

Considered: _____

WATER PERMIT NO. 5274-3

HAP No. same 356-2889

Name of Applicant Russell Hall

Post Office Address RRI Box 84, Elk Point, SD 57025

Amount of Water Claimed 0.84 cfs Total Acres 59

Source of Water Supply groundwater - 1 well

Water to be used for irrigation County Union

About 1 miles SE of Elk Point, SD

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received January 23, 1989 Fee 150⁰⁰ Remarks _____

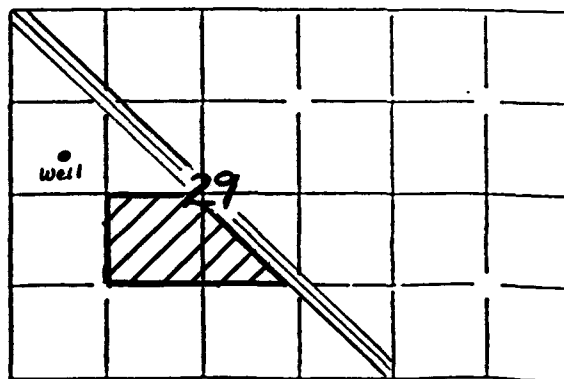
Corrected Application Received _____ Period of Annual Use May 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED Jan. 31, 1989 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES NO REMARKS _____

Diversion Point SW¹/₄ NW¹/₄ Sect 29 - T91N - R49W

Land to be Irrigated N¹/₂ S¹/₂ Sect 29 - T91N - R49W



Well Log: Driller Nichols Well & Pump Co. Licensed YES _____ NO _____

Depth of Well 105' REMARKS Well authorized under

Water License # 3866-3; Drilled in 1976

Type of Map aerial photo PREPARED BY Louie Desmet Reviewed and the Number

assigned on January 31, 1989 By Susan A. Bowser

(See instructions)

No. 5274-3 Hydrologic Unit 10170102
Basin Vermillion R
Newspaper Leader-Courier Box 30 Elk Point 57025

Mail to: Water Rights Div.
DWNR, P.O. Box 1999
Pierre, SD 57501
(605) 778-8352

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

- Type of Application: ☐ New ☐ Vested Right ☒ Amend Permit No. 3866-3
- ☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
- ☒ Add Acreage ☐ Increase diversion rate ☐ Other _____
1. Name of Applicant Russell M. Hall Phone No. 356-2889
- Post Office Address RR 1 Box 84 Elk Point State SD Zip Code 57025
(Street, RR or Box) (City)
2. Amount of water claimed (c.f.s.) 0.84 Total acres irrigated 52 59
3. Source of Water supply Well
4. Location of point of diversion source would be from present well under permit #3866-3
(SW 1/4 NW 1/4 Section 29-T91N-R49W) County UNION
5. Counties where water will be used UNION
6. Annual period during which water is to be used May-October May 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.
NE 1/4 SW 1/4 and that part	
NW 1/4 SE 1/4 lying S & W	
of old Hwy 77 Sect. 29	
Twp. 91 Range 41	51

Land Description	No. Acres Irr.
NE 1/4 SW 1/4 Sec 29-T91N-R49W	40
NW 1/4 SE 1/4 "	19

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: X Other: _____ (Specify) _____
9. Crops to be Irrigated: Corn, beans, alfalfa, etc.
10. Give a description of proposed project. (Attach sheet if more space is needed)
- This is just purchased, it will be irrigated by a big gun from an adjoining permit.

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 Union) ss

I, Russell M. Hall, 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 Russell M. Hall
Subscribed and sworn to before me this 16th day of January 1989
Shirley M. Lemogee
Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 5274-3 FOR IRRIGATION**

Date of first receipt of application January 23, 1989.

Date Soil/Water Compatibility Permit received January 31, 1989.

The Water Management Board approved Water Permit Application No. 5274-3 on May 10, 1989 for Russell M. Hall, RR #1, Box 84, Elk Point, SD 57025 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. 5274-3 appropriates 0.84 cubic feet of water per second (cfs) from one existing well (Missouri-Elk Point Aquifer) approximately 100 feet deep located in the SW1/4 NW1/4 to irrigate 59 acres in the NE1/4 SW1/4, NW1/4 SE1/4; all in Section 29-T91N-R49W. Water Right No. 3866-3 authorizes 1.00 cfs from this well to irrigate 70 acres in the NW1/4 Section 29-T91N-R49W.
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: May 1 to October 31.
3. The date from which applicant may claim right is January 23, 1989.
4. One-fifth of the construction is to be completed on or before November 10, 1991.
5. All construction is to be completed on or before May 10, 1994.
6. Water is to be put to beneficial use on or before May 10, 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: _____

Joel Hatched
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

SEP 12 1989

(date)

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation



Office Use Only

4327

WR#

OWNERS NAME: Russell M. Hall OWNERS ADDRESS: RR 1, Box 84

Elk Point, SD 57025

COUNTY LAND LOCATED IN: Union PHONE: 356-2889

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29-91-49 (present well under permit #3866-3)

Depth _____

Legal Description	Acres	Legal Description	Acres
<u>NE$\frac{1}{4}$ SW$\frac{1}{4}$</u>	<u>40</u>		
<u>NW$\frac{1}{4}$ SE$\frac{1}{4}$ (part lying S & W of old Hwy 77)</u>	<u>19</u>		
<u>all of Sec. 29-91-49</u>			
		<u>TOTAL ACRES = 59</u>	

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

3. CROPS TO BE IRRIGATED: corn, beans, alfalfa, etc.

WATER QUALITY:

4. WATER SAMPLE NUMBER: 77-368 7. ADJUSTED (SAR): _____
5. SALINITY (EC X 10⁶): 1171 8. PERCENT SODIUM: 22.94
6. SODIUM (SAR): 1.36

Requirements: The area mapped as Albaton (Ad) and (Ac) are subject to a water table and wetness. Under irrigation, these areas may remain overly wet. These areas shall remain in grass and/or alfalfa to address wetness problems. Most of the soils of the area have a seasonal high water table which may become perched under irrigation & inhibit the leaching of salts. To address this may require the installation of a form of artificial drainage, ie. tile drains, to be installed as deemed necessary.

Please be advised that we do not consider the 1985 Food Security Act in developing our recommendations. Please contact your local conservation district for assistance.

[Signature]
Director, Division of Conservation

Date 11/3/89

☒ APPROVED ☒ REQUIREMENTS
☐ DISAPPROVED
☐ WAIVER

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411600

Pierre, January 23, 1989

RECEIVED OF Russell Hall, RR1 Box 84, Elk Point, SD., 57025

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

Fee for Application for Permit No. <u>5274-3</u> to Appropriate Water, to construct works and to put water to beneficial use	150	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 <u>WATER Section 29-T11N R99W</u>		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	150 00

By John Hatch / mca
Chief Engineer

NOT TO SCALE



Report on Application No. 5274-3

Russell M. Hall

March 10, 1989

This application proposes to appropriate 0.84 cfs from one existing well approximately 104 feet deep located in the SW1/4 NW1/4 of Section 29 to irrigate 59 acres in the NE1/4 SW1/4 and NW1/4 SE1/4 in Section 29; all in T91N R49W in Union County. The well is authorized by Water Right No. 3866-3 which authorizes 1.00 cfs to irrigate 70 acres in the NW1/4 of Section 29, T91N R49W. This is an application for additional water and additional lands.

Aquifer - Missouri - Elk Point (M-EP)

The Missouri - Elk Point (M-EP) is an alluvium mantled glacial outwash (sand and gravel) which is generally under water table conditions, however, locally there are partially confining (clay layers) layers within the alluvium. The M-EP underlies 99,600 acres and contains an estimated 1.5 million acre-feet of recoverable water in storage (Hedges, 1982). The M-EP Aquifer is hydraulically connected to the M-EP and Lower Vermillion Missouri Aquifers in Clay County, the Dakota Formation which directly underlies portions of the M-EP and the Big Sioux and Missouri Rivers.

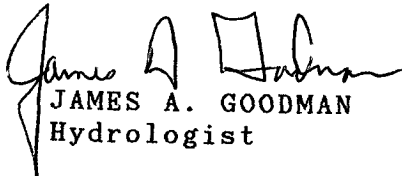
The Division of Water Rights monitors 28 observation wells completed into the M-EP Aquifer in Union County. Two of these wells, UN-78A and UN-80E, are located within 2 miles of this application. In general, the hydrographs tend to mirror climatic condition with wet years shown by rising water levels and dry years by declining water levels. Some fluctuations are shown by UN-80E which can be attributed to pumping. At that site the aquifer is under artesian conditions and fluctuations could be expected. The aquifer does recharge and is easily sustaining the demands of pumping (Water Rights, 1989).

Review of Existing Water Permits

This area of Union County is fairly intensively irrigated. There are two other water permits in the immediate area both belonging to the applicant. The M-EP is a prolific aquifer and specific capacities of 50 to 100 gpm/ft of drawdown are not unusual (Well Files, 1989). Significant drawdowns caused by pumping do not extend very far from the production well. Also, the aquifer thickness is more than adequate to handle a few feet of drawdown.

Conclusions

1. Water is available from the M-EP Aquifer.
2. Interference is not expected to cause a problem. The hydrographs for UN-80E and UN-78A indicate that water level changes due to pumping are not significant.
3. Water level data from the observation well network indicates recharge to the aquifer is more than sufficient to sustain withdrawals.
4. This is a request for 0.84 cfs to irrigate 59 additional acres from an existing well authorized by Water Right 3866-3.


JAMES A. GOODMAN
Hydrologist

Bibliography

Hedges, L.S. 1982, Evaluation of Ground Water Resources Eastern SD and Upper Big Sioux River SD and Iowa, for US Army Corps of Engineers, DWNr, SDGS, Vermillion, SD 57069.

Water Rights, 1989, Records for Observation Wells in M-EP Aquifer, Union County, SD DWNr, Div of Water Rights, Joe Foss Bldg, Pierre, SD 57501

Well Files, 1989, Union County, Driller's Logs, SD DWNr, Div of Water Rights, Joe Foss Bldg, Pierre, SD 57501

OBS WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
UN-80E	091N-49W-338888 2	05/24/80	-19.5
UN-80E	091N-49W-338888 2	05/11/80	-19.4
UN-80E	091N-49W-338888 2	05/25/80	-19.7
UN-80E	091N-49W-338888 2	07/09/80	-22.6
UN-80E	091N-49W-338888 2	07/23/80	-23.9
UN-80E	091N-49W-338888 2	08/06/80	-23.2
UN-80E	091N-49W-338888 2	08/21/80	-21.9
UN-80E	091N-49W-338888 2	09/03/80	-21.6
UN-80E	091N-49W-338888 2	09/16/80	-21.6
UN-80E	091N-49W-338888 2	10/22/80	-21.4
UN-80E	091N-49W-338888 2	03/05/81	-21.7
UN-80E	091N-49W-338888 2	03/25/81	-21.7
UN-80E	091N-49W-338888 2	05/05/81	-22.1
UN-80E	091N-49W-338888 2	06/02/81	-22.1
UN-80E	091N-49W-338888 2	06/24/81	-21.9
UN-80E	091N-49W-338888 2	07/07/81	-21.3
UN-80E	091N-49W-338888 2	07/29/81	-23.5
UN-80E	091N-49W-338888 2	09/11/81	-24.3
UN-80E	091N-49W-338888 2	09/26/81	-23.1
UN-80E	091N-49W-338888 2	09/15/81	-22.5
UN-80E	091N-49W-338888 2	10/28/81	-22.3
UN-80E	091N-49W-338888 2	12/09/81	-22.3
UN-80E	091N-49W-338888 2	03/01/82	-21.8
UN-80E	091N-49W-338888 2	03/24/82	-21.5
UN-80E	091N-49W-338888 2	05/01/82	-20.9
UN-80E	091N-49W-338888 2	05/15/82	-21.0
UN-80E	091N-49W-338888 2	05/28/82	-21.1
UN-80E	091N-49W-338888 2	07/13/82	-21.2
UN-80E	091N-49W-338888 2	07/27/82	-22.5
UN-80E	091N-49W-338888 2	08/10/82	-23.2
UN-80E	091N-49W-338888 2	08/22/82	-23.5
UN-80E	091N-49W-338888 2	09/09/82	-22.5
UN-80E	091N-49W-338888 2	10/05/82	-21.9
UN-80E	091N-49W-338888 2	11/03/82	-21.1
UN-80E	091N-49W-338888 2	03/02/83	-18.7
UN-80E	091N-49W-338888 2	04/19/83	-14.6
UN-80E	091N-49W-338888 2	05/10/83	-14.6
UN-80E	091N-49W-338888 2	05/31/83	-14.8
UN-80E	091N-49W-338888 2	06/14/83	-14.7
UN-80E	091N-49W-338888 2	06/27/83	-12.2
UN-80E	091N-49W-338888 2	07/13/83	-12.4
UN-80E	091N-49W-338888 2	07/25/83	-13.6
UN-80E	091N-49W-338888 2	08/09/83	-15.1
UN-80E	091N-49W-338888 2	08/21/83	-17.2
UN-80E	091N-49W-338888 2	09/13/83	-17.1
UN-80E	091N-49W-338888 2	10/18/83	-17.6
UN-80E	091N-49W-338888 2	11/16/83	-17.8
UN-80E	091N-49W-338888 2	04/11/84	-12.6
UN-80E	091N-49W-338888 2	05/09/84	-9.9
UN-80E	091N-49W-338888 2	05/22/84	-10.9
UN-80E	091N-49W-338888 2	06/04/84	-11.1
UN-80E	091N-49W-338888 2	06/13/84	-9.4
UN-80E	091N-49W-338888 2	07/02/84	-8.9
UN-80E	091N-49W-338888 2	07/17/84	-10.6
UN-80E	091N-49W-338888 2	07/30/84	-11.7

10:02 THURSDAY, MARCH 9, 1989 1

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
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UN-80E	091N-49W-338888	2 06/29/84	-14.9
UN-80E	091N-49W-338888	2 10/02/84	-15.5
UN-80E	091N-49W-338888	2 11/07/84	-15.3
UN-80E	091N-49W-338888	2 03/15/85	-17.1
UN-80E	091N-49W-338888	2 04/30/85	-13.9
UN-80E	091N-49W-338888	2 05/20/85	-14.3
UN-80E	091N-49W-338888	2 06/04/85	-14.9
UN-80E	091N-49W-338888	2 06/11/85	-15.1
UN-80E	091N-49W-338888	2 06/19/85	-16.0
UN-80E	091N-49W-338888	2 07/03/85	-15.2
UN-80E	091N-49W-338888	2 07/16/85	-18.6
UN-80E	091N-49W-338888	2 07/30/85	-18.9
UN-80E	091N-49W-338888	2 08/19/85	-18.0
UN-80E	091N-49W-338888	2 09/18/85	-17.2
UN-80E	091N-49W-338888	2 10/23/85	-17.1
UN-80E	091N-49W-338888	2 11/28/85	-17.9
UN-80E	091N-49W-338888	2 03/31/86	-16.8
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UN-80E	091N-49W-338888	2 04/28/86	-15.6
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UN-80E	091N-49W-338888	2 10/22/86	-15.9
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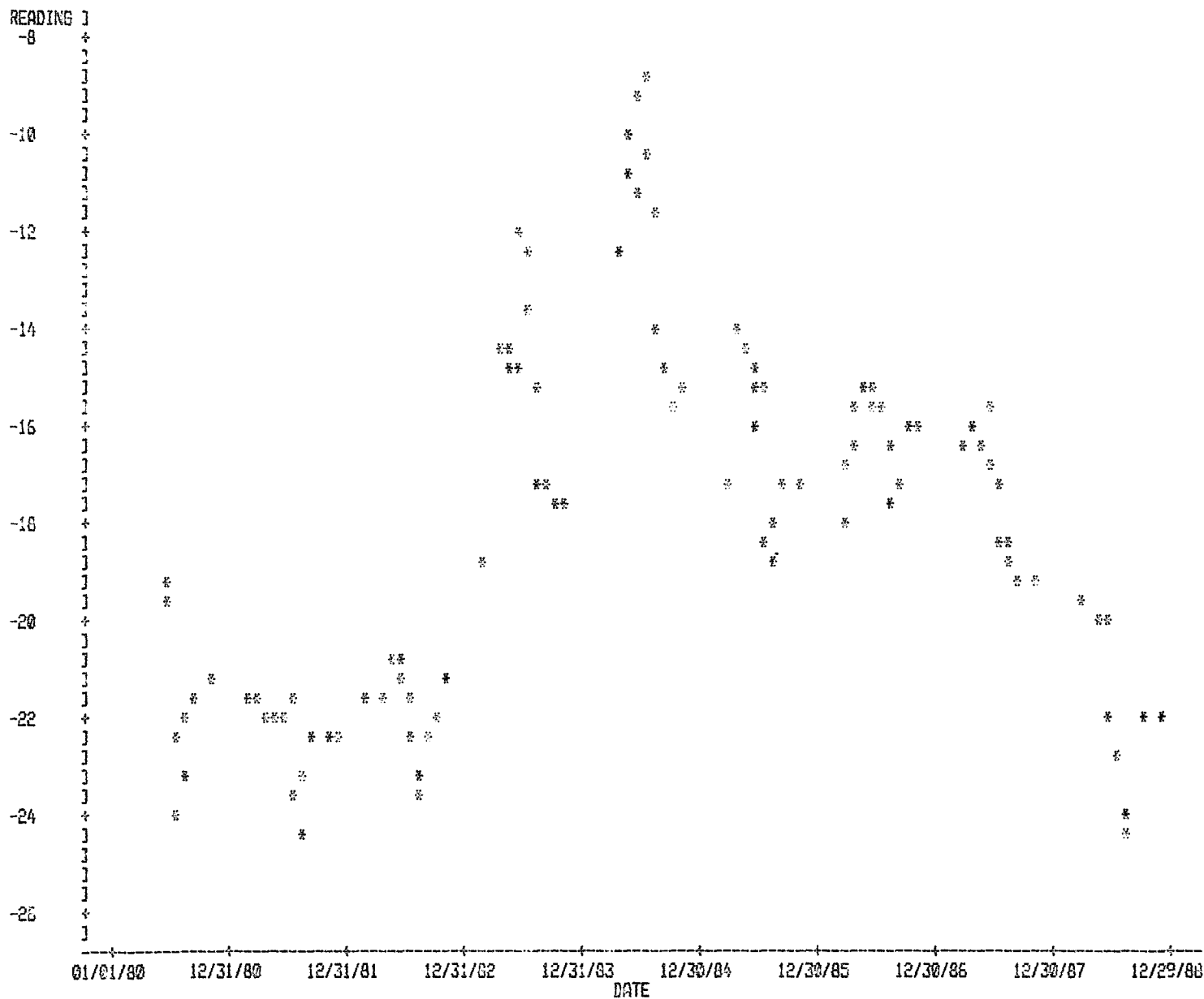
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OBSERVATION WELL WATER LEVELS

10:02 THURSDAY, MARCH 9, 1989 3

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PLOT OF READING*DATE SYMBOL USED IS *



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UN-78A	091N-49W-30CCBB	08/13/84	-17.0
UN-78A	091N-49W-30CCBB	08/29/84	-17.2
UN-78A	091N-49W-30CCBB	10/02/84	-17.4
UN-78A	091N-49W-30CCBB	11/07/84	-17.3
UN-78A	091N-49W-30CCBB	05/20/85	-18.4
UN-78A	091N-49W-30CCBB	06/04/85	-18.8
UN-78A	091N-49W-30CCBB	06/11/85	-18.9
UN-78A	091N-49W-30CCBB	06/19/85	-19.0

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
UN-78A	091N-49W-30CCB8	07/03/85	-18.8
UN-78A	091N-49W-30CCB8	07/15/85	-18.9
UN-78A	091N-49W-30CCB8	07/30/85	-19.5
UN-78A	091N-49W-30CCB8	08/19/85	-19.7
UN-78A	091N-49W-30CCB8	09/18/85	-19.3
UN-78A	091N-49W-30CCB8	10/24/85	-19.4
UN-78A	091N-49W-30CCB8	03/20/86	-20.2
UN-78A	091N-49W-30CCB8	03/31/86	-20.3
UN-78A	091N-49W-30CCB8	05/26/86	-19.9
UN-78A	091N-49W-30CCB8	06/10/86	-18.8
UN-78A	091N-49W-30CCB8	06/24/86	-18.2
UN-78A	091N-49W-30CCB8	07/09/86	-18.8
UN-78A	091N-49W-30CCB8	07/22/86	-19.0
UN-78A	091N-49W-30CCB8	08/12/86	-19.3
UN-78A	091N-49W-30CCB8	08/27/86	-19.3
UN-78A	091N-49W-30CCB8	09/06/87	-19.3
UN-78A	091N-49W-30CCB8	09/02/87	-19.3
UN-78A	091N-49W-30CCB8	07/01/87	-19.0
UN-78A	091N-49W-30CCB8	07/25/87	-20.3
UN-78A	091N-49W-30CCB8	08/25/87	-20.5
UN-78A	091N-49W-30CCB8	09/16/87	-20.2
UN-78A	091N-49W-30CCB8	10/28/87	-20.8
UN-78A	091N-49W-30CCB8	00/17/88	-22.4
UN-78A	091N-49W-30CCB8	10/02/88	-21.0
UN-78A	091N-49W-30CCB8	12/08/88	-22.2

10:04 THURSDAY, MARCH 2, 1989 2

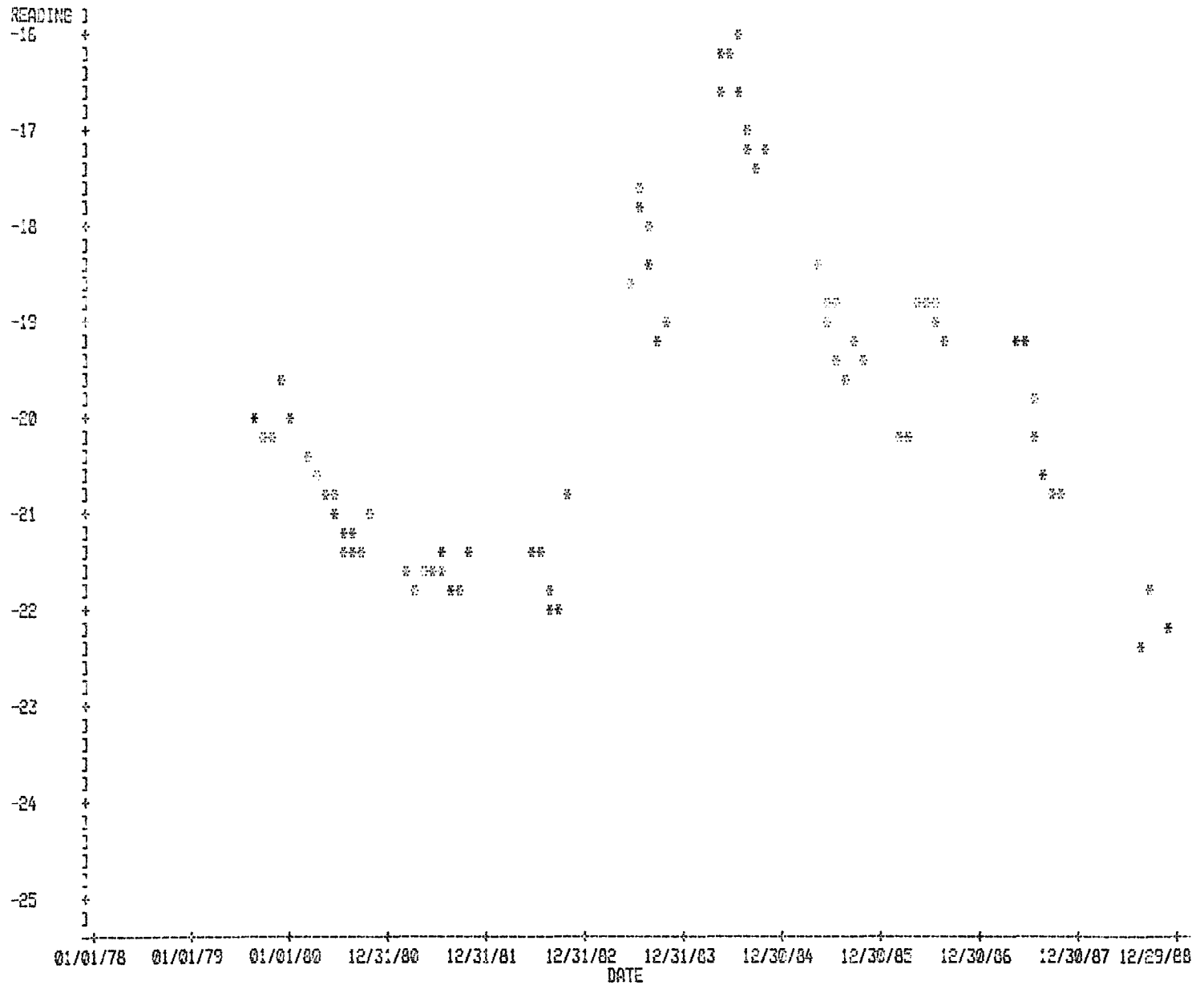
N= 50

OBSERVATION WELL WATER LEVELS

10:04 THURSDAY, MARCH 9, 1989 3

OBS_WELL=UN-700

PLOT OF READING*DATE SYMBOL USED IS *



NOTE: 2 OBS HIDDEN

UBS0000 - END OF DATA SET

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5274-3, Russell M. Hall

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. 5274-3, Russell M Hall, RR 1, Box 84, Elk Point SD.

The Chief Engineer is recommending APPROVAL of Application No. 5274-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

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

See the attached report for additional information.



JOHN HATCH, Chief Engineer
March 22, 1989



Department of Water & Natural Resources

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

March 27, 1989

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

Russell M. Hall
RR #1, Box 84
Elk Point, SD 57025

Dear Mr. Hall:

Your Application Nos. 5273-3 & 5274-3 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 Leader-Courier printed at Elk Point, SD. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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

March 27, 1989

Leader-Courier
Box 310
Elk Point, SD 57025

Dear Sir:

Enclosed is a Notice of Hearing on Application Nos. 5273-3 & 5274-3 to be published twice. Please publish the first notice on or before April 5, 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 Russell M. Hall, RR #1, Box 84, Elk Point, SD 57025.

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 April 5, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARINGS on Application No. 5273-3 & 5274-3 to Appropriate Water

Notice is given that Russell M. Hall, RR #1, Box 84, Elk Point, SD 57025 has filed two applications for water permits to appropriate water. Application No. 5273-3 is to appropriate 0.20 cubic feet of water per second (cfs) from one existing well (Missouri-Elk Point Aquifer) approximately 100 feet deep located in the center of the N1/2 SE1/4 to irrigate 15 acres in the NE1/4 SE1/4; all in Section 27-T90N-R49W. Water Right No. 3284-3 authorizes 0.93 cfs from this well to irrigate 65 acres in the N1/2 SE1/4 Section 27-T90N-R49W. Application No. 5274-3 is to appropriate 0.84 cfs from one existing well (Missouri-Elk Point Aquifer) approximately 100 feet deep located in the SW1/4 NW1/4 to irrigate 59 acres in the NE1/4 SW1/4, NW1/4 SE1/4; all in Section 29-T91N-R49W. Water Right No. 3866-3 authorizes 1.00 cfs from this well to irrigate 70 acres in the NW1/4 Section 29-T91N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application Nos. 5273-3 & 5274-3 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. These applications will be considered by the Water Management Board at 523 E. Capitol, Joe Foss Building, Room 216, Pierre, SD on May 10, 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 these applications based on the facts presented at the public hearing.

Any interested person that intends to participate in a 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 April 28, 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 an application, the petitioner's reasons for opposing or supporting an 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 these applications or to assure access to the hearings by the handicapped.

These hearings are 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 April 28, 1989.

These applications are 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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E. Emerson hereby

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

Water was taken from the The Leader-Courier

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 Elk Point

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

March 30 1989

April 6, 1989

(Signature)

Publisher-Editor
(Title)

April 6, 1989
(Date Signed)

Cost of Printing: 43.01

WHR-208-7/79
Proof of Publication

NOTICE OF HEARING

On Application No. 5273-3 & 5274-3 To Appropriate Water
Notice is given that Russell M. Hall, RR #1, Box 84, Elk Point, S. D. 57025 has filed two applications for water permits to appropriate water. Application No. 5273-3 is to appropriate 0.20 cubic feet of water per second (cfs) from one existing well (Missouri-Elk Point Aquifer) approximately 100 feet deep located in the center of the N $\frac{1}{4}$ SE $\frac{1}{4}$ to irrigate 15 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$; all in Section 27-T90N-R49W. Water Right No. 3284-3 authorizes 0.93 cfs from this well to irrigate 65 acres in the N $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27-T90N-R49W. Application No. 5274-3 is to appropriate 0.84 cfs from one existing well (Missouri-Elk Point Aquifer) approximately 100 feet deep located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ to irrigate 59 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$; all in Section 29-T91N-R49W. Water Right No. 3866-3 authorizes 1.00 cfs from this well to irrigate 70 acres in the NW $\frac{1}{4}$ Section 29-T91N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application Nos. 5273-3 & 5274-3 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. These applications will be considered by the Water Management Board at 523 E. Capitol, Joe Foss Building, Room 216, Pierre, S. D. on May 10, 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 these applications based on the facts presented at the public hearing.

Any interested person that intends to participate in a 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 April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, S. D. 57501 (605-773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in an application, the petitioner's reasons for opposing or supporting an 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 these applications or to assure access to the hearings by the handicapped.

These hearings are 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 April 28, 1989.

These applications are 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.

RON DUVALL
Natural Resources Engineer
Pub. Mar. 30, Apr. 6.



Department of Water & Natural Resources

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

SEP 12 1989

Russell M. Hall
RR #1 Box 84
Elk Point, SD 57025

Dear Mr. Hall:

Enclosed are Water Permit Nos. 5273-3 and 5274-3 as approved by the Water Management Board authorizing you to construct your water diversion systems and put the water to beneficial use, not exceeding the limits as specified in the Water Permits.

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 permits within the five year construction period, usually without affecting the priority dates provided an application to amend your permits are 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.



SOUTH Dakota Department of
Water & Natural Resources

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

February 9, 1990

RUSSELL M HALL
RR #1 BOX 84
ELK POINT, SD 57025

NOTICE

RE: Violation of Water Permit No(s). 5273-3, 5274-3 and 1989 Irrigation Questionnaire Requirements

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 5273-3, 5274-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board has directed that owners of water permits who have not submitted the 1989 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 5273-3, 5274-3 qualification:

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

The hearing will also be to determine if Permit No. 2753-3, 3284-3, 3866-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

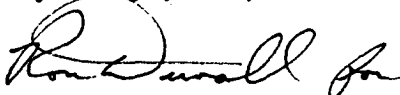
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 5273-3, 5274-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 2753-3, 3284-3, 3866-3 also held by RUSSELL M HALL to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

If the questionnaires are received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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



Department of Water & Natural Resources

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

February 28, 1990

2753-3

3284-3

3866-3

5273-3

5274-3

Russell Hall
RR 1, Box 84
Elk Point SD 57025

Dear Mr. Hall:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for the Water Permits listed above. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall /15

RON DUVALL
Natural Resources Engineer
Water Rights Division



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

7-7-93

Date _____

TO: Water Rights Division, DWNH
Joe Foss Building
Pierre SD 57501-3181

FROM: Russell M. Hall RD 2 Box 202 ELK Point, S.D. 57025
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5274-3.

Water Permit No. 5274-3 states that the diversion system is to be constructed by May 10 - 1994, and that the water it put to beneficial use by May 10 - 1994.

The diversion system was completed on 6-15-1989.
Applying the water to beneficial use was completed on 6-16-1989.

You may schedule an inspection so that the Water License may be issued.

Russell M. Hall
signature

This system when completed consisted of laying pipe from the end of my center pivot water right No. 3866-3 to a traveling Big Gun. The pipe is laid on the ground just before irrigating and then picked up to be used on another system. I do not have the pipe laid on the ground as of 7-7-93, so if you want to schedule an inspection when I have the pipe on the ground, please let me know so I can call you or answer any questions you may have.

Permit No. 5274-3 and Water Right No. 3866-3
Vermillion 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

I have this day, August 11, 1999, made a thorough examination of the water use system constructed by Russell Hall of 47715 County Road 1B, Elk Point SD 57025-9740 holder of Permit No. 5274-3 bearing a priority of January 23, 1989 authorizing the diversion of 0.84 cfs and Water Right No. 3866-3, bearing the priority of March 14, 1977 authorizing the diversion of 1.0 cu. ft. per second of the waters of Missouri-Elk Point Aquifer for irrigation purposes, in Union County.

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

A. Works used to divert the water:

A 50 HP US Electric Motor powers a pump to divert from the well

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

A pipeline is constructed to locations so the big gun can be used. The well is located near the center of the pivot

C. Works used to apply water to beneficial use:

A 4 tower electrogator center pivot and a Water Winch big gun are used to place water to beneficial

The system is in the following condition good. The point of diversion is located approximately 1,860 feet south and 785 feet east of the NW corner of Section 29, T91N, R49W. The works are capable of diverting and conveying to the place of use 1.34 cu. ft. per second of water ~~and/or storing xx acre-feet of water~~ which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in Section 29, T91N, R49W

NW ¼ NW ¼	13 acres	SW ¼ NW ¼	38 acres
SE ¼ NW ¼	14 acres	NE ¼ SW ¼	36 acres
NW ¼ SE ¼	11 acres		

comprising a total of 112 acres of land and the license should be issued for 1.34 cfs

Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none

Date Report Completed: September 17, 1999



Eric Gronlund

Natural Resources Engineer

DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5274-3

DATE OF INVESTIGATION:	August 11, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	
NAME & ADDRESS OF PERMIT HOLDER	Russell Hall 47715 County Rd 1B Elk Point SD 57025-9740
DIVERSION POINT LEGAL LOCATION	approximately 1,860 feet south and 785 feet east of the NW corner of Section 29, T91N, R49W

Other permit(s) associated with the project: Water Right No. 3866-3

WELL INFORMATION:

- 1) Well Drilling Firm: Karpen
- 2) No. of Wells 1
- 3) Depth(s) 100 feet
- 4) Well log is available No
- 5) Comment: Information was provided by Mr. Hall. He recalls the well being drilled about 15 years ago. The only two well logs I found for Mr. Hall in this section were for a well covered under a different water right and his domestic well.

Casing:

- 1) Diameter 16 inches
- 2) Length _____ feet
- 3) Type _____

Screen:

- 1) Type _____
- 2) Length _____ feet
- 3) Static water level _____ feet

Pump:

- 1) Make _____
- 2) Model _____
- 3) Size _____
- 4) Capacity 600 GPM

Motor:

- 1) Make U.S. Electric
- 2) ID No. R0232-02 106 R2103314
- 3) Horsepower rating 50 hp

SYSTEM TYPE:

Center pivot:

- 1) Make Electrogator
- 2) Overall length 676 feet
- 3) Number of towers 4
- 4) Distance between towers _____ feet

- 5) End gun Yes
- 6) High pressure _____
- 7) Capacity 600 GPM

- 1) Make Water Winch
- 2) Nozzle size 1 1/4 inches
- 3) Capacity GPM
- 4) Hose size 4 inches

- 1) Length _____ feet
- 2) Diameter _____ inches
- 3) Spacing of gates _____ inches

1) Does chemigate No

- 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

- ◆ Big gun was operating at the time of the licensing investigation. The center pivot was not operating.
- ◆ Both the big gun and center pivot can not be run at the same time according to Mr. Hall.
- ◆ Water Right No. 3866-3 and Water Permit No. 5274-3 should be incorporated.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 22, 1999

Permit Nos. 5273-3
5274-3

Russell Hall
47715 County Road 1B
Elk Point, SD 57025-9740

Dear Mr. Hall:

The investigation of your water use systems was conducted on August 11, 1999, by Eric Gronlund, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 3284-3, 5273-3, 3866-3 and 5247-3. Your final water right documents, the Water Licenses, can now be issued. Upon licensing, the applicable portions of Water Permit No. 3284-3 will be incorporated into 5273-3, and the applicable portions of Water Permit No. 3866-3 will be incorporated into 5247-3.

Statutes require that we charge a \$50.00 fee per license (\$100.00 total) for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee per license (\$100.00 total) from you, we will begin processing your Water Licenses.

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

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

Sincerely,

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416218

Pierre, _____ October 12, 19 99

RECEIVED OF Russell Hall, 47715 Co. Rd. 1B, Elk Point, SD 57025

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5274-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By _____
Chief Engineer

John Hatch

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5274-3

(1) Russell Hall, 47715 County Road 1B, Elk Point SD 57025-9740 made Application No. 5274-3, January 23, 1989 for a water permit to divert 0.84 cubic feet of water per second (cfs) from groundwater (one well), Union County, South Dakota for irrigation purposes. Permit No. 5274-3, with a priority date of January 23, 1989 was approved May 20, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 10, 1994 and for the application to beneficial use of said water on or before May 10, 1998.

Water License No. 3866-3, with a priority date of March 14, 1977, authorized diversion of 1.0 cfs to irrigate the NW ¼ Section 29. Water Permit No. 5274-3, with a priority date of January 23, 1989 authorized irrigation of additional acres and an increase in the diversion rate from what was authorized by No. 3866-3. The applicable portions of Water License No. 3866-3 are incorporated into this Water License No. 5274-3.

(2) It is certified that the permit holder 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 1.34 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 1,860 feet south and 785 feet east of the northwest corner of Section 29-T91N-R49W (SW ¼ NW ¼).

(3) The permit holder 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 29-T91N-R49W	NW ¼ NW ¼	13 acres
	SE ¼ NW ¼	14 acres
	SW ¼ NW ¼	38 acres
	NW ¼ SE ¼	11 acres
	NE ¼ SW ¼	36 acres
Total 112 acres		

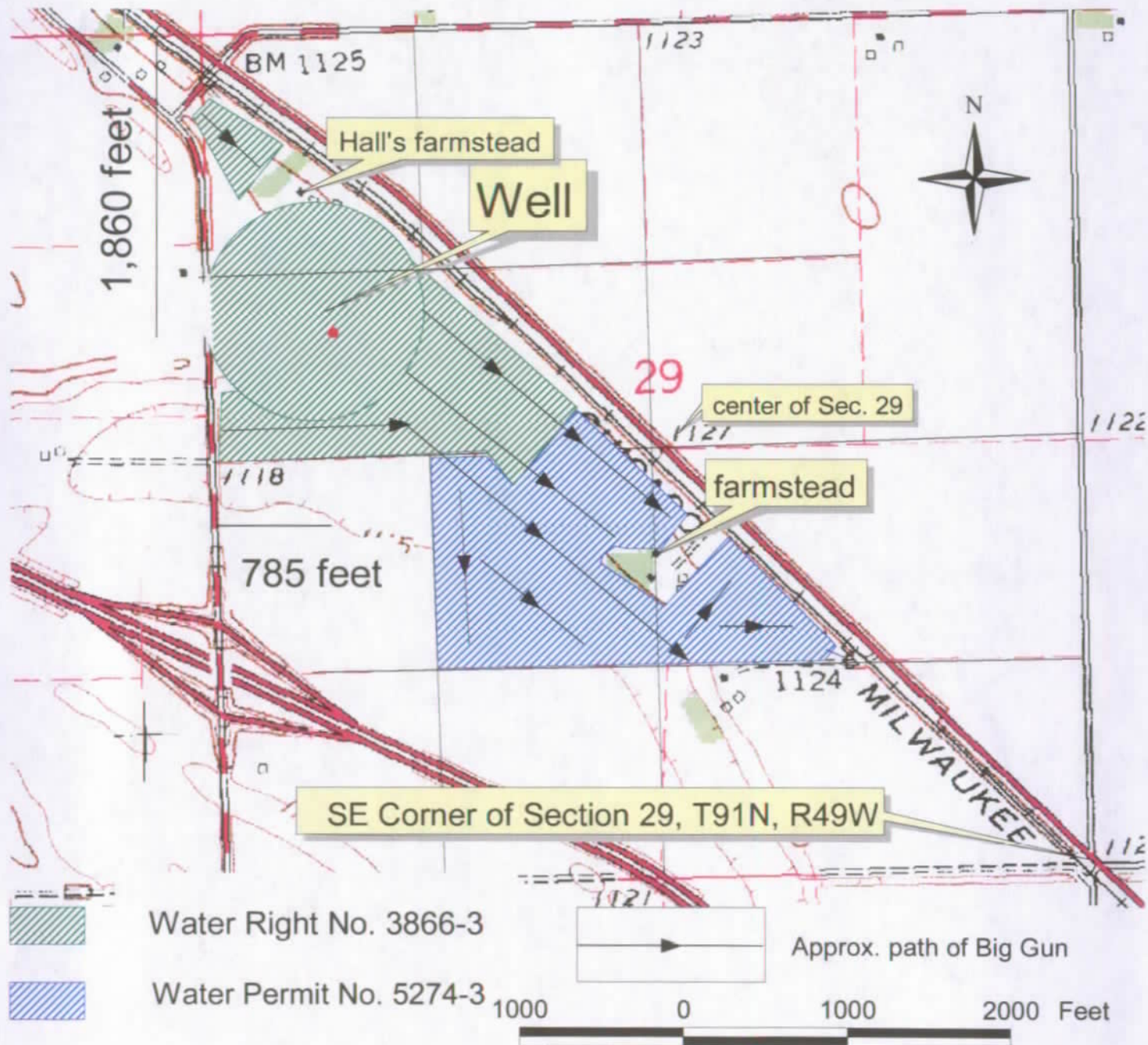
(4) Pursuant to South Dakota Water Law 46-5-30.1 Russell Hall, 47715 County Road 1B, Elk Point SD 57025-9740 the holder and/or owner of Incorporated Water Right No. 5274-3 is issued a license to appropriate water, the right to use 1.34 cubic feet of water per second from groundwater (one well) with priority dates of March 14, 1977 (1.0 cfs) and January 23, 1989 (0.34 cfs) 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 Incorporated Water Right No. 5274-3 and subject to South Dakota State Law.


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

DEC 10 1999
date



Water Right No. 3866-3 and Water Permit No. 5274-3, Russell Hall



Well Location - 785 feet east &
1,860 feet south of NW corner of
Sec. 29, T91N, R49W

Irrigated acreage

NW NW	13 acres
SW NW	38 acres
SE NW	14 acres
NE SW	36 acres
NW SE	11 acres

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today

Eric Gronlund

Eric Gronlund
Water Rights Program
Licensing Investigation
Conducted - August 11, 1999



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 10 1999

5273-3
5274-3

Russell Hall
47715 County Road 1B
Elk Point, SD 57025-9740

Dear Mr. Hall:

Enclosed are Water License Nos. 5273-3 and 5274-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 416217 and 416218 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 5273-3 and 5274-3, 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 Licenses, 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

ks
enclosures

NOTE: The applicable portions of Water License No. 3284-3 are incorporated into this Water License No. 5273-3, and the applicable portions of Water License No. 3866-3 are incorporated into this Water License No. 5274-3.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 7, 2003

Russell Hall
47715 County Rd 1B
Elk Point SD 57025-9740

RECEIVED

FEB 24 2003

WATER RIGHTS
PROGRAM

Dear Mr. Hall:

I am writing in regard to a well driller's report filed by Hammond-Wetmore Drilling. The report shows a new well was completed on May 2, 2002. A review of our files indicates that you hold Water Right No. 5274-3 for 600 gallons per minute (gpm) from one well, approximately 100 feet deep located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29-T91N-R49W for irrigation of 112 acres.

South Dakota Codified Law 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Mr. Hall, does the peak diversion rate from the well exceed 600 gpm? If so, a new permit application will be required for the additional diversion rate above 600 gpm. Enclosed are application forms and instructions. If the well is a replacement well or an additional well which does not increase the total appropriation of 600 gpm, please let me know.

If you have any questions, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

The well to which you referred to is within 20' of the old well. It is approximately 100' deep and we are using the same motor and same pump and the same irrigation system pumping 600 gallons per minute for irrigation if you need any questions answered please let me know.

*Sincerely,
Russell Hall*

Location NE 1/4 SW 29 91N 49W

County Union

Please mark well location with an "X"

W

E

Well Completion Date

5-2-02

CATION:

Distance from nearest potential pollution source (septic tank, abandoned well, etc.)? 750 ft. from Septic

PROPOSED USE:

Domestic/Stock ☐ Municipal ☐ Business
Irrigation ☒ Industrial ☐ Institutional

METHOD OF DRILLING:

Rotary

PIPE DATA: ☐ Steel ☒ Plastic ☐ Other

Other describe _____

WEIGHT DIAMETER FROM TO
40 LB/FT 16 IN 0 FT 67 FT
____ LB/FT ____ IN ____ FT ____
____ LB/FT ____ IN ____ FT ____

HOLE DIAMETER

3.2 IN
____ IN
____ IN

GROUTING DATA

Grout Type Best Grout No. of Sacks 22 Grout Weight 210 lb./gal. 20 ft. 60 ft.
Neat Cement 14 14 lb./gal. 0 ft. 20 ft.

Grouting procedure Tremie

PIPE: ☐ Perforated pipe ☒ Manufactured

Size 16 IN Length 4 FEET

Material PVC

Size 060" Set From 67 Feet to 113 feet

Information _____

PACKER OR SEAL USED? ☐ YES ☒ NO

What material? _____

Where packer(s) and location? _____

ACTION: Was well disinfected upon completion?

X YES, How: HTH

Why sent to for water analysis _____

NO, Why Not? _____

Well Owner: Russell Hall

Business Name: _____

Address: 47715 Co Road 1B
Elk Point SD 57025

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
CLAY, BROWN, SILTY	0	21
Sand fine,	21	52
CLAY, GRAY, STICKY	52	65
Sand Coarse	65	72
GRAVEL Coarse	72	89
SAND Coarse, pebbly	89	140

STATIC WATER LEVEL 22 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: _____

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

34 ft. After 6 Hrs. pumped 750 GPM

____ ft. After ____ Hrs. pumped ____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 660

And this report is true and accurate.

Drilling time 12:00 PM to 1:00 PM

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

RECEIVED

JAN 30 2003

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 18, 2013

NOTICE

TO: RUSSELL M HALL, 47715 COUNTY RD 1B, ELK POINT, SD 57025 9740

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2753-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5273-3 & 5274-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5273-3 & 5274-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2753-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link:

<http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 23, 2013

2753-3
5273-3
5274-3

Russell M Hall
47715 County Rd 1B
Elk Point SD 57025 9740

Dear Mr. Hall:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 2753-3, 5273-3 and 5274-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us