴ 25-92-52	30
SE ⁴ SW ⁴ 25-92-52	36
SW ⁴ SW ⁴ 25-92-52	27

Attach sheet if more space is needed

10. Time required to complete construction of water supply system one years. Additional time required to complete application of water to the proposed beneficial use 0 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Plaintalk of Vermillion

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.

Underground pipe from well to pivot point.

C. Works proposed to apply water to beneficial use.

Center pivot

Estimated Total Cost \$ 70,000

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) ss.

I, Nels Sorensen 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 Nels Sorensen
 Subscribed and sworn to before me this 3rd day of November, 1983
Jane E. Brown
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No.

4983-3

Nels Sorensen

(Applicant)

RT. 3 Box 23

Vermillion

(Post Office Address)

South Dakota

(State)

With the following qualifications.

The irrigation well approved under this Permit will be located near domestic wells and other 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 adequate 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 October 26, 1983

Date of return to applicant for correction, amendments or changes required October 28, 1983

Date of receipt of corrected application November 8, 1983

Approved February 15, 1984, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 4983-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4983-3 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 October 26, 1983
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before August 15, 1986
3. The whole of said work is to be completed on or before February 15, 1989
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is February 15, 1993
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 3.60 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 February 15, 1993; said water to be used during the following described

annual period: May 1st thru October 31

Witness my hand this 15TH day of March, 1984

THE WATER MANAGEMENT BOARD

By: John Hatfield
Chief Engineer, Water Rights

Certificate of Construction Issued —, 19—

Water License Issued —

D Well Information

- (1) Drill Hole, Diameter 22", Depth 108'
- (2) Casing, Type PVC, Diameter 16", Thickness 3/4"
(wood, concrete, steel, etc.)
- (3) Screen, Type 100 slot S-S, Diameter 16", Length 28'
- (4) Gravel Pack, Thickness 3", Length of gravel pack 60'

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 26'

Depth to bottom of water bearing material 108'

Depth to water (ground surface to water level) 18

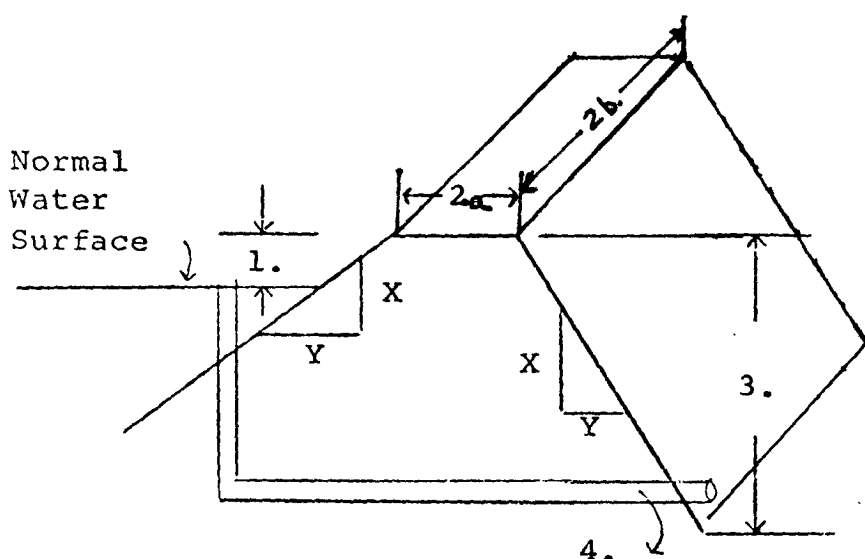
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 42 rds.

On property owned by others 31 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 _____ b. 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 _____

WETMORE DRILLING

Box 577
Dakota 57025
358-3272

Address

[illegible]

TOTAL

Please Pay By Invoice
No Statement Will Be Sent

V E R M I L L I O N

22

23

24

MISSOURI - SOUTH DAKOTA - NEBRASKA - RIVER

ER 28

65 2 900 000 FEET
by the Geological Survey
the Interior program
Missouri River Basin

Methods from aerial
checked 1969

Dakota coordinate system, south zone
Mercator grid ticks,
American Datum
American Datum 1983
north and
corner ticks
landmark buildings are shown
fence and field lines where
This information is unchecked

UTM GRID AND 1980 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



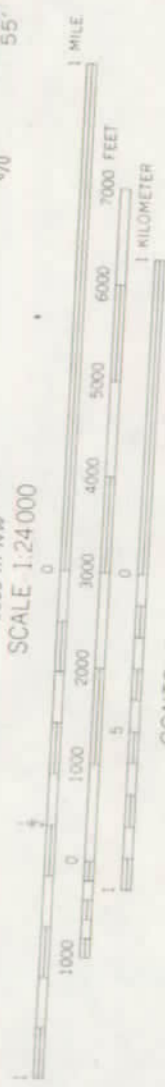
57°30"

66 R 52 W

68

(MASKELL) 68
6669 III NW

SCALE 1:24 000



CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

SOUTH DAKOTA
QUADRANGLE LOCATION

Revisions shown in p
aerial photographs ta
This information not



NOT TO SCALE

Buan Top
District Conservationist
Vermillion SD

CITY
Airport 92-52

34R

(12-196)

26.2

34R

6.9

30.1 (12-196)

APPROXIMATE
AREA TO
BE IRRIGATED
(267 acres)

Well

25
50.9

9.6 (12-196)

(12-105)

Center of
Pivot

100.2

17.8

1.6

3.8

92-52

RECEIPT

Division of Water Rights

No 4 9385

South Dakota Department of Water and Natural Resources

Pierre, October 27, 1983

RECEIVED OF Nels J or Linda Sorensen, Rt 3, Vermillion SD 57069

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

Fee for Application for Permit No. <u>4983-3</u> to Appropriate Water, to construct works and to put water to beneficial use	300	00
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 _____		
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	300 00

By

Chief Engineer

JOHN HATCH

ks



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501

Phone 605/773-3258

November 7, 1983

Nels Sorenson
RFD 3, Box 23
Vermillion, SD 57069

Dear Mr. Sorenson:

In reviewing your soil and water compatibility application for portions of Sec 25-92-52 = 320 acres, the Irrigation Staff is recommending a Conditional Approval of your application to the State Conservation Commission at their November 10, 1983 meeting. The Conditional Recommendation is based on the water having a high salt content. The Restrictions and Management Recommendations are as follows:

RESTRICTIONS:

The areas mapped as Onawa silty clay is subject to flooding and a fluctuating water table. These areas will have cropping and trafficability problems due to excess wetness. This area shall remain in grass and/or alfalfa.

MANAGEMENT RECOMMENDATIONS:

It is recommended that a form of conservation tillage be used to control erosion and improve the water holding capacity of Sarpy soils.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Jim Stukel
Program Administrator

cf

cc: Division of Water Rights

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
Division of Conservation

Office Use Only

4060

WR#

OWNERS NAME: Nels Sorenson OWNERS ADDRESS: Rt 3 Box 23
Vermillion S.D. 57069
COUNTY LAND LOCATED IN: Clay PHONE: 624-9535
TENANT'S NAME AND ADDRESS: N/A

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

1. WELL LOCATION 135 rods E and 160 rods N of S.W. corner sec.
Depth 108 ft. 25-92-52
2. SURFACE WATER SOURCE AND DIVERSION LOCATION: N/A
Diversion Location N/A

Legal Description	Acres	Legal Description	Acres
<u>W² SE⁴ 25-92-52</u>	<u>80</u>		
<u>SW⁴ 25-92-52</u>	<u>160</u>		
<u>S² NW⁴ 25-92-52</u>	<u>80</u>	<u>first course 267 acres</u>	
<u>Total = 320</u>			

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED N/A
LEGAL DESCRIPTION: N/A
IN WHAT NAME: N/A

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ OTHER: _____ (Specify) _____

6. CROPS TO BE IRRIGATED: Corn - soybeans - alfalfa

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)	
7. WATER SAMPLE NUMBER: <u>83-0556</u>	10. ADJUSTED (SAR): <u>3.48(2.44)</u>
8. SALINITY (EC X 10 ⁶): <u>1500</u>	11. PERCENT SODIUM: <u>20.09</u>
9. SODIUM (SAR): <u>1.23</u>	

I hereby certify that I personally obtained or that I personally observed that 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 ten a.m., on Oct. 17, 19 83, at the following location: W² 25-92-52 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.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
DAY OF November, 19 83

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

IMPORTANT
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

CONDITIONAL

#4060

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF CONSERVATION

NAME OF APPLICANT: Nels Sorenson

LEGAL DESCRIPTION: Portions of Sec 25-92-52 = 320 acres.

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

The areas mapped as Onawa silty clay is subject to flooding and a fluctuating water table. These areas will have cropping and trafficability problems due to excess wetness. This area shall remain in grass and/or alfalfa.

RECOMMENDED MANAGEMENT:

It is recommended that a form of conservation tillage be used to control erosion and improve the water holding capacity of Sarpy soils.

Paul M. Zuhl
SIGNATURE

11-1-53
DATE

Conversation or File Documentation

NAME OF PERSON OR FILE: Nels SorensenADDRESS: Vermillion COUNTY ClayDATE: 11/8/83 TELEPHONE _____RE: Map - logCOMMENTS:
Called Mr. Sorensen requested the signed map
& log. The map had been returned to him.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Betty Westlund

REPORT ON WATER PERMIT APPLICATION NO. 4983-3

NELS J SORENSON

DECEMBER 27, 1983

Water Permit Application No. 4983-3 is for 3.6 cfs from one 108 foot deep well in the Missouri Water Management Unit to irrigate 267 acres in Clay County.

Discussion

The Missouri Water Management Unit contains 1,117,500 acre feet of recoverable water in Clay County.¹ Presently, 19,644 acre feet of water are appropriated from the Missouri management unit in Clay County,² which is 1.76% of the estimated recoverable storage. Approval of Application No. 4983-3 will increase the annual appropriation to 20,178 acre feet, which is 1.81% of the estimated storage.

Water levels of the Missouri Aquifer have been monitored in the vicinity of Application No. 4983-3 since 1957. Water Rights Division observation wells CL-57E and CL-80C are located approximately $\frac{1}{2}$ mile from the proposed well location. Records of the two wells indicate that the Missouri Aquifer is composed of medium-coarse sand at this location with a saturated thickness of about 90 feet, and is under water table conditions. Water levels have fluctuated from 15.5 feet to 21.5 feet below land surface since 1957 with a current water level of 19.8 feet. Well interference should not be a problem in this area since the aquifer is under water table conditions.

Conclusions

1. Unappropriated water is available for Water Permit Application No. 4983-3.
2. Water levels of the Missouri Aquifer have been monitored in the area of Application No. 4983-3 since 1957. The records do not indicate that the water supply is being depleted.
3. Well interference is not a problem in this area.



FRANK SMITH
Water Resources Engineer

References

1. Hedges, Burch, Isles, Barari, Schoon, "Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. SD Geological Survey, 1982.
2. "Irrigation Report, Eastern South Dakota", prepared for the Division of Water Rights by the South Dakota Geological Survey, 1983.
3. Water Rights files, Dept. of Water and Natural Resources, Division of Water Rights, Pierre, SD, 1983.
4. Observation well files, Dept. of Water and Natural Resources, Division of Water Rights, Pierre, SD, 1983.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4983-3, Nels J Sorenson

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4983-3, Nels J Sorenson Rt 3, Box 23, Vermillion SD.

The Chief Engineer is recommending APPROVAL of Application No. 4983-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

The irrigation well approved under this Permit will be located near domestic wells and other 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 adequate wells having prior water rights.

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

The attached report is a part of this recommendation.

A handwritten signature in cursive script, reading "John Hatch".

JOHN HATCH, Chief Engineer
December 27, 1983

Instruction to Newspaper - Publish first publication of the following Notice on or before January 14, 1984 With 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4983-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Rights No. _____~~

Notice is hereby given that Nels Sorensen whose mailing address is
Route 3, Box 23, Vermillion, South Dakota has made an application for a permit

to appropriate 3.60 cubic feet per second from groundwater, one 108' deep well in the Missouri Water Management Unit. The point of diversion to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, Twp 92N, Range 52W. Said water to be used for the purpose of irrigating 267 acres located in the W $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 25, Twp 92N, Range 52W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends
Approval of Application No. 4983-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at the Civil Defense Room, basement State Capitol Building, Pierre, SD, February 15 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by February 3, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use) 46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 3, 1984.

No. 4983-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clay) ss.

I, Darlene Bottolfson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Plain Talk

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 Vermillion

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

January 4, 1984

January 11, 1984

Darlene Bottolfson
(Signature)

Secretary
(Title)

January 11, 1984
(Date Signed)



Cost of Printing: \$36.86

**NOTICE OF HEARING
ON APPLICATION NO. 4983-3
TO APPROPRIATE WATER**

NOTICE IS HEREBY GIVEN THAT Nels Sorensen whose mailing address is Route 3, Box 23, Vermillion, S.D. has made an application for a permit to appropriate 3.60 cubic feet per second from groundwater, one 108' deep well in the Missouri Water Management Unit. The point of diversion to be located in the NE 1/4 SW 1/4, Section 25, Twp 92N, Range 52W. Said water to be used for the purpose of irrigating 267 acres located in the W 1/2 SE 1/4; SW 1/4 and S 1/2 NW 1/4, Section 25, Twp 92N, Range 52W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends approval of Application No. 4983-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at the Civil Defense Room, basement State Capitol Building, Pierre, S.D., Feb. 15, 1984 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by Feb. 3, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1 thru 46-1-9, 46-1-12 thru 46-1-15, 46-2-1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-30, 46-5-30.2, 46-5-31, 46-2A-1, 46-2A-10, 46-2A-12, (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNr, Joe Foss Bldg, Pierre, S.D. (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by Feb. 3, 1984.

Pub: Jan. 4, 11, 1984



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

4983-3

March 15, 1984

Nels Sorensen
Rt 2, Box 23
Vermillion SD 57069

Dear Mr. Sorensen:

Enclosed herewith is your Water Permit No. 4983-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 4983-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 30 1992

5538-3
5539-3
5540-3
5541-3

Nels Sorensen
RR 3, Box 23
Vermillion, SD 57069

Dear Mr. Sorensen:

Enclosed are Water License Nos. 5538-3, 5539-3, 5540-3 and 5541-3. They are the final water right documents completing your process of obtaining Water Rights. Enclosed are Receipt Nos. 413333, 413334, 413335 and 413336 in the amount of \$50.00 each which you paid for the inspection and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of existing wells, such as the wells authorized by Water Right Nos. 5538-3, 5539-3, 5540-3 and 5541-3, constructs replacement wells and does not plan to use the old wells, the old wells are 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 Licenses, 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. 4983-3 have been incorporated into Water License No. 5538-3; the applicable portions of Water Permit No. 5041-3 have been incorporated into Water License No. 5539-3; the applicable portions of Water Permit No. 5042-3 have been incorporated into Water License No. 5540-3; and the applicable portions of Water Permit No. 5199-3 have been incorporated into Water License No. 5541-3.