

Considered: _____

WATER PERMIT NO. 5283-3

HAP No. same 3562762

Name of Applicant Patrick Walsh

Post Office Address RR1 Box 88 Elk Point, SD 57025

Amount of Water Claimed 1.14 Total Acres 80

Source of Water Supply groundwater - 1 well

Water to be used for irrigation County Union

About 2 miles NE of Elk Point

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received February 8, 1989 Fee \$225⁰⁰ Remarks _____

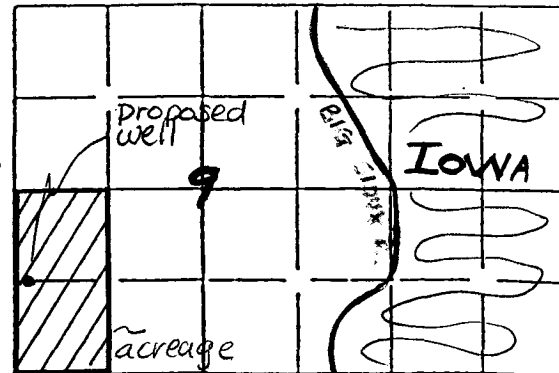
Corrected Application Received _____ Period of Annual Use April 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

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

Midpoint of west edge
Diversion Point of the SW 1/4 Sec 9-T91N-R49W

Land to be Irrigated W 1/2 SW 1/4 Sec 9-T91N-R49W



Well Log: Driller Wetmore Licensed YES ☒ NO _____

Depth of Well 126' REMARKS test hole

Type of Map aerial PREPARED BY L.E. DeSmet Reviewed and the Number

assigned on March 8, 1989 By Dwain A. Fowler

(See instructions)

No. 5283-3 Hydrologic Unit 10170203
Basin Big Sioux
Newspaper Leader-Courier, Box 310, Elk Point, SD 57025

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 Patrick Walsh Phone No. 356-2762
- Post Office Address RR 1 Box 88 Elk Point State SD 57025
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed (c.f.s.) 1.14 Total acres irrigated 80
3. Source of Water supply Well
4. Location of point of diversion: 1320 ft. North of the Southwest corner of the Southwest 1/4 of section 9-91-49
- _____ County UNION
5. Counties where water will be used UNION
6. Annual period during which water is to be used April 1 to 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.
SW 1/4 SW 1/4 Sec 9-91-49	40
NW 1/4 SW 1/4 Sec 9-91-49	40

Land Description	No. Acres Irr.

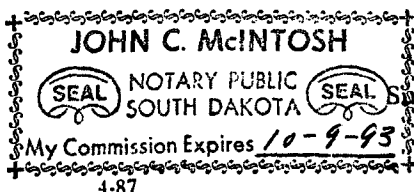
Attach sheet if more space is needed

8. Type of Irrigation: Gravity: X Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: Corn, Soybeans, Alfalfa, etc.
10. Give a description of proposed project. (Attach sheet if more-space is needed)
Well and gated pipe.

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, Patrick Walsh, 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 Patrick Walsh
Subscribed and sworn to before me this 210 day of FEB 19 89
John C. McIntosh
Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 5283-3 FOR IRRIGATION**

Date of first receipt of application February 8, 1989.

Date Soil/Water Compatibility Permit received March 13, 1989.

The Water Management Board approved Water Permit Application No. 5283-3 on May 10, 1989 for Patrick Walsh, RR 1, Box 88, 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. 5283-3 appropriates 1.14 cubic feet of water per second from one well (Missouri-Elk Point Aquifer) approximately 126 feet deep to irrigate 80 acres. The well will be located near the midpoint of the west edge of the SW1/4 and the irrigated acres are to be located in the W1/2 SW1/4, both in Section 9-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: April 1 to October 31.
3. The date from which applicant may claim right is February 8, 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 authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
- 2) 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.
- 3) This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

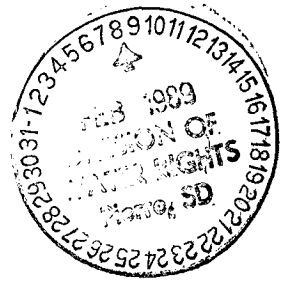
By: 
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUN 13 1989

(date)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 22" Depth 126'
- b) Casing Type PVC Diameter 16" Thickness 1/2"
- c) Screen Type 100 slot 40' Diameter 16" Thickness 1/2"
- d) Gravel Pack Thickness 3" Length of Gravel Pack 52'
- e) Depth to Top of Water Bearing Material 12'
- f) Depth to Water (ground surface to water level) 21'
- g) Distance to nearest existing domestic well:
- On applicants property — On property owned by others 1/4 mile

2. Dugout Information Estimates

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

3. Water Storage Dams

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

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

b) Freeboard —

c) Crest Width —

Crest Length —

d) Height —

e) Primary Outlet Capacity —
If Pipe, diameter —

f) Secondary Spillway Capacity —
Spillway width —

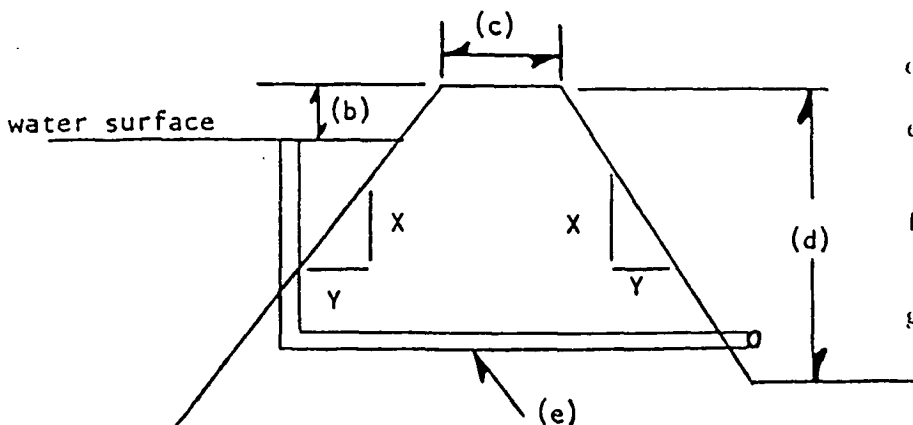
g) X & Y Slope
Upstream —

Downstream —

Surface Area of Impoundment —

Storage — acre feet

Drainage area above dam —



Pat Walsh

Signature of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411626

Pierre, February 9, 1, 1989

RECEIVED OF Pat Walsh, RR 1 Box 88, Elk Point, SD 57025

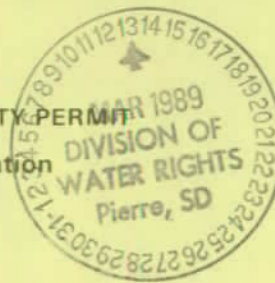
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>5283-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	225	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	225 00

By John Hatch / msa
Chief Engineer

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation



Office Use Only

4339

WR#

OWNERS NAME: Patrick Walsh

OWNERS ADDRESS: RR 1, Box 88
Elk Point, SD 57025

COUNTY LAND LOCATED IN: Union

PHONE: 356-2762

LEGAL DESCRIPTION:

1. LOCATION W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 9-T91N-R49W

☒ Well

☐ Surface

Depth _____

Legal Description	Acres	Legal Description	Acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9-T91N-R49W	40		
NW $\frac{1}{4}$ SW $\frac{1}{4}$ " "	40		
		TOTAL ACRES = 80	

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

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

WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-0025

7. ADJUSTED (SAR): 3.39

5. SALINITY (EC X 10⁶): 1250

8. PERCENT SODIUM: 19.31

6. SODIUM (SAR): 1.20

Requirements: The presence of a seasonal high water table may result in a year round perched water table, causing excess wetness & inhibiting the leaching of salts. Due to this potential drainage problem, adequate internal drainage shall be required, i.e. tile drainage.

Before undertaking this project, we feel that you should have a wetlands determination made by the Soil Conservation Service, relative to Swampbuster. Please be advised that we do not consider Swampbuster in developing our recommendations for permitting.

☒ APPROVED

☐ DISAPPROVED

☐ WAIVER

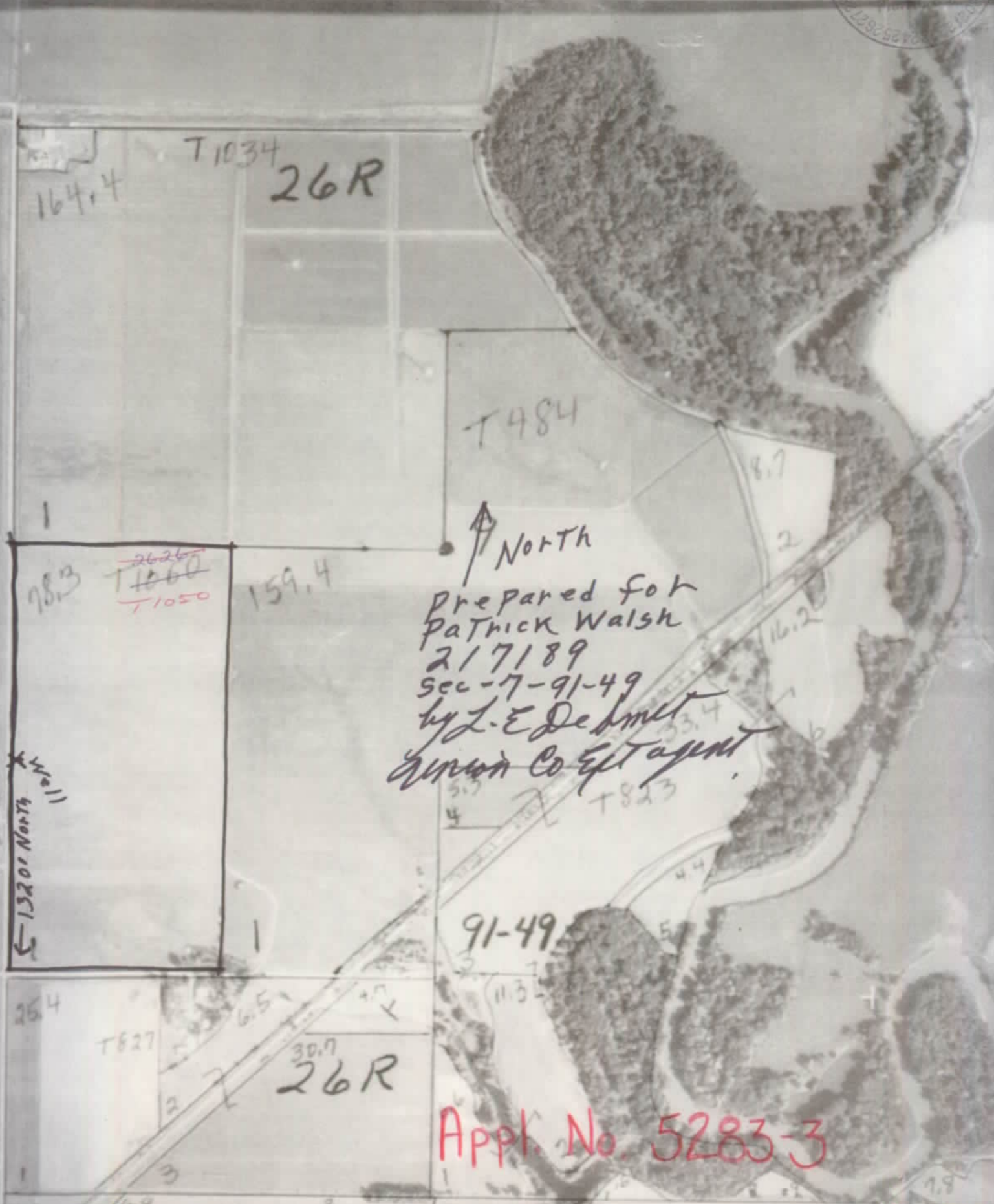
☒ REQUIREMENTS

Patricia Smith
Director, Division of Conservation

Date

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

NOT TO SCALE



Appl. No. 5283-3

CONSERVATION COMMISSION MEETING

DATE: March 9, 1989

Page 1 - APPROVED WITH REQUIREMENTS

NAME: Patrick Walsh	WATER QUALITY: 89-0025
ADDRESS: RR 1, Box 88	SALINITY: 1250
ADDRESS: Elk Point, SD 57025	SAR: 1.20
	SODIUM: 19.31
COUNTY: Union	ADJ SAR: 3.39

LEGAL DESCRIPTION: SW1/4 SW1/4; NW1/4 SW1/4; Sec. 9-T91N-R49W = 80 acres

APPLICATION #: 4339

TYPE OF IRRIGATION: Gravity

WATER SOURCE: Ground

REQUIREMENTS:

The presence of a seasonal high water table may result in a year round perched water table, causing excess wetness and inhibiting the leaching of salts. Due to this potential drainage problem, adequate internal drainage shall be required, ie. tile drainage.

Before undertaking this project, we feel that you should have a wetlands determination made by the Soil Conservation Service, relative to Swampbuster. Please be advised that we do not consider Swampbuster in developing our recommendations for permitting.

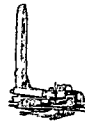
MANAGEMENT RECOMMENDATIONS:

We recommend the use of conservation tillage to conserve soil moisture and to control erosion.

We also recommend an intensive water management program to prevent the perching of the water table and we advise caution in the use of chemicals, due to the water table.

TYPE OF PERMIT GRANTED AND REASON:

The approved with requirements recommendation is based on the clay contents of the soil of the area and the presence of a seasonal high water table.



WETMORE DRILLING

P.O. BOX 577 · ELK POINT, SOUTH DAKOTA 57025 · (605) 356-3272



2-7-89

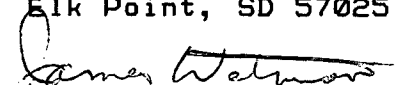
Pat Walsh
Rt. 1 Box 88
Elk Point SD 57025

TEST HOLE LOG:

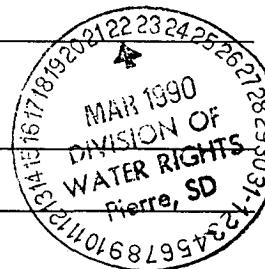
W 1/2 - SW 1/4 Sec 9 T91 R49W

0 - 2'	topsoil
2 - 12'	clay
12 - 73'	fine sand
73 - 126'	coarse sand & gravel

Wetmore Drilling
PO Box 577
Elk Point, SD 57025


James Wetmore

Date _____



Report on Application No. 5283-3

Pat Walsh

March 10, 1989

This application proposes to appropriate 1.14 cfs from one well approximately 126 feet deep to irrigate 80 acres. The well will be located near the midpoint of the west edge of the SW1/4 and the irrigated acres are to be located in the W1/2 SW1/4, both in Section 9, T91N R49W in Union County.

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 in this area. Test hole data submitted with the application indicates sand and gravel from 12 to 126 feet below land surface with a water level approximately 21 feet below land surface. The M-EP Aquifer underlies 99,600 acres and contains an estimated 1.5 million acre-feet of recoverable water in Union County (Hedges, 1982). The M-EP is hydraulically connected to the M-EP and Lower Vermillion Missouri Aquifers in Clay County, the Dakota Formation which directly underlies the M-EP in portions of Southern Union County and both the Big Sioux and Missouri Rivers.

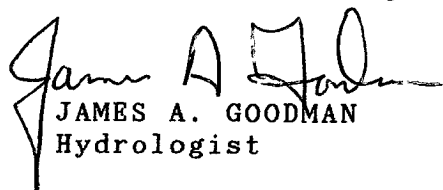
The Division of Water Rights monitors 28 observation wells completed into the M-EP Aquifer in Union County. One of these wells UN-66C is located about 3/4 mile north and another UN-77M is located about 1 1/2 miles southwest of this proposed application and records for these wells are included with this report. In general, the hydrographs for the M-EP Aquifer tend to mirror climatic conditions, that is, rising water levels occur during wet (recharge) conditions and declining water levels during dry conditions. The aquifer is easily sustaining the demands of pumping (Water Rights, 1989).

Review of Existing Water Permits

There are two other Water Rights Nos. 592-3 and 3920-2 with diversion points within 1/2 mile of this application. Interference has never been a problem in this area because significant drawdowns do not extend very far from a production well in the M-EP Aquifer. The M-EP is a prolific aquifer and it is not unusual for specific capacities to be in the range of 50-100 gpm/ft of drawdown (Well Files, 1989). Also, the aquifer thickness (100+) 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 be a problem. The aquifer is under water table conditions and wells in this area are typically excellent producers. Also, the aquifer is over 100 feet in saturated thickness. All of these characteristics plus the fact that there have been no historical water supply problems indicate interference will not be a concern. Also the observation well records reinforce this concept.
3. Water level data from the observation well network indicates recharge to the aquifer is more than sufficient to sustain existing withdrawals.
4. Agricultural land use and practices over shallow aquifers such as the M-EP Aquifer as in this situation, have been shown to affect water quality in the aquifer.


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, SD DWR, SDGS, Vermillion, SD 57069
- Water Rights, 1989, Records for M-EP Aquifer Observation Wells in Union County, SD DWR, Division of Water Rights, Joe Foss Bldg, Pierre, SD 57501
- Well Files, 1989, Union County Driller's Logs, SD DWR, Division of Water Rights, Joe Foss Bldg, Pierre, SD 57501

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
UN-77M	091N-49W-17CDD	12/14/77	-17.5
UN-77M	091N-49W-17CDD	02/09/78	-17.9
UN-77M	091N-49W-17CDD	02/15/78	-17.9
UN-77M	091N-49W-17CDD	05/03/78	-15.3
UN-77M	091N-49W-17CDD	05/23/78	-15.2
UN-77M	091N-49W-17CDD	05/06/78	-15.0
UN-77M	091N-49W-17CDD	05/29/78	-17.1
UN-77M	091N-49W-17CDD	07/05/78	-12.5
UN-77M	091N-49W-17CDD	07/21/78	-19.3
UN-77M	091N-49W-17CDD	08/03/78	-15.6
UN-77M	091N-49W-17CDD	08/30/78	-17.0
UN-77M	091N-49W-17CDD	09/22/78	-16.0
UN-77M	091N-49W-17CDD	10/11/78	-16.9
UN-77M	091N-49W-17CDD	10/31/78	-16.9
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UN-77M	091N-49W-17CDD	01/10/79	-13.3
UN-77M	091N-49W-17CDD	05/09/79	-14.0
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UN-77M	091N-49W-17CDD	11/14/79	-12.2
UN-77M	091N-49W-17CDD	01/15/80	-14.6
UN-77M	091N-49W-17CDD	03/12/80	-15.1
UN-77M	091N-49W-17CDD	04/23/80	-14.7
UN-77M	091N-49W-17CDD	05/30/80	-15.6
UN-77M	091N-49W-17CDD	06/11/80	-14.7
UN-77M	091N-49W-17CDD	06/25/80	-15.6
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UN-77M	091N-49W-17CDD	07/23/80	-21.6
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UN-77M	091N-49W-17CDD	09/16/80	-17.4
UN-77M	091N-49W-17CDD	10/22/80	-17.3
UN-77M	091N-49W-17CDD	03/05/81	-17.6
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UN-77M	091N-49W-17CDD	10/28/81	-18.3
UN-77M	091N-49W-17CDD	12/09/81	-18.3
UN-77M	091N-49W-17CDD	03/01/82	-16.8
UN-77M	091N-49W-17CDD	05/04/82	-17.0

10:00 THURSDAY, MARCH 9, 1989 1

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
UN-77N	091N-49W-17CDD0	05/31/82	-15.7
UN-77N	091N-49W-17CDD0	06/15/82	-15.1
UN-77N	091N-49W-17CDD0	06/28/82	-15.4
UN-77N	091N-49W-17CDD0	07/13/82	-15.8
UN-77N	091N-49W-17CDD0	07/25/82	-17.4
UN-77N	091N-49W-17CDD0	08/10/82	-19.6
UN-77N	091N-49W-17CDD0	08/22/82	-21.1
UN-77N	091N-49W-17CDD0	09/05/82	-17.9
UN-77N	091N-49W-17CDD0	10/05/82	-17.3
UN-77N	091N-49W-17CDD0	11/03/82	-15.9
UN-77N	091N-49W-17CDD0	03/02/83	-11.8
UN-77N	091N-49W-17CDD0	04/19/83	-7.9
UN-77N	091N-49W-17CDD0	05/10/83	-8.3
UN-77N	091N-49W-17CDD0	05/31/83	-10.1
UN-77N	091N-49W-17CDD0	05/14/83	-8.6
UN-77N	091N-49W-17CDD0	06/27/83	-8.9
UN-77N	091N-49W-17CDD0	07/13/83	-8.5
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UN-77N	091N-49W-17CDD0	07/22/84	-5.3
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UN-77N	091N-49W-17CDD0	03/15/85	-12.7
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UN-77N	091N-49W-17CDD0	09/18/85	-12.7
UN-77N	091N-49W-17CDD0	10/23/85	-12.0
UN-77N	091N-49W-17CDD0	03/23/86	-12.6
UN-77N	091N-49W-17CDD0	03/31/86	-11.7
UN-77N	091N-49W-17CDD0	04/15/86	-10.9
UN-77N	091N-49W-17CDD0	04/28/86	-9.9
UN-77N	091N-49W-17CDD0	05/26/86	-10.3
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UN-77N	091N-49W-17CDD0	07/09/86	-11.0

10:08 THURSDAY, MARCH 9, 1989 2

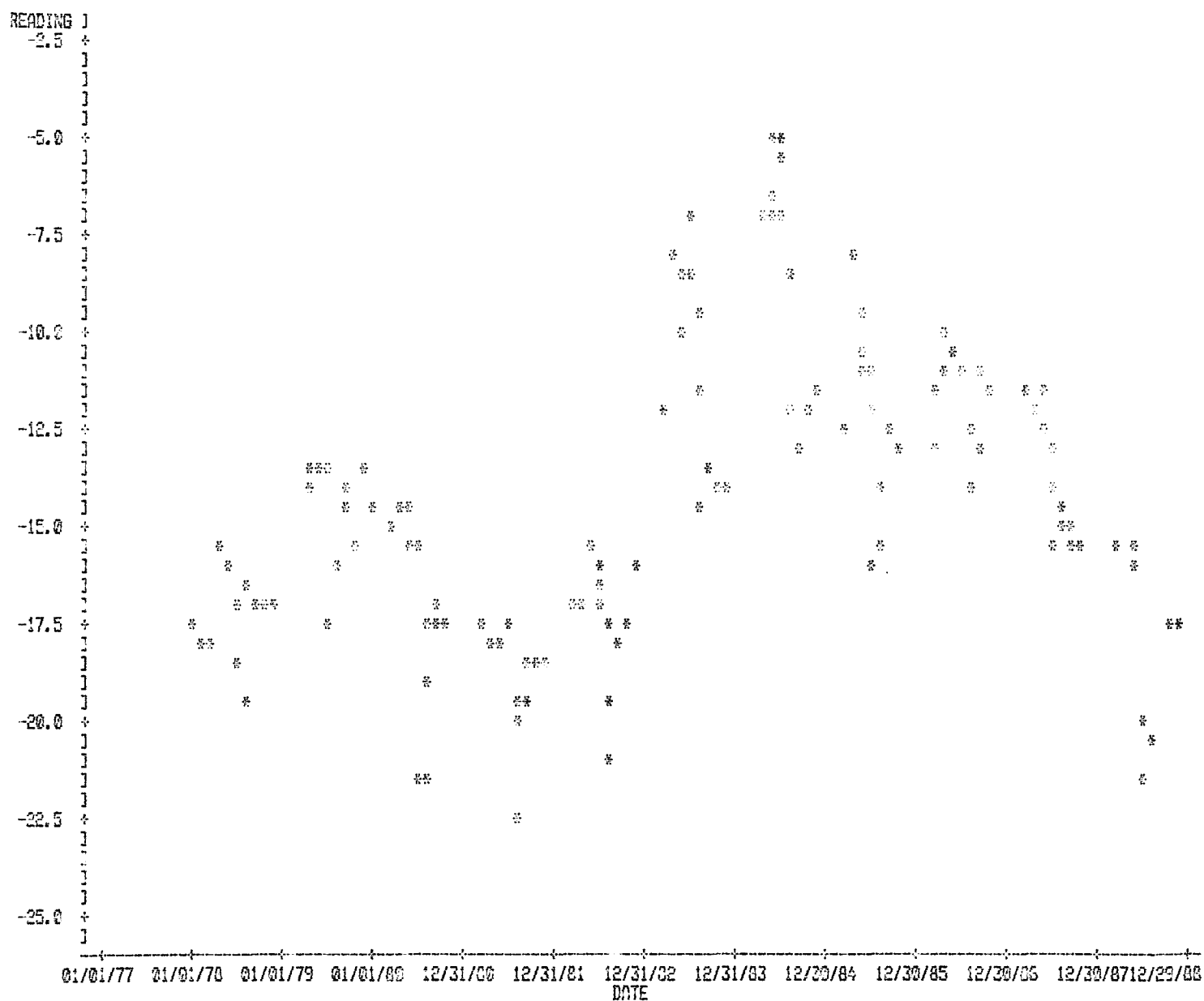
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UN-77N	091N-49W-17CDD0	03/25/87	-13.4
UN-77N	091N-49W-17CDD0	05/05/87	-11.9
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UN-77N	091N-49W-17CDD0	05/03/87	-11.5
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UN-77N	091N-49W-17CDD0	05/08/88	-15.8
UN-77N	091N-49W-17CDD0	05/22/88	-21.4
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UN-77N	091N-49W-17CDD0	08/17/88	-20.5
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N= 137

OBSERVATION WELL WATER LEVELS
OBS_WELL=UN-77M

10:00 THURSDAY, MARCH 9, 1989 4

PLOT OF READING*DATE SYMBOL USED IS *



NOTE: 12 OBS HIDDEN

U050009 - END OF DATA SET

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UN-55C	091N-49W-05DCDD	06/28/57	-12.9
UN-55C	091N-49W-05DCDD	07/07/57	-13.7
UN-55C	091N-49W-05DCDD	07/12/57	-14.0
UN-55C	091N-49W-05DCDD	07/15/57	-14.3
UN-55C	091N-49W-05DCDD	07/26/57	-15.0
UN-55C	091N-49W-05DCDD	08/02/57	-15.7
UN-55C	091N-49W-05DCDD	08/09/57	-16.2
UN-55C	091N-49W-05DCDD	08/10/57	-16.6
UN-55C	091N-49W-05DCDD	08/23/57	-16.6
UN-55C	091N-49W-05DCDD	09/02/57	-17.0
UN-55C	091N-49W-05DCDD	10/03/57	-17.6
UN-55C	091N-49W-05DCDD	11/20/57	-17.6
UN-55C	091N-49W-05DCDD	02/04/58	-17.7
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UN-55C	091N-49W-05DCDD	05/25/59	-11.2
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UN-55C	091N-49W-05DCDD	07/13/59	-10.6
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UN-55C	091N-49W-05DCDD	07/10/75	-19.1

10:17 THURSDAY, MARCH 9, 1989 1

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
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UN-66C	091N-49W-05DCDD	04/06/77	-18.0
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UN-66C	091N-49W-05DCDD	07/14/77	-20.0
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UN-66C	091N-49W-05DCDD	10/10/79	-17.1
UN-66C	091N-49W-05DCDD	11/14/79	-14.4
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UN-66C	091N-49W-05DCDD	09/03/80	-19.8

10:17 THURSDAY, MARCH 9, 1989

2

OBSERVATION WELL	LOCATION	DATE	READING
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UN-66C	091N-49W-05DCDD	03/24/81	-19.1
UN-66C	091N-49W-05DCDD	05/05/81	-19.4
UN-66C	091N-49W-05DCDD	05/02/81	-19.5
UN-66C	091N-49W-05DCDD	06/24/81	-19.1
UN-66C	091N-49W-05DCDD	07/07/81	-19.9
UN-66C	091N-49W-05DCDD	07/29/81	-21.1
UN-66C	091N-49W-05DCDD	08/11/81	-21.7
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UN-66C	091N-49W-05DCDD	03/01/82	-17.4
UN-66C	091N-49W-05DCDD	03/24/82	-19.1
UN-66C	091N-49W-05DCDD	05/31/82	-19.1
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UN-66C	091N-49W-05DCDD	06/28/82	-17.8
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UN-66C	091N-49W-05DCDD	10/05/82	-19.3
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UN-66C	091N-49W-05DCDD	06/14/83	-11.3
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UN-66C	091N-49W-05DCDD	06/04/84	-9.0
UN-66C	091N-49W-05DCDD	06/18/84	-8.1
UN-66C	091N-49W-05DCDD	07/02/84	-7.0
UN-66C	091N-49W-05DCDD	07/17/84	-9.5
UN-66C	091N-49W-05DCDD	07/28/84	-11.0
UN-66C	091N-49W-05DCDD	08/13/84	-12.2
UN-66C	091N-49W-05DCDD	08/29/84	-14.1
UN-66C	091N-49W-05DCDD	10/02/84	-14.0
UN-66C	091N-49W-05DCDD	11/05/84	-13.3
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10:17 THURSDAY, MARCH 9, 1989 3

OBG_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
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UN-66C	091N-49W-05DCDD	07/15/85	-17.6
UN-66C	091N-49W-05DCDD	07/29/85	-13.0
UN-66C	091N-49W-05DCDD	08/19/85	-15.6
UN-66C	091N-49W-05DCDD	09/10/85	-14.0
UN-66C	091N-49W-05DCDD	10/23/85	-13.9
UN-66C	091N-49W-05DCDD	02/29/86	-11.9
UN-66C	091N-49W-05DCDD	03/31/86	-10.7
UN-66C	091N-49W-05DCDD	04/15/86	-12.2
UN-66C	091N-49W-05DCDD	04/28/86	-9.5
UN-66C	091N-49W-05DCDD	05/26/86	-10.8
UN-66C	091N-49W-05DCDD	05/18/86	-11.2
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UN-66C	091N-49W-05DCDD	08/12/86	-14.4
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UN-66C	091N-49W-05DCDD	10/22/86	-10.7
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UN-66C	091N-49W-05DCDD	07/15/87	-15.3
UN-66C	091N-49W-05DCDD	07/29/87	-16.0
UN-66C	091N-49W-05DCDD	08/12/87	-16.4
UN-66C	091N-49W-05DCDD	08/25/87	-16.6
UN-66C	091N-49W-05DCDD	09/15/87	-17.0
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UN-66C	091N-49W-05DCDD	05/24/88	-15.3
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UN-66C	091N-49W-05DCDD	08/04/88	-19.9
UN-66C	091N-49W-05DCDD	08/15/88	-20.0
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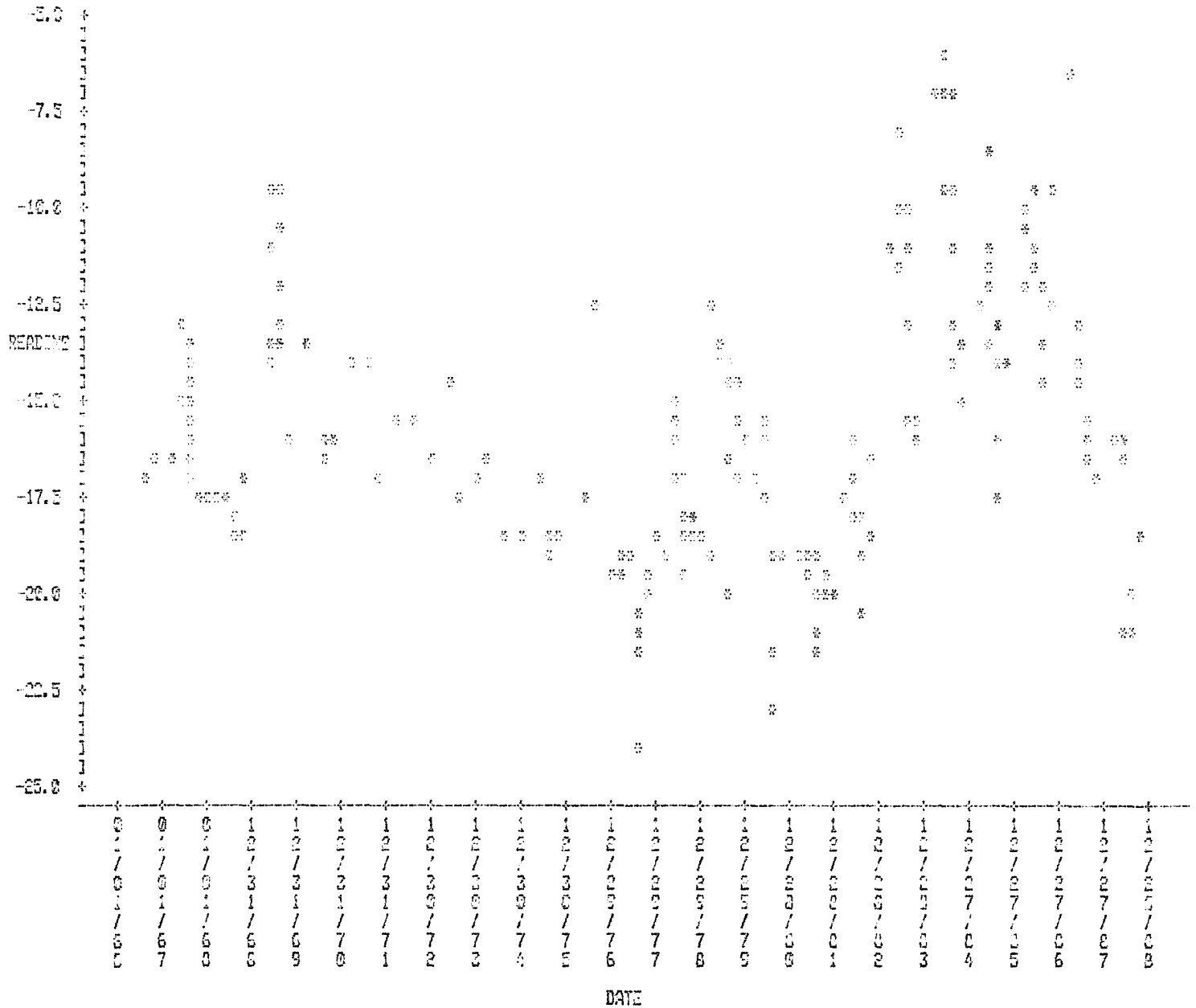
10:17 THURSDAY, MARCH 9, 1989 4

N= 208

OBSERVATION WELL WATER LEVEL
OBS_WELL-UN-260

19:17 THURSDAY, MARCH 9, 1990 3

PLOT OF READINGS*DATE SYMBOL USED IS *



NOTE: 35 OBS HIDDEN

U050009 - END OF DATA SET

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5238-3, Pat Walsh

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. 5283-3, Pat Walsh, RR 1, Box 88, Elk Point SD.

The Chief Engineer is recommending APPROVAL of Application No. 5238-3 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 authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. 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.
3. 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 23, 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.

Patrick Walsh
RR #1, Box 88
Elk Point, SD 57025

Dear Mr. Walsh:

Your Application No. 5283-3 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 recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ron Duvall". The signature is fluid and cursive, with the first name "Ron" being more prominent than the last name "Duvall".

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 No. 5283-3 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 Patrick Walsh, RR #1, Box 88, 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 HEARING on Application No. 5283-3 to Appropriate Water

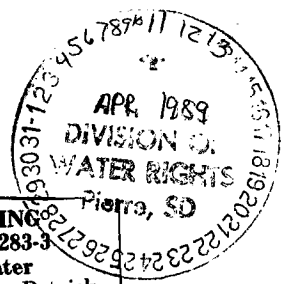
Notice is given that Patrick Walsh, RR #1, Box 88, Elk Point, SD 57025 has filed an application for a water permit to appropriate 1.14 cubic feet of water per second from one well (Missouri-Elk Point Aquifer) approximately 126 feet deep to irrigate 80 acres. The well will be located near the midpoint of the west edge of the SW1/4 and the irrigated acres are to be located in the W1/2 SW1/4, both in Section 9-T91N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5283-3 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 Joe Foss Building, 523 E Capitol, 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 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 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 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 April 28, 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.



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

Lester E. Emerson
(Signature)

Publisher-Editor
(Title)

April 6, 1989

(Date Signed)

Cost of Printing: 36.75

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.

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

NOTICE OF HEARING
On Application No. 5283-3
To Appropriate Water

Notice is given that Patrick Walsh, RR #1, Box 88, Elk Point, S. D. 57025 has filed an application for a water permit to appropriate 1.14 cubic feet of water per second from one well (Missouri-Elk Point Aquifer) approximately 126 feet deep to irrigate 80 acres. The well will be located near the midpoint of the west edge of the SW¹/₄ and the irrigated acres are to be located in the W¹/₂ SW¹/₄, both in Section 9-T91N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5283-3 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 Joe Foss Building, 523 E. Capitol, 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 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 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 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 April 28, 1989.

 **Department of
Water & Natural Resources**

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

JUN 13 1989

Patrick Walsh
RR #1 Box 88
Elk Point, SD 57025

Dear Mr. Walsh:

Enclosed is Water Permit No. 5283-3 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.



NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate Jan 24, 1990TO: Water Rights Division, DWR
Joe Foss Building
Pierre SD 57501-3181FROM: Patrick Walsh R#1 Box 88 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. 5283-3.

Water Permit No. 5283-3 states that the diversion system is to be constructed by Patrick Walsh, and that the water it put to beneficial use by Patrick Walsh.

The diversion system was completed on 4-26-89.
Applying the water to beneficial use was completed on 4-30-89

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

Patrick V. Walsh
signature





DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 12, 1991

1761-3
3677-3
5283-3

Patrick V Walsh
RR #1 Box 88
Elk Point, SD 57025

Dear Mr. Walsh:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and/or chemical use data for Water Permit Nos. 1761-3, 3677-3 and 5283-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

cc: William Curran, RR #1 Box 88, Jefferson, SD 57038



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 1, 1991

PATRICK WALSH
RR 1 BOX 88
ELK POINT SD 57025

NOTICE

RE: Violation of Water Permit No(s) 5283-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 5283-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 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) 5283-3 qualification:

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

The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre 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) 5283-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. 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 is received in this office before the February 27th 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,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: PATRICK WALSH RR 1 BOX 88 ELK POINT SD 57025	4. Article Number P694057523 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature — Addressee X <i>Pat Walsh</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent X	
7. Date of Delivery 2-1-91 <i>C</i>	

Permit No. 5283-3

Big Sioux Water District

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

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

I have this day made a thorough examination of the water use system constructed by Patrick Walsh of RR1 Box 88 Elk Point, SD 57025 holder of Permit No. 5283-3, bearing the priority of February 8, 1989 authorizing the diversion of 1.14 cu. ft. per second and/or the storage of acre-feet of the waters of Missouri-Elk Point Aquifer for irrigation purposes, in Union County County.

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

A. Works used to divert the water:

Section 9 - 1 well - 130' deep, 130' of 16" plastic casing with 60 feet of 100 slot PVC screen; Pump - Western Land Roller 3 stage pump Model# B80138 8.5" outlet 1500-2000GPM

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

Section 9 - 1320' of 10" Steel gated pipe

C. Works used to apply water to beneficial use:

Section 9 - Same as above

The system is in the following condition Good. The point of diversion is located near the midpoint of the west edge of the SW1/4 Section 9 - T91N - R49W Union County, SD. The works are capable of diverting and conveying to the place of use 4.44 cu. ft. per second of water and/or storing 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 T91N -R49W: Section 9 - NW1/4 SW1/4 = 40 acres and SW1/4 SW1/4 = 38 acres.

comprising a total of 78 acres of land and the license should be issued for 1.11 cfs and/or acre-feet of storage.

Application permit qualifications have been complied with X Yes No

Exceptions to compliance are: None Date 7-11-1991


Gregory C. Johnston
Natural Resources Engineer

LICENSE FOR PERMIT NUMBER 5283-3

1. Legal location of wells: Near the midpoint of the west edge of the SW1/4 Section9
T91N - R49W, Union County

Dams and Structures None

2. Well Information: Well Drilling Firm Wetmore Drilling

Completion Report? Yes X No No. of Wells 1 Depth(s) 130 feet

Casing a) diameter 16 inches Screen a) type 100 slot PVC

b) length 130 feet b) length 60 feet

c) type Plastic Static Water Level 18 feet

Pump a) make Western Land Roller

Motor a) make US Electric

b) model B80138

b) model no. A326UP

c) size 8"

c) horsepower rating 30

d) capacity 1500-2000 GPM

d) serial no. Unknown

e) turbine pump - no. of stages 3

f) operating PSI unknown

3. Distribution lines or canals

a) size 10" inches

b) type Gated steel pipe

c) length 1320 feet

4. Dam Information:

a) height to crest feet

m) Outlet tubes:

b) height to primary spillway feet

1) diameter inches

c) height to secondary spillway feet

2) type

d) crest width feet

3) valved (Y/N)

e) crest length feet

4) valve type

4. Dam Information Continued:

f) spillway length feet

5) location on structure:

g) spillway width feet

h) approx. storage AC-FT

n) Category of Dam

i) approx. storage to crest AC-FT

j) date constructed

k) inspection sheet completed? (Y/N)

l) name of contractor

5. System Type a) sideroll:

b) towline:

1) length feet

1) length feet

2) diameter of pipe inches

2) make, model & number of

3) make, model & number of

sprinklers

sprinklers

3) spacing of sprinklers

4) spacing of sprinklers feet

4) nozzle size

5) nozzle size

c)gun:

d) center pivot:

1) make

1) make

2) nozzle size

2) number of towers

3) capacity (GPM)

3) distance between towers

4) hose size inches

4) overall length feet

5) hose length feet

5) end gun (Y/N)

e) gated pipe:

6) high or low pressure

- | | | |
|---------------------|--------|------------------------------|
| 1) length | feet | 7) make and size of nozzles: |
| 2) diameter | inches | |
| 3) spacing of gates | inches | 8) capacity (GPM) |

5. System Type Continued:

- | | |
|-------------------|----------------|
| f) portable boom: | g) siphons: |
| 1) make | 1) size inches |
| 2) nozzle size | 2) number |
| 3) capacity (GPM) | |

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

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

- | Yes | No | Check Items |
|------------|----------|---|
| <u>X</u> | | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit? |
| <u>X</u> | | 2. Special qualifications to permit being abided by? |
| <u>X</u> | | 3. All structures, wells and lands on map? |
| <u>X</u> | | 4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period? |
| | <u>X</u> | 5. Is chemigation used? |
| <u>N/A</u> | | 6. If yes, does equipment comply with chemigation rules? |

REMARKS:

NOT TO SCALE

T 1034

26R

T 484

8.7 CRP

2

78.3 T1060
T-1050
NW $\frac{1}{4}$ ~~SW $\frac{1}{4}$~~
Sec 9-91-49
40 acres

#5283-3 Pat Walsh

Prepared by:

Gregory C. Johnston

Natural Resources Engineer

DENR

July 18, 1951

Total acreage = 78 acres

Well

SW $\frac{1}{4}$

SW 1/4

Sec 9-91-49

38 acres

159.4

16.2

33.4

5823

५.५

91-49

11.3

26.4

T827

26R

$$1'' = 76.5'$$

No. 5283-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

July 24, 1991

5283-3

Patrick Walsh
RR #1 Box 88
Elk Point, SD 57025

Dear Mr. Walsh:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 5283-3, has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

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

Genny McMath
Natural Resources Analyst
(605) 773-3352

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412758

Pierre, July 29, 1991

RECEIVED OF Cheryl Walsh, RR 1 Box 88, 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 works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5283-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch / JMK
Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5283-3

(1) Patrick Walsh of RR 1, Box 88, Elk Point, SD 57025 made Application No. 5283-3, February 8, 1989 for a water permit to appropriate 1.14 cubic feet of water per second from groundwater (one well), Union County, South Dakota for irrigation purposes. Permit No. 5283-3 with a priority date of February 8, 1989 was approved May 10, 1989 and issued to applicant(s) 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.

(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 1.11 cubic feet of water per second for beneficial use. The location of the diversion point is: 1320'N of the SW corner of Section 9, T91N, R49W.

(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:

T91N, R49W Section 9	NW 1/4 SW 1/4	40 Acres
	SW 1/4 SW 1/4	38 Acres
	Total-----	78 Acres

(4) Pursuant to Section 46-5-30.1 Patrick Walsh of RR 1, Box 88, Elk Point, SD 57025 the holder(s) and/or owner(s) of Water Permit No. 5283-3 is issued a license to appropriate water, the right to use 1.11 cubic feet of water per second from groundwater (one well) with a priority date of February 8, 1989 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 5283-3 and subject to South Dakota State Law.


SEP 17 1991
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 17 1991

5283-3

Patrick Walsh
RR 1, Box 88
Elk Point, SD 57025

Dear Mr. Walsh:

Enclosed is Water License No. 5283-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412758 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5283-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

enclosures



5283-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 17, 2003

NOTICE

TO: PATRICK WALSH, 47844 COUNTY RD 1B, ELK POINT, SD 57025
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 5283-3, 1761-3, 3677-3 & 5814-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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) 1761-3, 3677-3 & 5814-3 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) 5283-3 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 5, 2003 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) 5283-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1761-3, 3677-3 & 5814-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before **February 28, 2003**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



5-283-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7541 4654

Your item was delivered at 11:53 am on January 18, 2003 in ELK POINT, SD 57025. The item was signed for by C WALSH.

[Request Delivery Record >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 4654

Postage and Signature Confirmation
Article

(Please Print)

PATRICK WALSH
47844 COUNTY RD 1B
ELK POINT SD 57025

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mailing.

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Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

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(See Reverse)

PS Form 153, February 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2003

1761-3
3677-3
5283-3
5814-3

Patrick Walsh
47844 County Rd 1B
Elk Point SD 57025

Dear Mr. Walsh:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 1761-3, 3677-3, 5283-3 and 5814-3.

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,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352