

Considered: _____

WATER PERMIT NO. 5085-3

MAP No. Same

Name of Applicant Ed Watkins

Post Office Address HCR Box 18, St. Lawrence SD 57373

Amount of Water Claimed 1.85 Total Acres 1.0

Source of Water Supply ground water Tulare - Hand

Water to be used for irrigation County Hand

About 6 1/2 miles N of Vayland SD.

PROOF OF PUBLICATION: Received April 21, 1986 Not Received _____

APPLICATION: Approved May 14, 1986 Subject to _____

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

PRIORITY _____ Date Received Feb 3, 1986 Fee \$250.00 Remarks _____

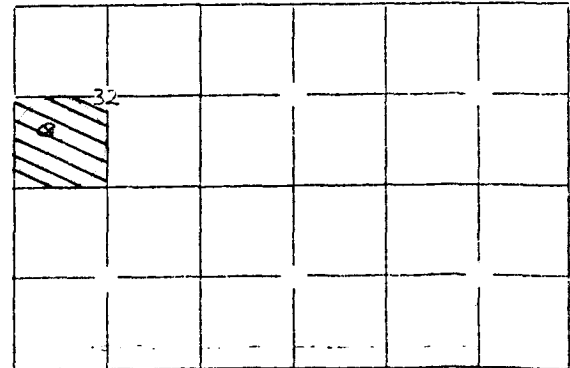
Corrected Application Received Feb. 18, 1986 Period of Annual Use May 1 - Sept. 30

WATER QUALITY APPROVAL RECEIVED Mar. 11, 1986 APPROVED CONDITIONAL (Circle one)

WI-1 Description same as Application YES ☒ NO _____ REMARKS Land description is the same as the application. S&W specifies 130 acres not 160 acres as noted on the application.

Diversion Point well: SW 1/4, sec 32-T113N-R66W

Land to be Irrigated: SW 1/4, sec 32-T113N-R66W



Well Log: Driller Pullman Licensed YES ☒ NO _____

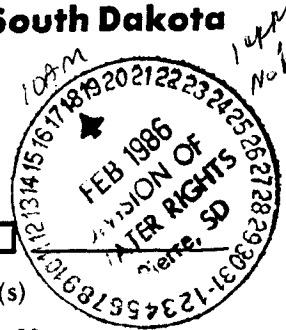
Depth of Well 70ft REMARKS Domestic well drilled on 8/14/85 approximately 1/4 mile from proposed irrigation well

Type of Map Soils map PREPARED BY R. Duvall Reviewed and the Number assigned on Mar. 14, 1986 By R. Duvall

No. 5085-3 Hydrologic Unit 1016.0006
 Map No. same Basin James River
 Newspaper Miller Press, Box 196, 57362

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:



New ☒ Vested Right ☐ Future Use ☐

☐ Application to amend Permit No. _____ with old priority date retained

☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐

☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)

☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____

☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____

1. Name of Applicant Ed Watkins Phone No. 1-605-853-2532

Post Office Address HCR #18, St. Lawrence State S.D. 57373
 (Street, RR or Box) 1.85 max. allowable Zip Code 3/20/86

2. Amount of water claimed (c.f.s) 1000 gpm Total acres irrigated 130

3. Source of Water supply well

4. Location of point of diversion T-13-W R 66W SW 1/4 of Sec. 32
T113N-R66W

County Hand

5. Counties where water will be used Hand

6. Annual period during which water is to be used May 1 - Sept. 30

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.
<u>NE 1/4 of SW 1/4 of Sec. 32, T13N-R66W</u>	<u>40 35</u>
<u>NW 1/4 of SW 1/4 of Sec. 32, T13N-R66W</u>	<u>40 35 (RD. 3/20/86)</u>
<u>SE 1/4 of SW 1/4 of Sec. 32, T13N-R66W</u>	<u>40 35</u>
<u>SW 1/4 of SW 1/4 of Sec. 32, T13N-R66W</u>	<u>40 25</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

160 A Land to be irrigated primarily for alfalfa as one unit.
3 (RD. 3/20/86)

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

STATE OF SOUTH DAKOTA)
 County of HAND ss

I, ED WATKINS the applicant, certify that I have read the foregoing application, 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 Ed Watkins

Subscribed and sworn to before me this 17th day of February 1986

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5085-3
Ed Watkins HCR 118, St. Lawrence
 (Applicant) (Post Office Address)
SD 57373 With the following qualifications.
 (State) (Zip Code)

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.

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

Date of first receipt of application February 3, 19 86.
 Date of return to applicant for correction, amendments or changes required February 5, 19 86.
 Date of receipt of corrected application March 12, 19 86. Approved May 14, 19 86.

The Water Management Board hereby approves this Water Permit No. 5085-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is February 3, 19 86.
2. One-fifth of the work is to be completed on or before October 14, 19 88.
3. The whole of said work is to be completed on or before May 14, 19 91.
4. The time limit for proof of beneficial use of water is May 14, 19 95.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.85 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. For irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before May 14, 19 95; said water to be used during the following described annual period: May - Sept 30.

WATER MANAGEMENT BOARD

By: John Hatch
 Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources

JUN 20 1986

, 19

Supplemental Information

(type or print in ink)

I. Well Information - Proposed construction

- a) Drill Hole Diameter 26" Depth 70'
- b) Casing Type plastic Diameter 16" Thickness 5/16"
- c) Screen Type Johnson stainless steel Diameter 16" Thickness ?
- d) Gravel Pack Thickness 5" Length of Gravel Pack 50'
- e) Depth to Top of Water Bearing Material 5'
- f) Depth of Water (ground surface to water level) 20'
- g) Distance to nearest existing domestic well: 1/4 mile (owner's well)
- On applicants property yes On property owned by others _____

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) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

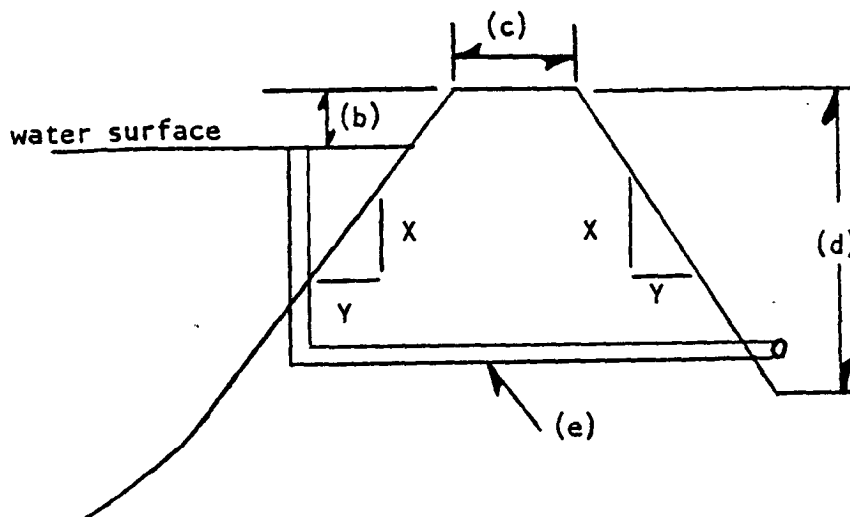
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Ed T. Williams

Signature of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410354

Pierre, March 12, 19 86

RECEIVED OF Ed/Lorna Watkins, HCR Box 18, St. Lawrence, SD 57353

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

Fee for Application for Permit No. <u>5085-2</u> 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 (15)

Water Rights Division
605 773-3352

February 5, 1986

Ed Watkins
HCR 18
St. Lawrence SD 57373

Dear Mr. Watkins:

After review of your water permit application there are several things that need to be completed before we can process your application:

1. On Form 2 the land to be irrigated must be described under item no. 7.
2. Two copies of Form 2A must be submitted showing the proposed well construction.
3. A geologic log of the proposed well must also be submitted with the application.
4. An approved WI-1, soil/water compatibility permit must be received by our office. If you have any questions concerning the WI-1 please contact the Division of Conservation at 773-3259.

When we receive the above information we will continue to process your application. If you have any questions, please contact this office.

Thank you,

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

enclosures

*Joe Wadkins called 2-6-86
Told him about fee of \$250.00*

Water Rights Division
605 773-3352

February 19, 1986

Ed Watkins
HCR Box 18
St Lawrence SD 57373

Mr. Watkins:

I have reviewed your water permit application to irrigate 160 acres in Hand County. When we receive the \$250.00 filing fee and an approved WI-1, Soil/Water Compatibility permit we will continue processing your application. If you have any questions, please contact this office.

Thank you,

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

OWNERS NAME: ED WATKINS

OWNERS ADDRESS: HCR BOX 18

COUNTY LAND LOCATED IN: HAND

PHONE: 853-2582

TENANT'S NAME AND ADDRESS:

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

1. WELL LOCATION: CENTER OF SW 1/4 OF SEC 32 T-113-N R-66-W

Depth: 70 FT

2. SURFACE WATER SOURCE AND DIVERSION LOCATION:

Diversion Location:

Legal Description	Acres	Legal Description	Acres
<u>T-113-N-R-66-W</u>	<u>130 acres</u>		
<u>(SW 1/4 SEC 32)</u>			

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT; YEAR OBTAINED

LEGAL DESCRIPTION: NONE

IN WHAT NAME:

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

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

6. CROPS TO BE IRRIGATED: ALFALFA

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

7. WATER SAMPLE NUMBER: 85-0805

10. ADJUSTED (SAR): 3.85

8. SALINITY (EC X 10⁶): 850

11. PERCENT SODIUM: 31.5

9. SODIUM (SAR): 1.68

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 7 a.m./p.m., on 8-20, 1985, at the following location: 3N 05 1/2 SEC 32 SW 1/4 SEC 32 T-113-N by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature, of Water Sampler.

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

SUBSCRIBED AND SWORN BEFORE ME THIS

22 DAY OF JANUARY, 1986

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

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

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



Approved with Requirements

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Ed Watkins

LEGAL DESCRIPTION: SW1/4 32-113-66

SOIL REQUIREMENTS:

A buffer strip of grass and/or alfalfa must be maintained along Pearl Creek to prevent erosion.

That the end gun be equipped with automatic shut offs - to be utilized in the area of the creek.

That drainageways be maintained in grass to prevent erosion.

RECOMMENDED MANAGEMENT:

We recommend the use of conservation tillage to control erosion.

You also should be aware that the soils in (WeB) take water slower than those in (WeA), with the crops in the area (WeA) being subjected to drought stress over shorter periods. You may wish to irrigate the area (WeA) more frequently.

Due to the creeks presence we recommend that fertilizers or pesticides be applied through the system.

Tad M. F. Gill
SIGNATURE
3-6-86
DATE

REPORT ON APPLICATION NO. 5085-3

ED WATKINS

March 20, 1986

This application proposes to appropriate 1.85 cfs from one well 70 feet deep located in the SW $\frac{1}{4}$ Section 32, T113N, R66W. The water will be used to irrigate 130 acres in the SW $\frac{1}{4}$ of Section 32, T113N, R66W.

Aquifer - Tulare-Hand (T:HA)

Geology and Aquifer Characteristics

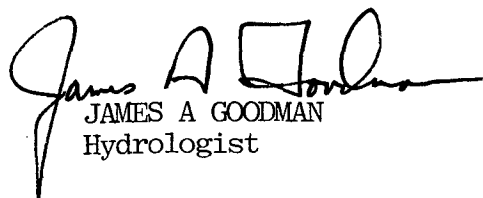
The Tulare-Hand (T-HA) is a glacial outwash deposit which underlies 208,700 acres in Hand County and contains approximately 938,000 acre feet of recoverable water (Hedges, 1982). The Tulare aquifer has been described as a complex system of interconnected sand and gravel layers separated by till (Koch, 1980). Aquifer test data indicates hydraulic conductivities range from 20 to 217 feet per day and specific capacities of wells from 25 to 22 gpd/ft (Koch, 1980). According to the log submitted by Pullman Drilling, the aquifer is under water table conditions in this area with sand and gravel from the surface to a depth of 70 feet and a saturated thickness of 50 feet. The Water Rights Division monitors two observation wells in this area, HD-50A and HD-49A. These wells are both shallow wells and may or may not be indicative of the water levels in the aquifer. Water levels from these wells show only seasonal fluctuations and periods of high recharge (Water Rights Division Observation Well Files, 1986).

Review of Existing Water Permits

There are no existing water permits in this area. The nearest permit is over 4 miles away.

Conclusions

1. Water is available from the Tulare-Hand.
2. The aquifer is under water table conditions in this area and drawdowns should not be significant. Interference is therefore unlikely.
3. The application indicates the nearest domestic well $\frac{1}{4}$ mile away belongs to the applicant.


JAMES A GOODMAN
Hydrologist

Bibliography

- Hedges, L.S., S.L. Burch, D.L. Illes, R. Barari, R.A. Schoon, 1982, Evaluation of Groundwater Resources Eastern SD and Upper Big Sioux River, South Dakota and Iowa, For U.S. Army Corps of Engineer, SDGS, Vermillion SD 57069.
- Koch, N.C., 1980, Geology and Water Resources of Hyde and Hand Counties, South Dakota, Part II: Water Resources, SDGS Bulletin 28, SDGS, Vermillion SD 57069
- Water Rights Division Observation Well Files, 1986, HD-49A and HD-50A, DWNR, Water Rights Division, Joe Foss Building, Pierre SD. 57501

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

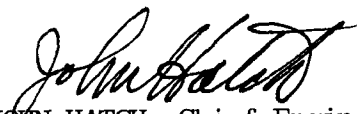
APPLICATION No. 5085-3, Ed Watkins

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. 5085-3, Ed Watkins, HCR Box 18, St. Lawrence SD.

The Chief Engineer is recommending APPROVAL of Application No. 5085-3 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:

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 the attached report for additional information.


JOHN HATCH, Chief Engineer
March 24, 1986



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

March 24, 1986

Ed Watkins
HCR Box 18
St. Lawrence SD 57373

Dear Mr. Watkins:

This letter is in response to our telephone conversation on March 21, 1986.

I contacted you regarding an acreage difference between the WI-1 form (soil and water form) and the permit application. The WI-1 form specified 130 acres to be irrigated and the permit application specified 160 acres to be irrigated. I informed you that the number of acres to be irrigated must be the same on both forms. You indicated that a pivot may be installed and the acreage irrigated would be 130 acres or less.

Therefore, with your consent, I changed the number of acres to be irrigated on the permit application from 160 acres to 130 acres. The land descriptions were also changed to total 130 acres.

Thank you for your time and consideration.

Sincerely,

RON DUVALL
Natural Resources Engineer

RD:ks

No. 5085-3

Instruction to Newspaper - Publish first publication of the following Notice on or before
April 2, 1986 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5085-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Ed Watkins whose mailing address is
HCR Box 18, St. Lawrence,, South Dakota has made an application for a permit

to appropriate 1.85 cubic feet of water per second from one well (Tulare Hand Aquifer)
 70 feet deep. The well will be located in the SW $\frac{1}{4}$ Section 32-T113N-R66W and
 irrigates 130 acres in the SW $\frac{1}{4}$ Section 32-T113N-R66W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 5085-3 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 Room 216, Joe Foss
Building, 523 E. Capitol, Pierre, South Dakota, May 14 19 86 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 May 2, 1986. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons 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; 46-2A-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; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ ~~46-5-38 thru 46-5-40, (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA)~~ ~~46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use)~~ ~~74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, 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 May 2, 1986.

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hand) ss.

I, Gary L. McFarlane hereby

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

Water was taken from the April 2 issue

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

City of Miller

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

April 2 and April 9, 1986

Gary L. McFarlane
(Signature)

Publisher
(Title)

4/16/86
(Date Signed)

Copies of Printing: 42.17

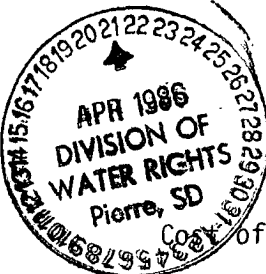
**NOTICE OF HEARING
ON APPLICATION NO. 5085-3
TO APPROPRIATE WATER**

Notice is hereby given that Ed Watkins, whose mailing address is HCR Box 18, St. Lawrence, South Dakota has made an application for a permit to appropriate 1.85 cubic feet of water per second from one well (Tulare Hand Aquifer) 70 feet deep. The well will be located in the SW¹/₄ Section 32-T113N-R66W and irrigates 130 acres in the SW¹/₄ Section 32-T113N-R66W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5085-3 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 Room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, May 14, 1986 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 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 May 2, 1986. The petition may be informal, but it must include a



statement describing the petitioners interest in the application, the reasons 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; 46-2A-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, 56-5-30.2, 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; 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 May 2, 1986.

Apr. 2, 9



5085-3

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

JUN 20 1986

Ed Watkins
HCR, Box 18
St. Lawrence, South Dakota 57373

Dear Mr. Watkins:

Enclosed herewith is your Water Permit No. 5085-3 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. 5085-3

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: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

Hand Co

5085-3



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

Post Office ST LAWRENCE

Date 1-10-89

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. 5085-3.

Water Right Permit No. 5085-3 states that the diversion system is to be constructed by Ed Watkins, and that the water is put to beneficial use by Ed Watkins.

The diversion system was completed on 7-5-88. Applying the water to beneficial use was completed on 7-15-88.

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.

Ed Watkins
(Signature)

File No. 5085-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Ed Watkins

ADDRESS: HCR Box 18, St. Lawrence SD 57373 COUNTY: Hand

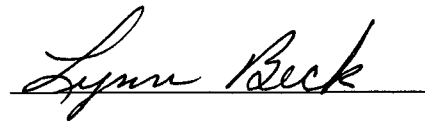
DATE: 4-29-92 TELEPHONE: (605) 853-2582

RE:

COMMENTS:

Mr. Watkins stated that he did not presently chemigate, but may wish to run fertilizer thru his system in the future. I am sending Mr. Watkins a set of the chemigation rules.

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.

A handwritten signature in cursive script, reading "Lynn Beck", is written over a horizontal line.

Lynn Beck

Natural Resources Engineer III

DENR, Water Rights Division

Permit No. 5085-3
James River - Water District

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

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

I have this day made a thorough examination of the water use system constructed by Ed Watkins of HCR Box 18, St. Lawrence, SD 57373 holder of Permit No. 5085-3, bearing the priority of February 3, 1986 authorizing the diversion of 1.85 cu. ft. per second groundwater - Tulare/Hand Aquifer for irrigation purposes, in Hand County.

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

A. Works used to divert the water:

67' deep well with 52' of 16" PVC casing and 15' of 16" Stainless steel screen; Western Landroller pump, capacity 1100 gpm, head no. 8MOL16, Lister diesel motor, 88 1/2 horsepower

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

2145' of 6" PVC, 3700' of 8" PVC and 6" of aluminum

C. Works used to apply water to beneficial use:

Lindsey gun, 700 gpm capacity, hose size 4.5" and 660' of hose; Easyrain gun, 500 gpm, hose size 4" and 660' of hose

The system is in the following condition good. The point of diversion is located 1716'N and 660'W of the SW corner Section 32, T113N, R66W. The works are capable of diverting and conveying to the place of use 2.40 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

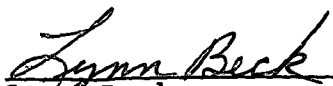
All in Section 32, T113N, R66W:

NE 1/4 SW 1/4	35	acres
SW 1/4 SW 1/4	25	acres
SE 1/4 SW 1/4	35	acres
NW 1/4 SW 1/4	35	acres

comprising a total of 130 acres of land and the license should be issued for 1.85 cfs.

Applicable permit qualifications have been complied with: Yes Y No

Exceptions to compliance are: none Date: April 29, 1992


Lynn Beck

Natural Resources Engineer III
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 5085-3

DATE: April 29, 1992

Other permit(s) associated with the project: none

DIVERSION POINT LEGAL LOCATION: SW¹/₄ Section 32, T113N, R66W

WELL INFORMATION:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells one
- 3) Depth 67 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 16 inches
- 2) Length 52 feet
- 3) Type PVC

Screen:

- 1) Type 16" SS
- 2) Length 15 feet
- 3) Static water level 15 feet

Pump:

- 1) Make western landroller
- 2) Model
- 3) Size
- 4) Capacity 1100 GPM

Motor:

- 1) Make Lister, diesel
- 2) Model No.
- 3) Horsepower rating 88½ hp

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC, aluminum
- 2) Size 6.6 & 8 inches
- 3) Length 2145, 1200, 3700 feet

SYSTEM TYPE:

Gun:

- 1) Make #1 - Lindsey; #2 - Easyrain
- 2) Nozzle size inches
- 3) Capacity #1 - 700, #2 500 GPM
- 4) Hose size #1 - 4.5; #2 - 4 inches
- 5) Hose length #1 : 660, #2 - 660 feet

CHEMIGATION EQUIPMENT: 1) Does chemigate No

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 22, 1992

Ed Watkins
HCR, Box 18
St. Lawrence, SD 57373

Dear Mr. Watkins:

Enclosed, please find a copy of the Chemigation Rules for the State of South Dakota, and a copy of a chemigation check valve. You expressed some interest in running fertilizer through your system when I was there to inspect your irrigation system April 29, 1992. This is a form of chemigation, and the chemigation rules will need to be followed.

The copy of the chemigation check valve is an example of some of the necessary equipment needed to chemigate.

If you decide to chemigate and have questions about the rules, or anything else, please feel free to contact me.

Sincerely,

Lynn Beck
Natural Resource Engineer
Water Rights Division
(605) 773-3352

encl



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 16, 1992

5085-3

Ed Watkins
HCR 73, Box 42
St. Lawrence, SD 57373

Dear Mr. Watkins:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 5085-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

Sincerely,

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

NOTE: On check or money order, please specify your permit number.
This will insure proper handling of the fee.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 6 1992

5085-3

Ed Watkins
HCR 73, Box 42
St. Lawrence, SD 57373

Dear Mr. Watkins:

Enclosed is Water License No. 5085-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413330 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5085-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5085-3

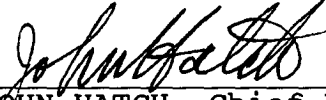
(1) Ed Watkins of HCR 73, Box 42, St. Lawrence, SD 57373 made Application No. 5085-3, February 3, 1986 for a water permit to appropriate 1.85 cubic feet of water per second from groundwater (one well), Hand County, South Dakota for irrigation purposes. Permit No. 5085-3 with a priority date of February 3, 1986 was approved May 14, 1986 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before May 14, 1991 and for the application to beneficial use of said water on or before May 14, 1995.

(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 1.85 cubic feet of water per second for beneficial use. The location of the diversion point is: 1716'N and 660'W of the SW corner Section 32, T113N, R66W (NW 1/4 SW 1/4).

(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, R66W Section 32	NE 1/4 SW 1/4	35 Acres
	SW 1/4 SW 1/4	25 Acres
	SE 1/4 SW 1/4	35 Acres
	NW 1/4 SW 1/4	35 Acres
	Total-----	130 Acres

(4) Pursuant to Section 46-5-30.1 Ed Watkins of HCR 73, Box 42, St. Lawrence, SD 57373 the holder(s) and/or owner(s) of Water Permit No. 5085-3 is issued a license to appropriate water, the right to use 1.85 cubic feet of water per second from groundwater (one well) with a priority date of February 3, 1986 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 5085-3 and subject to South Dakota State Law.

 **AUG 6 1992**

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413330

Pierre, July 22, 1992

RECEIVED OF Ed Watkins, HC 73 Box 42, St Lawrence, SD 57373

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5085-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch
Chief Engineer JOHN HATCH

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 18 1995

5813-3

Ed Watkins
HC 73, Box 42
St. Lawrence, SD 57373-9710

Dear Mr. Watkins:

Enclosed is Water License No. 5813-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414704 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5813-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

gm
enclosures

NOTE: The applicable portions of Water Permit No. 5085-3 have been incorporated into this Water License No. 5813-3.

NOT TO SCALE

113-66
M-14

T 1091

T 1079

(5)

47.6

Prepared by:

Lynn Beck

Lynn Beck

Natural Resource Engineer

DENR, Division of Water Rights

6-18-92

32

(6)

29.0

NW⁴SW⁴ 35 acres

NE⁴SW⁴ 35 acres

71088

660'

2.4

Well

8" Aluminum

6" Aluminum

6" PVC buried

6" Aluminum

PVC buried

SW⁴SW⁴ 25 acres

SE⁴SW⁴ 35 acres

1716'

4.9

131.6

Trees 4.6 out

Trees 4.6 out

(4)

122.4

Trees out

(3)

13.3

113-66

M-14

Total Acres = 130

5085-3

