

Considered: _____

WATER PERMIT NO. 5246-3 36

MAP No. Same 762-3371

Name of Applicant Allen Walth

Post Office Address ACR 10, Box 84, Glenham, SD 57631

Amount of Water Claimed No add'l Total Acres 14 add'l

Source of Water Supply Missouri River

Water to be used for irrigation County Walworth

About 7 miles South of Glenham, SD

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Oct. 24, 1988 Fee 50⁰⁰ Remarks This appl. adds

14 acres to that authorized by Water Permit No. 2209-3

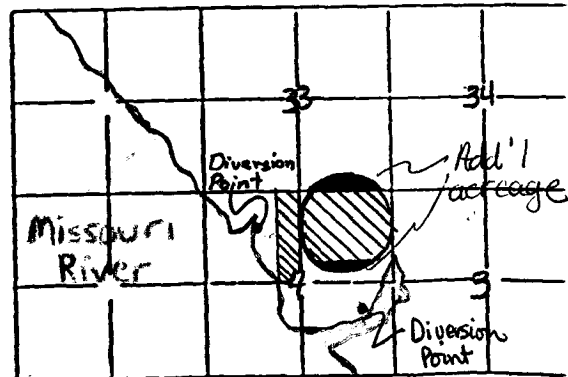
Corrected Application Received _____ Period of Annual Use Apr 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED Nov. 18, 1988 (APPROVED) CONDITIONAL (Circle one)

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

Diversion Point NE 1/4 SE 1/4, Sect 4, T122N, R78W

Additional Land to be Irrigated 5 1/2 NE 1/4 Sect. 4, T122N, R78W
5 1/2 SE 1/4 Sect. 33, T123N, R78W



Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map aerial PREPARED BY Jim Wendte Reviewed and the Number

assigned on November 29, 1988 By Susan A. Bowar



No. 5246-3 Hydrologic Unit _____
Basin _____
Newspaper Mobridge Tribune, 111 W. 3rd St 57601
(Wed)

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

36

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. 2209-3

1. Name of Applicant Allen Walth Phone No. 762-3371
Post Office Address HCR 10, Box 84 Glenham, South Dakota State 57631
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) No Add'l Total acres irrigated 14
3. Source of Water supply Missouri River
4. Location of point of diversion NE 1/4 Section 4, T122 N, R78W

_____ County Walworth
5. Counties where water will be used Walworth
6. Annual period during which water is to be used April 1 - October 31
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>SW 1/4 Section 4 T122 R78</u>	<u>2</u>
<u>SE 1/4 Section 4 T122 R78</u>	<u>2</u>
<u>SW 1/4 Section 33 T123 R78</u>	<u>5</u>
<u>SE 1/4 Section 33 T123 R78</u>	<u>5</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: ☒ Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: corn, alfalfa, soybeans, hay
10. Give a description of proposed project. (Attach sheet if more space is needed)

This permit application proposes to add 14 acres to the irrigation development described on Water Permit No. 2209-3, and to add a diversion point.

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 Walworth)^{ss}

I, Allen Walth, 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 Allen Walth

Subscribed and sworn to before me this 19th day of October 1988

Ervin E. Dupper
My Commission Expires: July 8, 1989 Notary Public Ervin E. Dupper

SOUTH DAKOTA
WATER PERMIT No. 5246-3 FOR IRRIGATION

Date of first receipt of application October 24, 1988.

Date Soil/Water Compatibility Permit received November 18, 1988.

Date of return of applicant for correction, amendments or changes required December 21, 1988.

Date of receipt of corrected application January 4, 1989.

The Water Management Board approved Water Permit Application No. 5246-3 on March 2, 1989 for Allen Walth, HCR 10, Box 84, Glenham SD 57631 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. 5246-3 adds a diversion point and 14 irrigated acres to that authorized by Water Permit No. 2209-3. Water Permit No. 2209-3 authorizes irrigation of 160 acres from the Missouri River. An inspection found a second Missouri River diversion point and an additional 14 irrigated acres. The second diversion point is located in the NE 1/4 SE 1/4 and the 14 acres are located in the S 1/2 NE 1/4; all in Section 4, T122N, R78W and in the S 1/2 SE 1/4 Section 33, T123N, R78W. No increase in diversion rate is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second 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 - October 31.
3. The date from which applicant may claim right is October 24, 1988.
4. One-fifth of the construction is completed.
5. All construction is completed.
6. Water is put to beneficial use.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

WATER MANAGEMENT BOARD

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

JUN 13 1989

(date)

RECEIPT

Division of Water Rights

411463

South Dakota Department of Water and Natural Resources

Pierre, October 24, 1988, 19__

RECEIVED OF Allen Walth, HCR 10, Box 84 Glenham, SD 57631

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

Fee for Application for Permit No. <u>52463</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

Chief Engineer

John Hatch

JOHN HATCH

MS

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4302

WR#

OWNERS NAME: Allen Walth OWNERS ADDRESS: HCR 10, Box 84
Glenham, SD 57631

COUNTY LAND LOCATED IN: Wakarusa PHONE: 762-3371

LEGAL DESCRIPTION:

☐ Well

☒ Surface

1. LOCATION NE 1/4 Sec. 4-122-78

Depth _____

Legal Description	Acres	Legal Description	Acres
<u>SW 1/4 NE 1/4 Sec 4-122-78</u>	<u>2</u>		
<u>SE 1/4 NE 1/4 Sec 4-122-78</u>	<u>2</u>		
<u>SW 1/4 SE 1/4 Sec 33-123-78</u>	<u>5</u>		
<u>SE 1/4 SE 1/4 Sec. 33-123-78</u>	<u>5</u>		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: (Specify) _____

3. CROPS TO BE IRRIGATED: corn, alfalfa, soybeans, hay

WATER QUALITY:

4. WATER SAMPLE NUMBER: Missouri River

7. ADJUSTED (SAR): 2.6

5. SALINITY (EC X 10⁶): 529

8. PERCENT SODIUM: 35

6. SODIUM (SAR): 1.4

Requirements:



Peter Smith
Director, Division of Conservation

Date 11/10/88

☒ APPROVED
☐ DISAPPROVED
☐ WAIVER

REQUIREMENTS

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



Department of Water & Natural Resources

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

Sept. 30, 1988

Allen Walth
HCR 10, Box 84
Glenham, SD 57631

Dear Mr. Walth:

Enclosed you will find the permit application which we recently discussed over the phone. This application is required to clear up a discrepancy related to your irrigation development in Section 4, T122N, R78W.

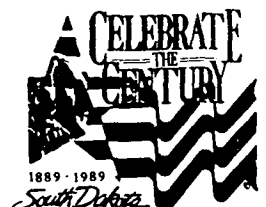
Your existing Water Permit No. 2209-3 allowed you to develop 160 acres of irrigation from two diversion points. However, your current irrigation development covers 174 acres. The extra 14 acres is being irrigated with your center pivot system. This permit application describes the 14 extra acres and the diversion point. I have partially completed the application for you. You must indicate the types of crops to be irrigated and sign both copies. Please note that both copies must also be notarized. I have also enclosed a map for your review. You will not be required to submit a water sample or the soils information since the Division of Conservation already has this information. There is a \$50.00 fee required with this application.

After completing and reviewing the application, please return the map, fee, and both copies of the application to our office. We can then continue with the process of clearing up the discrepancy and eventually issuing your final water license. If you have any questions, please contact us.

Sincerely,

James L. Wendte
Natural Resources Engineer
(605) 773-3352

enc





Department of Water & Natural Resources

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

December 21, 1988

Allen Walth
HCR 10, Box 84
Glenham SD 57631

Dear Mr. Walth:

This letter is in response to your water permit application received on October 24, 1988. An error was made regarding the amount of the application fee to add the 14 acres not included on Permit No. 2209-3 and for a second diversion point.

The application fee pursuant to SDCL 46-2-13(2) for 14 additional acres should be \$150.00 as was specified in an earlier letter to you dated November 14, 1977 (copy enclosed). You have already submitted \$50.00; therefore, an additional \$100.00 is needed for the correct application fee. The \$50.00 fee quoted in the letter to you dated September 30, 1988 is an error. I am sorry this error was not corrected prior to sending the letter.

Please remit the additional \$100.00 application fee and contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ron Duvall".

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



ATTN: Ron Duval

The check enclosed
for \$100.00 is in
response from your
letter dated 12-21-88
for additional acres
on Permit No. 2209-3

Allen Z. Watts

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411575

Pierre, January 4, 1989

RECEIVED OF Allen Walth, HCR 10, Box 84, Glenham SD 57631

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

Fee for Application for Permit No. <u>5241-3</u> to Appropriate Water, to construct works and to put water to beneficial use	100	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	100 00

By John Hatch
Chief Engineer

1/5

REPORT ON WATER PERMIT APPLICATION No.5241-3
ALLEN WALTH
JANUARY 12, 1989

Water permit application No. 5241-3 proposes to add a second diversion point to Water Permit No. 2209-3, and irrigate an additional 14 acres. Water Permit No. 2209-3 authorizes irrigation of 160 acres from a single diversion point supplied by the Missouri River. A Water Rights' Staff inspection of Permit No. 2209-3 found a second Missouri River diversion point and irrigation of 174 acres. This diversion point to be is located in the NE 1/4 SE 1/4 Sec.4, T122N-R78W. The additional 14 irrigated acres are located in the S 1/2 NE 1/4 Sec.4, T122N-R78W, and in the S 1/2 SE 1/4 Sec.33, T123N-R78W. This application does not request any increase in diversion rate from the Missouri River.

CONCLUSIONS AND RECOMMENDATIONS:

1. The Missouri River is viable source of water and unappropriated water is available for this appropriation.
2. Water has been diverted from this second diversion point for several years with no reported controversy.
3. Permit No. 5241-3 does not authorize any increase in the diversion rate from the Missouri River. Permit No. 5241-3 would appropriate an additional 28 acre-feet of water annually. This appropriation will not cause adverse impacts to downstream water users
4. Approval of Application No. 5241-3 is in the public interest and constitutes a beneficial use of the waters of the state.
5. This application should be approved with only the irrigation questionnaire qualification.



KEN BUHLER
Natural Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5246-3, Allen Walth

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. 5246-3, Allen Walth, HCR 10, Box 84, Glenham SD 57631.

The Chief Engineer is recommending APPROVAL of Application No. 5246-3 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 qualification:

1. 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
January 13, 1989



Department of Water & Natural Resources

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

January 24, 1989

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

Allen Walth
HCR 10 Box 84
Glenham, SD 57631

Dear Mr. Walth:

Your Application No. 5246-3 for a permit to appropriate water for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the Mobridge Tribune printed at Mobridge 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 Intent to Appropriate Water 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. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

January 24, 1989

Mobridge Tribune
111 W. 3rd St.
Mobridge, SD 57601

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5246-3 to be published twice. Please publish the first notice on or before February 1, 1989 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 Allen Walth, HCR 10, Box 84, Glenham, SD 57631.

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. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
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 or before February 1, 1989 on or before with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5246-3 to add a Diversion point and add Acreage

Notice is given that Allen Walth, HCR 10, Box 84, Glenham, SD 57631 has filed an application for a water permit to add a second diversion point from the Missouri River and to add 14 irrigated acres. Water Permit No. 2209-3 authorizes irrigation of 160 acres from the Missouri River. An inspection of Permit No. 2209-3 found a second Missouri River diversion point and irrigation of 174 acres. The second diversion point is located in the NE 1/4 SE 1/4, Section 4-T122N-R78W. The additional 14 irrigated acres are located in the S 1/2 NE 1/4, Section 4-T122N-R78W and in the S 1/2 SE 1/4, Section 33-T123N-R78W. This application does not authorize any increase in diversion rate from the Missouri River.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5246-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD on March 1, 1989 at 10:00 am. 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.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 17, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. 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. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by February 17, 1989.

This application is made pursuant to 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Affidavit of Publication



STATE OF SOUTH DAKOTA

COUNTY OF WALWORTH

I, Cindi Volk, having first duly sworn under oath say: The Mobridge Tribune is a legal weekly newspaper of general circulation as required by South Dakota Code of Nineteen Hundred Thirty-Nine, and any acts amendatory thereto, printed and published by the Bridge City Publishing Co., Inc., in Mobridge, in said county and state, and has been such legal newspaper during the time hereinafter mentioned; that during all of said time as an employee or officer of said newspaper I have had personal knowledge of the facts stated in this affidavit; that the advertisement headed:

Notice of hearing

Allen Walth

a printed copy of which is hereto attached, was printed and published in said newspaper for two successive weeks upon the following dates, to-wit:

February 1 & 8, 1989

that the full amount of the fees charged for publishing the same to-wit: the sum of 36.40 inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.

Cindi K. Volk

Subscribed and sworn to before me this 9 day of February, 1989.

Dave Repper

Seal expires 21st of July, 1989

(Seal)

Walth files fo

NOTICE OF HEARING

NOTICE OF HEARING on Application No. 5246-3 to add a Diversion point and add Acreage

Notice is given that Allen Walth, HCR 10, Box 84, Glenham, SD 57631 has filed an application for a water permit to add a second diversion point from the Missouri River and to add 14 irrigated acres. Water Permit No. 2209-3 authorizes irrigation of 160 acres from the Missouri River. An inspection of Permit No. 2209-3 found a second Missouri River diversion point and irrigation of 174 acres. The second diversion point is located in the NE 1/4 SE 1/4, Section 4-T122N-R78W. The additional 14 irrigated acres are located in the S 1/2 NE 1/4, Section 4-T122N-R78W and in the S 1/2 SE 1/4, Section 33-T123N-R78W. This application does not authorize any increase in diversion rate from the Missouri River.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5246-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City, SD on March 1, 1989 at 10:00 am. 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.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-

water permit

examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 17, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. 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. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by February 17, 1989.

This application is made pursuant to 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.



Department of
Water & Natural Resources

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

JUN 13 1989

Allen Walth
HCR 10, Box 84
Glenham SD 57631

Dear Mr. Walth:

Enclosed is Water Permit No. 5246-3 as approved by the Water Management Board authorizing your water diversion system and the application of water beneficial use, 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



Permit No. 5246-3 & 2209-3Missouri River Water District
10130102**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Allen Walth
 of HCR 10 Box 84, Glenham holder of
 Permit No. 5246-3, bearing the priority of October 24, 1988
2209-3, bearing the priority of February 19, 1975 authorizing
 the diversion of 2.28 cu. ft. per second of the waters of the Missouri River
 for irrigation purposes, in Walworth County.

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

A. Works used to divert the water:

Cornell pump - model # 4yB 75-2 - Serial # E2379
850 gpm & Berkley pump, Model # B3EPBL, Serial # 7473494, 500 gpm
with Century Elec. Motor, Model # 6-323059-01

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

8" PVC pipe, approximately 1600-1800 feet

C. Works used to apply water to beneficial use:

Olson 10 tower center pivot with end gun - model # 103P-850 gpm
towlines

The system is in the following condition good

The point of diversion is located #1 - 900'S and 1000'W of the N1/4 corner Section 4,
#2 - 530'S and 1000'W of the W1/4 corner Section 4, T122N, R78W

The works are capable of diverting and conveying to the place of use 1350 gpm (3.00 cfs)
 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:

<u>Sec 33, T123N, R78W</u>	<u>Section 4, T122N, R78W</u>	
<u>SW1/4 SE1/4 5 acres</u>	<u>NE1/4 NW1/4 20 acres</u>	<u>NW1/4 NE1/4 38 acres</u>
<u>SE1/4 SE1/4 5 "</u>	<u>SE1/4 NW1/4 20 "</u>	<u>SW1/4 NE1/4 24 "</u>
	<u>NE1/4 NE1/4 38 "</u>	<u>SE1/4 NE1/4 24 "</u>

comprising a total of 174 acres of land and the license should be issued for 2.28 cfs

Applicable permit qualifications have been complied with ☐ Yes ☐ NoExceptions to compliance are: _____ Date 9-29-88

James L. Wendt
 (signature)

LICENSE FOR PERMIT NUMBER 2209-3

Wa 14h
2209-3
5-31-88

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

Pump a) make 11170 Cornell Pump Co.

Motor a) make Marathon Electric

b) model 4.4B 75-2

b) model no. 364 TTD5731480 W

c) size 1 3/4"

c) horsepower rating 75

d) capacity 850 GPM

d) motor efficiency rating _____

e) turbine pump
no. of stages _____

3. Distribution lines:

a) size of lines 8"

b) type PVC

c) length 1600-1800'

4. Dam information:

a) height to crest _____

i) Outlet tubes:

b) height to spillway _____

1) diameter _____

c) crest width _____

2) type _____

d) crest length _____

3) valued (Y/N) _____

e) spillway length _____

4) valve type _____

f) spillway width _____

5) location on structure _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

5. System Type: a) sideroll:

b) towline:

1) length _____ feet

1) length _____ feet

2) diameter of pipe _____

2) make, model & number of sprinklers _____

3) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) spacing of sprinklers _____

4) nozzle size _____

5) nozzle size _____

5. System Type: c) center pivot

- 1) make Olsen
 2) number of towers 10
 3) distance between towers _____
 4) overall length 1280'
 5) End gun (Y/N) _____
 6) high or low pressure _____
 7) make & size of nozzles _____
 8) PSI reading while system is running 60-65
 9) GPM 850

g) Gun

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

d) Gate Pipe

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

e) Siphons

- 1) number _____
 2) size _____

f) Portable boom

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

h) Hydromatic

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

YES

NO

Check Items

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

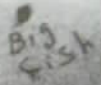
REMARKS:

150.5 acres

Model
103P
Series

3784

F5L



2 122-78

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, June 28, 1989

RECEIVED OF Allen Walth, HCR 10, Box 84, Glenham, SD 57631

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>Water Permit No. 5286-3</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/mra
Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5246-3

(1) Allen Walth of HCR 10, Box 84, Glenham, SD 57631 made Application No. 5246-3, October 24, 1988 for a water permit to appropriate no add'l cubic feet of water per second from the Missouri River, Walworth County, South Dakota for irrigation purposes. Permit No. 5246-3 with a priority date of October 24, 1988 was approved March 2, 1989 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. 5246-3 authorized an additional diversion point and 14 additional acres to that authorized by Water Permit No. 2209-3. No increase in diversion rate was authorized.

The applicable portions of Water Permit No. 2209-3 are incorporated into this Water License No. 5246-3. Priority dates as they pertain to the acreage irrigated and the diversion points are specified in #2 and #3 of this license.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.28 cubic feet of water per second for beneficial use. The location of the diversion points are: #1 - 900' S and 1000' W of the N1/4 corner Section 4 and #2 - 530' S and 1000' W of the W1/4 corner Section 4, T122N, R78W.

Diversion Point #1: (NE1/4 NW1/4) February 19, 1975 priority.

Diversion Point #2: (NE1/4 SE1/4) October 24, 1988 priority.

(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:

T123N, R78W Section 33	SW1/4 SE1/4	5 acres	Priority - October 24, 1988
	SE1/4 SE1/4	5 "	" "
T122N, R78W Section 4	NE1/4 NW1/4	20 acres	Priority - February 19, 1975
	SE1/4 NW1/4	20 "	" "
	NE1/4 NE1/4	38 "	" "
	NW1/4 NE1/4	38 "	" "
	SW1/4 NE1/4	24 "	October 24, 1988 (2 acres) & February 19, 1975 (22 acres)
	SE1/4 NE1/4	<u>24 acres</u>	October 24, 1988 (2 acres) & February 19, 1975 (22 acres)
Total 174 acres			

(4) Pursuant to Section 46-5-30.1 Allen Walth of HCR 10, Box 84, Glenham, SD 57631 the holder(s) and/or owner(s) of Incorporated No. 5246-3 is issued a license to appropriate water, the right to use 2.28 cubic feet of water per second from the Missouri River with priority dates of October 24, 1988 and February 19, 1975 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 No. 5246-3 and subject to South Dakota State Law.


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

SEP 14 1989



Department of Water & Natural Resources

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

SEP 14 1989

5246-3

Allen Walth
HCR 10 Box 84
Glenham, SD 57631

Dear Mr. Walth:

Enclosed is Water License No. 5246-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 411823 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive, flowing style.

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

enclosures

NOTE: The applicable portions of Water Permit No. 2209-3 are incorporated into this Water License No. 5246-3.