

Considered: _____

WATER PERMIT NO. 4993A-3

Phone: 873-2534

Name of Applicant: Steve Kalsbeck

Post Office Address: Rt 1, Box 220A, Estelline SD 57234

Amount of Water Claimed: no add'l Total Acres: no add'l

Source of Water Supply: groundwater

Water to be used for: irrigation County: Hamlin

About _____ miles SW of Estelline

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 1-14-92 Fee: \$50 Remarks Add'l

diversion point on 4993-3

Corrected Application Received _____ Period of Annual Use April 1- Nov 1

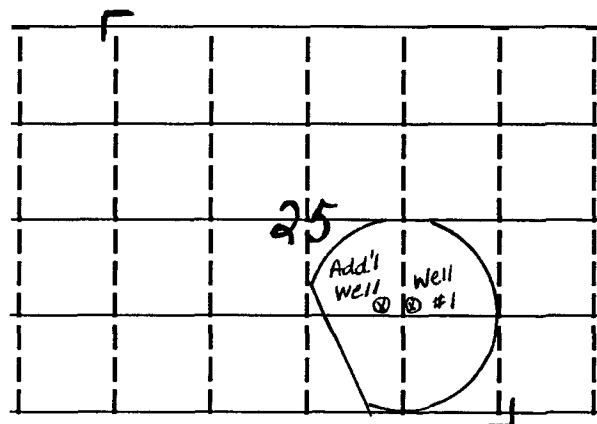
WATER QUALITY APPROVAL RECEIVED 1-16-84 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: Well #1 NE 1/4 SE 1/4

Well #2 NW 1/4 SE 1/4 Section 25-T113N-R51W

Land to be Irrigated: SE 1/4 Sec 25-T113N-R51W



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 44' REMARKS not available

Type of Map: aerial PREPARED BY: Norma Job Reviewed and the Number

Assigned on 1-14-92 By Karen Schlaak

(See instructions)

No. 4993A-3 Hydrologic Unit 10170207
Basin Big Sioux River
Newspaper Estelline Journal, Box 159 (Thurs)

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
- ☒ Change Acreage ☐ Change diversion point(s) ☒ Add diversion point(s)
- ☐ Add Acreage ☐ Increase diversion rate ☒ Other See Permit No. 4993-3
1. Name of Applicant Steve Kalsbeck Phone No. 873-2534
- Post Office Address Rt 1 Box 220A Estelline State S.D. Zip Code 57234
(Street, RR or Box) (City)
2. Amount of water claimed (c.f.s) no add'l Total acres irrigated no add'l
3. Source of Water supply well #2
4. Location of point of diversion NW 1/4 SE 1/4 Section 25-T113N-R51W
- County Hamlin
5. Counties where water will be used Hamlin
6. Annual period during which water is to be used April 1 - Nov. 1
7. 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.
SE 1/4 Section 25-T113N-R51W	130

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ (Specify) _____ Other: _____
9. Crops to be Irrigated: Corn, Beans, ALFALFA
10. Give a description of proposed project. (Attach sheet if more space is needed)

This application is for an additional well. The lands are covered under Permit No. 4993-3

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Hamlin)^{ss}

I, Steve Kalsbeck, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Steve Kalsbeck

Subscribed and sworn to before me this 13 day of January 1992

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

Jeanette Foster
Notary Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 18 inches Depth 44 feet
- b) Casing Type Steel Diameter 10 inches Thickness 3/16 inch
- c) Screen Type Cont. Slot Diameter 10 inches Thickness unknown ?
- d) Gravel Pack Thickness 4 inches Length of Gravel Pack 28 feet
- e) Depth to Top of Water Bearing Material 19 feet
- f) Depth to Water (ground surface to water level) 13 feet
- g) Distance to nearest existing domestic well:
 On applicants property 5/16 mile On property owned by others 3/4 mile

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

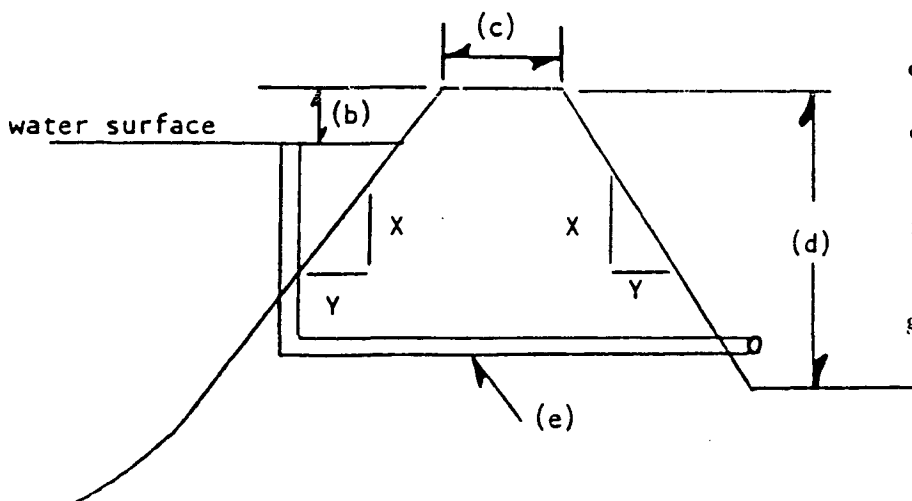
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Steve Kelsch

Signature of Applicant

**SOUTH DAKOTA
WATER PERMIT No. 4993A-3 FOR IRRIGATION**

Date of first receipt of application January 14, 1992.
Date Soil/Water Compatibility Permit received January 16, 1984.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 4993A-3 to Steve Kalsbeck, Rt 1, Box 220A, Estelline SD 57234 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 4993A-3 is for one additional well to irrigate acreage authorized by Water Permit No. 4993-3. Water Permit No. 4993-3 appropriates 1.8 cubic feet of water per second (cfs) from one well located in the NE 1/4 SE 1/4 Section 25; to irrigate 130 acres in the SE 1/4 Section 25; all in T113N-R51W. This permit authorizes one additional well approximately 44 feet deep (Big Sioux:Brookings Aquifer) located in the NW 1/4 SE 1/4 Section 25-T113N-R51W. No increase in the developed diversion rate (1.0 cfs) or number of acres (130 acres) being irrigated is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - November 1.
3. The date from which applicant may claim right is January 16, 1984.
4. The date of approval of Permit No. 4993A-3 is March 4, 1992.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: John H. Hales
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

AUG 6 1992
date

Conversation or File Documentation

NAME OF PERSON OR FILE: Jim Stukel

ADDRESS: _____ COUNTY _____

DATE: _____ TELEPHONE 773-4003RE: water sample for additional well

COMMENTS:

The wells must be within 2000' have
no additional water or acreage and be in
the same aquifer. & They will not need a
new water sample if they meet all the above
qualifications.

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: Norma C. Job

REPORT ON WATER PERMIT APPLICATION NO. 4993A-3
STEVE KALSBECK
JANUARY 17, 1991

Application No. 4993A-3, Steve Kalsbeck, proposes to add an additional well to irrigate acreage authorized by Water Permit No. 4993-3. Water Permit No. 4993-3 appropriates 1.8 cubic feet of water per second (cfs) from one well located in the NE 1/4 SE 1/4 Section 25; to irrigate 130 acres in the SE 1/4 Section 25; all in T113N-R51W. This application is for one additional well, approximately 44 feet deep, located in the NW 1/4 SE 1/4 Section 25-T113N-R51W in Hamlin County. No increase in the developed diversion rate (1.0 cfs) or number of acres (130 acres) being irrigated is authorized by this application.

AQUIFER - BIG SIOUX - BROOKINGS (BS-B)

The Big Sioux aquifer, the largest and most productive ground water source present in surficial outwash bodies, underlies an area of 178 square miles with an estimated storage of 480,000 acre-feet in Hamlin County (Kume, 1985). The aquifer is composed mainly of glacial-meltwater stream deposits, and is underlain by till and commonly overlain by alluvial silt and clay. The Big Sioux aquifer is recharged from direct infiltration of snowmelt, spring rain and by the Big Sioux River and is estimated to be 48,000 acre-ft/yr in Hamlin County (Kume, 1985). There is also recharge from runoff from adjacent areas onto the surface of the aquifer deposits, leakage from adjacent till, and infiltration from the Big Sioux River when the level of water in the river is higher than the water level in the underlying and adjacent aquifer.

REVIEW OF EXISTING WATER RIGHTS/PERMITS

There are numerous irrigation permits in this area. There are four irrigation permits, Nos. 4345-3, 775-3, 5439-3, 4309-3, withdrawing water from the Big Sioux - Brookings management unit within a one mile radius of this application in Hamlin County. Interference is not expected to be a concern.

The Division of Water Rights monitors 21 observation wells completed into the Big Sioux - Brookings aquifer in Hamlin County. Water levels for these wells show good correlation between climatic conditions and water levels, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. There are three observation wells, HN-71A, HN-75B, and BG-75D, located 1/2 mile west, 1 1/2 miles north, and 1 mile south respectively from this application. The observation well records indicate the aquifer is capable of sustaining additional withdrawals (Water Rights, 1991).

CONCLUSIONS

1. Water is available from the Big Sioux-Brookings aquifer.

2. If this application is approved, it should contain the following qualification:
Subject to the irrigation questionnaire submitted each year.
3. The observation well readings show no adverse fluctuations in water levels and the aquifer recharges readily when water is available.
4. This is an existing well and system and has been in use for many years with no apparent problem.
5. These wells were drilled in 1983. Information submitted with the application is not sufficient to determine if these wells were constructed in accordance with present SD Well Construction Standards.
6. An inspection of Water Permit No. 4993-3 showed 130 irrigated acres using 1.0 cfs. If this application is approved, Water Permit No. 4993-3 and this application should be incorporated into one Water License for 1.0 cfs irrigating 130 acres.

Norma C. Job

NORMA C. JOB
Natural Resources Engineer I

Approved by:

James A. Goodman

JAMES A. GOODMAN, PE
Natural Resources Engineer IV

REFERENCES

Kume, Jack, 1985, Water Resources of Deuel and Hamlin Counties, South Dakota, Water-Resources Investigations Report 84-4069, USGS, Huron, SD 57350.

Water Rights, 1991, Observation Well Records for Big Sioux - Brookings Aquifer in Hamlin County, SD DENR, Division of Water Rights, Joe Foss Building, Pierre, SD 57501.

Hedges, L.S., 1982, Evaluation of Groundwater Resources Eastern SD and the Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR - SDGS, Vermillion, SD 57069.

Goodman, J.A., 1991, Report on Application No. 5574-3, Keith and Leland Johnson, SD DENR Division of Water Rights, Pierre, SD 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4993A-3, Steve Kalsbeck

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 4993A-3, Steve Kalsbeck, Rt 1 Box 220 A, Estelline, SD 57234.

The Chief Engineer is recommending APPROVAL of Application No. 4993A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


JOHN HATCH, Chief Engineer
January 24, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

July 29, 1991

Steven Kalsbeck
RR 1 Box 220A
Estelline, SD 57234

Dear Mr. Kalsbeck:

Enclosed are partially completed application forms to correct Water Permit No. 4993-3. On June 6, 1991, I had inspected your permits. I found that Water Permit No. 4993-3 allowed for only one well to irrigate 130 acres. I found two wells located on the lands irrigated.

Looking through the files, I could not find a well log for either well. Both well logs will need to be included with this permit application. If both wells are around the same depth, a water sample will not be needed.

Complete the enclosed application and sign in the presence of a notary public. Return them to this office along with a \$50.00 filing fee.

If you have any questions, feel free to contact me at (605) 773-3352.

Sincerely,

Norma C. Job
Natural Resources Engineer I

enclosures



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 31, 1991

Kaiser Well Drilling
Attn: Gene Kaiser
405 8th St SE
Watertown, SD 57201

Dear Mr. Kaiser:

Currently, I am in the process of licensing some water permits. The final step is to obtain some well logs that your company may have drilled for these permits. The wells for these permits are located:

SE 1/4 Section 25-T113N-R51W Two wells for Keith Bullock.
This land is now owned by Steven Kalsbeck.

S 1/2 of SE 1/4 NE 1/4 Section 18-T117N-R52W 1 well for Edward Fox.

If you have drilled these wells, please send these well logs as soon as possible so that I can continue the process of licensing the water permits.

If you have any questions, feel free to contact me at (605) 773-3352.

Sincerely,

Norma C. Job
Natural Resources Engineer
Division of Water Rights

Permit #
4993-3

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413012

Pierre, January 14, 19 92

RECEIVED OF Steven or Deborah 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. <u>4993A-3</u> to Appropriate Water, to construct works and to put water to beneficial use	50	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	50 00

By

John Hatch (CE)

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

January 27, 1992

Steve Kalsbeck
Rt 1 Box 220A
Estelline, SD 57234

Dear Mr. Kalsbeck:

Water Permit Application No. 4993A-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Estelline Journal printed at Estelline, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 1992

Estelline Journal
Box 159
Estelline, SD 57234

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 4993A-3 to be published twice. Please publish the first notice on February 6, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Steve Kalsbeck, Rt 1 Box 220A, Estelline, SD 57234.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on February 6, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4993A-3 to Appropriate Water
and to Amend Water Permit No. 4993-3

Notice is given that Steve Kalsbeck, Rt 1 Box 220A, Estelline, SD 57234 has filed an application for a water permit for one additional well to irrigate acreage authorized by Water Permit No. 4993-3. Water Permit 4993-3 appropriates 1.8 cubic feet of water per second (cfs) from one well located in the NE 1/4 SE 1/4 Section 25; to irrigate 130 acres in the SE 1/4 Section 25; all in T113N-R51W. This application is for one additional well approximately 44 feet deep (Big Sioux:Brookings Aquifer) located in the NW 1/4 SE 1/4 Section 25-T113N-R51W. No increase in the developed diversion rate (1.0 cfs) or number of acres (130 acres) being irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 4993A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

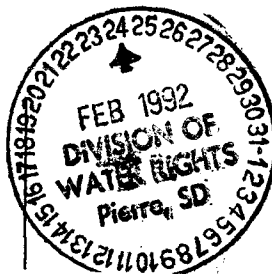
Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 24, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application on March 4, 1992, at 10:00 am, Floyd Matthew Trailing Center, Joe Foss Building, 523 East Capitol, Pierre, SD 57501. If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The March 4, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by February 24, 1992.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Affidavit of Publication



STATE OF SOUTH DAKOTA,

SS.

County of Hamlin

Mark R. Hausman and Carla Clarke, of said first duly sworn, on oath say that they are the managers of The Estelline Journal, a newspaper printed and published in Estelline, said County and has full and personal knowledge of all stated; that said newspaper is a legal newspaper of bona-fide circulation of at least two hundred copies and has been published within said county successive weeks next prior to the publication herein mentioned, and was and is printed and published in an office maintained at said place of publication.

Notice of Hearing

_____, a printed notice taken from the paper in which the same was attached to this sheet, and is made a part of the publication in said newspaper at least once in _____ successive weeks, on the day of _____ which said newspaper was regularly published.

2-6 - 1992;

2-13 - 1992;

_____, 19____;

_____, 19____;

_____, 19____;

that the full amount of the fees for the published notice is \$ 52.47

Subscribed and sworn to before me this _____ day of Feb 21, 1992.

Connie Jean Jensen

petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application on March 4, 1992, at 10:00 am, Floyd Matthew Trailing Center, Joe Foss Building, 523 East Capitol, Pierre, SD 57501. If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The March 4, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by February 24, 1992.

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16-2x-Feb. 6, 13

NOTICE OF HEARING

on Application No. 4993A-3 to Appropriate Water and to Amend Water Permit No. 4993-3

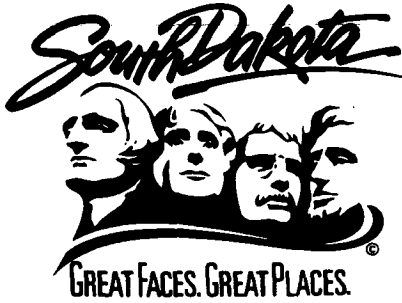
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Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 24, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the

CONNIE JEAN JENSEN
My Commission Expires
Sept. 29, 1994

2332
52.47



AUG 6 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

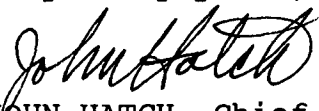
Steve Kalsbeck
Rt 1 Box 220A
Estelline, SD 57234

Dear Mr. Kalsbeck:

Enclosed is Water Permit No. 4993A-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,


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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 13, 1992

SECOND NOTICE

PERMIT NO: 4993A-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Steve Kalsbeck
Rt 1, Box 220A
Estelline, SD 57234

Dear Mr. Kalsbeck:

On August 6, 1992, you were notified the final inspection fee of \$50.00 is due before Water License No. 4993A-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and ~~4a-8~~
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

4993A-3

Steve Kalsbeck
Rt 1, Box 220A
Estelline, SD 57234

4a. Article Number

P 906 559 947

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

10-15-92

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

RECEIPT

Division of Water Rights

413476

South Dakota Department of Environment and Natural Resources

Pierre, October 20, 19 92

RECEIVED OF Steven 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 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>4993A-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By *John Hatch*
Chief Engineer

Big Sioux River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Steven Kalsbeck
RR#1 Box 220A of Estelline, SD 57234 holder of
 Permit No. 4993-3, bearing the priority of January 16 19 84 authorizing
 the diversion of 1.8 cu. ft. per second of the waters of groundwater
 for irrigation purposes, in Hamlin County.

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

A. Works used to divert the water: 2 wells

Both wells are submersibles ^{each} capable of 225 gpm. The makes +
 Model #'s on the pumps and motors are ~~not~~ not available

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

Well #1 6" aluminum 5' in length
 Well #2 8" PVC 250' in length

C. Works used to apply water to beneficial use:

Valley Cornering System with 6 towers plus the corner
unit. 1368' long with an end gun capable of 450 gpm

The system is in the following condition good

The point of diversion is located Well #1 - 1290' west and 1420' North of SE
corner Well #2 1420' west and 1385' North of SE corner both
in Section 25-T113N-R51W

The works are capable of diverting and conveying to the place of use 1.0cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: Section 25-T113N-R51WNW 1/4 SE 1/4 - 35 AcresNE 1/4 SE 1/4 - 36 AcresSW 1/4 SE 1/4 - ²³~~36~~ Acres (initials)SE 1/4 SE 1/4 - ³⁶~~23~~ Acrescomprising a total of 130 acres of land and the license should be issued for 1.0 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: need another permit for Date 6/19/1991

additional diversion
(4993A-3)

Norma C. Job
 (signature)

LICENSE FOR PERMIT NUMBER 4993-3

1. Legal location of wells: _____

dams & structures: Kaiser

2. Well Information: Well Drilling Firm Kaiser

well logs not available

Completion Report Yes X No well #1 No. of Wells 2 Depth _____

Casing a) diameter 16" 18" Screen a) type _____

b) length _____ b) length _____

c) type Steel Steel Static Water Level _____

Pump a) make Submersibles Motor a) make _____

b) model _____ b) model No. _____

c) size _____ c) horsepower rating 30 45

d) capacity 225 225 gpm

e) turbine pump - no. of stages _____

f) operating PSI 35

3. Distribution lines or canals

a) size 6" 8"

b) type Alum PVC

c) length 5 250

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

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 _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

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

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

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

d) center pivot

- 1) make Valley Cornering System
- 2) number of towers 6 + corner unit
- 3) distance between towers _____
- 4) overall length 1368'
- 5) end gun (Y/N) Y
- 6) high or low pressure low
- 7) make & size of nozzles _____
- 8) capacity (GPM) 450

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

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?
☒	☐	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
☐	☒	5. Is chemigation used?
☐	☐	6. If yes, does equipment comply with chemigation rules?

REMARKS:

NOT TO SCALE **1991**



STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4993A-3

(1) Steve Kalsbeck of RR 1, Box 220, Estelline, SD 57234 made Application No. 4993A-3, January 14, 1992 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one additional well), Hamlin County, South Dakota for irrigation purposes. Permit No. 4993A-3 with a priority date of January 16, 1984 (established by Water Permit No. 4993-3) was approved March 4, 1992 and issued to 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.

Water Permit No. 4993A-3 was obtained to authorize an additional well which was developed to irrigate land authorized under Water Permit No. 4993-3. No. 4993A-3 did not allow for an increase in the developed diversion rate or in the acreage being irrigated.

The applicable portions of Water Permit No. 4993-3 are incorporated into this Water License No. 4993A-3.

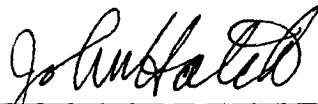
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.00 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 1290'W and 1420'N of the SE corner (NE 1/4 SE 1/4); Well #2 - 1420'W and 1385'N of the SE corner (NW 1/4 SE 1/4); both in Section 25, T113N, R51W.

(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:

T113N, R51W Section 25	NW 1/4 SE 1/4	35 Acres
	NE 1/4 SE 1/4	36 Acres
	SW 1/4 SE 1/4	23 Acres
	SE 1/4 SE 1/4	36 Acres
	Total-----	130 Acres

(4) Pursuant to Section 46-5-30.1 Steve Kalsbeck of RR 1, Box 220A, Estelline, SD 57234 the holder(s) and/or owner(s) of Incorporated Water Permit No. 4993A-3 is issued a license to appropriate water, the right to use 1.0 cubic feet of water per

second from groundwater (two wells) with a priority date of January 16, 1984 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 Incorporated Water Permit No. 4993A-3 and subject to South Dakota State Law.



DEC 8 1992

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

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.



January 9, 1998

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: STEVEN KALSBECK, RR 1 BOX 220A, ESTELLINE, SD 57234
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 4993A-3, 4309B-3. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4309B-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4993A-3 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4993A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4309B-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing 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.

If the questionnaires are received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 1998

4993A-3

Ron Jongeling
RR 2 Box 91
Castlewood, SD 57223

Dear Mr. Jongeling:

I am contacting you in regard to ownership of land described in Water Right No. 4993A-3, currently listed in the name of Steve Kalsbeck. In response to a notice sent to Mr. Kalsbeck concerning the 1997 irrigation questionnaire, he notified our office that you had purchased the land from him. Enclosed is a copy of the water right for your review.

Also enclosed, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review the form for accuracy and make any necessary corrections or additions. 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.

Information pertaining to the 1997 irrigation season is still needed for Water Right No. 4993A-3. If possible, please complete the enclosed questionnaire and return it to our office by February 20th. I am enclosing a postage paid envelope for your reply.

Thank you for your assistance in this matter. If you have any questions, please contact me.

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. 4993A-3



Date: 1-31-98

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

formerly owned by: Steve Kalsbeck

be transferred to: (name & address) Ronald Jongeling RR 2 Box 91
Castlewood SD 57223 Telephone No. 605 873 2853

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 Right No. 4993A-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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

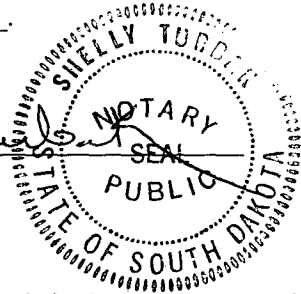
County of Hamlin)

I/We _____ 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.

Ronald Jongeling
(Signed)

Subscribed and sworn to before me this 2nd day of February, 1998.

Shelly Turdick
(Notary Public)



MY COMMISSION EXPIRES JAN. 9, 1999

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

JD 415637

Pierre, February 5, 1998

RECEIVED OF Ronald Jongeling, RR 2, Box 91, Castlewood, SD 57223
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 Water Right No. 4993A-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By _____
Chief Engineer

John Hatch (S)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 1998

No. 4993A-3

Ronald Jongeling
RR 2, Box 91
Castlewood, SD 57223

Dear Mr. Jongeling:

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

Our records now show you as the owner of Water Right No. 4993A-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure