

Considered: _____

WATER PERMIT NO. 5265-3

HAP No. same 384-5296

Name of Applicant Gary Holzbauer

Post Office Address RR 1, Box 89 Wagner, SD 57380

Amount of Water Claimed 2.28 cfs Total Acres 160 acres

Source of Water Supply groundwater

Water to be used for irrigation County Charles Mix

About 5 miles north of Wagner

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 3/2/89 Subject to _____

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

PRIORITY _____ Date Received Jan. 19, 1989 Fee 250⁰⁰ Remarks _____

1/19/89

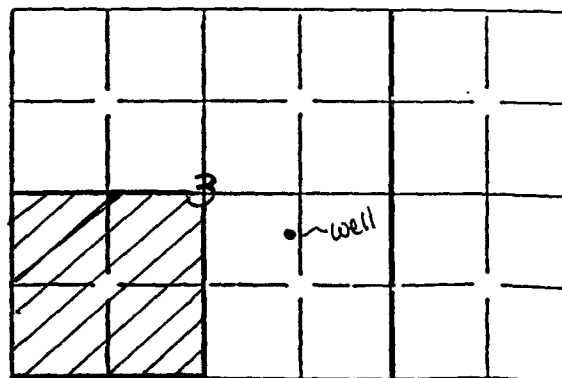
Corrected Application Received _____ Period of Annual Use Apr 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED July 11, 1988 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point NW 1/4 Sec 3, T96N, R63W

Land to be Irrigated SW 1/4 Sec 3, T96N, R63W



Well Log: Driller Sargent Irrigation Licensed YES ☒ NO _____

Depth of Well 300' REMARKS Drilled in 1979 - same well authorized by Water License No. 1619-3A

Type of Map aerial photo PREPARED BY Martin Wilson Reviewed and the Number assigned on January 19, 1989 By Susan A. Bowser

Mail to: Water Rights Div.
325 E. Capitol
Pierre, SD 57501
(605) 775-3352

(See instructions.)

No. 565-3 Hydrologic Unit 10170101
Basin Missouri R.
Newspaper Wagner Post Box 100 57380
(Wed)

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 _____

1. Name of Applicant GARY G Holzbauer Phone No. 384-5296
Post Office Address RR1 Box 89 Wagner State SD 57380
Street RR or Box City Zip Code
2. Amount of water claimed (c.f.s.) 2.28 Total acres irrigated 160
3. Source of Water supply 1 Well
4. Location of point of diversion NW 1/4 SE 1/4 of sec 3-96-63

County Charles Mix
5. Counties where water will be used Charles Mix
6. Annual period during which water is to be used 1 April through Oct. 31
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

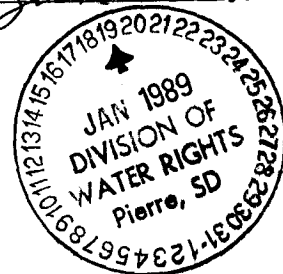
Land Description	No. Acres Irr.
<u>SW 1/4 of the SW 1/4 of sec 3-96-63</u>	<u>40 A.</u>
<u>SE 1/4 of the SW 1/4 of sec 3-96-63</u>	<u>40 A.</u>
<u>NW 1/4 of the SW 1/4 of sec 3-96-63</u>	<u>40 A.</u>
<u>NE 1/4 of the SW 1/4 of sec 3-96-63</u>	<u>40 A.</u>

Attach sheet if more space is needed

Land Description	No. Acres Irr.

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

SW 1/4 of sec 3-96-63 See attached map.



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 Charles Mix ss

I, GARY H. Holzbauer 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 Gary Holzbauer
Subscribed and sworn to before me this 18th day of January 19 89
Shirley M. Hare
Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 5265-3 FOR IRRIGATION**

Date of first receipt of application January 19, 1989.

Date Soil/Water Compatibility Permit received July 11, 1988.

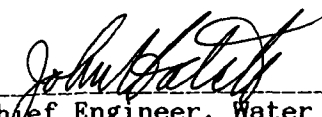
The Water Management Board approved Water Permit Application No. 5265-3 on March 2, 1989 for Gary Holzbauer, RR #1, Box 89, Wagner, SD 57380 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5265-3 appropriates 2.28 cubic feet of water per second (cfs) from one existing well, 211 feet deep located in the NW1/4 SE1/4 to irrigate 160 acres in the SW1/4; all in Section 3, T96N, R63W. Water Right No. 1619-3A appropriates 2.22 cfs from the same well to irrigate 234.6 acres in the E1/2 Section 3, T96N, R63W
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 January 19, 1989.
4. One-fifth of the construction is to be completed on or before September 2, 1991.
5. All construction is to be completed on or before March 2, 1994.
6. Water is to be put to beneficial use on or before March 2, 1998.
7. 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: 
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUN 13 1989

(date)

Susan Bowan

In Regards to the well log on my existing
Well, I don't seem to be able to find it

Sargent Inagation dug the Well in 1979 or 1980

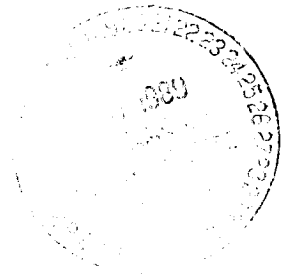
I hope this is OK.

Charles
Gary Holzner

Supplemental Information

(type or print in ink)

same as existing



1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
 - On applicants property _____
 - 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) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

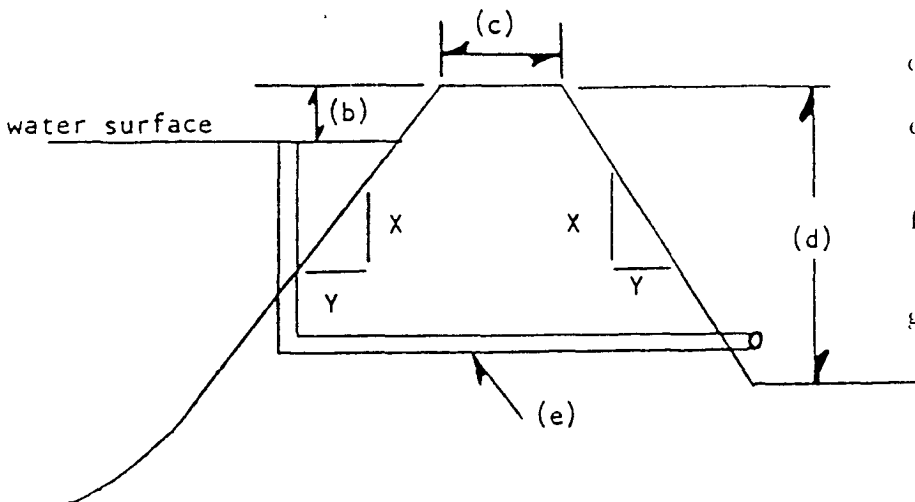
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

GARY HOLZBAUER - CROPPING HISTORY - NE1/4 3-T96-R63 developed 1958
SE1/4 3-T96-R63 developed 1973

1987 - Beans - SE1/4 = 35 bu per acre
Corn - NE1/4 = 140 bu per acre

1986 - Corn - SE1/4
Beans - NE1/4 = 40 bu per acre - Also has approx. 40 acres barley/clover

1985 - Corn - SE1/4
Oats - NE1/4 = 137 bu per acre

1984 - Corn - SE1/4
Barley - NE1/4 = Barley & 40 acres of alfalfa

1983 - Sundan - SE1/4
Sun Flowers - NE1/4 & 40 acres of alfalfa

Barley - up to 120

Oats - 137 bushel

Corn - 140

Beans - approx. 40

- AVERAGE YIELDS

3/4" - 1" of water per application

8-12 applications per year.

Looking at this project as means of improving area rotation to get away from corn on corn.

Gay Hohbauer

BREAKDOWN OF DETERMINATION UNDER THE TABLE 12:08:04:01 OF THE RULES

Soil Information:

soils	family textures
Highmore	Fine loamy
Eakin	Fine silty
Onita	Fine

Maximum Adjusted Sodium Absorption Ratio allowed under 12:08:04:01 :

soils	Adj. SAR
Highmore	11.5
Eakin	11.5
Onita	11.5

Maximum Electrical Conductivity allowed under 12:08:04:01 :

soils	EC	rainfall	correction CaSO4	Total EC
Highmore	1200	600	0	1800
Eakin	1200	600	0	1800
Onita	1100	600	0	1700

Water Sample No. 87-0988, Validated.

Adj SAR : 20.64 EC: 1900 Na % : 68.74

SAR : 8.52 Residual Sodium Carbonate : 2.50

Based on the water quality of the validated sample 87-0988, the water does not meet the standard as required under 12:08:04:01 of the rules and regulations.

Pursuant to SDCL 46-5-6.2 and SDCL 46-5-6.3, the staff secured soil samples and a crop yield history (see attached).

Soil samples were taken on three occasions from irrigated lands adjacent to the proposed project area.

April 1987

The samples taken on the initial investigation were taken on the

East half of the East half of section 3 T96N R63W. These samples were taken from positions higher on the landscape than the proposed project, sites 1 -3 ; and the sites 4-5 were taken from mapping units not in the project area.

May and December 1987

The samples taken in May and December are from the Northwest quarter of the Southeast quarter of section 3 T96N R63W. These sites are immediately adjacent to the project area; the mapping units are the same and they are found on the same landscape. These samples are the most representative of what is likely to occur in the proposed project area.

In evaluating the soil results the staff feels that there is a potential of a salinity or sodium hazard developing on the long term in the proposed project area resulting in soil damage and reduced crop yields.

Crop yield data:

In reviewing the crop yield information there is a question of its being applicable due to the differences seen in the soil samples. The data would be typical of the April 1987 sampling and those aspects of landscape position, and variations of soil types. It appears that the position on the landscape and clay contents of the soils maybe related to soil drainage and the leaching salts thus not reflecting potential yield reductions typified by the May and December sampling.

NAME: Holzbauer, Gary

COUNTY: Charles Mix

LEGAL ID: T 96N R 63W S 3 SE

Date of sample: 870519

Date received: 870521

Date of Report: 870708

Plot	Depth (ins)	CEC me/100g	ESP	Exch Na me/100g	Exch Mg me/100g	Exch Ca me/100g	EC-Sat extr um	pH	SAR	Sat%	Sol Na me/L	Sol Ca me/L	Sol Mg me/L
1	0-6	24.38	4.74	1.15	5.19	13.42	863.00	6.98	3.67	45.73	5.22	2.64	1.40
1	6-12	24.63	6.08	1.50	5.98	11.54	824.00	6.81	4.77	49.50	5.65	1.75	1.07
1	12-24	18.64	7.01	1.31	11.02	52.10	1020.00	7.95	4.12	52.30	6.09	2.64	1.73
1	24-36	15.48	6.34	0.98	14.25	46.20	1373.00	8.13	3.51	50.02	6.96	2.94	4.94
1	36-48	14.84	6.68	0.99	10.59	40.79	2511.00	7.82	2.04	42.10	7.83	12.97	16.45



Date of sample: 870519

COUNTY: Charles Mix

Date received: 870521

LEGAL ID: T 96N R 63W S 3 SE

Date of Report: 870708

Plot	Depth (ins)	CEC me/100g	ESP	Exch Na me/100g	Exch Mg me/100g	Exch Ca me/100g	EC-Sat extr um	pH	SAR	Sat%	Soil Na me/L	Soil Ca me/L	Soil Mg me/L
2	0-6	26.77	11.72	3.14	9.23	15.38	5101.00	7.57	7.63	60.11	34.80	23.45	18.10
2	6-12	31.29	5.65	1.77	10.53	12.53	3512.00	7.23	4.48	63.36	18.70	18.46	16.45
2	12-24	29.35	4.87	1.43	15.87	18.65	2156.00	7.80	2.88	76.87	9.13	9.48	10.69
2	24-36	29.11	3.16	0.92	17.83	58.89	4022.00	7.81	1.76	65.31	8.70	24.45	24.68
2	36-48	21.74	5.51	1.20	17.04	63.17	4513.00	7.87	2.13	57.72	11.31	23.45	32.91
3	0-6	36.36	6.09	2.22	10.11	20.05	4709.00	7.51	5.75	67.39	26.10	23.95	17.28
3	6-12	33.08	6.33	2.10	8.34	16.78	4513.00	7.11	6.06	64.22	26.97	23.95	15.63
3	12-24	29.45	7.15	2.11	7.80	13.36	4022.00	6.99	5.29	60.02	20.88	17.96	13.16
3	24-36	24.33	7.44	1.81	8.17	10.83	3237.00	7.01	4.05	57.58	14.35	14.47	10.69
3	36-48	23.09	7.61	1.76	9.33	52.32	2845.00	7.70	3.59	59.29	12.18	13.97	9.05

* - Laboratory analysis not performed on this parameter

FARMER CORRESPONDENCE BY WATER RESOURCES INSTITUTE

YES

NO



NAME: Holzbauer, Gary

Date of sample: ?

COUNTY: Charles Mix

Date received: 870413

LEGAL ID: T 96N R 63W S 3 NE

Date of Report: 870411

Plot	Depth	CEC	ESP	Exch Na	Exch Mg	Exch Ca	EC-Sat	pH	SAR	Sat%	Sol Na	Sol Ca	Sol Mg
	(ins)	me/100g		me/100g	me/100g	me/100g	extr um				me/L	me/L	me/L
4	0-6	30.11	5.11	1.54	6.43	17.24	441.00	7.47	3.51	53.05	3.26	1.15	0.58
4	6-12	31.91	6.64	2.12	7.17	17.23	461.00	7.63	5.04	52.36	4.35	1.00	0.49
5	0-6	18.61	4.13	0.77	3.32	46.93	511.00	7.80	2.73	45.14	2.87	1.80	0.41
5	6-12	18.60	3.86	0.72	3.23	47.60	513.00	7.84	2.44	44.10	2.61	1.80	0.49

I - insufficient amount of sample

FARMER CORRESPONDENCE BY WATER RESOURCES INSTITUTE

YES

NO

NAME: Holzbauer, Gary

COUNTY: Charles Mix

LEGAL ID: T 96N R 63W S 3 SE

Date of sample: 871202

Date received: 871204

Date of Report: 871223

Plot	Depth (ins)	CEC me/100g	ESP	Exch Na me/100g	Exch Mg me/100g	Exch Ca me/100g	EC-Sat extr um	pH	SAR	Sat%	Sol Na me/L	Sol Ca me/L	Sol Mg me/L
1	0-6	23.36	4.80	1.12	4.25	24.69	810.00	7.46	2.53	51.37	4.78	5.44	1.73
1	6-12	23.96	5.11	1.22	3.72	20.03	1426.00	7.11	2.37	49.77	6.83	6.79	9.87
1	12-24	21.49	7.82	1.68	4.29	62.18	1593.00	7.97	3.59	54.54	8.05	4.69	5.35
1	24-36	17.88	8.61	1.54	8.15	84.30	3564.00	7.92	3.19	55.10	13.48	17.96	17.77
1	36-48	16.87	9.30	1.57	11.93	75.00	4752.00	7.89	3.18	52.65	15.66	24.75	23.69
2	0-6	24.34	5.29	1.29	6.05	59.17	1037.00	7.92	2.67	54.00	5.39	5.94	2.22
2	6-12	19.98	7.58	1.51	8.36	65.88	1188.00	7.91	3.77	53.23	6.96	5.09	1.73
2	12-24	16.06	11.96	1.92	9.49	138.12	4320.00	7.79	4.32	54.71	20.01	25.95	16.95
2	24-36	13.51	16.95	2.29	5.40	209.22	5400.00	7.82	6.16	50.95	30.45	25.15	23.69
2	36-48	13.99	24.07	3.37	9.42	117.40	6696.00	7.93	7.69	54.88	42.63	22.95	38.50
3	0-6	37.92	4.42	1.68	14.50	43.01	4104.00	7.86	4.58	61.02	18.70	21.96	11.43
3	6-12	32.96	7.84	2.58	14.60	30.17	6450.00	7.50	5.66	61.63	27.40	25.15	21.72
3	12-24	30.06	6.07	1.82	10.89	16.46	5454.00	6.90	3.83	55.41	18.70	25.95	21.72
3	24-36	23.37	5.30	1.24	8.66	12.10	3672.00	6.72	2.98	51.25	11.74	17.96	13.00
3	36-48	27.34	4.74	1.30	11.06	18.76	4104.00	6.63	2.90	57.82	12.61	24.35	13.41

FARMER CORRESPONDENCE BY WATER RESOURCES INSTITUTE

YES

NO



NAME: Holzbauer, Gary

COUNTY: Charles Mix

LEGAL ID: T 96N R 63W S 3 SE

Date of sample: ?

Date received: 870413

Date of Report: 870411

Plot	Depth	CEC	ESP	Exch Na	Exch Mg	Exch Ca	EC-Sat	pH	SAR	Sat1	Sol Na	Sol Ca	Sol Mg
	(line)	me/100g		me/100g	me/100g	me/100g	extr um				me/L	me/L	me/L
1	0-6	24.42	6.95	1.70	4.59	14.11	453.00	7.25	4.12	50.79	3.39	0.95	0.41
1	6-12	25.42	5.16	1.31	3.16	9.59	496.00	6.81	5.13	49.49	4.78	1.25	0.49
1	12-24	22.47	7.89	1.77	7.22	14.13	788.00	7.31	5.40	57.63	6.52	1.85	1.07
1	24-36	25.39	6.47	1.64	12.40	46.65	796.00	7.58	4.09	63.52	5.22	1.70	1.56
2	0-6	24.09	4.97	1.20	4.33	9.53	446.00	7.50	4.15	49.14	3.52	0.95	0.49
2	6-12	25.43	5.24	1.33	4.78	10.49	606.00	7.49	3.97	53.34	4.35	1.50	0.90
2	12-24	25.19	6.78	1.71	11.79	27.92	1047.00	7.73	4.14	66.21	6.96	2.59	3.04
2	24-36	19.91	5.60	1.11	10.70	51.71	2827.00	7.68	2.77	63.10	11.31	18.46	14.81
3	0-6	28.73	8.60	2.47	6.57	18.79	3701.00	7.72	6.57	59.83	24.36	18.46	9.05
3	6-12	30.31	5.75	1.74	6.57	18.14	3529.00	7.29	4.66	60.03	17.40	17.96	9.87
3	12-20	27.46	8.11	2.23	7.62	19.95	3637.00	7.33	4.39	60.89	17.40	19.96	11.52

I - insufficient amount of sample

FARMER CORRESPONDENCE BY WATER RESOURCES INSTITUTE

YES

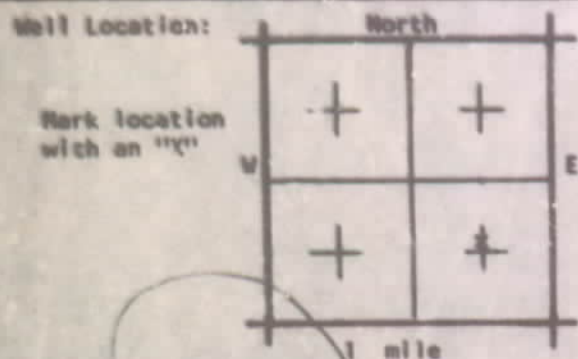
NO

WELL DRILLER'S REPORT
SOUTH DAKOTA WATER RIGHTS COMMISSION

4-78

Well Owner:
 Name Glenn Ahrens
 & Leo Holzbauer
 Address Wagner, South Dakota

Water Level Information:
 Static water level 43 below land surface
 if flowing: closed in pressure PSI
 rate of flow GPM
 Controlled by:
☐ Valve ☐ Reducers ☐ Other
 If other; specify



Well Test Data:
☒ Pumped
☐ Ballad Describe:
☐ Other

Pumping Level Below Land Surface

ft. After	Hrs. pumped	GPM
93	1	800
97	1	1000
102	1 1/2	1200
121	1	1700

County Charles Mix
 500' N. of Center
 Sec. 1 Twp. 96 Rg. 63

Well Log:

Formation	Depth	
	From	To
clay	0	15
blue clay	15	60
blue clay, some coal	60	75
b. clay, some sm. rocks	75	90
b. clay, sm. rocks	90	120
blue clay	120	140
cs to fine gravel	140	150
cs, pepper sand	150	165
cs, fine gravel	165	205
cs, clay	205	210
sand, cs & clay	210	225
med sand & clay	225	255
clay, some fine sand	255	270
clay, some f-med sand	270	285
clay, fine sand	285	300

Proposed Use:
☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:
☐ Forward Rotary ☐ Bored ☐ Jetted
☒ Reverse Rotary ☐ Cable ☐ Other

Well Construction:

Diameter of Hole 32
 Depth 211
 Casing ☒ Steel ☐ Concrete
☐ Plastic ☐ Other
 If other, specify

Was casing end left open No
 Was a well screen installed Yes
 Describe Well Screen
 Diameter 16 Material Steel
 Slot size 3" x .150
 Was well gravel packed Yes
 Was well grouted No
 Was water sample taken No

Date Completed: April 28, 1979

Driller:

Sargent Irrigation Co. 273
 Driller's or Firm's Name License NO.
Box 70 Bassett, Nebraska
 Address
[Signature] 5-9-79
 Signed By Date

Remarks:

b. clay - blue clay
 cs - coarse sand
 f-med - fine to med



NOT TO SCALE

97-63

2

1

2

T171

NC

74

27.6

T518.7

128.4

8.4

59.0

3

4

51.6

(128-L)
(L26)

2

3

5.8

75.4

103.7

160 acres to be
Irrigated outlined in
Red

well

11

74.4

25.6

7.6

8

6

6.0

96-63

10

9

7

Appl. No.
5265-3

Mark J. Wilson, CED, Charles Mix Co. ASCS Office

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411593

Pierre, January 19, 1989

RECEIVED OF Gary Holzbauer, RR1 Box 89, Wagner, SD 57380

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

Fee for Application for Permit No. <u>5265-3</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

Chief Engineer

[Signature]



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, 445 East Capitol
Pierre, South Dakota 57501-3188
Phone 605 773-3258

May 16, 1988

Gary Holzbauer
RR 1, Box 89
Wagner, SD 57380

Dear Gary,

Per our discussions on possible technical assistance in the development of a plan for the Commission, please find the names of several individuals and the phone numbers.

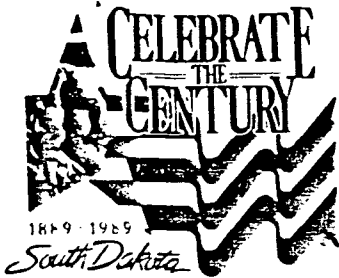
- #1.) Hal Werner - 688-5141
- #2.) Greg Carlson - 688-5121
- #3.) John Bischoff - 688-4910
- #4.) Chuck Ullery - 688-5141
- #5.) Soil Conservation Service - 487-7501

There should be no charge for any assistance they provide you, and their input should be beneficial to you.

Sincerely,

Jim Stukel
Natural Resource Program Scientist

cf



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, 445 East Capitol
Pierre, South Dakota 57501-3188
Phone 605 773-3258

May 31, 1988

Gary Holzbauer
RR 1, Box 89
Wagner, SD 57380

Dear Gary,

Please be advised that our next scheduled Commission meeting will be held July 7, 1988, at the Ramkota Inn. If you wish your application to be brought before the Commission at that time it will be necessary for you to submit your proposed management plan to this office no later than June 22, 1988.

Sincerely,

Jim Stukel
Natural Resource Program Scientist

June 13, 1988

Division of Conservation
Anderson Building
Pierre, SD 57501

Dear Conservation Committee:

Once again I want to thank you for taking time to listen to me. As you all know I was here for your last two meetings asking for additional land to be irrigated, and the Board showed concern about sodium salts with this type of soil. Once again I'm here to ask for your approval of this permit.

We have been irrigating the NE $\frac{1}{4}$ of section 3-96-63 since 1957 and the SE $\frac{1}{4}$ of section 3-96-63 since the early 1970's. What I'm asking for is to be able to irrigate the SW $\frac{1}{4}$ of section 3-96-63 from the already existing well. I have two Valley irrigation systems, pump, well, and motor, which I could use to irrigate this quarter of land.

The reason I'm asking for this permit is so I can do a better job of farming by being able to rotate crops more efficiently. One is some what compelled to do certain farming practices due to a number of different circumstances such as weather, farm programs, etc. In close to 31 years of irrigating, we have found that rotation of crops has a beneficial effect of yields. We try to let crop residue on the land, we try to maintain a tilth to the soil, and we also try to avoid compaction with machinery if at all possible.

On the SW $\frac{1}{4}$ I would also be willing to rotate crops if put back to row crop and small grains. Presently it is in brome grass, and I would like to take a seed crop from the

grass. I would be willing not to chop silage from this quarter section and leave the crop residue go back to the ground. I would be willing to have the state monitor this quarter section with representative samples. If the salts come to dangerous amounts and the crop yield reduces significantly for three years, I would be willing to stop irrigating this quarter for a year or so, and work with nature and rotations to get it back to producing representative yields. I would be willing not to irrigate more than what is really necessary and I will also try to put more water on at a time so leaching is more easily done. If the Board would want to review this permit in five years, I would be willing to work with them to the best of my ability. In talking with John Bischoff and Hal Werner, I would try to work more closely with them on new ideas to see if we can still better ourselves.

In closing I would like to say that I feel confident that this land can be irrigated with this water to a beneficial use. I also feel that with rotation of crops and planning, it would not be necessary to spend large amounts of money to make this work, especially with our present farm financial conditions. I would like to remind you that this does not require an additional well or any additional equipment.

Thank you,

A handwritten signature in cursive script that reads "Gary Holzbauer". The signature is written in dark ink and is positioned above the printed name.

Gary Holzbauer



June 24, 1988

Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, 445 East Capitol

Pierre, South Dakota 57501-3188

Phone 605/773-3258

Gary Holzbauer
RR 1, Box 89
Wagner, South Dakota 57380

Dear Gary:

In reviewing the proposed plan dated June 13, 1988, I do not see any action to be undertaken should the irrigation result in long term damage to the soil. We currently use an E.S.P. of 8% and Electrical Conductivity of 3000, as the level of maximum allowable limit. Unless this area is addressed, the plan is not complete. There is no commitment on your part to correct a problem should one develop.

I feel you must install artificial drainage, use a soil amendment (gypsum), and include other management practices should these hazards develop. You should also attempt to place funds aside to pay for these actions.

In brief, you must face financial aspects of practices to reclaim the soil and accept that responsibility.

Just as a reminder, the State Conservation Commission Meeting is scheduled for July 7, 1988.

Sincerely

Jim Stukel
Natural Resource Program Scientist

JS:ld

cc: Vern Spartz

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4244

WR#

OWNERS NAME: Gary Holzhauser OWNERS ADDRESS: RR 1, Box 39
Wagner, SD 57380

COUNTY LAND LOCATED IN: Charles Mix PHONE: 384-5296

LEGAL DESCRIPTION:

☐ Well

☒ Surface

1. LOCATION SW 1/4 3-T96-863

Depth 200'

Legal Description	Acres	Legal Description	Acres
<u>SW 1/4 3-96-63</u>	<u>160</u>		

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

3. CROPS TO BE IRRIGATED: grass, corn, small grains, milo, and beans

WATER QUALITY:

4. WATER SAMPLE NUMBER: 87-0988

7. ADJUSTED (SAR): 20.64

5. SALINITY (EC X 10⁶): 1900

8. PERCENT SODIUM: 68.74

6. SODIUM (SAR): 8.52



Requirements:

The land be placed in a crop rotation with corn being grown on no more than 2 consecutive years, and no silage shall be taken.

The drainage-way shall be maintained in grass and/or alfalfa.

The irrigation staff may conduct sampling of soil, water, or crops at any time upon informing the permit holder.

Should a hazard develop, be it a specific ion, or salinity, or both, the permittee shall undertake the necessary action to reclaim the soil, which may include: the use of soil amendments, the installation of artificial drainage, ie. tile drains, or stopping irrigation.

See attached, also.

☒ APPROVED

☒ REQUIREMENTS

☐ DISAPPROVED

☐ WAIVER

Keith L. Harner
Director, Division of Conservation

Date

July 8, 1988

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

MANAGEMENT FORM

4244

APPROVED with requirements

NAME OF APPLICANT: Gary Holzbauer

LEGAL DESCRIPTION: SW1/4 3-T96N-R63W

REQUIREMENTS:

The land be placed in a crop rotation with corn being grown on no more than 2 consecutive years, and no silage shall be taken.

The drainage-way shall be maintained in grass and/or alfalfa.

The irrigation staff may conduct sampling of soil, water, or crops at any time upon informing the permit holder.

Should a hazard develop, be it a specific ion, or salinity, or both, the permittee shall undertake the necessary action to reclaim the soil, which may include: the use of soil amendments, the installation of artificial drainage, ie. tile drains, or stopping irrigation. See attached, also.

MANAGEMENT RECOMMENDATIONS:



7/8/88
DATE

James Lewis H. H. H.
SIGNATURE

Report On Application No. 5265-3
Gary Holzbauer
January 25, 1989

This application proposes to appropriate 2.28 cfs from one existing well 211 feet deep which is located in the NW 1/4 SE 1/4 of Section 3, T96N-R63W. The land to be irrigated is 160 acres in the SW 1/4 of Section 3, T96N-R63W in Charles Mix County. Water Right No. 1619-3 appropriates 2.22 cfs from the same well to irrigate 234.6 acres in the E 1/2 of Section 3, T96N-R63W.

Aquifer Choteau-West (CH-W)

The Choteau-West (CH-W) Aquifer consists of buried outwash and western origin stream deposits (Kume, 1977). The outwash consists of sand and gravel and the aquifer is overlain by till. The CH-W is under artesian conditions and underlies 169,900 acres and contains an estimated 1.23 million acre-feet of recoverable water in storage (Hedges, 1982) in Charles Mix County. The CH-W is part of a large aquifer system extending into Douglas and Hutchinson Counties and the CH-W is also hydraulically connected to the Bedrock Niobrara Chalk, Codell Sandstone and other glacial aquifers in the area.

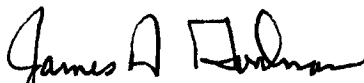
The Division of Water Rights monitors 22 observation wells completed into the CH-W Aquifer in Charles Mix County (Water Rights 1989). Two of these wells (CM-80C and CM-72B) are located within 2 miles of this application and hydrographs for these wells are included with this report. Water levels fluctuate 20 to 40 feet annually in these wells due to irrigation pumping. The historical record indicates spring water levels declined gradually from 1960 to 1982 then rising up through 1987. Recharge does occur to the CH-W Aquifer but has not been quantified. The aquifer is easily sustaining the existing water demands.

Review of Existing Water Permits

There are three existing water permits within 2 miles of this application. These are Permit No. 311-3, 1619-3A and 4005-3. Each permit is authorized 1 well from the CH-W Aquifer for irrigation purposes. The wells are 1 to 1 1/2 miles apart. No additional wells are authorized by this application. Interference does occur and drawdowns are well documented by the observation well records.

Conclusions

1. There is water available from the CH-W Aquifer.
2. The aquifer is under artesian conditions and pumping causes 20 to 40 feet fluctuations per year in water levels. Interference does occur but is not adversely affecting the availability of water from the aquifer.
3. There will be additional water (volume) taken from the CH-W Aquifer. The diversion rate will probably remain the same even though this permit is written so additional diversions can be made. It is doubtful that the existing well could sustain a 4.5 cfs diversion rate. In all likelihood the 2.22 cfs diversion rate will be a maximum rate, just spread out over more lands.


JAMES A. GOODMAN
Hydrologist

Bibliography

- Hedges, L.S., 1982, Evaluation of Groundwater Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD 57069
- Kume, Jack, 1977, Geology and Water Resources of Charles Mix and Douglas Counties, South Dakota, Part II Water Resources, SDGS Bulletin 22, SDGS, Vermillion SD 57069
- Water Rights, 1989, Observation Well Records for Charles Mix County, SD DWR, Division of Water Rights, Joe Foss Bldg, Pierre, SD 57501

OBS_WELL	OBSERVATION WELL WATER LEVELS LOCATION	DATE	READING
CM-72B	095N-63W-148833	06/11/74	-56.5
CM-72B	095N-63W-148833	06/24/74	-55.3
CM-72B	095N-63W-148836	07/10/74	-55.2
CM-72B	095N-63W-148836	07/25/74	-62.3
CM-72B	095N-63W-148836	01/05/75	-64.1
CM-72B	095N-63W-148836	03/19/75	-62.2
CM-72B	095N-63W-148836	05/05/75	-64.2
CM-72B	095N-63W-148836	09/16/75	-63.5
CM-72B	095N-63W-148836	10/02/75	-52.7
CM-72B	095N-63W-148836	10/17/75	-52.1
CM-72B	095N-63W-148836	10/29/75	-51.5
CM-72B	095N-63W-148836	12/02/75	-50.1
CM-72B	095N-63W-148836	01/07/76	-59.2
CM-72B	095N-63W-148836	02/20/76	-58.2
CM-72B	095N-63W-148836	04/16/76	-57.1
CM-72B	095N-63W-148836	05/29/76	-58.3
CM-72B	095N-63W-148836	06/11/76	-59.4
CM-72B	095N-63W-148836	06/25/76	-56.7
CM-72B	095N-63W-148836	07/09/76	-62.6
CM-72B	095N-63W-148836	07/21/76	-65.6
CM-72B	095N-63W-148836	07/30/76	-70.0
CM-72B	095N-63W-148836	08/05/76	-73.2
CM-72B	095N-63W-148836	08/14/76	-74.7
CM-72B	095N-63W-148836	08/20/76	-81.5
CM-72B	095N-63W-148836	09/04/76	-72.0
CM-72B	095N-63W-148836	09/17/76	-70.0
CM-72B	095N-63W-148836	10/01/76	-68.3
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CM-72B	095N-63W-148836	05/15/77	-63.0
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CM-72B	095N-63W-148836	07/13/77	-70.6
CM-72B	095N-63W-148836	07/27/77	-75.7
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CM-72B	095N-63W-148836	09/28/78	-73.5

OBSERVATION WELL WATER LEVELS

2:03 FRIDAY, FEBRUARY 3, 1969 2

OBS_WELL	LOCATION	DATE	READING
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CM-72b	056N-63W-146888	05/16/78	-61.2
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CM-72B	056N-63W-146888	07/07/78	-66.6
CM-72b	056N-63W-146888	08/04/78	-71.5
CM-72E	056N-63W-146888	08/25/78	-74.6
CM-72b	056N-63W-146888	09/13/78	-74.4
CM-72B	056N-63W-146888	10/31/78	-58.0
CM-72B	056N-63W-146888	12/05/78	-65.0
CM-72B	056N-63W-146888	01/16/79	-63.7
CM-72B	056N-63W-146888	02/21/79	-62.1
CM-72B	056N-63W-146888	03/13/79	-62.0
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CM-72b	056N-63W-146888	05/23/79	-59.5
CM-72B	056N-63W-146888	06/06/79	-65.2
CM-72b	056N-63W-146888	06/15/79	-59.6
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OBS_WELL	OBSERVATION WELL WATER LEVELS LOCATION	DATE	READING
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04-72B	095N-63W-148886	08/02/83	-54.6
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04-72B	095N-63W-148888	07/03/86	-55.8
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04-72B	095N-63W-148888	09/09/86	-73.3
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04-72B	095N-63W-148888	04/21/87	-57.6
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OBSERVATION WELL WATER LEVELS

3:03 PM MON, FEBRUARY 3, 1989

4

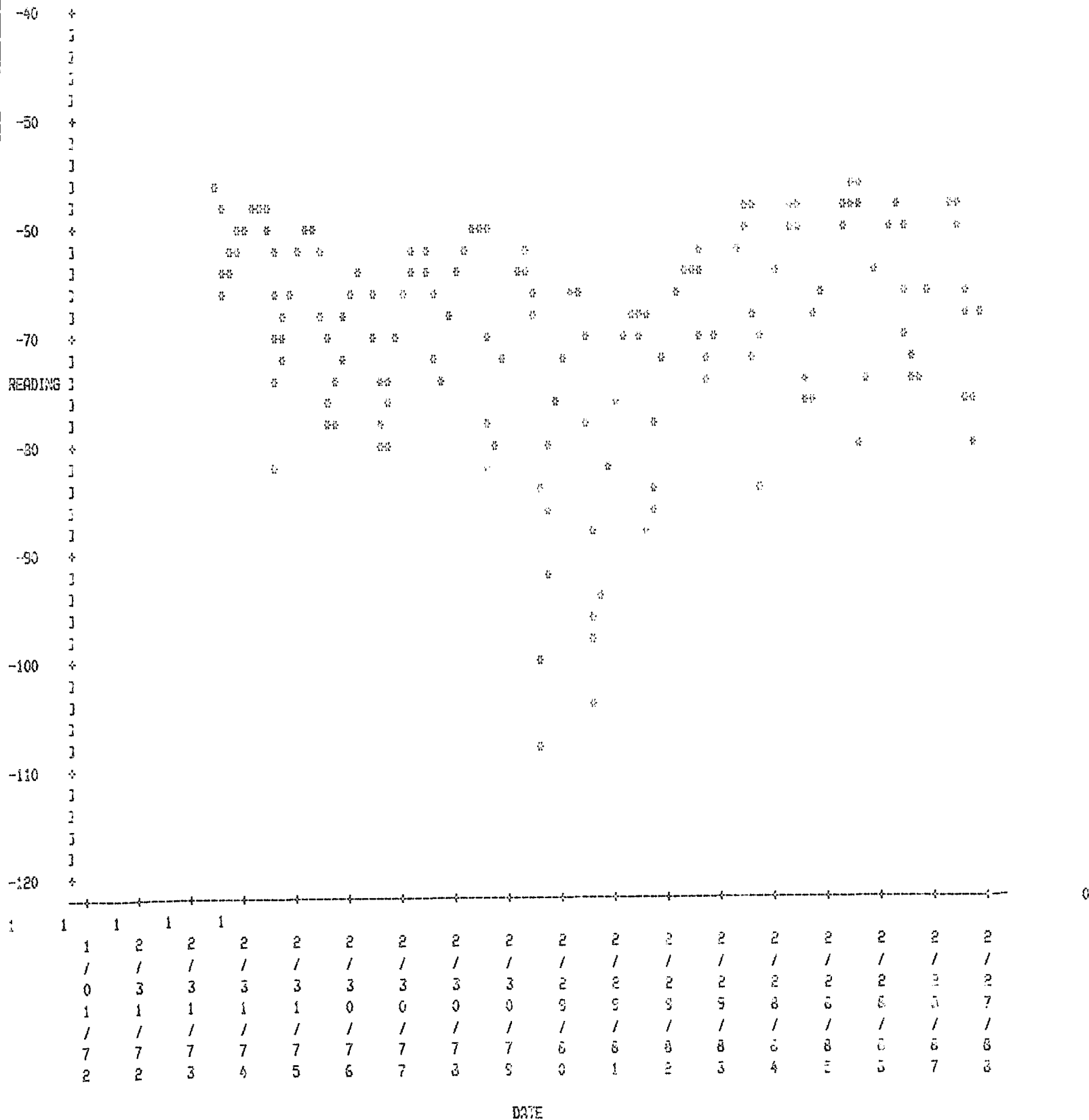
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CM-72B	095N-63W-1488ED	07/25/87	-72.2
CM-72B	095N-63W-1488ED	08/11/87	-72.4
CM-72B	095N-63W-1488ED	08/21/87	-74.3
CM-72B	095N-63W-1488ED	10/14/87	-65.2
CM-72B	095N-63W-1488ED	04/05/88	-58.6
CM-72B	095N-63W-1488ED	05/15/88	-53.1
CM-72B	095N-63W-1488ED	06/01/88	-57.6
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N= 163

OBSERVATION WELL WATER LEVELS
 OBS_WELL=04-720

3:03 FRIDAY, FEBRUARY 3, 1989 5

PLOT OF READINGS=DATE SYMBOL USED IS *



NOTE: 31 OBS HIDDEN

0850009 - END OF DATA SET

DWS_WELL	OBSERVATION WELL WATER LEVEL		REMARKS
	LOCATION	DATE	
09-800	097N-63W-330000 1	11/03/50	-13.0
09-800	097N-63W-330000 1	07/05/61	-14.0
09-800	097N-63W-330000 1	07/22/61	-15.1
09-800	097N-63W-330000 1	10/13/61	-12.8
09-800	097N-63W-330000 1	04/12/62	-13.9
09-800	097N-63W-330000 1	07/20/62	-10.7
09-800	097N-63W-330000 1	11/02/62	-10.0
09-800	097N-63W-330000 1	11/27/63	-12.1
09-800	097N-63W-330000 1	07/22/65	-14.7
09-800	097N-63W-330000 1	01/05/66	-14.7
09-800	097N-63W-330000 1	01/07/64	-14.5
09-800	097N-63W-330000 1	03/29/64	-13.3
09-800	097N-63W-330000 1	01/07/64	-13.0
09-800	097N-63W-330000 1	01/03/65	-14.1
09-800	097N-63W-330000 1	05/11/65	-13.7
09-800	097N-63W-330000 1	07/01/65	-12.3
09-800	097N-63W-330000 1	05/01/65	-14.0
09-800	097N-63W-330000 1	05/08/65	-12.3
09-800	097N-63W-330000 1	11/17/65	-17.3
09-800	097N-63W-330000 1	05/22/67	-13.6
09-800	097N-63W-330000 1	05/05/67	-13.1
09-800	097N-63W-330000 1	07/05/67	-13.4
09-800	097N-63W-330000 1	07/13/67	-13.9
09-800	097N-63W-330000 1	07/20/67	-17.7
09-800	097N-63W-330000 1	07/27/67	-23.1
09-800	097N-63W-330000 1	05/03/67	-21.2
09-800	097N-63W-330000 1	05/05/67	-27.9
09-800	097N-63W-330000 1	05/17/67	-21.1
09-800	097N-63W-330000 1	01/24/67	-27.5
09-800	097N-63W-330000 1	05/07/67	-24.7
09-800	097N-63W-330000 1	10/05/67	-22.1
09-800	097N-63W-330000 1	02/15/68	-19.0
09-800	097N-63W-330000 1	03/11/68	-17.4
09-800	097N-63W-330000 1	01/27/68	-16.3
09-800	097N-63W-330000 1	03/17/68	-17.4
09-800	097N-63W-330000 1	03/27/68	-10.1
09-800	097N-63W-330000 1	07/11/68	-11.0
09-800	097N-63W-330000 1	07/27/68	-14.3
09-800	097N-63W-330000 1	07/01/68	-03.0
09-800	097N-63W-330000 1	05/05/68	-05.3
09-800	097N-63W-330000 1	02/19/68	-10.0
09-800	097N-63W-330000 1	03/12/68	-31.4
09-800	097N-63W-330000 1	06/24/68	-30.1
09-800	097N-63W-330000 1	05/15/68	-17.7
09-800	097N-63W-330000 1	10/19/68	-13.3
09-800	097N-63W-330000 1	11/12/68	-22.1
09-800	097N-63W-330000 1	02/11/69	-19.5
09-800	097N-63W-330000 1	03/17/69	-13.3
09-800	097N-63W-330000 1	04/10/69	-17.0
09-800	097N-63W-330000 1	05/09/69	-17.5
09-800	097N-63W-330000 1	05/14/69	-15.1
09-800	097N-63W-330000 1	05/28/69	-17.7
09-800	097N-63W-330000 1	07/12/69	-15.2
09-800	097N-63W-330000 1	07/15/69	-15.2
09-800	097N-63W-330000 1	04/02/70	-10.5

DBS_NAME	LOCATION	DATE	DBSIZE
DB-800	057N-53N-338800	05/05/75	-21.6
DB-800	057N-53N-338800	05/16/75	-22.0
DB-800	057N-53N-338800	05/26/75	-22.2
DB-800	057N-53N-338800	05/27/75	-22.5
DB-800	057N-53N-338800	05/28/75	-22.2
DB-800	057N-53N-338800	05/29/75	-22.0
DB-800	057N-53N-338800	05/30/75	-21.8
DB-800	057N-53N-338800	05/31/75	-21.7
DB-800	057N-53N-338800	06/01/75	-21.4
DB-800	057N-53N-338800	06/02/75	-21.7
DB-800	057N-53N-338800	06/03/75	-21.2
DB-800	057N-53N-338800	06/04/75	-21.0
DB-800	057N-53N-338800	06/05/75	-20.8
DB-800	057N-53N-338800	06/06/75	-20.6
DB-800	057N-53N-338800	06/07/75	-20.4
DB-800	057N-53N-338800	06/08/75	-20.2
DB-800	057N-53N-338800	06/09/75	-20.0
DB-800	057N-53N-338800	06/10/75	-19.8
DB-800	057N-53N-338800	06/11/75	-19.6
DB-800	057N-53N-338800	06/12/75	-19.4
DB-800	057N-53N-338800	06/13/75	-19.2
DB-800	057N-53N-338800	06/14/75	-19.0
DB-800	057N-53N-338800	06/15/75	-18.8
DB-800	057N-53N-338800	06/16/75	-18.6
DB-800	057N-53N-338800	06/17/75	-18.4
DB-800	057N-53N-338800	06/18/75	-18.2
DB-800	057N-53N-338800	06/19/75	-18.0
DB-800	057N-53N-338800	06/20/75	-17.8
DB-800	057N-53N-338800	06/21/75	-17.6
DB-800	057N-53N-338800	06/22/75	-17.4
DB-800	057N-53N-338800	06/23/75	-17.2
DB-800	057N-53N-338800	06/24/75	-17.0
DB-800	057N-53N-338800	06/25/75	-16.8
DB-800	057N-53N-338800	06/26/75	-16.6
DB-800	057N-53N-338800	06/27/75	-16.4
DB-800	057N-53N-338800	06/28/75	-16.2
DB-800	057N-53N-338800	06/29/75	-16.0
DB-800	057N-53N-338800	06/30/75	-15.8
DB-800	057N-53N-338800	06/31/75	-15.6
DB-800	057N-53N-338800	07/01/75	-15.4
DB-800	057N-53N-338800	07/02/75	-15.2
DB-800	057N-53N-338800	07/03/75	-15.0
DB-800	057N-53N-338800	07/04/75	-14.8
DB-800	057N-53N-338800	07/05/75	-14.6
DB-800	057N-53N-338800	07/06/75	-14.4
DB-800	057N-53N-338800	07/07/75	-14.2
DB-800	057N-53N-338800	07/08/75	-14.0
DB-800	057N-53N-338800	07/09/75	-13.8
DB-800	057N-53N-338800	07/10/75	-13.6
DB-800	057N-53N-338800	07/11/75	-13.4
DB-800	057N-53N-338800	07/12/75	-13.2
DB-800	057N-53N-338800	07/13/75	-13.0
DB-800	057N-53N-338800	07/14/75	-12.8
DB-800	057N-53N-338800	07/15/75	-12.6
DB-800	057N-53N-338800	07/16/75	-12.4
DB-800	057N-53N-338800	07/17/75	-12.2
DB-800	057N-53N-338800	07/18/75	-12.0
DB-800	057N-53N-338800	07/19/75	-11.8
DB-800	057N-53N-338800	07/20/75	-11.6
DB-800	057N-53N-338800	07/21/75	-11.4
DB-800	057N-53N-338800	07/22/75	-11.2
DB-800	057N-53N-338800	07/23/75	-11.0
DB-800	057N-53N-338800	07/24/75	-10.8
DB-800	057N-53N-338800	07/25/75	-10.6
DB-800	057N-53N-338800	07/26/75	-10.4
DB-800	057N-53N-338800	07/27/75	-10.2
DB-800	057N-53N-338800	07/28/75	-10.0
DB-800	057N-53N-338800	07/29/75	-9.8
DB-800	057N-53N-338800	07/30/75	-9.6
DB-800	057N-53N-338800	07/31/75	-9.4

GAS_WELL	OBSERVATION WELL LOCATION	WATER LEVEL DATE	TEMPERATURE	SITE LOCATION, NEBRASKA	
				COUNTY	SECTION
CR-800	057N-63W-33R000	05/01/72	-44.8		
CR-800	057N-63W-33R000	05/12/72	-42.6		
CR-800	057N-63W-33R000	10/11/72	-43.5		
CR-800	057N-63W-33R000	11/23/72	-42.6		
CR-800	057N-63W-33R000	01/06/73	-43.4		
CR-800	057N-63W-33R000	02/27/73	-47.0		
CR-800	057N-63W-33R000	04/17/73	-45.5		
CR-800	057N-63W-33R000	05/05/73	-45.7		
CR-800	057N-63W-33R000	05/13/73	-44.8		
CR-800	057N-63W-33R000	05/20/73	-45.5		
CR-800	057N-63W-33R000	06/03/73	-43.2		
CR-800	057N-63W-33R000	07/04/73	-45.7		
CR-800	057N-63W-33R000	07/05/73	-45.0		
CR-800	057N-63W-33R000	07/15/73	-42.6		
CR-800	057N-63W-33R000	07/16/73	-45.0		
CR-800	057N-63W-33R000	08/01/73	-26.3		
CR-800	057N-63W-33R000	08/17/73	-45.4		
CR-800	057N-63W-33R000	08/18/73	-27.0		
CR-800	057N-63W-33R000	08/29/73	-45.0		
CR-800	057N-63W-33R000	08/01/74	-45.5		
CR-800	057N-63W-33R000	10/15/73	-43.0		
CR-800	057N-63W-33R000	11/13/73	-40.0		
CR-800	057N-63W-33R000	01/01/74	-45.2		
CR-800	057N-63W-33R000	02/04/74	-45.3		
CR-800	057N-63W-33R000	07/23/74	-45.7		
CR-800	057N-63W-33R000	08/11/74	-43.7		
CR-800	057N-63W-33R000	08/22/74	-40.0		
CR-800	057N-63W-33R000	07/10/75	-42.1		
CR-800	057N-63W-33R000	07/22/75	-45.0		
CR-800	057N-63W-33R000	08/07/75	-40.2		
CR-800	057N-63W-33R000	08/18/75	-45.1		
CR-800	057N-63W-33R000	09/03/75	-44.5		
CR-800	057N-63W-33R000	09/10/75	-45.0		
CR-800	057N-63W-33R000	10/05/75	-45.7		
CR-800	057N-63W-33R000	10/17/75	-44.5		
CR-800	057N-63W-33R000	10/23/75	-44.3		
CR-800	057N-63W-33R000	12/10/75	-43.1		
CR-800	057N-63W-33R000	01/07/76	-42.2		
CR-800	057N-63W-33R000	02/10/76	-43.1		
CR-800	057N-63W-33R000	02/20/76	-41.1		
CR-800	057N-63W-33R000	04/16/76	-40.0		
CR-800	057N-63W-33R000	05/05/76	-41.5		
CR-800	057N-63W-33R000	06/11/76	-23.4		
CR-800	057N-63W-33R000	06/25/76	-23.1		
CR-800	057N-63W-33R000	07/09/76	-27.1		
CR-800	057N-63W-33R000	07/11/76	-32.1		
CR-800	057N-63W-33R000	07/30/76	-35.7		
CR-800	057N-63W-33R000	08/05/76	-25.0		
CR-800	057N-63W-33R000	08/14/76	-40.4		
CR-800	057N-63W-33R000	08/20/76	-25.0		
CR-800	057N-63W-33R000	08/03/77	-32.2		
CR-800	057N-63W-33R000	08/17/77	-32.1		
CR-800	057N-63W-33R000	10/01/78	-20.8		
CR-800	057N-63W-33R000	10/23/78	-18.0		
CR-800	057N-63W-33R000	12/10/78	-22.0		
CR-800	057N-63W-33R000	12/21/78	-25.0		

OBSERVATION WELL WATER LEVEL LOCATION DATE READING

Sat FRIDAY, FEBRUARY 3, 1966 4

05-800	057N-53W-332000 1	05/04/75	-24.8
05-800	057N-53W-332000 1	05/12/75	-25.5
05-800	057N-53W-332000 1	05/26/75	-25.3
05-800	057N-53W-332000 1	06/20/75	-24.7
05-800	057N-53W-332000 1	06/22/75	-24.7
05-800	057N-53W-332000 1	06/17/75	-27.1
05-800	057N-53W-332000 1	06/20/75	-26.8
05-800	057N-53W-332000 1	07/11/75	-24.0
05-800	057N-53W-332000 1	07/27/75	-22.1
05-800	057N-53W-332000 1	08/05/75	-25.2
05-800	057N-53W-332000 1	08/21/75	-22.5
05-800	057N-53W-332000 1	08/21/75	-23.0
05-800	057N-53W-332000 1	10/14/75	-25.5
05-800	057N-53W-332000 1	12/03/75	-21.5
05-800	057N-53W-332000 1	01/20/77	-23.5
05-800	057N-53W-332000 1	03/01/77	-27.1
05-800	057N-53W-332000 1	03/17/77	-26.5
05-800	057N-53W-332000 1	06/10/77	-21.0
05-800	057N-53W-332000 1	06/20/77	-21.0
05-800	057N-53W-332000 1	07/17/77	-32.2
05-800	057N-53W-332000 1	07/27/77	-24.7
05-800	057N-53W-332000 1	08/17/77	-22.2
05-800	057N-53W-332000 1	08/25/77	-22.2
05-800	057N-53W-332000 1	09/12/77	-20.2
05-800	057N-53W-332000 1	10/07/77	-22.5
05-800	057N-53W-332000 1	11/12/77	-20.0
05-800	057N-53W-332000 1	02/06/78	-21.0
05-800	057N-53W-332000 1	03/15/78	-25.1
05-800	057N-53W-332000 1	03/15/78	-24.1
05-800	057N-53W-332000 1	04/21/78	-25.4
05-800	057N-53W-332000 1	07/07/78	-25.5
05-800	057N-53W-332000 1	07/09/78	-22.8
05-800	057N-53W-332000 1	08/25/78	-27.0
05-800	057N-53W-332000 1	09/15/78	-27.5
05-800	057N-53W-332000 1	10/03/78	-28.5
05-800	057N-53W-332000 1	10/31/78	-28.1
05-800	057N-53W-332000 1	12/05/78	-25.2
05-800	057N-53W-332000 1	01/15/79	-23.5
05-800	057N-53W-332000 1	02/11/79	-23.5
05-800	057N-53W-332000 1	03/13/79	-24.3
05-800	057N-53W-332000 1	04/17/79	-23.5
05-800	057N-53W-332000 1	05/23/79	-22.7
05-800	057N-53W-332000 1	05/25/79	-22.4
05-800	057N-53W-332000 1	05/15/79	-22.1
05-800	057N-53W-332000 1	07/10/79	-24.2
05-800	057N-53W-332000 1	07/26/79	-22.2
05-800	057N-53W-332000 1	08/07/79	-21.0
05-800	057N-53W-332000 1	02/21/75	-22.7
05-800	057N-53W-332000 1	03/10/75	-22.5
05-800	057N-53W-332000 1	10/18/75	-25.7
05-800	057N-53W-332000 1	01/05/76	-25.2
05-800	057N-53W-332000 1	03/27/76	-24.5
05-800	057N-53W-332000 1	06/22/76	-24.1
05-800	057N-53W-332000 1	03/05/80	-26.2

OBSERVATION WELL WATER LEVEL
LOCATION DATE REMARK

DATE PRINTED: FEBRUARY 10, 1994 2

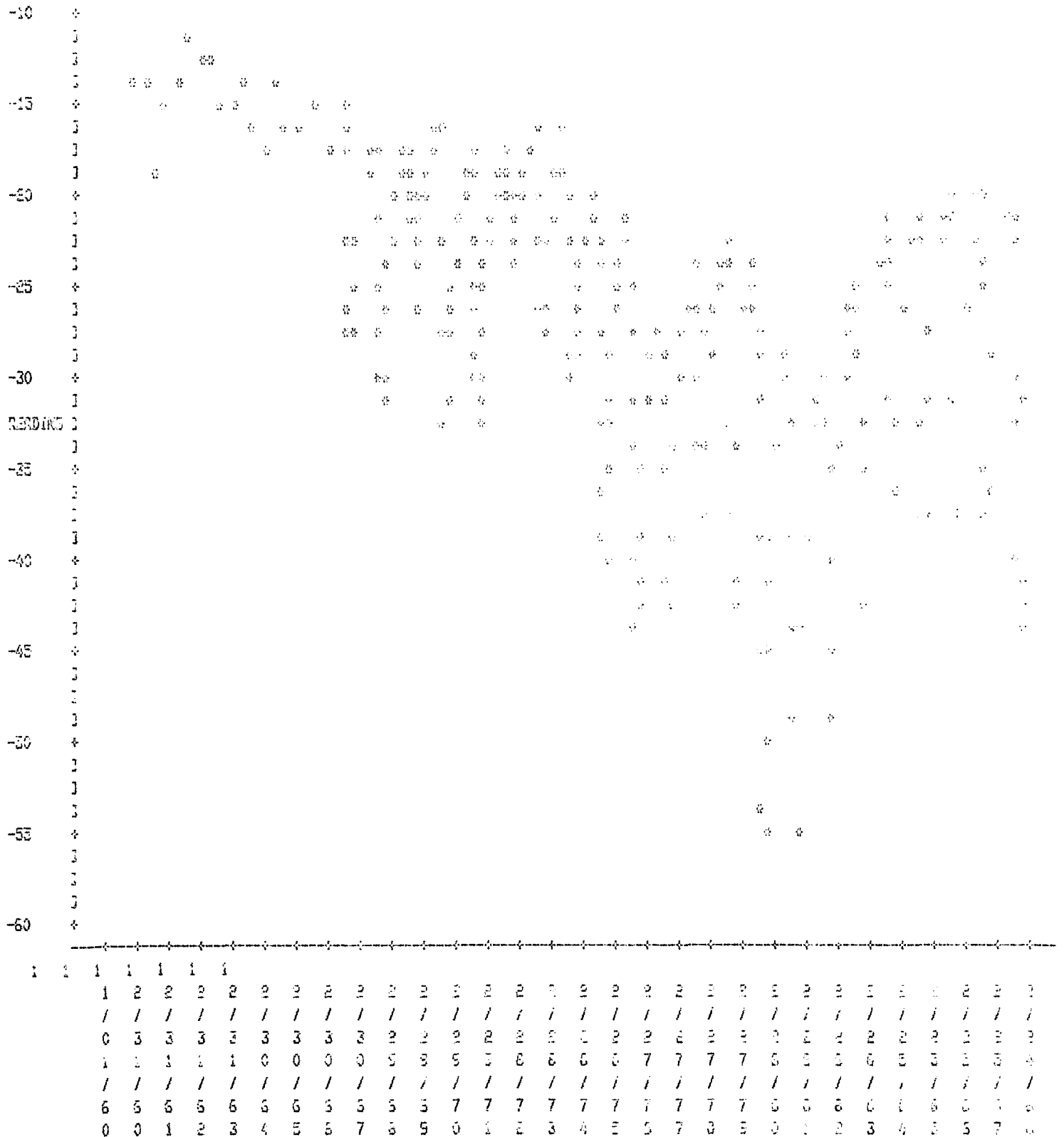
05-800	057N-53W-330000	1	02/13/80	-27.7
05-800	057N-53W-330000	1	03/03/80	-28.5
05-800	057N-53W-330000	1	05/07/80	-28.7
05-800	057N-53W-330000	1	07/01/80	-28.2
05-800	057N-53W-330000	1	07/17/80	-28.5
05-800	057N-53W-330000	1	07/29/80	-28.5
05-800	057N-53W-330000	1	08/18/80	-28.8
05-800	057N-53W-330000	1	08/25/80	-29.1
05-800	057N-53W-330000	1	09/15/80	-29.0
05-800	057N-53W-330000	1	09/27/80	-29.2
05-800	057N-53W-330000	1	10/12/80	-29.1
05-800	057N-53W-330000	1	11/05/80	-29.2
05-800	057N-53W-330000	1	03/04/81	-29.1
05-800	057N-53W-330000	1	04/15/81	-29.4
05-800	057N-53W-330000	1	05/05/81	-29.5
05-800	057N-53W-330000	1	06/10/81	-29.3
05-800	057N-53W-330000	1	07/01/81	-29.2
05-800	057N-53W-330000	1	07/14/81	-29.8
05-800	057N-53W-330000	1	07/27/81	-29.3
05-800	057N-53W-330000	1	08/16/81	-29.5
05-800	057N-53W-330000	1	09/03/81	-29.4
05-800	057N-53W-330000	1	10/23/81	-29.2
05-800	057N-53W-330000	1	12/03/81	-29.2
05-800	057N-53W-330000	1	03/10/82	-29.1
05-800	057N-53W-330000	1	04/13/82	-29.0
05-800	057N-53W-330000	1	05/18/82	-29.5
05-800	057N-53W-330000	1	06/01/82	-29.5
05-800	057N-53W-330000	1	07/05/82	-29.8
05-800	057N-53W-330000	1	07/27/82	-29.5
05-800	057N-53W-330000	1	08/16/82	-29.2
05-800	057N-53W-330000	1	08/18/82	-29.2
05-800	057N-53W-330000	1	09/03/82	-29.2
05-800	057N-53W-330000	1	10/05/82	-29.1
05-800	057N-53W-330000	1	11/03/82	-29.4
05-800	057N-53W-330000	1	02/06/83	-29.4
05-800	057N-53W-330000	1	03/14/83	-29.3
05-800	057N-53W-330000	1	03/09/83	-29.4
05-800	057N-53W-330000	1	03/21/83	-29.0
05-800	057N-53W-330000	1	04/01/83	-28.8
05-800	057N-53W-330000	1	05/13/83	-28.7
05-800	057N-53W-330000	1	05/29/83	-28.6
05-800	057N-53W-330000	1	06/26/83	-28.5
05-800	057N-53W-330000	1	07/27/83	-28.5
05-800	057N-53W-330000	1	10/25/83	-28.0
05-800	057N-53W-330000	1	04/15/84	-28.1
05-800	057N-53W-330000	1	05/13/84	-28.2
05-800	057N-53W-330000	1	07/30/84	-22.7
05-800	057N-53W-330000	1	08/12/84	-22.1
05-800	057N-53W-330000	1	09/27/84	-21.6
05-800	057N-53W-330000	1	07/10/84	-21.7
05-800	057N-53W-330000	1	07/24/84	-21.2
05-800	057N-53W-330000	1	08/01/84	-21.7
05-800	057N-53W-330000	1	09/01/84	-22.5
05-800	057N-53W-330000	1	10/01/84	-22.2

OBSERVATION WELL WATER LEVEL
LOCATION DATE RESERVE

100 FALCON, FEBRUARY 2, 1975 6

057A-520-330000 1	11/04/64	-20.8
057A-520-330000 1	03/22/65	-20.8
057A-520-330000 1	04/12/65	-21.2
057A-520-330000 1	05/01/65	-21.0
057A-520-330000 1	05/15/65	-21.5
057A-520-330000 1	05/31/65	-21.5
057A-520-330000 1	06/14/65	-21.8
057A-520-330000 1	06/25/65	-22.5
057A-520-330000 1	07/14/65	-22.4
057A-520-330000 1	07/25/65	-23.1
057A-520-330000 1	08/11/65	-27.1
057A-520-330000 1	08/25/65	-28.0
057A-520-330000 1	10/15/65	-29.0
057A-520-330000 1	03/17/66	-22.3
057A-520-330000 1	04/22/66	-20.1
057A-520-330000 1	05/20/66	-19.8
057A-520-330000 1	05/08/66	-20.1
057A-520-330000 1	05/15/66	-20.7
057A-520-330000 1	07/05/66	-19.5
057A-520-330000 1	07/17/66	-21.1
057A-520-330000 1	08/07/66	-21.5
057A-520-330000 1	08/05/66	-27.2
057A-520-330000 1	11/14/66	-25.4
057A-520-330000 1	03/03/67	-22.0
057A-520-330000 1	04/20/67	-20.4
057A-520-330000 1	05/11/67	-20.5
057A-520-330000 1	05/28/67	-24.0
057A-520-330000 1	06/12/67	-23.1
057A-520-330000 1	06/26/67	-22.1
057A-520-330000 1	07/10/67	-27.0
057A-520-330000 1	07/23/67	-31.4
057A-520-330000 1	08/07/67	-33.1
057A-520-330000 1	08/20/67	-35.2
057A-520-330000 1	10/13/67	-35.0
057A-520-330000 1	04/03/68	-21.5
057A-520-330000 1	05/10/68	-19.8
057A-520-330000 1	05/01/68	-21.4
057A-520-330000 1	05/15/68	-22.5
057A-520-330000 1	05/20/68	-25.5
057A-520-330000 1	07/14/68	-23.0
057A-520-330000 1	07/25/68	-25.3
057A-520-330000 1	08/10/68	-28.4
057A-520-330000 1	08/25/68	-43.4
057A-520-330000 1	09/08/68	-40.0
057A-520-330000 1	11/02/68	-31.7

PLOT OF READINGS: SYMBOL USED IS *



NOTE

NOTE: 39 OBS HIDDEN

000000 - END OF DATA SET

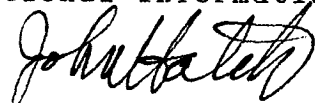
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5265-3, Gary Holzbauer

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. 5265-3, Gary Holzbauer, RR 1, Box 89, Wagner SD.

The Chief Engineer is recommending APPROVAL of Application No. 5265-3 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
January 25, 1989



Department of Water & Natural Resources

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

January 26, 1989

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

Gary Holzbauer
RR 1, Box 89
Wagner SD 57380

Dear Mr. Holzbauer:

Your Application No. 5265-3 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 Wagner Post printed at Wagner SD. For your information, a copy of the notice is enclosed. The recommendation of the Chief Engineer and a report on the application will be sent later. 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 26, 1989

Wagner Post
Box 100
Wagner SD 57380

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5265-3 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 Gary Holzbauer, RR 1, Box 89, Wagner SD 57380.

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 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5265-3 to Appropriate Water

Notice is given that Gary Holzbauer, RR 1, Box 89, Wagner SD 57380 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second (cfs) from one existing well ~~300~~²⁰⁰ feet deep located in the NW 1/4 SE 1/4 to irrigate 160 acres in the SW 1/4; all in Section 3, T96N, R63W. Water License No. 1619-3A appropriates 2.22 cfs from the same well to irrigate 234.6 acres in the E 1/2 Section 3, T96N, R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5265-3 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; 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.

No. 5265-3



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Charles Mix) ss.

I, John Faugender hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Wagner Post

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 Wagner

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

February 1 - 1989

February 8 - 1989

John Faugender
(Signature)

Publisher
(Title)

2-8-89
(Date Signed)

Cost of Printing: \$34.54

Public notice

NOTICE OF HEARING
On Application No. 5265-3
to Appropriate Water

Notice is given that Gary Holzbauer, RR 1, Box 89, Wagner SD 57380 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second (cfs) from one existing well 211 feet deep located in the NW¼ SE¼ to irrigate 160 acres in the SW¼; all in Section 3, T96N, R63W. Water License No. 1619-3A appropriates 2.22 cfs from the same well to irrigate 234.6 acres in the E½ Section 3, T96N, R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5265-3 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 a.m. 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 application 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.

going into the nursing profession as in previous years. Another factor in this shortage of nurses is that the South Dakota pay scale for this profession is not where it should be. The cost of the proposed package will be right at \$520,000, but no action has been taken as of yet. We did however pass a bill on Thursday to reinstate the Nursing education in Mitchell. We were honored to have the Seniors from Stickney High School visiting us in Pierre last Friday. Their instructor, Duane Casavan, accompanied them, and we all had our pictures taken together in the Capitol. Perhaps some of our local newspapers will print

Northern to USD; Dakota State to SDSU; and Black Hills to the School of Mines, which would then be renamed Western State University. Frankly, I think renaming colleges as universities without changing their programs and offering is something of a fraud.

 **Department of
Water & Natural Resources**

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

February 14, 1989

Gary Holzbauer
RR 1, Box 89
Wagner SD 57380

Dear Mr. Holzbauer:

Enclosed is the Report and the Recommendation of the Chief Engineer for your Water Permit No. 5265-3.

Sincerely,



KAREN SCHLAAK
Senior Secretary
605 773-3352

enclosures





Department of Water & Natural Resources

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

JUN 13 1989

Gary Holzbauer
RR 1, Box 89
Wagner SD 57380

Dear Mr. Holzbauer:

Enclosed is Water Permit No. 5265-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

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.



Permit No. 5265-3
Missouri River - Water District

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

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

On, August 24, 1998, I made a thorough examination of the water use system constructed by Gary Holzbauer of 39588 292nd St., Wagner SD 57380 holder of Permit No. 5265-3, bearing the priority of January 19, 1989 authorizing the diversion of 2.22 cu. ft. per second of groundwater for irrigation purposes, in Charles Mix County.

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

- A. Works used to divert the water:
221' well, turbine pump, electric motor
- B. Works used to apply water to beneficial use:
2 Towable Valley center pivots

The system is in the following condition fair. The point of diversion is located 1900' north and 1380' west of the SE corner of Section 3 T96N-R63W. The works are capable of diverting and conveying to the place of use 2.22 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:

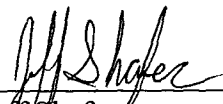
Section 3 T96N-R63W

<u>NW ¼ SW ¼</u>	<u>32.5 acres</u>
<u>NE ¼ SW ¼</u>	<u>32.5 acres</u>
<u>SW ¼ SW ¼</u>	<u>32.5 acres</u>
<u>SE ¼ SW ¼</u>	<u>32.5 acres</u>

comprising a total of 130 acres of land and the license should be issued for 1.86 cfs.

Applicable permit qualifications have been complied with: Yes

Exceptions to compliance are: None



Jeff Shafer
Natural Resources Engineer
DENR, Water Rights Program

9/25/98

Date

REPORT ON INSPECTION OF PERMIT NO. 5265-3

DATE OF INSPECTION: August 24, 1998

Other permit(s) associated with the project: none

Contact Person & Address: Gary Holzbauer, 39588 292nd St., Wagner SD 57380

DIVERSION POINT LEGAL LOCATION: NW 1/4 SE 1/4 Section 3 T96N-R63W

WATER SUPPLY Source: Groundwater

Well Information:

- | | |
|--|-------------------------------------|
| 1) Well Drilling Firm: <u>Sargent Irrigation Co.</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>211</u> feet | 4) Well log is available <u>Yes</u> |

Casing:

- | | |
|------------------------------|-------------------------------|
| 1) Diameter <u>16</u> inches | 2) Length <u>unknown</u> feet |
| 3) Type <u>steel</u> | |

Screen:

- | | |
|--------------------------------------|-------------------------------|
| 1) Type <u>steel</u> | 2) Length <u>unknown</u> feet |
| 3) Static water level <u>43</u> feet | |

Pump:

- | | |
|------------------------------------|-----------------------------|
| 1) Make <u>Western Land Roller</u> | 2) Model <u>NE82CO74</u> |
| 3) Size <u>8 inch</u> | 4) Capacity <u>1000</u> GPM |

Motor:

- | | |
|------------------------------------|----------------------------------|
| 1) Make <u>General Electric</u> | 2) Model No. <u>SK404DP6005A</u> |
| 3) Horsepower rating <u>100</u> hp | |

SYSTEM TYPE:

Towable Center pivots:

- | | |
|-------------------------------------|------------------------------------|
| 1) Make <u>Valley</u> | 2) Overall length <u>1320</u> feet |
| 3) Number of towers <u>11</u> | 4) End gun <u>Yes</u> |
| 5) High or low pressure <u>High</u> | 6) Capacity <u>1000</u> GPM |

CHEMIGATION EQUIPMENT:

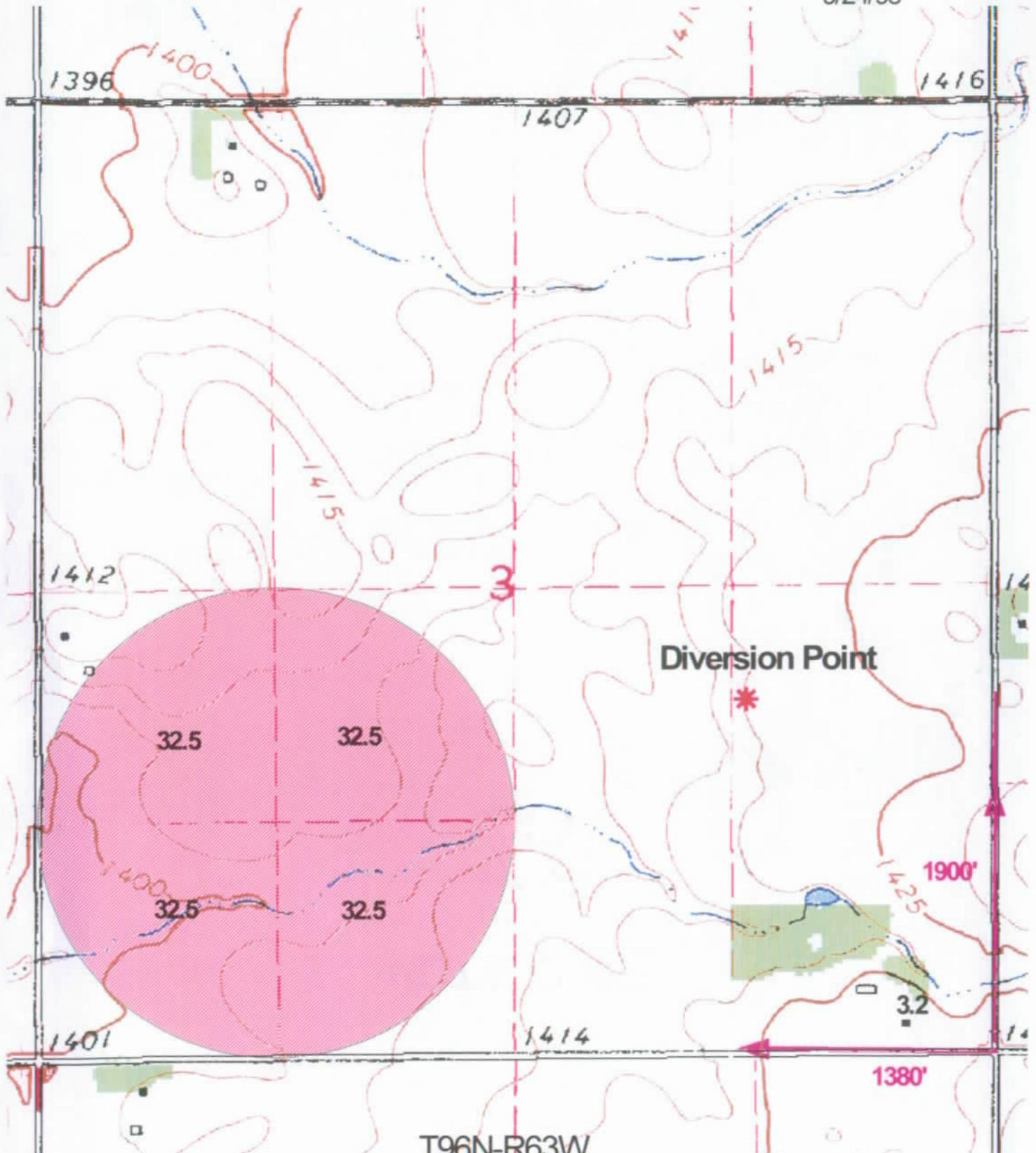
- | | |
|----|--------------------------|
| 1) | Does chemigate <u>No</u> |
|----|--------------------------|

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes - No irrigation had been done by the end of the construction period.
Mr. Holzbauer had legal excuse for not irrigating.

Inspection Map Water Permit No. 5265-3

9/24/98



Diversion Point

T96N-R63W



0 0.1 0.2 0.3 0.4 0.5 Miles

Prepared By:

Jeff Shafer

Jeff Shafer
Natural Resources Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5265-3

(1) Gary Holzbauer, 39588 292nd St., Wagner, SD 57380 made Application No. 5265-3, January 19, 1989 for a water permit to divert 2.28 cubic feet of water per second from ground water (one existing well), Charles Mix County, South Dakota for irrigation purposes. Permit No. 5265-3, with a priority date of January 19, 1989 was approved March 2, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 2, 1994 and for the application to beneficial use of said water on or before March 2, 1998.

(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 1.86 cubic feet of water per second for beneficial use. The location of the diversion point is 1,900'N and 1,380'W of the SE corner of Section 3, T96N, R63W (NW ¼ SE ¼).*

* **The above well is also used to irrigate the E ½ Section 3, T96N, 63W – authorized under Water Right No. 1619-3A**

(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:

Section 3, T96N, R63W	
NW ¼ SW ¼	32.5 acres
NE ¼ SW ¼	32.5 acres
SW ¼ SW ¼	32.5 acres
SE ¼ SW ¼	32.5 acres
Total	130.0 acres

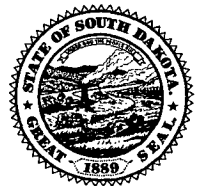
(4) Pursuant to South Dakota Water Law 46-5-30.1 Gary Holzbauer, 39588 292nd St., Wagner, SD 57380 the holder and/or owner of Water Right No. 5265-3 is issued a license to appropriate water, the right to use 1.86 cubic feet of water per second from ground water (one well) with a priority date of January 19, 1989 from the location specified in (2) of this license. The water 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 Right No. 5265-3 and subject to South Dakota State Law.



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

SEP 29 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

September 9, 1998

5265-3

Gary Holzbauer
39588 292nd St.
Wagner, SD 57380

Dear Mr. Holzbauer:

The investigation of your water use system was conducted on August 24, 1998, by Jeff Shafer, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 5265-3. Your final water right document, the Water License, can now be issued.

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

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 415874

Pierre, September 25, 19 98

RECEIVED OF Gary or Janice Holzbauer, 39588 292nd St., Wagner, SD 57380
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. 5265-3	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By Jan-Hatch (JH)
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

SEP 29 1998

5265-3

Gary Holzbauer
39588 292nd St.
Wagner, SD 57380

Dear Mr. Holzbauer:

Enclosed is Water License No. 5265-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415874 in the amount of \$50.00 which you paid for the investigation 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. 5265-3, 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