Considered: 4-25-84

WATER PERMIT NO. 4993-3

10170202 BSR

MAP No. 4993-3

Name of Applicant K. D. BULLOCK

Post Office Address Rt #1, Box 15, Estelline, S.D. 57234

Amount of Water Claimed 1.80 Total Acres 130.00

Source of Water Supply One 44' well

Water to be used for IRR County Hamlin

About ½ mile SE of Estelline.

PROOF OF PUBLICATION: Received 3-22-84 Not Received

APPLICATION: Approved 4-25-84 Subject to

F.F.& C.L. Adopted Not Approved Deferred

PRIORITY Date Received 10/31/83 Fee 250.00 Remarks

1-16-84

Date S/W received

Corrected Application Received Period of Annual Use 4/1 to 11/1

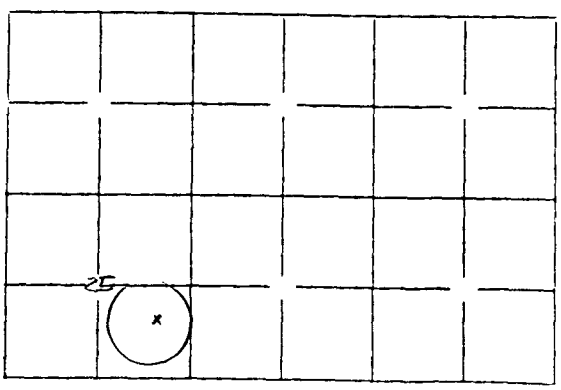
WATER QUALITY APPROVAL RECEIVED 1-16-84 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES X NO REMARKS

Diversion Point NE¼ SE¼, Section 25-T113N-R51W

Land to be Irrigated

SE¼, Section 25-T113N-R51W



Well Log: Driller Kaiser Well Drilling Licensed YES x NO

Depth of Well 44' deep REMARKS

Type of Map aerial PREPARED BY John Wiersma PE Reviewed and the Number

assigned on 1-17-84 By E J Westlund

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

10:20AM OCT 1983 DIVISION OF WATER RIGHTS Pierre, SD 2 open maps

No. 4993-3

Map No. 4993-3 Water Division No. 3 BIG SIOUX RIVER District

Above for Office Use 10170202

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

need 250 fee

Check one of the following:

New ✓ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant K. D. Bullock Phone No. No Phone

   Post Office Address Rt #1 Box 15 (Street, RR, or Box) Estelline (Town) State S.Dak 57234 (Zip Code)

   If a corporation show date and place of incorporation _____

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

3. Name of diversion work K.D. Bullock Irrigation Project #1

4. Amount of water claimed (cubic feet per second) 1.8

5. Source of water supply well

6. Location of point of diversion 1900' N 40°W of SE corner sec 25-113-51 (DA)

   County Hamlin

7. Annual period or periods during which water is to be used ~~Nov~~ April 1 - Nov 1

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 130

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.
NW¼ of SE¼ Sec 25-113-51	28		
NE¼ of SE¼ Sec 25-113-51	39		
SW¼ of SE¼ Sec 25-113-51	25		
SE¼ of SE¼ Sec 25-113-51	38		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 34 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Estelline Paper.

12. Principal Features of the Proposed Water Supply System.

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

    well with deep well turbine

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

    closed conduit

    C. Works proposed to apply water to beneficial use.

    Center pivot irrigation system

Estimated Total Cost $ 52,000

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map. (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
)ss.
County of Brookings)

I, K.D. Bullock, 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 X K D Bullock

Subscribed and sworn to before me this 28 day of Oct, 1983

John Sulevsma
Notary Public (or other qualified officer)
Reg Engr #918

SE ¼

WNR-802-7/79

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4993-3

R. D. Bullock (Applicant) RT. 1 Box 15 Estelline (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 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 31, 1983

Date of return to applicant for correction, amendments or changes required —, 19—

Date of receipt of corrected application —, 19—

Approved April 25, 1984, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 4993-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4993-3 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 January 16, 1984
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before April 25, 1986
3. The whole of said work is to be completed on or before April 25, 1989
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is April 25, 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 1.80 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 April 25, 1993; said water to be used during the following described annual period: April 1st to November 1st

Witness my hand this 3rd day of May, 1984

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued —, 19—

Water License Issued —, 19—

10,500
9,400
1,300

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

(1) Drill Hole, Diameter 18", Depth 44'

(2) Casing, Type Steel (wood, concrete, steel, etc.), Diameter 10", Thickness 3/16"

(3) Screen, Type Cont slot, Diameter 10", Length 10'

(4) Gravel Pack, Thickness 4", Length of gravel pack 28'

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 19'

Depth to bottom of water bearing material 45'

Depth to water (ground surface to water level) 13'

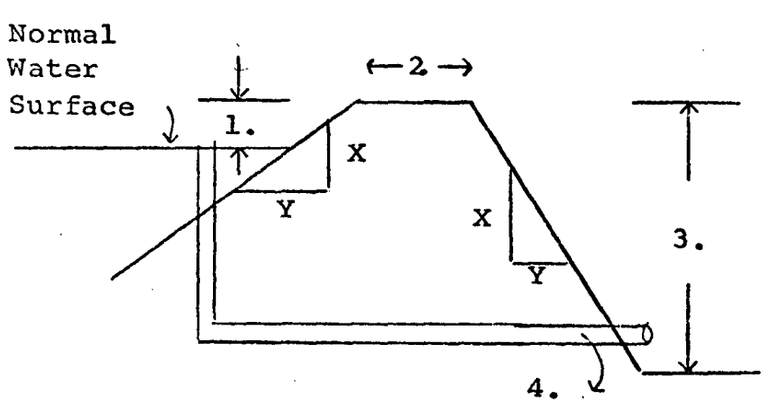
(2) Distance to nearest existing household or livestock watering well.

On same owner's property No Supply rds.

On property owned by others 100 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 _____
2. Crest width _____
3. Height of Dam _____
4. Outlet dimensions:
   Pipe diameter _____
   Spillway width _____
   X & Y slope:
   Upstream _____
   Downstream _____
   Surface area of impoundment _____
   Drainage area above dam _____

R D Bullock

Signature of Applicant

Barb Jo

Kaiser Well Drilling
De Smet, South Dakota 57231

IRRIGATION-TESTING-DRILLED-STOCK AND DOMESTIC BORED WELLS Ph. 854-3744

Name Keith Bullock

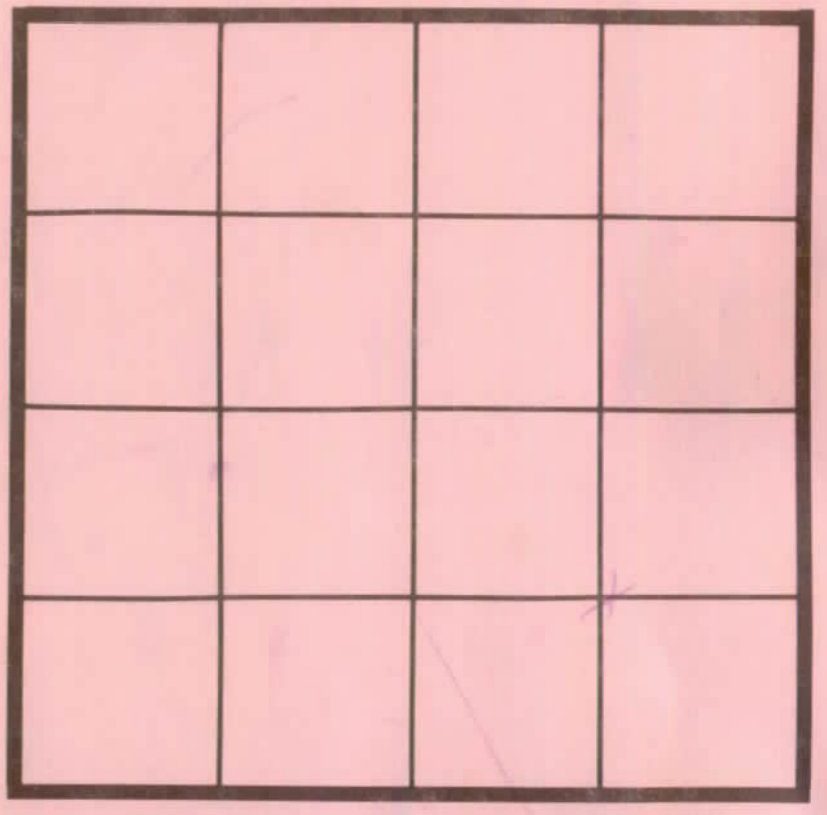
Location 15-1-E of F

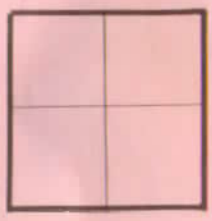
Township Estillines

Section

10-24-83

R E 1
Box 15
15
no telephone





Test hole No. 1	Data	Test hole No. 2	Data
Topsoil	0 - 6"	Driller: Ronald Kai	
gravel (yellow)	6 - 19		
gravel (green)	19 - 34'		
Lost water	19 - 34' 020 - 12'		
Blue clay	~~34 - 35'~~		
coarse yellow gravel	35' - 44'		
Took water	35' - 44'		
Blue clay	44 - 52		
yellow clay	52' - 60'		
Seal - 13'			

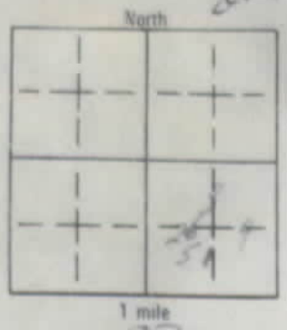
SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location ¼ ¼ ¼ Sec 22 Twp 113 Rg 52 ccm

County Hamlin

Please mark well location with an "X"



Well Completion Date 10-23

PROPOSED USE:
☐ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling: Screw Auger

CASING DATA:
☐ Steel ☐ Plastic ☐ Other
If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUT:
Was the well grouted? ☐ YES ☐ NO
To what depth? _____ FEET
What is grouting material? _____
If cement, number of sacks? _____
Describe grouting procedure Back filled with cuttings
What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☐ Manufactured
Diameter _____ IN Length _____ FEET
Material _____
Slot Size _____ Set From _____ Feet To _____ Feet
Slot Size _____ Set From _____ Feet To _____ Feet
Slot Size _____ Set From _____ Feet To _____ Feet
Other information _____

Was a packer or seal used? ☐ YES ☐ NO
If so, what material? _____
Describe packer(s) and location? _____

Was well disinfected upon completion? ☐ YES ☐ NO

Well Owner
Name Deith Bullock
Address Estelline

Well Log

Formation	Depth From	Depth To
Top soil	0	1
Gravel	1	37
Blue clay	37	40
Top soil	0	1
Gravel	1	40
Blue clay	40	43
Top soil	0	1
Gravel	1	20
Blue sand	20	45
Blue clay	45	46
Top soil	0	1
Gravel	1	31
Blue clay	31	33
Top soil	0	1
Gravel	1	36
Blue clay	36	38
Top soil	0	1
Gravel + sand	1	37
Blue clay	37	41

STATIC WATER LEVEL _____ Feet
If flowing closed in pressure _____ PSI
GPM flow _____ through _____ inch pipe
Controlled by ☐ Valve ☐ Reducers ☐ Other
If other, specify _____
Can well be completely shut in? _____

WELL TEST DATA:
☐ Pumped
☐ Bailed ✓ Describe
☐ Other
Pumping Level Below Land Surface
_____ ft After _____ Hrs pumped _____ GPM
_____ ft After _____ Hrs pumped _____ GPM
_____ ft After _____ Hrs pumped _____ GPM

REMARKS

OCT 1989
DIVISION OF WATER RIGHTS
Pierre, SD

This well was drilled under license # 337
And this report is true and accurate.
Drilling firm Lawn Well Works
Signature of License Representative [signature]
Signature of Well Owner

REPRODUCTIONS, REDUCTION 25:1 ROLL NO. 11-4 3-9-90 DATE MICROFILMED CAMERA OPERATOR

6-2-53

SE 74 - 25

NOT TO SCALE

61.0

60.2

419-209-L

6.7

14.0

18.0

K.D.Bullock
Irrigation Project #1
Rt #1 Box 15
Estelline S.Dak 57234

108 acres for 1150' lepm

128

6.0

130.0

5.8

24.5

Area Irrigated - SE 4 sec 25 - 113-51

~~Acres Irrigated 108~~

Water Claimed - 1.8 cfs

1150

1250

45°

well

1900 - N 40° W

69.9 $\frac{\pi R^2 X}{43560} = \frac{71}{37}$ 108

Non Crop

113-51

11-28-53

John L Wiersma
Reg Eng 11918

149.2

419-209-L

appl & Map # 4993-3

RECEIPT

Division of Water Rights № 4 9397

South Dakota Department of Water and Natural Resources

Pierre, November 14, 1983, 19

RECEIVED OF K. D. Bullock, Route #1, Box 15, Estelline, SD 57234

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

Fee for Application for Permit No. 4993-3 to Appropriate Water, to construct works and to put water to beneficial use	250	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**	250	00

By John Hatch
Chief Engineer JOHN HATCH/ms

SOUTH Dakota
Department of Agriculture

DIVISION OF CONSERVATION
Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

NOV 1983
DIVISION OF
WATER RIGHTS
Pierre, SD

November 16, 1983

KD Bullock
Rt 1, Box 15
Estelline, SD 57234

Dear Mr. Bullock:

In reviewing your soil and water compatibility application of the SE¼ 25-113-51 = 130 acres, the irrigation staff is recommending a Straight Approval of your application to the State Conservation Commission at their January 12, 1984 meeting. The Straight Approval recommendation was made because we forsee no problems with good management. The Management Recommendations are as follows:

MANAGEMENT RECOMMENDATIONS:

We feel we must advise you on a small area in the SW corner of the quarter mapped as Lamoure silty clay (16) is a possible problem area. In this area you may experience a trafficability problem and reduced crop yeilds due to excess wetness. We recommend that this area be maintained in grass and/or alfalfa.

We also recommend the use of a form of conservation tillage to control wind erosion. The additional benefit of leaving this crop residue in the field is the increasing of the water retention ability of the soils.

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

Sincerely,

Jim Stukel

Jim Stukel
Program Administrator

cf

CONSERVATION COMMISSION
WI#1- FORM
3/80

Office Use Only

JAN 1984 DIVISION OF WATER RIGHTS Pierre, SD

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

OWNERS NAME: K.D Bullock OWNERS ADDRESS: RR#1 Box 15 Estelline SD 57234

COUNTY LAND LOCATED IN: Hamlin PHONE: No Phone

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: SW¼ of NE¼ of SE¼ Sec 25 - 113 - 51
2. SURFACE WATER SOURCE: well
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
~~NW¼ Sec 25~~		NW¼ of SE¼ Sec 25 - 113 - 51	29
~~NE¼ Sec 25~~		NE¼ of SE¼ Sec 25 - 113 - 51	39
~~SW¼ Sec 25~~		SW¼ of SE¼ Sec 25 - 113 - 51	25
~~SE¼ Sec 25~~		SE¼ of SE¼ Sec 25 - 113 - 51	38

4. TYPE OF IRRIGATION: GRAVITY: ___ TOWLINE: ___ CENTER PIVOT: ✓ GUN: ___ OTHER: (Specify) ___
5. CROPS TO BE IRRIGATED: Corn, Small grain & Alfalfa
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: ___
   LEGAL DESCRIPTION: None
   IN WHAT NAME: ___

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

7. WATER SAMPLE NUMBER: 83-0583
8. SALINITY (EC X 10^6): 1100
9. SODIUM (SAR): 0.60
10. ADJUSTED (SAR): 1.55

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 4:00 a.m./p.m., on Oct 25, 1983, at the following location: Point of diversion by well driller (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 28 DAY OF Oct, 1983.

(NOTARY PUBLIC)

K D Bullock
APPLICANT'S SIGNATURE

Director, Division of Conservation

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 PERMIT must be obtained from the Board of Water Management.

X APPROVED
___ DISAPPROVED
___ CONDITIONALLY APPROVED

1-12-84

REC. MGMT/FORM

q #4063

Straight Approval

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF CONSERVATION

NAME OF APPLICANT: KD Bullock - Hamlin County

LEGAL DESCRIPTION: SE¼ 25-113-51 = 130 acres

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

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

JAN 19 84 DIVISION OF WATER RIGHTS Pierre, SD

RECOMMENDED MANAGEMENT:

We feel we must advise you on a small area in the SW corner of the quarter mapped as Lamoure silty clay (16) is a possible problem area. In this area you may experience a trafficability problem and reduced crop yields due to excess wetness. We recommend that this area be maintained in grass and/or alfalfa.

We also recommend the use of a form of conservation tillage to control wind erosion. The additional benefit of leaving this crop residue in the field is the increasing of the water retention ability of the soils.

SIGNATURE

1-12-84

DATE

Water Rights Division - DWNR

File No. 4993-3

Conversation or File Documentation

NAME OF PERSON OR FILE: K. D. Bullock

ADDRESS: COUNTY Hamlin

DATE: Jan 19, 1984 TELEPHONE

RE:

COMMENTS:

I talked to Carol Gezik from NorWest Leasing Inc. in Mpls. and she would like a copy of the permit when it is approved.

NorWest Leasing Inc.
Suite 930, Cargill Bldg.
7th & Marquette
Mpls, Minn. 55479

should be sent to her attention

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: Kevin C. Larson

4/82

REPORT ON APPLICATION NO. 4993-3

K. D. BULLOCK
February 27, 1984

Application No. 4993-3 proposes to irrigate 130 acres in the SE 1/4 Section 25, T113N, R51W from one well 44 feet deep. The applicant proposes to withdraw 1.80 cubic feet per second of groundwater from the Big Sioux-Brookings management unit in Hamlin County.

The Big Sioux-Brookings management unit is a glacial sand and gravel aquifer. The aquifer contains an estimated 642,230 acre feet of recoverable water (Hedges, 1981). The aquifer is generally under water table conditions.

The Division of Water Rights monitors 68 observation wells in the Big Sioux-Brookings unit. These wells have shown seasonal fluctuations due to the spring runoff and the affects of the high capacity wells. Hydrographs also indicate the fluctuation of head pressure in the portion of the management unit that is under artesian conditions. In no case did the hydrographs indicate a problem with depleting the waters of the aquifer.

Presently, appropriations by the Water Management Board total approximately 92,000 acre feet of water from the BS:B unit. This is 14 percent of the total amount of recoverable water. Only 5% of the 92,000 acre feet appropriated was reported as used in 1982. Complete values for 1983 water use were not available at this time, but a review of the questionnaires returned indicate 1983 use will be much less because of federal farm programs (PIK).

Although there is a large number of permits issued in the management unit (198) interference between high capacity wells should not be a problem. This is also indicated by the stable water levels in the observation wells.

Conclusions

1. There is a reasonable probability that unappropriated water is available for this application.
2. Observation wells exist and are being monitored in this aquifer.

Gale N Selken

GALE N SELKEN
Hydrologist

References

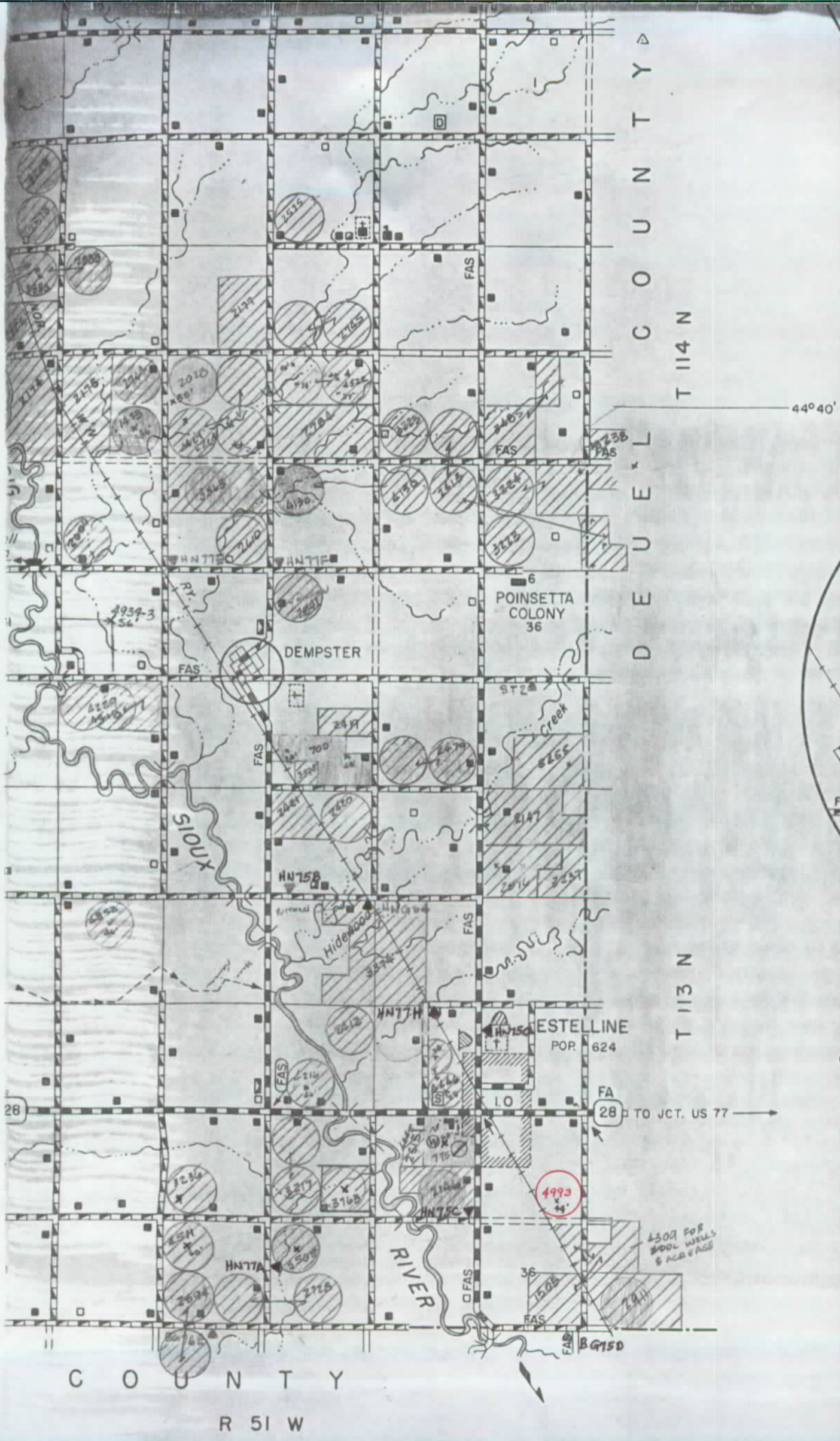
1. Hedges, Burch, Iles, Evaluation of Ground Water Resources, Eastern South Dakota, Upper Big Sioux Basin South Dakota and Iowa, SDGS, Vermillion, 1982.

2. Water Rights Division Files, Division of Water Rights, Pierre SD, 1984.

3. Irrigation Questionnaire Files, Division of Water Rights, Pierre SD, 1984.

4. Observation Well File, Microfiche and Computer Files, Division of Water Rights, Pierre SD, 1984.

5. Burch, General Information of City of Sisseton Aquifer Test, SDGS, General Comments unpublished.


DUEL COUNTY
T 114 N
T 113 N
44° 40'
POINSETTA COLONY 36
DEMPSTER
SIOUX
RIVER
Creek
Hidewood
ESTELLINE
POP. 624
TO JCT. US 77
FAS
FA
28
36
HN75B
HN77H
HN75C
HN77A
BG75D
4993
COUNTY
R 51 W

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 4993-3, K.D.Bullock

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. 4993-3, K.D. Bullock, Rt 1, Box 15, Estelline SD.

The Chief Engineer is recommending APPROVAL of Application No. 4993-3 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 withdrawls so there is not a reduction of needed water supplies in adequate domestic wells or in wells having prior water rights.
>
> This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.

John Hatch

JOHN HATCH, Chief Engineer
March 7, 1984

DWNR 806-7/83

WP ~~or WR No.~~ 4993-3

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

NOTICE OF HEARING on Application No. 4993-3 to Appropriate Water ~~and/or to Amend Water Permit or Water Rights No.~~

Notice is hereby given that K. D. Bullock whose mailing address is Route #1, Box 15, Estelline, South Dakota has made an application for a permit

to appropriate 1.80 cubic feet per second from groundwater, one well 44 feet deep. The point of diversion is to be located in the NE¼SE¼, Section 25-T113N-R51W. The water is to be used for irrigation of 130 acres located in the SE¼, Section 25-T113N-R51W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 4993-3 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 Foss Building, 523 E. Capitol, Pierre, South Dakota, April 25 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 April 13, 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) 46-5-30 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, DWNR, 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 April 13, 1984.

Form 8 - Proof of Publication - Notice of Intent to Appropriate Water

No. 4993-3

PROOF OF PUBLI

STATE OF SOUTH DAKOTA)
) ss.
County Hamlin)

I, M. R Hansman

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

Water was taken from the ESTELLINE JOURN

A newspaper which during the whole time of publication of s herein after stated, has been and is printed and published in th

City of Estelline

County of Hamlin and State of Soutl that the said notice was published in said newspaper on the two dates:

March 14, 1984

March 21, 1984

(Signature)

(Title)

3/22/84
(Date Signed)

MAR 1984
DIVISION OF
WATER RIGHTS
Pierre, SD

Cost of Printing: 103 lines Est. Ne

$40.24

WNR-808-7/79
Proof of Publication

Public Notice

NOTICE OF HEARING on Application No. 4993-3 to Appropriate Water Notice is hereby given that K.D. Bullock whose mailing address is Route No. 1, Box. 15, Estelline, South Dakota has made an application for a permit to appropriate 1.80 cubic feet pr second from groundwater, one well 44 feet deep. The point of diversion is to be located in the NE¼SE¼, Section 25-T113N - R51W. The water is to be used for irrigation of 130 acres located in the SE ¼, Section 25-T113N - R51W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 4993-3 because 1) unappropriated water is available, 2) will be no unlawful impariment 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 Foss Building, 523 E. Capitol, Pierre, South Dakota, April 25 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 April 13, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the applicaton, 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-1 thru 46-2A-1 thru 46-2A -10, 46-2A 12; 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, 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 April 13, 1984.

MAR 1984
DIVISION OF
WATER RIGHTS
Pierre, SD

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

4993-3

May 7, 1984

K. D. Bullock
RR#1, Box 15
Estelline, South Dakota 57234

Dear Mr. Bullock:

Enclosed herewith is your Water Permit No. 4993-3 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. 4993-3.

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 acquistion of a Water Right.

Very truly yours,

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

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

No. _____

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office RR-1 Box 15 Gettysburg SD 57234

Date 8-7-84

TO: Water Rights
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. 4943-3.

Water Right Permit No. 4943-3 states that the diversion system is to be constructed by Herman Jungstrom, and that the water is put to beneficial use by K D Bullock & B. J. Bullock

The diversion system was completed on 6-10-84. Applying the water to beneficial use was completed on 6-10-84.

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.

K D Bullock
(Signature)

AUG 1984
DIVISION OF WATER RIGHTS
Pierre, SD

WNR-810-7/79
Notice of Completion of Works and/or
Application of Water to Beneficial Use

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
Division of Water Rights
605 773-3352

No. 4993-3

October 23, 1984

Barbara Jo Bullock
Rt 1, Box 15
Estelline SD 57234

Dear Ms. Bullock:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of $2.50.

Upon receipt of the enclosed form and the $2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

KAREN SCHLAAK
Administrative Aide

encl.

NOTE: This transfer form is being sent to you in reference to the ownership change you specified on the 1984 Irrigation Questionnaire.

NO. 4993-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 10-26-84

This is to notify you that the title to the lands described as follows:

130 acres - SE¼ Section 25, T113N, R51W

formerly owned by K.D. Bullock

has been transferred to Barbara Jo Bullock, Rt 1, Box 15, Estelline SD 57234
(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4993-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents ($2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
) ss.
County of Hamlin)

I, K.D. Bullock being first duly sworn on my oath despose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

K D Bullock
(Signed)

Subscribed and sworn to before me this 26 Day of October, 1984

Jeanette Foster
(Notary Public)

JEANETTE FOSTER
NOTARY PUBLIC, Hamlin County, S.D.
My Commission Expires Apr. 25, 1988.

OCT 1984
DIVISION OF
WATER RIGHTS
Pierre, SD

WNR-820-9/83
Notice of Transfer of Water Permit

RECEIPT

Division of Water Rights № 4 9807

South Dakota Department of Water and Natural Resources

Pierre, October 29, 1984

RECEIVED OF K. D. Bullock, RR#1, Box 15, Estelline, SD 57234

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. _____		
Fee for Filing Transfer Form 4993-3	2	50
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**	2	50

By John Hatch
Chief Engineer

JOHN HATCH ms

No. 4993-3

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
Pierre, South Dakota 57501
Water Rights Division
Phone (605) 773-3352

October 30, 1984

K. D. Bullock
RR#1, Box 15
Estelline, South Dakota 57234

Dear Mr. Bullock:

Enclosed is receipt No. 4 9807 in the amount of $ 2.50 which you paid for transfer of Water Right No. 4993-3.

Our records now show Barbara Jo. Bullock as the owner of this Water Right.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WNR-821-7/79
Receipt & Notice of filing of Transfer of Water Right

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 23, 1987

BARBARA JO BULLOCK
RR #1 BOX 15
ESTELLINE, SD 57234

NOTICE

Re: Violation of Water Permit No(s). 4993-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 4993-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4993-3 qualification:

> "This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 4993-3 until either the 1986 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner 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.

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

NOTE: If the questionnaire(s) is received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

Sent form 4/3/87

3/29/87

Mr John Hatch, Chief Eng,
So Dak Dept of Water & Nat. Resources
Joe Foss Bldg
523 E. Capitol
Pierre, So Dakota

Re your letter 3/23/87
Permit #4993-3

Dear Sir -

I have never received the 1986 Irrigation Questionnaire you refer to dated 11-3-86. Perhaps the Estelline Post Office failed to forward it.

Please furnish me another one to the address below and I will get it right back to you. thank you

Sincerely -

Barbara Jo Bullock
7638 E. Sheridan St.
Scottsdale Az 85257

APR 1987
DIVISION OF
WATER RIGHTS
Pierre, SD

Farm address:
RR1 Box 15
Estelline SD 57234

Please mail questionaire to designated address

SOUTH DAKOTA Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 15, 1987

4993-3

Barbara J Bullock
7638 E Sheridan St
Scottsdale, AZ 85257

Dear Ms. Bullock:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water 4993-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

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

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 4, 1990

4216-3
4993-3

Steven Kalsbeck
Estelline, SD 57234

Dear Mr. Kalsbeck:

Enclosed are partially completed "Notice of Transfer" forms for use in filing ownership changes on Water Permit Nos. 4993-3 and 4216-3. Also enclosed are copies of the permits for your files.

Please check over the forms and sign them in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of $2.50 each (total of $5.00).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

September 18, 1990

Second Notice
Permit Nos. 4216-3
4993-3

Steven Kalsbeck
Estelline, SD 57234

Dear Mr. Kalsbeck:

On May 4, 1990 notice was sent to you concerning the transfer of Water Permit Nos. 4216-3 and 4993-3. Permit No. 4216-3 is currently listed in the name of Circle B Farms and Permit No. 4993-3 is listed under Barbara Jo Bullock. To date, we have not heard from you on this matter.

Transfer forms were previously sent to you, enclosed are additional forms. Please sign, have notarized and return the forms to this office with the required filing fee of $2.50 each (total of $5.00). The permits can then be transferred to your name. If you are not the present owner of the land covered under these Permits, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath, (605) 773-3352.

Very truly yours,

RON DUVALL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

NOTICE OF TRANSFER OF OWNERSHIP No. 4993-3

TO: Chief Engineer
Water Rights Division, DWNR
523 East Capitol
Pierre, SD 57501-3181

Date: _____

OCT 1990 DIVISION OF WATER RIGHTS Pierre, SD

I/We request that Water Permit/~~Right~~ No. 4993-3

formerly owned by: Barbara Jo Bullock, Estelline, SD 57234

be transferred to: (name & address) Steve Kalsbeck

Rt 1 Box 220A Estelline, S.D. (telephone No.) 873-2534

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

130 acres - SE¼ Section 25, T113N, R51W

I/We understand that the validity of Water Permit/~~Right~~ No. 4993-3 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents ($2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
)
County of Hamlin)

I/We Steve Kalsbeck 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.

Steve Kalsbeck
(Signed)

Subscribed and sworn to before me this 3 day of October, 19 90.

Jeanette Foster
(Notary Public)

JEANETTE FOSTER
NOTARY PUBLIC, Hamlin County, SD
My commission expires 4/14/96

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 water 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

412384

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, October 4, 19 90

RECEIVED OF SStäven or Debora Kalsbeck RR #1 Box 220A, Estelline SD 57234

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. _____		
Fee for Filing Transfer Form Water Permit No. 4993-3	2	50
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**	2	50

By John Hatch Jmro

Chief Engineer

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

November 16, 1990

No. 4993-3

Steven or Debora Kalsbeck
RR 1 Box 220A
Estelline, SD 57234

Dear Mr. & Mrs. Kalsbeck:

Enclosed is a receipt in the amount of $2.50 which you paid for the transfer of Water Permit No. 4993-3.

Our records now show you as the owner of this Water Permit.

Sincerely,

Jaci Konop

JACI KONOP
Senior Secretary
Water Rights Division
605 773-3352

enclosure

DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

DEC 8 1992

4993A-3

Steve Kalsbeck
RR 1, Box 220
Estelline, SD 57234

Dear Mr. Kalsbeck:

Enclosed is Water License No. 4993A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413476 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 existing well(s), such as the well(s) authorized by Water Right No. 4993A-3 constructs a replacement well(s) and does not plan to use the old well(s), the old well(s) 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. 4993-3 were incorporated into Water License No. 4993A-3.