

Considered: _____

WATER PERMIT NO. 5390-3

Phn No. 472-2264

HAP No. _____

Name of Applicant Stanley Steinheuser

Post Office Address RR1, Box 134 Tulare SD 57486

Amount of Water Claimed 2.28 cfs Total Acres 160

Source of Water Supply groundwater wells

Water to be used for irrigation County Spink

About 6 miles W of Tulare

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received 2/6/90 Fee \$250.00 Remarks currently

irrigates 160 permitted acres from existing wells

Corrected Application Received 3/8/90 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 _____

Diversion Point wells SW 1/4 sect 26

T115N - R65W

Land to be Irrigated NW 1/4 Sect 26

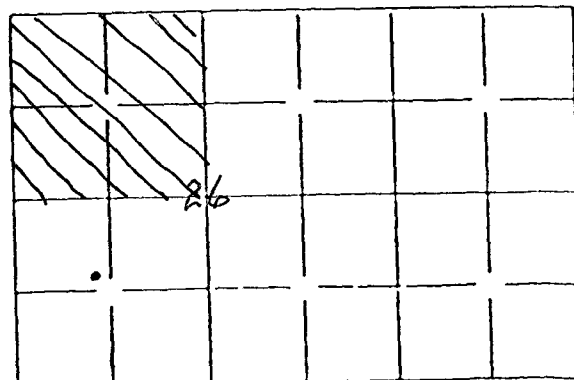
T115N - R65W

Well Log: Driller Pullman Licensed YES ☒ NO _____

Depth of Well 140 REMARKS _____

Type of Map soils PREPARED BY Elmer Ward Reviewed and the Number

assigned on March 12, 1990 By Eric Gundlund



FORM 2: Application for irrigation (type or print)
in South Dakota

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

(See instructions)

No. 5390-3 Hydrologic Unit 10160009
Basin James River
Newspaper Redfield Press, Box 440

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

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
- ☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
- ☒ Add Acreage ☐ Increase diversion rate ☐ Other see 5192-3
1. Name of Applicant Stanley Steinheuser Phone No. 472-2264
- Post Office Address RR 1, Box 134, Tulare SD 57476 State _____ Zip Code _____
(Street, RR or Box) (City)
2. Amount of water claimed (c.f.s) 2.28 Total acres irrigated 160
3. Source of Water supply ground water 2 wells see No. 5192-3
4. Location of point of diversion 2 wells: SW 1/4 section 26-T115N-R65W
- _____ County Spink
5. Counties where water will be used Spink
6. Annual period during which water is to be used April 1 - Oct 31
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
<u>NW 1/4 NW 1/4 sec 26-T115N-R65W</u>	<u>40</u>
<u>NE 1/4 NW 1/4 "</u>	<u>40</u>
<u>SW 1/4 NW 1/4 "</u>	<u>40</u>
<u>SE 1/4 NW 1/4 "</u>	<u>40</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

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

This application is to add 160 acres to be supplied from 2 wells authorized by Water Permit No. 5192-3.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps and soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Hughes)^{ss}

I, Stanley Steinheuser, 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 Stanley Steinheuser
_____ day of February 1990
Karen Schlaak
Notary Public

KAREN SCHLAACK
NOTARY PUBLIC
SOUTH DAKOTA
My Commission Expires Apr. 1, 1993



SOUTH DAKOTA

Date of first receipt of application February 6, 1990.

Date Soil/Water Compatibility Permit received March 26, 1990.

The Water Management Board approved Water Permit Application No. 5390-3 on May 24, 1990 for Stanley Steinheuser, RR#1, Box 134, Tulare, SD 57476 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. 5390-3 appropriates 2.28 cubic feet of water per second from 2 existing wells (Tulare Western Spink Aquifer) 140 feet deep authorized by Permit No. 5192-3 to irrigate an additional 160 acres. The wells are located in the SW1/4 Section 26 T115N-R65W. The lands to be irrigated are located in the NW1/4 Section 26 T115N-R65W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is February 6, 1990.
4. One-fifth of the construction is to be completed on or before November 24, 1992.
5. All construction is to be completed on or before May 24, 1995.
6. Water is to be put to beneficial use on or before May 24, 1999.
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 wells 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: [Signature]
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUL 10 1990
(date)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 26 in Depth 140 ft
- b) Casing Type plastic Diameter 16 in Thickness 1/2 in
- c) Screen Type plastic Diameter 16 in Thickness 1/2 in
- d) Gravel Pack Thickness 4 1/2 in Length of Gravel Pack 120 ft
- e) Depth to Top of Water Bearing Material 14 ft
- f) Depth to Water (ground surface to water level) 14 ft
- g) Distance to nearest existing domestic well:
On applicants property 3/4 mile On property owned by others yes

2. Dugout Information Estimates

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

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

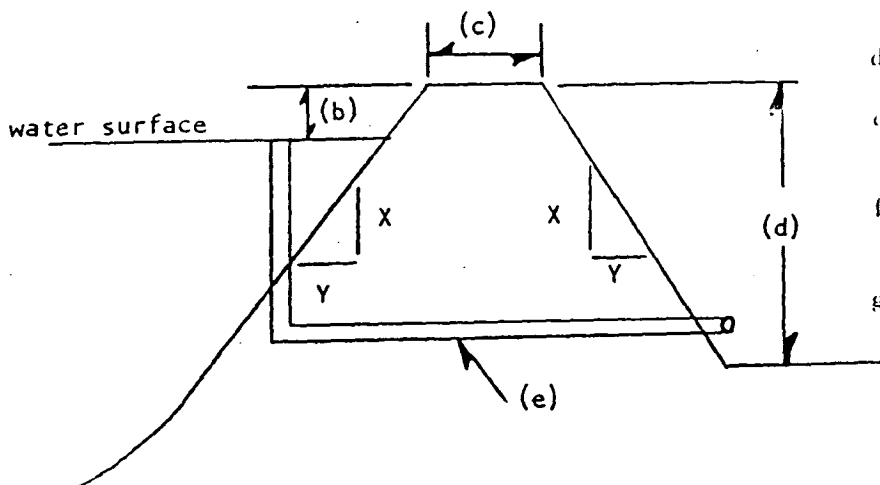
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____



John Hatch

Enclosed are the two
maps to go along with the
application for Permit that
we filled out in your office
Feb 6-1990.

Thank You

Stanley Stan haus
RR1 Box 134
Tulare, S. D.
57476

RECEIPT

415136

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 3, 19 96

RECEIVED OF Stanley Steinheuser, RR 1, Box 134, Tulare, SD 57476

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>5390-3</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 John Hatch
Chief Engineer

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4454

WR#

OWNERS NAME: Stanley Steinheuser OWNERS ADDRESS: RR 1, Box 134

Tulare, SD 57476

COUNTY LAND LOCATED IN: Spink PHONE: 605-472-2264

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION: SW $\frac{1}{4}$ 26-T115N-65W

Depth: _____

Legal Description	Acres	Legal Description	Acres
<u>NE$\frac{1}{4}$ NW$\frac{1}{4}$ 26-T115N-R65W</u>	<u>40</u>		
<u>NE$\frac{1}{4}$ NW$\frac{1}{4}$ 26-T115N-R65W</u>	<u>40</u>		
<u>SW$\frac{1}{4}$ NW$\frac{1}{4}$ 26-T115N-R65W</u>	<u>40</u>		
<u>SE$\frac{1}{4}$ NW$\frac{1}{4}$ 26-T115N-R65W</u>	<u>40</u>		

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

3. CROPS TO BE IRRIGATED: Corn, alfalfa

WATER QUALITY:

4. WATER SAMPLE NUMBER: 88-0087 7. ADJUSTED (SAR): 1.38

5. SALINITY (EC X 10⁶): 700 8. PERCENT SODIUM: 13.50

6. SODIUM (SAR): 0.58

Requirements:



Peter Quirk
Director, Division of Conservation

Date

3/23/90

X APPROVED _____ REQUIREMENTS
____ DISAPPROVED
____ WAIVER

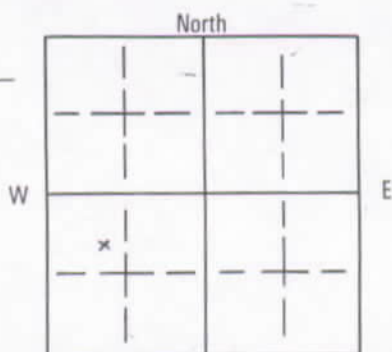
Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location $\frac{1}{4}$ $\frac{1}{4}$ Sec. 26 Twp 115 Rg 65County Spink

Please mark well location with an "X"

Well Completion Date 4-3-88

PROPOSED USE:

☐ Domestic ☐ Municipal ☒ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	_____ IN	<u>0</u> FT	<u>140</u> FT	<u>6</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☐ YES ☒ NO

To what depth? _____ FEET

What is grouting material? _____

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☐ ManufacturedDiameter 3 IN Length 40 FEETMaterial PlasticSlot Size 0.06 Set From 100 Feet To 140 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name Stanley Steinhauser

Address _____

Well Log: _____

Formation _____

Depth _____

From _____ To _____

yellow fine sand 0 30

fine sand 30 95

Med sand 95 130

med to coarse sand 130 140

I. E. 140

WELL TEST DATA:

☒ Pumped☐ Bailed☐ OtherDescribe: 100 g. P. 2.1. 2.1. 2.1. air

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

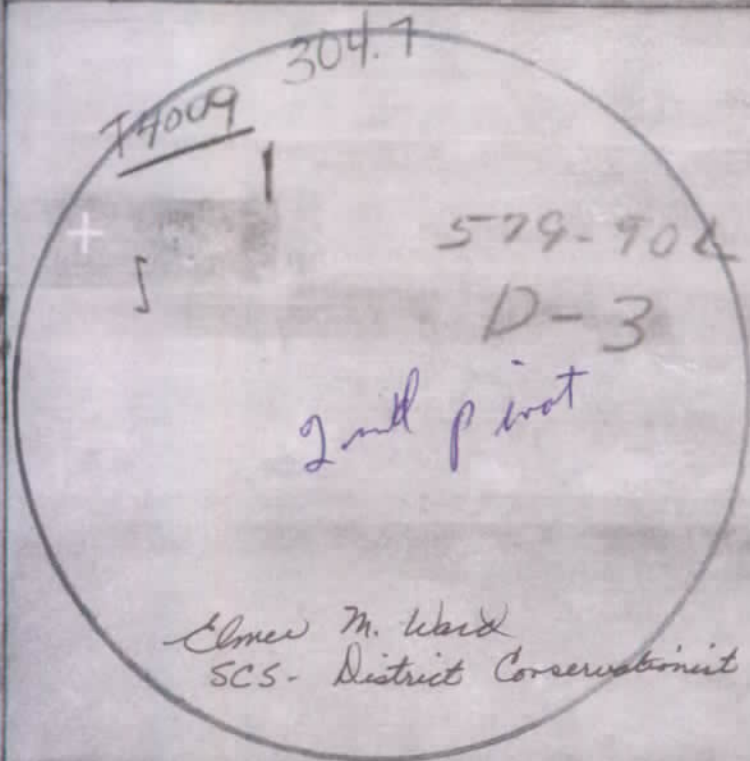
REMARKS:

This well was drilled under license # 440

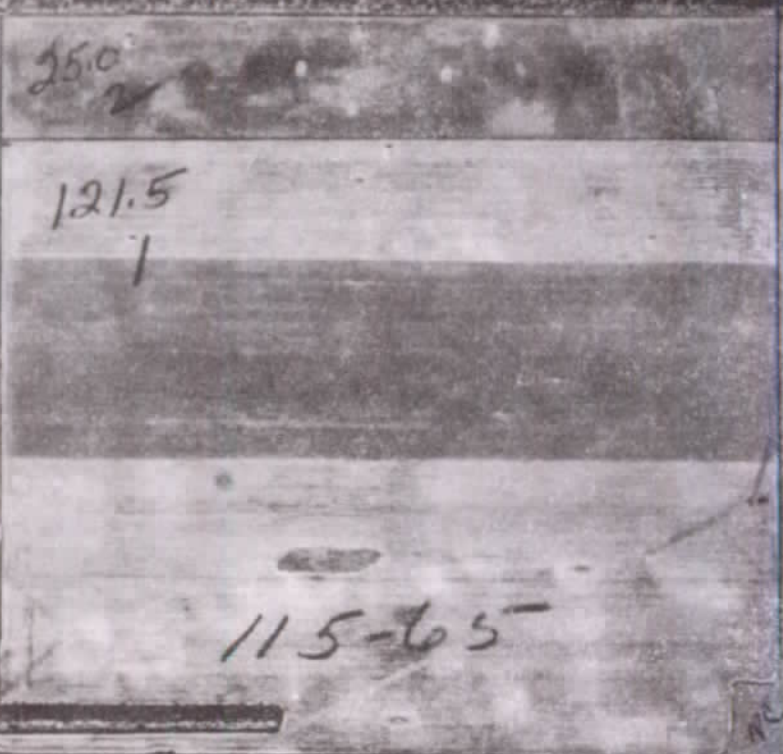
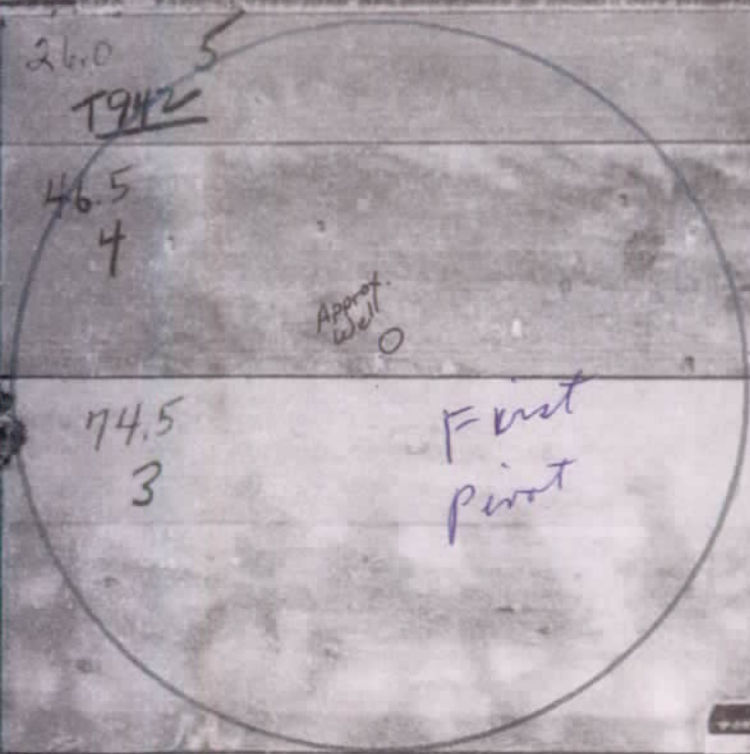
And this report is true and accurate.

Drilling firm Pullman Well DrillingSignature of License Representative: Lucas PullmanSignature of Well Owner: Stanley SteinhauserDate 5-5-88

NOT TO SCALE



Stony Stearns
26



77.7
T9552

T9551
78.7

Appl. No. 5390-531

19.7 9
T937

REPORT ON APPLICATION NO. 5390-3
FOR STANLEY STEINHEUSER
March 15, 1990

This application proposes to appropriate 2.28 cfs from 2 existing wells approximately 140 feet deep authorized by Permit No. 5192-3 to irrigate 160 acres located in the NW 1/4 of Section 26, T115N, R65W. The location of the wells is in the SW 1/4 of Section 26, T115N, R65W in Spink County.

AQUIFER - TULARE WESTERN SPINK (T-WS)

The Tulare Western Spink is a Pliestocene glacial outwash (sand and gravel) aquifer which is predominantly under artesian conditions but in this area is under water table conditions. The reported aquifer thickness at this site is 126 feet with a static water level approximately 14 feet below land surface. The T-WS aquifer underlies 72,300 acres and contains an estimated 270,930 acre feet of recoverable water in Spink County (Hedges, 1982). The aquifer is hydraulically connected to the Tulare Hand to the west and the Tulare Hitchcock to the east. The ground water gradient slopes generally from west to southeast towards the James River. Also the Turtle River is probably hydraulically connected to the aquifer as a recharge and discharge source depending upon the ground water levels at the time.

The Division of Water Rights monitors 22 observation wells completed into the T-WS aquifer in southern Spink County. Water level records are available since 1963 at one nearby location. Observation wells SP-63E and SP-80P are both located within one mile of this application. Records for these wells do indicate fluctuation due to pumping and to climatic conditions. Record high levels occurred during 1986 and 1987 due to recharge to the aquifer. Water level data indicates the T-WS can sustain additional development (Water Rights, 1990).

The T-WS aquifer is a prolific producer. One nearby irrigation well has a specific capacity of 62 gpm/ft of drawdown (Permit Files, 1990). Recharge to the T-WS has been estimated at 0.83 in/yr or about 5000 acre feet per year (Kuiper, 1984). The reported water use for 1988 was 3779 acre feet in 1988. The maximum reported water use for the T-WS aquifer was 3790 acre feet in 1981 (Irrigation Reports, 1990).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Water Permit No. 4897-3 which is located within 1 mile of this application. This Permit was issued to Ted Binger and authorizes 2.0 cfs for irrigation of 140 acres. The wells for this proposed diversion should be approximately 1320 feet from the Binger well. Interference between wells has not

been a problem in this area. The aquifer is very productive and drawdowns caused by pumping are not significant. The observation well record confirms this observation by showing a few feet of fluctuation for any given year. There are a total of 37 irrigation permits from the T-WS in Spink County.

CONCLUSIONS

1. Water is available from the T-WS aquifer.
2. Interference should not be a problem. There will be overlapping drawdowns created by pumping between these two wells but the thickness and capacity of the aquifer will minimize these effects.
3. Any new wells authorized by this application must be completed in accordance with SD Well Construction Standards.
4. Land use practices over water table aquifers such as this site have been shown to affect the water quality of the aquifer.



James A Goodman
Natural Resources Engineer

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.
- Irrigation Reports, 1990, IRRIGATION REPORTS 1979-1986, SD DWR, Div. of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.
- Kuiper, L.K., 1984, APPRAISAL OF THE WATER RESOURCES OF THE EASTERN PART OF THE TULARE AQUIFER, BEADLE, HAND AND SPINK COUNTIES SD, USGS WRI 84-4078, USGS, Huron, SD, 57350.
- Permit Files, 1990, WATER RIGHT FILE 4897-3 FOR TED BINGER, SD DWR, Div of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.
- Water Rights, 1990, OBSERVATION WELL RECORDS FOR T-WS AQUIFER IN SPINK COUNTY, SD DWR, Div. of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.

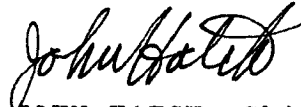
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5390-3, Stanley Steinheuer

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. 5390-3, Stanley Steinheuer, RR 1, Box 134, Tulare SD.

The Chief Engineer is recommending APPROVAL of Application No. 5390-3 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 wells 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 29, 1990



Water & Natural Resources

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

March 30, 1990

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

Stanley Steinheuser
RR #1 Box 134
Tulare, SD 57476

Dear Mr. Steinheuser:

Water Permit Application No. 5390-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Redfield Press printed at Redfield SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also 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 cursive script that reads "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

March 30, 1990

Redfield Press
Box 440
Redfield, SD 57469

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 5390-3 to be published twice. Please publish the first notice on or before April 5, 1990 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 Stanley Steinheuser, RR #1 Box 134, Tulare, SD 57467.

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,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
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.

Instruction to Newspaper - Publish first Notice on or before April 5, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5390-3 to Appropriate Water

Notice is given that Stanley Steinheuser, RR #1 Box 134, Tulare, SD 57476 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from 2 existing wells (Tulare Western Spink Aquifer) 140 feet deep authorized by Permit No. 5192-3 to irrigate an additional 160 acres. The wells are located in the SW1/4 Section 26-T115N-R65W. The land to be irrigated are to be located in the NW1/4 Section 26-T115N-R65W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5390-3 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 in the Pelican Room, Ramkota Inn, Hwy 212, Watertown, SD on May 23, 1990 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 May 11, 1990. 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 May 11, 1990.

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 Spink) ss.

I, Walter Munkstock,

certify that the attached printed Notice was taken
 from the Redfield Press

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

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

April 4, 1990
April 11, 1990

Walter Munkstock

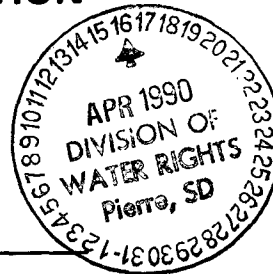
(Signature)

Publisher

(Title)

4-13-90

(Date Signed)



No. 82

**NOTICE OF HEARING ON APPLICATION
 NO. 5390-3 TO APPROPRIATE WATER**

Notice is given that Stanley Steinheuser, RR 1 - Box 134, Tulare, SD 57476 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from two existing wells (Tulare Western Spink Aquifer), 140 feet deep authorized by Permit No. 5192-3 to irrigate an additional 160 acres. The wells are located in the SW 1/4 Section 26-T115N-R65W. The land to be irrigated is to be located in the NW 1/4 Section 26-T115N-R65W.

Pursuant to SDCL 46-24-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5390-3 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 in the Pelican Room, Hampton Inn, Hwy. 212, Watertown, SD, on May 23, 1990, 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 May 11, 1990. 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. Decision 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 May 11, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-2-1 thru 46-2-17, 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; 46-6-2, 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 74:02:04.15.

(April 4, 11)

Cost of Printing: 61 lines X .3392 = 20.69 - 1st

20.69 * (80%) = 16.55 - 2nd

20.69 + 16.55 = 37.24

SOUTH DAKOTA
Department of
Water & Natural Resources

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

JUL 10 1990

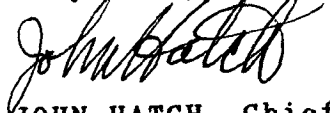
Stanley Steinheuser
RR 1, Box 134
Tulare SD 57476

Dear Mr. Steinheuser:

Enclosed is Water Permit No. 5390-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,



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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

Permit No. 5192-3 & 5390-3

James 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, 7-25-96 made a thorough examination of the water use system constructed by Stanley Steinheuser of RR 1 Box 134, Tulare SD 57475 holder of Permit Nos. 5192-3 & 5390-3, bearing the priority of May 5, 1988 and February 6, 1990 authorizing the diversion of 2.28 and 2.28 cu. ft. per second of the waters of Tulare-Western Spink Aquifer for irrigation purposes, in Spink County.

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

A. Works used to divert the water:

One well 140 feet deep with 120 feet of 16 inch pvc casing and 20 feet of pvc screen. The well has a submersible pump with a capacity of 850 cfs each and a Johndeer diesel motor rated at 95 hp.

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

Two Zimmatic center pivots 1250 feet long with 8 towers and an end gun. They are low pressure systems with capacities of 850 gpm each.

C. Works used to apply water to beneficial use:

3960 feet of 8 inch pvc.

The system is in the following condition good. The points of diversion are located: well #1 is 130 feet north of the center of the SW¹/₄ Section 26, T115N, R65W. The works are capable of diverting and conveying to the place of use 1.89 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in Section 26, T115N, R65W:

NE¹/₄ NW¹/₄ 34 acres

NW¹/₄ NW¹/₄ 34 acres

SW¹/₄ NW¹/₄ 34 acres

SE¹/₄ NW¹/₄ 34 acres

NE¹/₄ SW¹/₄ 34 acres

NW¹/₄ SW¹/₄ 34 acres

SW¹/₄ SW¹/₄ 34 acres

SE¹/₄ SW¹/₄ 34 acres

comprising a total of 272 acres of land and the license should be issued for 1.89 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

Lynn Beck
Lynn Beck

9-16-96
Date

Natural Resources Engineer
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 5192-3 & 5390-3

DATE OF INSPECTION: 7-25-96

Other permit(s) associated with the project: see above

NAME & ADDRESS OF INSPECTION CONTACT: Stanley Steinheuser, RR 1 Box 134, Tulare SD 57475

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: same

NAME & ADDRESS OF PERMIT HOLDER: same

DIVERSION POINT LEGAL LOCATION: Well #1 is 130' north of the center of the SW $\frac{1}{4}$.

WELL INFORMATION:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 140 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 16 inches
- 2) Length 120 feet
- 3) Type pvc

Screen:

- 1) Type pvc
- 2) Length 20 feet
- 3) Static water level 14 feet

Pump:

- 1) Make submersible
- 2) Model #
- 3) Size #
- 4) Capacity 850 GPM

Motor:

- 1) Make Johndeer diesel motor
- 2) Model No. #
- 3) Horsepower rating 95hp

DISTRIBUTION LINES OR CANALS:

- 1) Type pvc
- 2) Size 8 inches
- 3) Length 3960 feet

SYSTEM TYPE:

Center pivot: 2 center pivots, the same.

- 1) Make T/L
- 2) Overall length 1250 feet
- 3) Number of towers 8
- 4) End gun yes
- 5) High or low pressure high
- 6) Capacity 850 each GPM

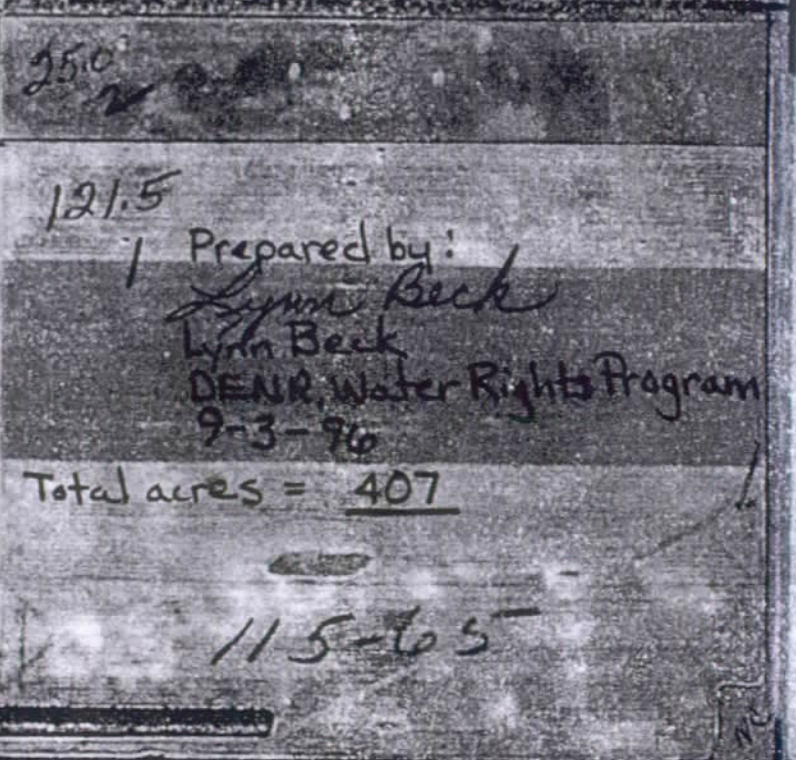
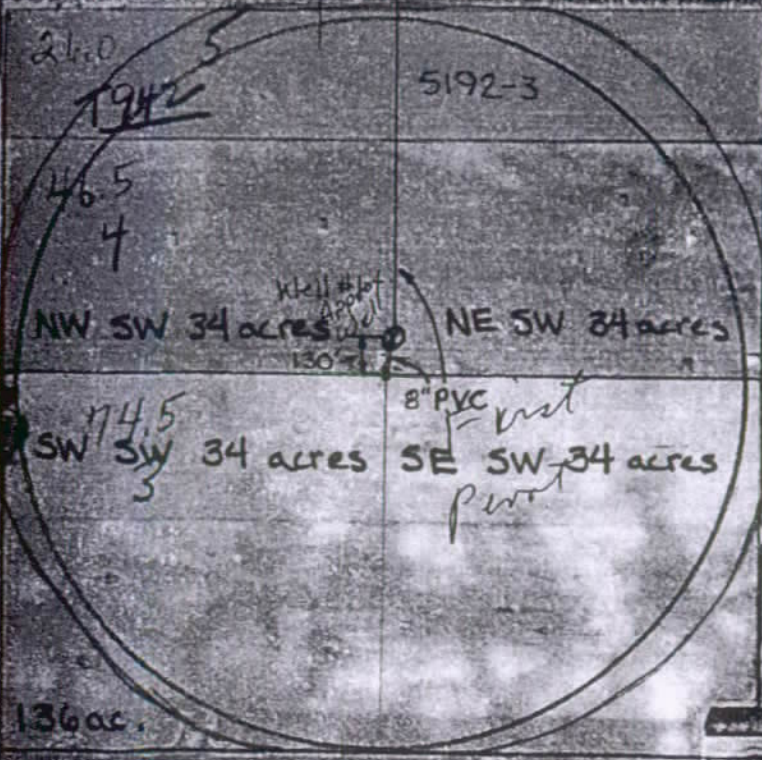
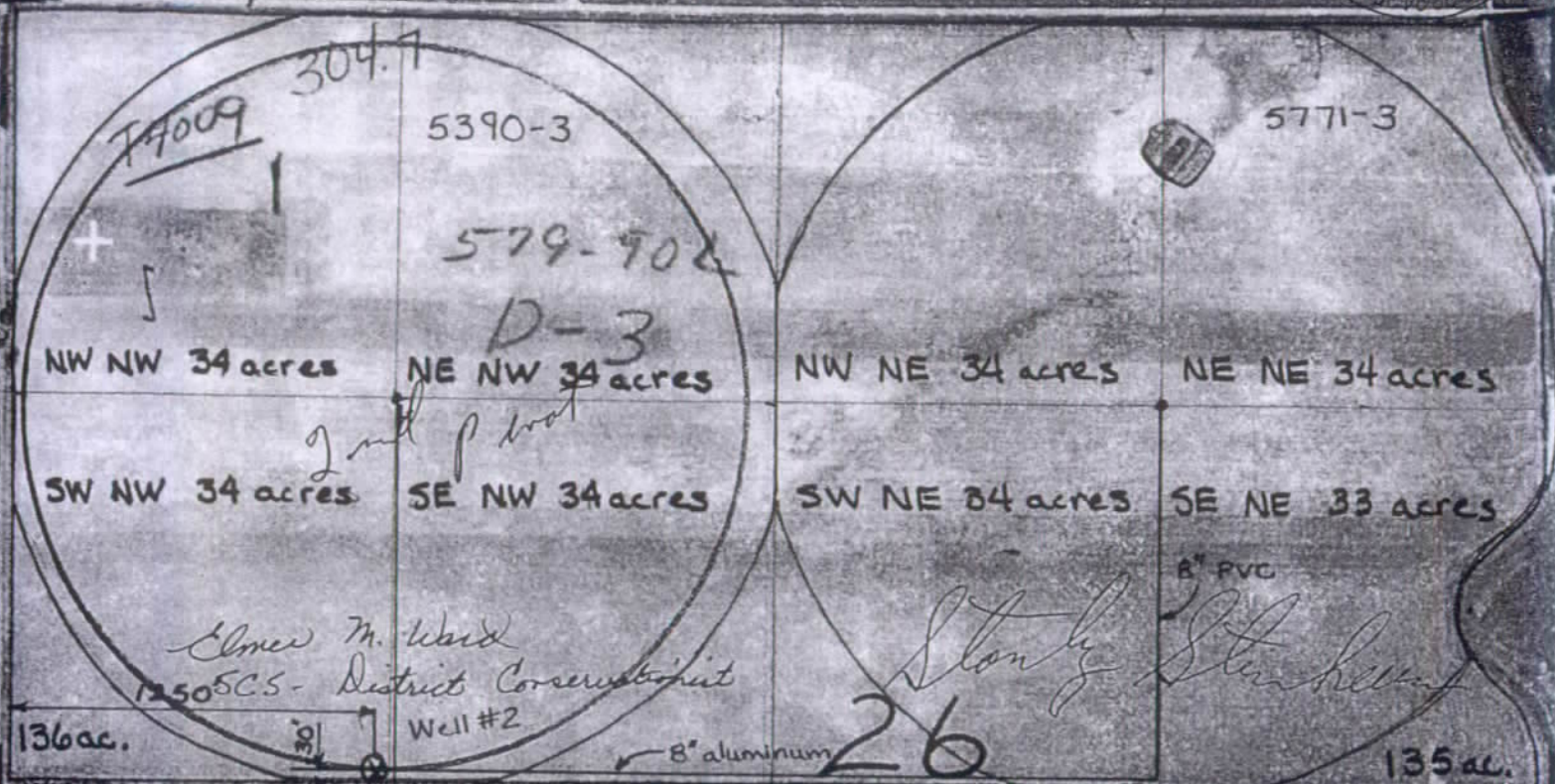
CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

NOT TO SCALE





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 17, 1996

5390-3, 5771-3

Stanley Steinheuser
RR 1 Box 134
Tulare SD 57475

Dear Mr. Steinheuser:

The inspection of your water use systems and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 5390-3 and 5771-3, have been completed. Your final water right document, the Water License, can now be issued. The applicable portions of Water Permit No. 5192-3 will be incorporated with No. 5390-3.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of each Water License. Upon receipt of the \$100.00 fee, we will begin processing the Water Licenses.

Also, enclosed is a partially completed *Notice of Completion of Works and Application of Water to Beneficial Use* form for Water Permit No. 5771-3. Please complete and return the form with the fees.

Please remit fee to:

Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

enclosure

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

412079

Pierre, February 6, 1990

RECEIVED OF Stanley Steinhauser, RR #1 Box 134, Tulare, SD 57476

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 _____	250	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	250 00

By John Hatch (ms)
Chief Engineer

Water Rights Division - DENR

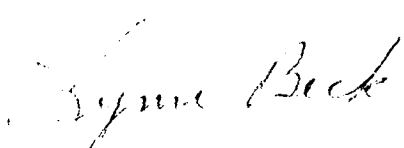
Conversation or File Documentation

Name of Person: Stanley Steinheuser File No. 5192-3, 5390-3, and 5771-3
Address: RR 1 Box 134, Tulare SD 57475 County: Spink
Date: Telephone:
RE: Inspection of permits.

Comments:

Permit No. 5192-3 authorizes 160 acres in the SW $\frac{1}{4}$ to be irrigated from two wells located in the SW $\frac{1}{4}$ at a rate of 2.28 cfs (priority date May 5, 1988). Permit No. 5390-3 authorizes 160 acres in the NW $\frac{1}{4}$ to be irrigated from the same two wells in the SW $\frac{1}{4}$ as 5192-3 at a rate of 2.28 cfs (priority date February 6, 1990). Permit No. 5771-3 authorizes 160 acres in the NE $\frac{1}{4}$ to be irrigated from one well in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ at a rate of 2.28 cfs (priority date April 27, 1993).

Upon inspection it was found that only one well in the SW $\frac{1}{4}$ was constructed. This well supplies 5192-3 and 5390-3 at a rate of ~~2.28~~ ^{4.56} cfs (the two center pivots do not run at the same time). The well in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ supplies the center pivot in the NE $\frac{1}{4}$ only (5771-3). Both wells are from the same water source however each center pivot has a separate priority date. ~~If this can be licensed together the total diversion rate will be 4.56 cfs.~~


Lynn Beck
Natural Resources Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5390-3

(1) Stanley Steinheuser, RR 1 Box 134, Tulare SD 57476 made Application No. 5390-3, February 6, 1990 for a water permit to divert 2.28 cubic feet of water per second from groundwater (two existing wells), Spink County, South Dakota for irrigation purposes. Permit No. 5390-3, with a priority date of February 6, 1990 was approved May 24, 1990 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 24, 1995 and for the application to beneficial use of said water on or before May 24, 1999.

Water Permit No. 5390-3 authorized irrigation of an additional 160 acres from wells authorized under Water Permit No. 5192-3.

The applicable portions of Water Permit No. 5192-3 have been incorporated into this Water License No. 5390-3. A priority date of February 6, 1990 (established under No. 5390-3) is retained for irrigation of the NW 1/4 Section 26. A priority date of May 5, 1988, (established under No. 5192-3) is retained for irrigation of the SW 1/4 Section 26.

(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 1.89 cubic feet of water per second for beneficial use. The location of the diversion point is 130 feet north of the center of the SW 1/4 Section 26-T115N-R65W.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

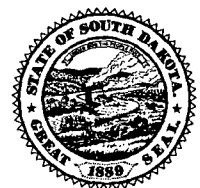
Section 26-T115N-R65W			
NE 1/4 NW 1/4	34 acres	NE 1/4 SW 1/4	34 acres
NW 1/4 NW 1/4	34 acres	NW 1/4 SW 1/4	34 acres
SW 1/4 NW 1/4	34 acres	SW 1/4 SW 1/4	34 acres
SE 1/4 NW 1/4	34 acres	SE 1/4 SW 1/4	34 acres
Total		272 acres	

(4) Pursuant to South Dakota Water Law 46-5-30.1 Stanley Steinheuser, RR 1 Box 134, Tulare SD 57476 the holder and/or owner of Incorporated Water Permit No. 5390-3 is issued a license to appropriate water, the right to use 1.89 cubic feet of water per second from groundwater (one well) with priority dates of May 5, 1988 and February 6, 1990 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 Permit No. 5390-3 and subject to South Dakota State Law.


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

DEC 26 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 26 1996

5390-3
5771-3

Stanley Steinheuser
RR 1, Box 134
Tulare, SD 57476

Dear Mr. Steinheuser:

Enclosed are Water License Nos. 5390-3 and 5771-3. These are the final water right documents completing your process of obtaining Water Rights. Enclosed are Receipt Nos. 415135 and 415136 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 Nos. 5390-3 and 5771-3, 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 Permit No. 5192-3 have been incorporated into this Water License No. 5390-3.



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: STANLEY STEINHEUSER, 38542 180TH ST, TULARE, SD 57476

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5390-3, 6184-3 & 6288-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5390-3, 6184-3 & 6288-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** 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) 5390-3, 6184-3 & 6288-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
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(s) is (are) received in this office before the **March 5, 2025**, hearing 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: ENVZMB**

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 AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 21, 2025

5390-3, 6184-3, 6288-3

Stanley Steinheuser
38542 180th St
Tulare SD 57476

Dear Mr. Steinheuser:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 5390-3, 6184-3 & 6288-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us



5390-3
6184-3
6288-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2026

NOTICE

TO: STANLEY STEINHEUSER, 38542 180TH ST, TULARE, SD 57476

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5390-3, 6184-3 & 6288-3. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5390-3, 6184-3 & 6288-3 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** 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) 5390-3, 6184-3 & 6288-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
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(s) is (are) received in this office before the **March 4, 2026** hearing 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: IJEMFI**

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.