

Considered: _____

WATER PERMIT NO. 5697-3

Phone: 382-5877

Name of Applicant: Reuben Rodell

Post Office Address: Rt 2, Box 52, Conde SD 57434

Amount of Water Claimed: 2 cfs Total Acres: 160

Source of Water Supply: groundwater

Water to be used for: irrigation County: Clark

About 8 miles east of Conde

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 7-16-92 Fee: \$250 Remarks _____

Corrected Application Received 7-22-92 Period of Annual Use May 1 - Sept 30

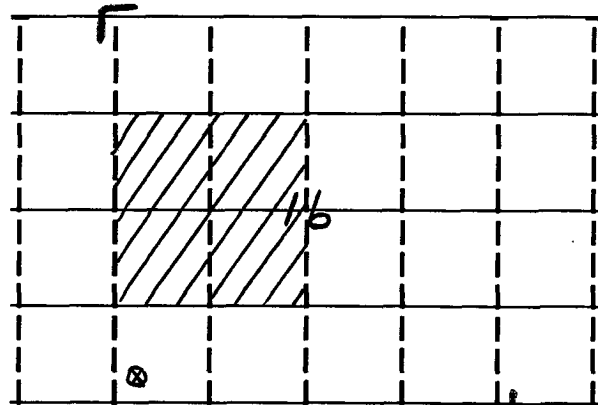
WATER QUALITY APPROVAL RECEIVED 8-10-92 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: SW 1/4 SW 1/4 Sec 16-T119N-R59W

Land to be Irrigated: S 1/2 NW 1/4, N 1/2 SW 1/4

Sec 16-T119N-R59W



Well Log: Driller: Pullman Drilling Licensed YES X NO _____

Depth of Well: 157' REMARKS _____

Type of Map: aerial PREPARED BY: Earl Helgersen, ASCS Reviewed and the Number

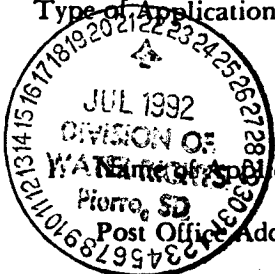
Assigned on 8-10-92 By Karen Schlaak

(See instructions)

No. 5697-3 Hydrologic Unit 10160006
Basin JAMES RIVER
Newspaper CLARK COUNTY-COURIER

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 _____



Name of Applicant REUBEN-RODELL Phone No. 605-382-5877
Post Office Address RT2 BOX 52 CONDE State S.DAK. Zip Code 57434
(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s) 2 Total acres irrigated 160
3. Source of Water supply WELL
4. Location of point of diversion SW 1/4 SW 1/4 SEC 16 TWP 119 - RB 59W
County CLARK
5. Counties where water will be used CLARK
6. Annual period during which water is to be used MAY - SEPT. 30
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 NW 1/4 SEC 16 TWP 119 R 59W	40
SE 1/4 NW 1/4 SEC 16 TWP 119 R 59W	40
NE 1/4 SW 1/4 SEC 16 TWP 119 R 59W	40
NW 1/4 SW 1/4 SEC 16 TWP 119 R 59W	40

Land Description	No. Acres Irr.

Attach sheet if more space is needed

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

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 Clark)^{ss}

I, Reuben Rodell, 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 Reuben Rodell

Subscribed and sworn to before me this 15th day of July 19 92

Patricia M. Lien
Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 5697-3**

Date of first receipt of application July 16, 1992.

Date Soil/Water Compatibility Permit received August 10, 1992.

Date of return to applicant for corrections, amendments or changes July 16, 1992.

Date of receipt of corrected application July 22, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5697-3 to Reuben Rodell, Rt 2, Box 52, Conde SD 57434 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. 5697-3 appropriates 2.0 cubic feet of water per second from one well (Altamont Aquifer) 157 feet deep located in the SW 1/4 SW 1/4 Section 16 to irrigate 160 acres located in the S 1/2 NW 1/4 and the N 1/2 SW 1/4 Section 16; all in T119N-R59W.
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: May 1 - September 30.
3. The date from which applicant may claim right is July 16, 1992.
4. The date of approval of Permit No. 5697-3 is November 24, 1992.
5. One-fifth of the construction is to be completed on or before May 24, 1995.
6. All construction is to be completed on or before November 24, 1997.
7. Water is to be put to beneficial use on or before November 24, 2001.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 5697-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.

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

WATER MANAGEMENT BOARD

By: _____


John Hatch, Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

NOV 24 1992

date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 25" Depth 157'
- b) Casing Type PVC Diameter 16" Thickness 1/2"
- c) Screen Type Slotted Diameter 16" Thickness 1/2"
- d) Gravel Pack Thickness 4 1/2" Length of Gravel Pack 47'
- e) Depth to Top of Water Bearing Material 110'
- f) Depth to Water (ground surface to water level) 74'
- g) Distance to nearest existing domestic well:
 On applicants property _____ On property owned by others 3/4 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 _____

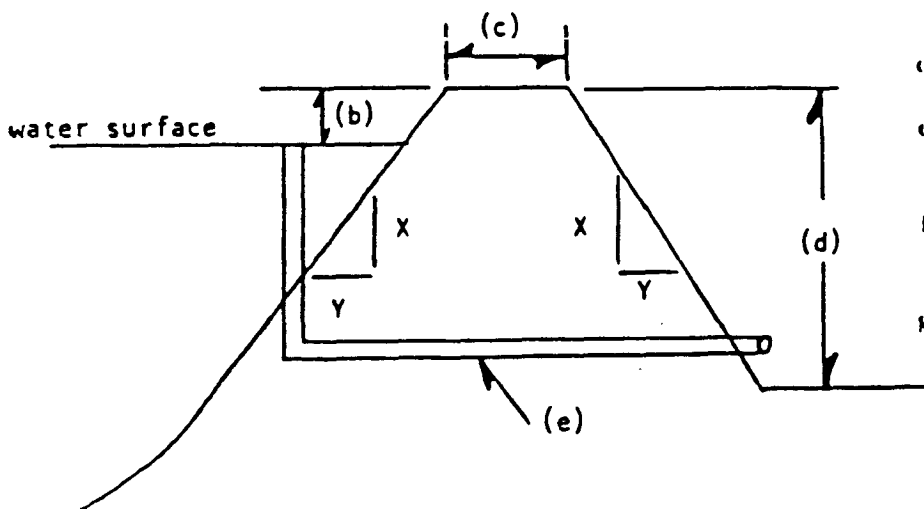
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

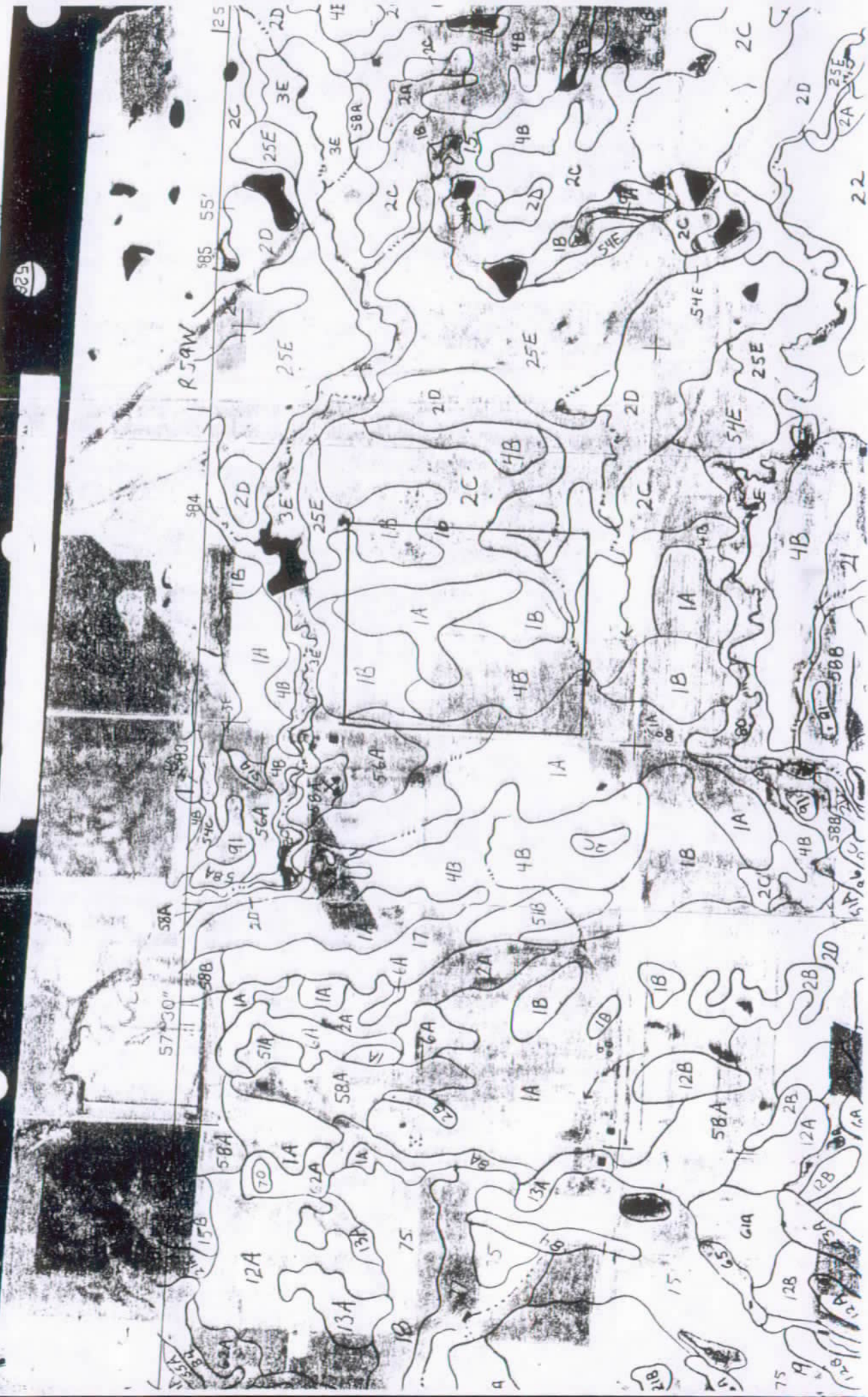
Drainage area above dam _____



Signature of Applicant _____

93031-12345678910111213141516171819202122
JUL 1992
DIVISION OF
WATER RIGHTS
Monte, SD

NORTH 16-118-59





NORTH

NOT TO SCALE

1992

HEL-11-WC
PHOTO

T-3184

599-119R

T-10397

New Blanks

Y

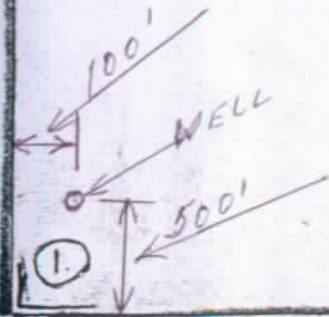
T-10398

16

74.1

NHEL

alfalfa



T-2
119-59

56.4

T-2904

T-2992

5697-3

119



REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, SD 57007

07/07/92

Spink

Name: Rodell, Reuben
Address: RFD 2, Box 52
Conde, SD 57434

Date Rec'd JUN 15, 1992
Lab Sample No. 92-0256
Source
Legal ID: T 119N R 59W S 16 cc

WATER ANALYSIS

Calcium (Ca)	107	ppm	5.34	me/l
Magnesium (Mg)	55	ppm	4.52	me/l
Sodium (Na)	148	ppm	6.43	me/l
Potassium (K)	14	ppm	0.36	me/l
Sulfate (SO4)	466	ppm	9.70	me/l
Nitrate as N (NO3)		ppm		me/l
Organic Nitrogen as N		ppm		
Ammonia Nitrogen as N		ppm		
Nitrite as N (NO2)		ppm		
Ortho Phosphorus		ppm		
Total Phosphorus		ppm		
Chloride (Cl)	15	ppm	0.42	me/l
Bicarbonate (HCO3)	434	ppm	7.12	me/l
Carbonate (CO3)	0	ppm	0.00	me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	0.62	ppm		
Hardness (EDTA as CaCO3)	493	ppm	28.83	g.p.g.
Total Solids		ppm		
Total Cations			16.65	me/l
Total Anions			17.25	me/l
Alkalinity (Methyl Orange)	356	ppm(as CaCO3)		
Alkalinity (Phenolphthalein)	0	ppm(as CaCO3)		
Electrical Conductivity	1500	micromhos per cm at 25°C		
Sodium Adsorption Ratio	2.90	Adjusted SAR	7.41	
Sodium	38.64	% of Cations		
Residual Sodium Carbonate	0.00	me/l		
pH	6.74			

g.p.g. = grains per gallon
ppm = parts per million
me/l = millequivalents per liter

COMMENTS:

Analysis By: Shirley Mittan

Service Performed:

Irrigation Analysis

Analysis Cost:	\$ 42.00
5% Sales Tax:	+ 9.00
Total Cost:	42.00
Amount Received:	- 9.00
AMOUNT DUE:	42.00

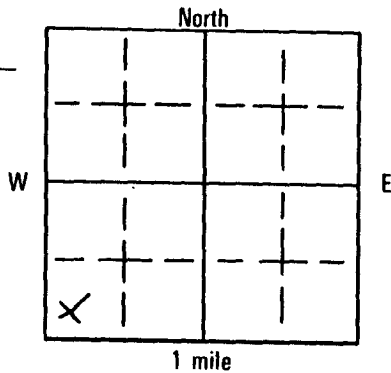
Make checks payable to: SDSU Water Quality Lab
Please write lab number on your check!
Lab Sample No. 92-0256

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SW 1/4 SW 1/4 Sec 16 Twp 19-N Rg 59-WCounty Clark

Please mark well location with an "X"

Well Completion Date 6-12-92

PROPOSED USE:

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

Method of Drilling:

Forward Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>3</u> IN	<u>0</u> FT	<u>130</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 ☐ NOTo what depth? 160 FEETWhat is grouting material? Cement + BricksIf cement, number of sacks? 2Describe grouting procedure line

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 3 IN Length 30 FEETMaterial P.V.C.Slot Size 016 Set From 130 Feet To 160 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 Reuben RodellAddress 282 Box 52 Conde, SD 57434

Well Log:

Depth

Formation

From

To

Yellow Clay017Yellow Sand1730Clay Sand3037Blue Clay3760Blue Clay w/ one streak6080Blue Clay8090Fine Sand w/ Clay Breaks90100Sandy Blue Clay100110Fine Sand w/ Clay Breaks110120Med. to Fine Sand120130Medium Sand130140Coarse Sand140157Shale157160

TD 160'

STATIC WATER LEVEL 72 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped45.3 GPM☐ BailedDescribe: air compressor☐ Other

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.

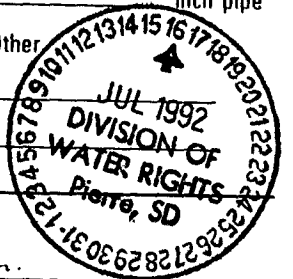
Drilling firm Pullman Well Drilling

Signature of License Representative:

R. E. Luehl

Signature of Well Owner:

Date

6-16-92

**HIGHLY ERODIBLE LAND AND WETLAND
CONSERVATION DETERMINATION**

Reuben Rodell

Clark

4. Name of USDA Agency or Person Requesting Determination

5. Farm No. and Tract No.

ASCS

2591 T-10398

SECTION I - HIGHLY ERODIBLE LAND

	FIELD NO.(s)	TOTAL ACRES
6. Is soil survey now available for making a highly erodible land determination? Yes ☒ No ☐		
7. Are there highly erodible soil map units on this farm? Yes ☒ No ☐		
8. List highly erodible fields that, according to ASCS records, were used to produce an agricultural commodity in any crop year during 1981-1985.	—	—
9. List highly erodible fields that have been or will be converted for the production of agricultural commodities and, according to ASCS records, were not used for this purpose in any crop year during 1981-1985; and were not enrolled in a USDA set-aside or diversion program.	—	—
10. This Highly Erodible Land determination was completed in the: Office ☒ Field ☐		

SECTION II - WETLAND

	FIELD NO.(s)	TOTAL ACRES
11. Are there hydric soils on this farm? Yes ☐ No ☐		
12. Wetlands (W), including abandoned wetlands, or Farmed Wetlands (FW) or Farmed Wetlands Pasture (FWP). Wetlands may be farmed under natural conditions. Farmed Wetlands and Farmed Wetlands Pasture may be farmed and maintained in the same manner as they were prior to December 23, 1985, as long as they are not abandoned.		
13. Prior Converted Cropland (PC). Wetlands that were converted prior to December 23, 1985. The use, management, drainage, and alteration of prior converted cropland (PC) are not subject to the wetland conservation provisions unless the area reverts to wetland as a result of abandonment.		
14. Artificial Wetlands (AW). Artificial wetlands includes irrigation-induced wetlands. These wetlands are not subject to the wetland conservation provisions.		
15. Minimal Effect Wetlands (MW). These wetlands are to be farmed according to the minimal-effect agreement signed at the time the minimal-effect determination was made.		
16. Mitigation Wetlands (MIW). Wetlands on which a person is actively mitigating a frequently cropped area or a wetland converted between December 23, 1985 and November 28, 1990.		
17. Restoration with Violation (RVW+year). A restored wetland that was in violation as a result of conversion after November 28, 1990, or the planting of an agricultural commodity or forage crop.		
18. Restoration without Violation (RSW). A restored wetland converted between December 23, 1985 and November 28, 1990, on which an agricultural commodity has not been planted.		
19. Replacement Wetlands (RPW). Wetlands which are converted for purposes other than to increase production, where the wetland values are being replaced at a second site.		
20. Good Faith Wetlands (GFW+year). Wetlands on which ASCS has determined a violation to be in good faith and the wetland has been restored.		
21. Converted Wetlands (CW). Wetlands converted after December 23, 1985 and prior to November 28, 1990. In any year that an agricultural commodity is planted on these Converted Wetlands, you will be ineligible for USDA benefits.		
22. Converted Wetland (CW+year). Wetlands converted after November 28, 1990. You will be ineligible for USDA program benefits until this wetland is restored.		
23. Converted Wetland Non-Agricultural use (CWNA). Wetlands that are converted for trees, fish production, shrubs, cranberries, vineyards or building and road construction.		
24. Converted Wetland Technical Error (CWTE). Wetlands that were converted as a result of incorrect determination by SCS.		
25. The planned alteration measures on wetlands in fields _____ are considered maintenance and are in compliance with FSA.		
26. The planned alteration measures on wetlands in fields _____ are not considered to be maintenance and if installed will cause the area to become a Converted Wetland (CW). See item 22 for information on CW+year.		
27. The wetland determination was completed in the office ☐ field ☐ and was delivered ☐ mailed ☐ to the person on _____		

28. Remarks: A few acres along edge of new field would be erodible, but entire field would be not highly erodible.

29. I certify that the above determination is correct and adequate for use in determining eligibility for USDA program benefits, and that wetland hydrology, hydric soils, and hydrophytic vegetation under normal circumstances exist on all areas outlined as Wetlands, Farmed Wetlands, and Farmed Wetlands Pasture.

30. Signature of SCS District Conservationist

Earl K. Johnson

31. Date

6/18/92

Appeals

The conservation provisions of the Food Security Act of 1985 place responsibility on U.S. Department of Agriculture (USDA) agencies for making determinations which may have significant economic impact on farm operations. These determinations are made as accurately as possible. However, there will be situations when persons believe the rules have not been properly applied in their case resulting in the denial of USDA program benefit.

Each agency—the Agricultural Stabilization and Conservation Service (ASCS), Farmers Home Administration (FmHA), Federal Crop Insurance Corporation (FCIC); and Soil Conservation Service (SCS)—has an appeals procedure for the purpose of allowing producers to furnish evidence to support their claims that the rules have not been properly applied.

Items Appealed To ASCS	ASCS is responsible for determining: ● whether a person is a producer on a field; ● establishment of field boundaries; ● whether land was planted to an agricultural commodity any of the years 1981 through 1985; ● whether land was set aside, diverted, or otherwise not cultivated under a program administered by the Secretary of Agriculture; ● whether the production of an agricultural commodity on highly erodible land or converted wetland by a tenant is required under terms and conditions of the agreement between the landlord and tenant; ● whether the agricultural commodity planted on a field was planted before December 23, 1985, or during any crop year which began before December 23, 1985; and ● whether the conversion of a particular wetland was commenced before December 23, 1985, or converted since December 23, 1985 by third party.				
Items Appealed To FmHA	FmHA is responsible for determining whether the proceeds of any loan made, insured, or guaranteed under any provision of law administered by FmHA will be used for a purpose that will contribute to excessive erosion of highly erodible land or to the conversion of wetland.				
Items Appealed To FCIC	FCIC is responsible for determining if insured producers or those applying for crop insurance are in compliance with the Food Security Act of 1985.				
Items Appealed To SCS	SCS is responsible for appeals regarding: A. Highly erodible land determinations: ● determination of the land capability classification of a field or a portion of a field; ● determination of a predicted average annual rate of erosion for a field or a portion of a field; ● determination of the potential average annual rate of erosion for a field or a portion of a field. ● determination by a conservation district, or by a designated conservationist in those areas where no conservation district exists, that a conservation system or a conservation plan should not be approved. B. Wetland determinations: ● determination that certain land is a "wetland" as defined by the act; ● determination that certain land is a "converted wetland" as defined by the act; ● determination of whether the conversion of wetland for the production of an agricultural commodity on such converted wetland will have minimal effect on the hydrological and biological aspects of wetland. ● determination of whether wetlands are exempted as result of being prior converted, artificial, or irrigation-induced wetlands, or wetlands farmed under natural conditions. C. Whether SCS followed its policies and procedures.				
How To Appeal	You should request reconsideration by the person or committee of the agency making the initial determination within 15 days (30 days for FmHA, and 45 days for SCS) of the mailing of the determination. Appeals of adverse decisions may be made to the next level of appeal within 15 days (30 for FmHA, and 45 days for SCS) of the mailing of the decision. Decisions by the highest listed authority in each agency are final and there are no further administrative appeal rights. The succession of levels for appeal following reconsideration by the person or committee making the initial determination are: <table> <tr> <td> For ASCS 1st — County ASC Committee 2nd — State ASCS Committee 3rd — Deputy Administrator for State and County Operations </td><td> For FmHA: 1st — County Supervisor 2nd — District Director 3rd — State Director 4th — Administrator </td></tr> <tr> <td> For FCIC:* 1st — Field Operations 2nd — Kansas City Appeals Board: Claims Division 3rd — Assistant Manager, FCIC Washington, DC </td><td> For SCS: 1st — District Conservationist 2nd — Area Conservationist 3rd — State Conservationist 4th — Deputy Chief for Programs </td></tr> </table>	For ASCS 1st — County ASC Committee 2nd — State ASCS Committee 3rd — Deputy Administrator for State and County Operations	For FmHA: 1st — County Supervisor 2nd — District Director 3rd — State Director 4th — Administrator	For FCIC:* 1st — Field Operations 2nd — Kansas City Appeals Board: Claims Division 3rd — Assistant Manager, FCIC Washington, DC	For SCS: 1st — District Conservationist 2nd — Area Conservationist 3rd — State Conservationist 4th — Deputy Chief for Programs
For ASCS 1st — County ASC Committee 2nd — State ASCS Committee 3rd — Deputy Administrator for State and County Operations	For FmHA: 1st — County Supervisor 2nd — District Director 3rd — State Director 4th — Administrator				
For FCIC:* 1st — Field Operations 2nd — Kansas City Appeals Board: Claims Division 3rd — Assistant Manager, FCIC Washington, DC	For SCS: 1st — District Conservationist 2nd — Area Conservationist 3rd — State Conservationist 4th — Deputy Chief for Programs				

*Companies reinsured by FCIC will utilize their own appeal process.

This sheet provides general information on the appeals procedure of the Food Security Act of 1985. Published rules and regulations are available at local USDA offices.

All USDA programs and services are available without regard to race, color, national origin, religion, sex, age, marital status, or handicap.

RECEIPT

Division of Water Rights

413313

South Dakota Department of Water and Natural Resources

Pierre, July 16, 1992

RECEIVED OF Reuben Rodell, Rodell Ranch, RR 2 Box 52, Conde, SD 57434
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>5697-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	250	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	250	00

By John Hatch
Chief Engineer

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4717

WR#

OWNERS NAME: RODELL, REUBEN OWNERS ADDRESS: RR 2 BOX 52
CONDE, SD 57434

COUNTY LAND LOCATED IN: CLARK PHONE: _____

LEGAL DESCRIPTION:

1. LOCATION SW $\frac{1}{4}$ SW $\frac{1}{4}$ 16-T119N-R59W

Depth _____

☒ Well

☐ Surface



Legal Description	Acres	Legal Description	Acres
<u>SW$\frac{1}{4}$ NW$\frac{1}{4}$ 16-T119N-R59W</u>	<u>40</u>		
<u>SE$\frac{1}{4}$ NW$\frac{1}{4}$ 16-T119N-R59W</u>	<u>40</u>		
<u>NE$\frac{1}{4}$ SW$\frac{1}{4}$ 16-T119N-R59W</u>	<u>40</u>		
<u>NW$\frac{1}{4}$ SW$\frac{1}{4}$ 16-T119N-R59W</u>	<u>40</u>		

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

3. CROPS TO BE IRRIGATED: ALFALFA

WATER QUALITY:

4. WATER SAMPLE NUMBER: <u>92-0256</u>	7. ADJUSTED (SAR): <u>7.41</u>
5. SALINITY (EC X 10 ⁶): <u>1500</u>	8. PERCENT SODIUM: <u>38.64</u>
6. SODIUM (SAR): <u>2.90</u>	

Requirements:

The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a Soil and Water Compatibility Permit by the Division, or the Commission.

Russell J. Laro
Director, Division of Conservation

JULY 28, 1992
Date

XXX APPROVED
____ DISAPPROVED
____ WAIVER

XXX REQUIREMENTS

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



July 16, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Reuben Rodell
Rt 2, Box 52
Conde SD 57434

Dear Mr. Rodell:

In regard to your water permit application received on July 16, 1992, the following information needs to be clarified in order to process your application.

Item No. 7 of the application needs to be completed. Please list each 40 acre subdivision (quarter-quarter) and the number of acres to be irrigated in each subdivision.

The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Upon receipt of the above, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

Enclosed are papers I completed Item # 7

*Sincerely
Reuben Rodell*

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Reuben Rodell

ADDRESS: Rt 2, Box 52, Conde, SD 57434

COUNTY: Clark

DATE: 7/20/92

TELEPHONE: 382-5877

RE: Phone conversation with Mr. Rodell

COMMENTS:

Mr. Rodell called regarding the letter we sent him on July 16, 1992 regarding his application form. This letter requested that Item No. 7 on the application needs to list each 40 acre subdivision and the number of acres to be irrigated in each subdivision. Mr. Rodell stated that the entire 40 acres in each of the SW1/4 NW1/4, SE1/4 NW1/4, NE1/4 SW1/4, and NW1/4 SW1/4 Section 16, T119N, R59W would be irrigated. He stated he would complete Item No. 7 on the application and sent the form back in.

I pointed out that the map submitted with the application outlines an area less than 40 acres in each quarter-quarter. Mr. Rodell stated the outlined area was the area he was breaking up, but that the 40 acres in each quarter-quarter would be irrigated.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Hansen

REPORT ON APPLICATION NO. 5697-3
for Reuben Rodell
September 25, 1992

Application No. 5697-3 proposes to appropriate 2.0 cfs (900 gpm) from one well approximately 157 feet deep located in the SW 1/4 SW 1/4 of section 16 to irrigate 160 acres located in the S 1/2 NW 1/4 and the N 1/2 SW 1/4 of section 16; all in T119N R59W in Clark County.

AQUIFER - ALTAMONT (A)

The Altamont is a confined glacial outwash (sand and gravel) under predominantly artesian conditions. The aquifer underlies 537,200 acres and contains an estimated 3.33 million acre feet of recoverable water in storage in Clark County (Hedges, 1982). The aquifer is laterally extensive, underlying portions of Day County to the north, Codington County to the east and extending into Spink and Beadle Counties to the west and south. Ground water movement is from east to west and north to south across the area. The aquifer is prolific and data from an aquifer test in this same township indicates a transmissivity over 200,000 gpd/ft (Hamilton, 1986).

The Division of Water Rights monitors 3 observation wells (CK-80A, CK-76A and CK-76B) all located within 3 miles of this application. Observation well CK-76A will be within 1/4 mile of this proposed diversion. Water levels for these wells do respond to pumping and to climatic conditions. The hydrographs show the effects of pumping (especially CK-76A) which illustrates the fluctuation of artesian head. Also the hydrographs show the effects of recharge to the aquifer. Ground water levels rise due to recharge during wet years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1992). The hydrographs for these three wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing irrigation water permits/rights within one mile of this application. These are Water Right No. 4292-3 and Water Permit No. 2653-3. Interference is not expected to be a concern. Because this area is confined and under artesian conditions, drawdown will be created by pumping. The effects of this drawdown is not expected to be adverse. The observation well record indicates that there is drawdown but considering the thickness of the aquifer and the historical water level record this fluctuation is not adverse.

CONCLUSIONS

1. Water is available from the Altamont aquifer.

2. The aquifer is under confined conditions. Drawdown caused by pumping can be expected. This has not been significant in the past and the addition of this diversion should not change that. Interference is not expected to be a concern.
3. Any well authorized by this application must be constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

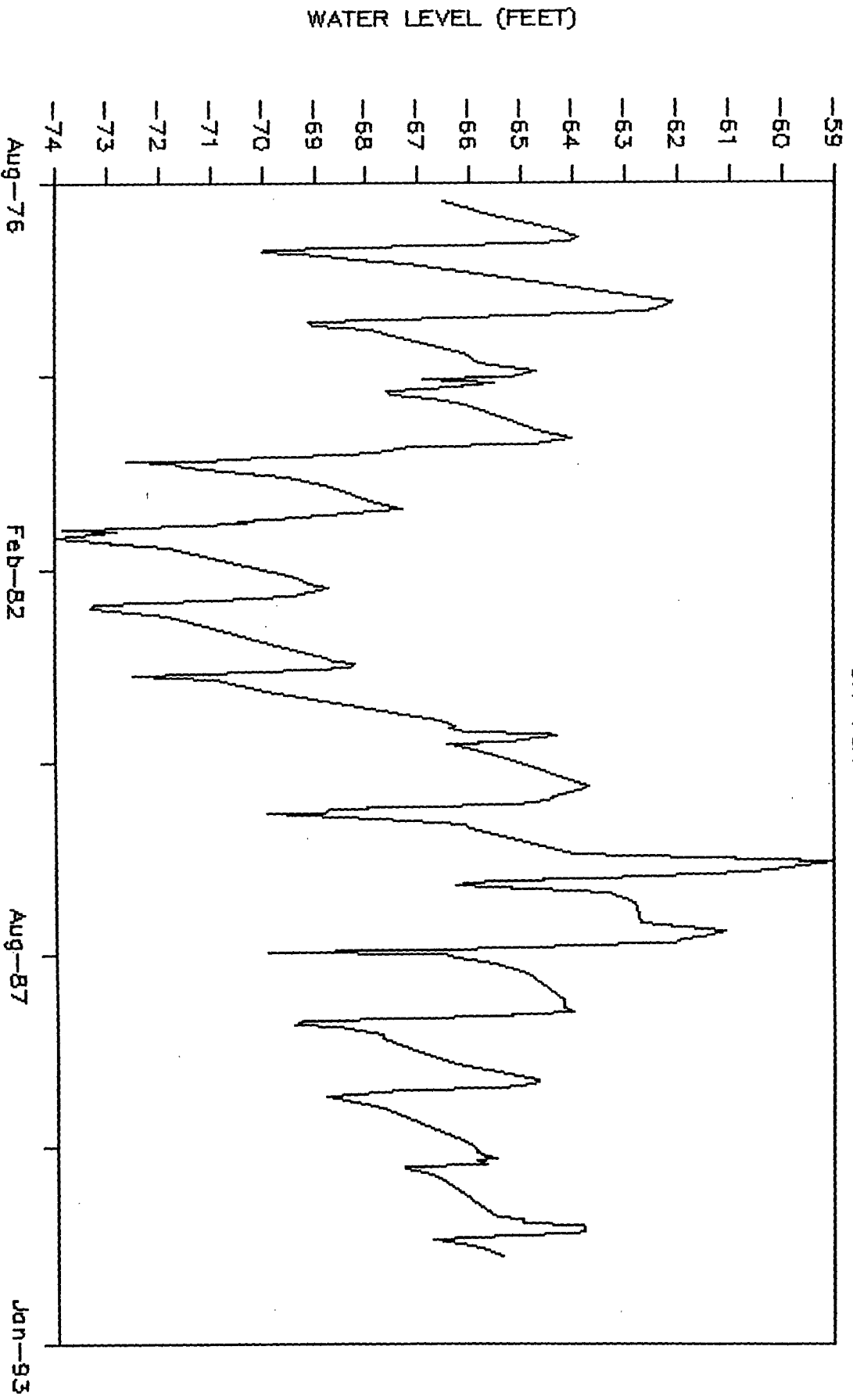
Hamilton, L.J., 1986, Geology and Water Resources of Clark County, South Dakota, Bulletin 29, Part II: Water Resources, SD DENR, SDGS, Vermillion, SD, 57069.

Hedges, L.S., et al, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1992, Unpublished Observation Well Records for Clark County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

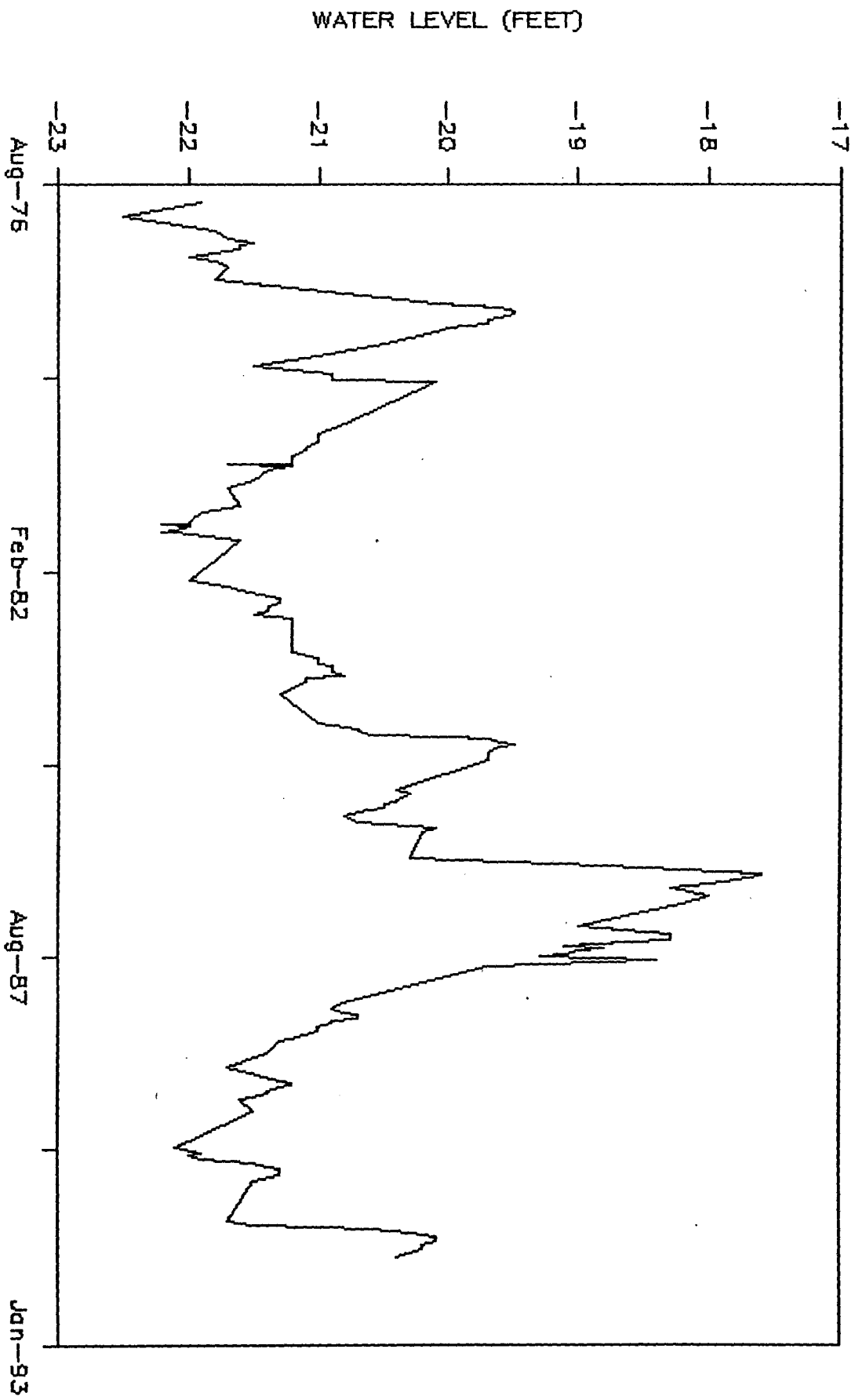
WATER RIGHTS OBSERVATION WELL

CK-76A



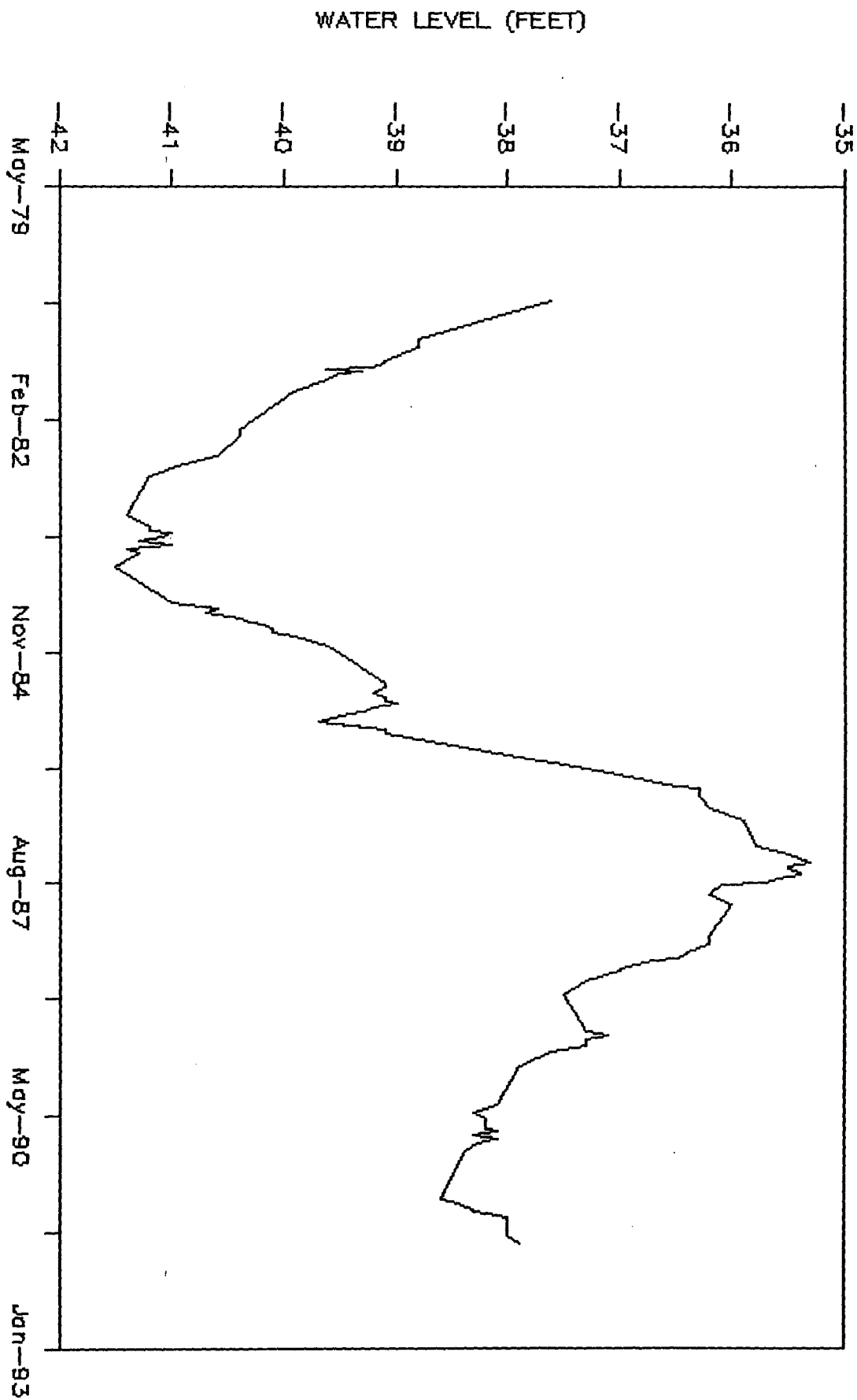
WATER RIGHTS OBSERVATION WELL

OK-76B



WATER RIGHTS OBSERVATION WELL

CK-80A



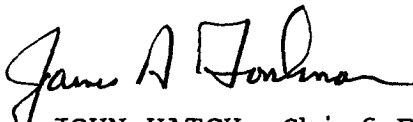
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5697-3, Reuben Rodell

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5697-3, Reuben Rodell, Rt 2 Box 52, Conde, SD 57434.

The Chief Engineer is recommending APPROVAL of Application No. 5697-3 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) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 5697-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


for JOHN HATCH, Chief Engineer
October 6, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

October 22, 1992

Reuben Rodell
Rt 2 Box 52
Conde, SD 57434

Dear Mr. Rodell:

Water Permit Application No. 5697-3 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 Clark County Courier printed at Clark, SD (Ph # 532-3654). 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 Hearing 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 22, 1992

Clark County Courier
Box 189
Clark, SD 57225

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5697-3 to be published twice. Please publish the first notice on October 28, 1992, 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 Reuben Rodell, Rt 2 Box 52, Conde, SD 57434 (Ph # 382-5877).

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. No action may be taken on the permit application 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.

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on October 28, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5697-3 to Appropriate Water

Notice is given that Reuben Rodell, Rt 2 Box 52, Conde, SD 57434 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well (Altamont Aquifer) 157 feet deep located in the SW 1/4 SW 1/4 Section 16 to irrigate 160 acres located in the S 1/2 NW 1/4 and the N 1/2 SW 1/4 Section 16; all in T119N-R59W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5697-3 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 16, 1992. 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 the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5697-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for November 24, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the November 24, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The November 24, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 16, 1992.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact Eric Gronlund by November 16, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-1, 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-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 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. Robert E. Roberts, Secretary, Division of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
 County Clark)



I, Bert Moritz

certify that the attached printed Notice was
 from the Clark County 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 _____

State _____ of South Dakota

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

October 28, 1992

November 4, 1992

Bert Moritz
 (Signature)

Publisher
 (Title)

11/5/92
 (Date Signed)

Cost of Printing: \$59.65

127 lines 2 times

5-88

Joan M. Furness
 My commission expires
 7-15-1999

**Notice of Hearing
 on Application No. 5697-3
 to Appropriate Water**

Notice is given that Reuben Rodell, Rt. 2, Box 52, Conde, SD 57434 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well (Altamont Aquifer) 157 feet deep located in the SW 1/4 SW 1/4 Section 16 to irrigate 160 acres located in the S 1/2 NW 1/4 and the N 1/2 SW 1/4 Section 16; all in T119N-R59W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5697-3 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)": and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 16, 1992. 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 the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearings on Application No. 5697-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for November 24, 1992, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the November 24, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the

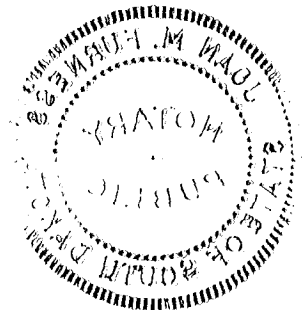
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Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The November 24, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 16, 1992.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25. Robert E. Roberts, Secretary, Department of Environment and Natural Resources. 10-28-2t





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 24 1992

Reuben Rodell
Rt 2 Box 52
Conde, SD 57434

Dear Mr. Rodell:

Enclosed is Water Permit No. 5697-3 authorizing construction of your water diversion system and beneficial use of the water, 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 USE

Date 9/19/96

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: REUBEN RODELL R 2 Box 52
(name) (address)
CONDE SD 57434 605/382-5877
(city) (state) (zip) (phone)

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. 5697-3.

Water Permit No. 5697-3 states that the diversion system is to be constructed by 11/24/97, and that the water is put to beneficial use by 9/19/96.
(date) (date)

The diversion system was completed on 6/1/94.
(date)

Applying the water to beneficial use was completed on 8/1/94.
(date)

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

Lawrence For Reuben Rodell
(signature)

REPORT ON INSPECTION OF PERMIT NO. 5697-3

DATE OF INSPECTION: 9/19/1996

Contact Person & Address: Leo Dunlavy, R2 Box 52, Conde SD

DIVERSION POINT LEGAL LOCATION: from the SW corner of Sec 16 T119N-R59W: 500 ft N and 100 ft E

WATER SUPPLY Source: groundwater, Altamont Aquifer

Well Information:

- | | |
|---------------------------------------|-------------------------------------|
| 1) Well Drilling Firm: <u>Pullman</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>160</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|------------------------------|---------------------------|
| 1) Diameter <u>12</u> inches | 2) Length <u>130</u> feet |
| 3) Type <u>PVC</u> | |

Screen:

- | | |
|--------------------------------------|--------------------------|
| 1) Type <u>PVC</u> | 2) Length <u>30</u> feet |
| 3) Static water level <u>72</u> feet | |

Pump:

- | | |
|---------------------------------|----------------------------|
| 1) Make <u>American Turbine</u> | 2) Model <u>93034</u> |
| 3) Size <u>10</u> | 4) Capacity <u>800</u> GPM |

Motor:

- | | |
|-----------------------------------|---------------------------|
| 1) Make <u>US Electrical</u> | 2) Model No. <u>364TP</u> |
| 3) Horsepower rating <u>60</u> hp | |

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC 2) Size 6 inches 3) Length 2000 feet

SYSTEM TYPE:

Center pivot:

- | | |
|-------------------------------------|------------------------------------|
| 1) Make <u>unknown</u> | 2) Overall length <u>1280</u> feet |
| 3) Number of towers <u>8</u> | 4) End gun <u>y</u> |
| 5) High or low pressure <u>high</u> | 6) Capacity <u>900</u> GPM |

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no
- 2) Main line check valve #
- 3) Inspection port/air relief #
- 4) Low pressure drain #
- 5) Discharge is 20' from source #
- 6) Interlock type #
- 7) Injection pump type #
- 8) Injection check valve #
- 9) Injection line check valve or positive displacement pump #
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules #
- 11) Comments : #

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

Permit No. 5697-3
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

On, September 19, 1996, I made a thorough examination of the water use system constructed by Reuben Rodell of RR 2 Box 52, Conde SD 57434 holder of Permit No. 5697-3, bearing the priority of November 24, 1992 authorizing the diversion of 2.0 cu. ft. per second of the waters of groundwater for irrigation purposes, in Clark County.

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

A. Works used to divert the water:

An American Turbine pump with a 900 gpm capacity

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

2000 ft of 6 inch PVC

C. Works used to apply water to beneficial use:

A 1280 ft center pivot

The system is in the following condition good. The point of diversion is located from the SW corner of Sec 16 T119N-R59W: 500 ft N and 100 ft E. The works are capable of diverting and conveying to the place of use 2.0 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 land located in Section 16 T119N-R59W:

SE1/4 NW1/4 - 33 ac

SW1/4 NW1/4 - 33 ac

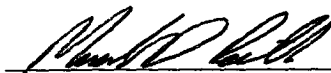
NW1/4 SW1/4 - 33 ac

NE1/4 SW1/4 - 33 ac

comprising a total of 132 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



Mark D. Rath

Natural Resources Engineer
DENR, Water Rights Program

10/9/96

Date



NORTH

NOT TO SCALE

1992

PHOTO

T-3184

579-119R

T-10397

33ac

New Boundary

33ac

T-10398

16

741

33ac

33ac

NHEL

asphalt

100'

WELL

500'

①

T-2

119-59

T-2992

5697-3

Mark D Rath
Natural Resources Engineer
Division of Water Rights
Date 10/8/96

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5697-3

(1) Reuben Rodell, RR #2 Box 52, Conde, SD 57434 made Application No. 5697-3, July 16, 1992 for a water permit to divert 2.00 cubic feet of water per second from ground water (one well), Clark County, South Dakota for irrigation purposes. Permit No. 5697-3, with a priority date of July 16, 1992 was approved November 24, 1992 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 24, 1997 and for the application to beneficial use of said water on or before November 24, 2001.

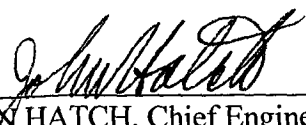
The permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" on September 19, 1996. The "Notice" stated the diversion system and application of water to beneficial use was completed on June 1, 1994.

(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 500'N and 100'E of the SW corner of Section 16, T119N, R59W (SW $\frac{1}{4}$ SW $\frac{1}{4}$).

(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 16, T119N, R59W			
SE $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$	33 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33 acres
Total acres irrigated 132			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Reuben Rodell, RR #2 Box 52, Conde, SD 57434 the holder and/or owner of Water Permit No. 5697-3 is issued a license to appropriate water, the right to use 1.89 cubic feet of water per second from ground water (one well) with a priority date of November 24, 1992 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 5697-3 and subject to South Dakota State Law.


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

OCT 17 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 10, 1996

5697-3

Reuben Rodell
RR 2, Box 52
Conde, SD 57434

Dear Mr. Rodell:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5697-3, 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 investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

Sincerely,

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

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

RECEIPT

415155

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 15, 19 96

RECEIVED OF Rodell Ranch, Reuben Rodell, RR 2, Box 52, Conde, SD 57434

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>5697-3</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 ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 17 1996

5697-3

Reuben Rodell
RR 2, Box 52
Conde, SD 57434

Dear Mr. Rodell:

Enclosed is Water License No. 5697-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415155 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5697-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

gm
enclosures



5697-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2000

NOTICE

TO: REUBEN RODELL, RR 2 BOX 52, CONDE, SD 57434
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5697-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 5697-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 5697-3 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 on/or before February 28, 2000, 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 at (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.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

REUBEN RODELL
RR 2 BOX 52
CONDE SD 57434

COMPLETE THIS SECTION ON DELIVERYA. Received by (Please Print Clearly) *1-15-80*

C. Signature

R. Rodell

- ☐ Agent
☐ Addressee

☒ Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

2 227 670 216



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 20, 2000

5697-3

Reuben Rodell
RR 2 Box 52
Conde, SD 57434

Dear Mr. Rodell:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 5697-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2001

NOTICE

TO: REUBEN RODELL, RR 2 BOX 52, CONDE, SD 57434

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5697-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 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) 5697-3 qualification:

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

The hearing will be held at 10:00 am, March 7, 2001 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 5697-3 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 on/or before March 2, 2001, 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 at (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.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

REUBEN RODELL
RR 2 BOX 52
CONDE SD 57434

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

1-20-01

C. Signature

X

- ☐ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

Reuben Rodell

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 2027

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2001

5697-3

Reuben Rodell
RR 2 Box 52
Conde, SD 57434

Dear Mr. Rodell:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 5697-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 4, 2002

5697-3

Dan Reppe
RR 2 Box 52
Conde, SD 57434

Dear Mr. Reppe:

Thank you for calling us regarding the ownership change for Water Right No. 5697-3. Enclosed are copies of the water right, investigation report, map, application report, a sample irrigation questionnaire report and the 2001 questionnaire submitted by Mr. Rodell. You may keep these for your records.

Also enclosed is a partially completed Notice of Transfer of Ownership form for use in filing an ownership change for Water Right No. 5697-3. Please review the form and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and return it to our office with a filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions concerning the water right or completion of the transfer form, please let me know.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 5697-3

RECEIVED

MAR 13 2002

WATER RIGHTS
PROGRAM

Date: 3-8-2002

I/We request that Water Right No. 5697-3

formerly owned by: Reuben Rodell

be transferred to: (name & address)

Dan Reppe RR2 Box 52

Conde, SD. 57434

Telephone No. 605-382-5277

Title to the following described land(s)/property has been transferred as described above:

132 acres in the S 1/2 NW 1/4 and N 1/2 SW 1/4 Section 16, T119N, R59W

I/We understand that the validity of Water Right No. 5697-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Clark)

I/We Dan Reppe being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Dan Reppe
(Signed by new owner)

Subscribed and sworn to before me this 12 day of March, 2002

Tresa L. Hemmingson
(Notary Public)

My commission expires 6-22-07

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT
Water Rights Program
South Dakota Department of Environment and Natural Resources

417121

Pierre, March 13, 20 02

RECEIVED OF Dan Rappe, RR 2 Box 52, Cordero, SD 57434

the following amount in fees for services rendered as provided for by law: (Reuben Rodell)

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. _____		
Fee for Filing Transfer Form <u>59697-3</u> 5697-3	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By Darland Erbe
Chief Engineer *gm*



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 14, 2002

5697-3

Dan Reppe
RR 2 Box 52
Conde, SD 57434

Dear Mr. Reppe:

Thank you for following up on the ownership change for Water Right No. 5697-3. The transfer has been completed and the water right, formerly held by Reuben Rodell is now listed in your name.

Enclosed is your Receipt No. 417121 in the amount of \$2.50.

If you have any questions, please let me know.

Sincerely,

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

enclosure