

WATER PERMIT NO. 5766-3

Phone: 605 356-3182

Name of Applicant: Allen Pace

Post Office Address: Box 292, Elk Point SD 57025

Amount of Water Claimed: 1.77 cfs Total Acres: 240

Source of Water Supply: groundwater

Water to be used for: irrigation County: Union

About 5 miles South of Elk Point

PRIORITY Date Received: 4-12-93 Fee: \$275 Remarks: _____

Corrected Application Received: 4-19-93 Period of Annual Use: June 1 - Aug 31

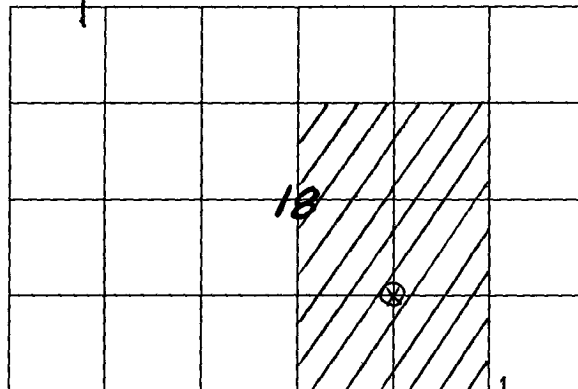
WATER QUALITY APPROVAL RECEIVED: 5-6-93 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES ____ NO ____ REMARKS: _____

Diversion Point: center ^{SE 1/4} ~~SW 1/4~~ Sec 18-T90N-R49W

Land to be Irrigated: S 1/2 NE 1/4, SE 1/4

Sec 18-T90N-R49W



Well Log: Driller: Wetmore Drilling Licensed YES X NO ____

Depth of Well: 136' REMARKS: _____

Type of Map: aerial PREPARED BY: John McIntoch, ASCS Reviewed and the Number

Assigned on: 5-6-93 By: Karen Schlaak

FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 5766-3 Hydrologic Unit 10170101360
Basin Vermillion River
Newspaper Elk Point Leader-Courier, Box 310 57025
(office use only)



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

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.) _____

- Name of Applicant Allen Pace Phone 605-258-2122
(check one) ☐ Owner ☒ Tenant/lessee
Mailing Address Box 272 Elk Point State SD 57025
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 1.77 *CFS or 800 **GPM ***AF Total Acreage 240
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet -- storage capacity of dam/dugout if applicable)
- Source of water supply well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
SE 1/4, S2 NE 1/4 18 T 90 R 49 center SE 1/4 18 T 90 N R 49 W
County Union
- County or counties where water will be used Union
- Annual period during which water is to be used June 1 - Aug 31
- List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres
SW 1/4 NE 1/4 18 T 90 R 49	40.0
SE 1/4 NE 1/4 18 T 90 R 49	40.0
NW 1/4 SE 1/4 18 T 90 R 49	40.0
NE 1/4 SE 1/4 18 T 90 R 49	40.0

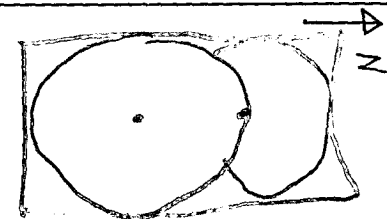
Land Description	Acres
SW 1/4 SE 1/4 18 T 90 R 49	40.0
SE 1/4 SE 1/4 18 T 90 R 49	40.0

Land Description	Acres
SW 1/4 SE 1/4 18 T 90 R 49	40.0
SE 1/4 SE 1/4 18 T 90 R 49	40.0

Land Description	Acres
SW 1/4 SE 1/4 18 T 90 R 49	40.0
SE 1/4 SE 1/4 18 T 90 R 49	40.0

- Type of Irrigation: Gravity: ☐ Towline: ☐ Center Pivot: ☒ Gun: ☐ Other (Specify): _____
- Crops to be irrigated: corn & soybeans
- Give a description of the project. (Attach sheet if more space is needed)

a center pivot used to irrigate
a 240 acre farm. This well will also
provide water to another location
1300 feet away.

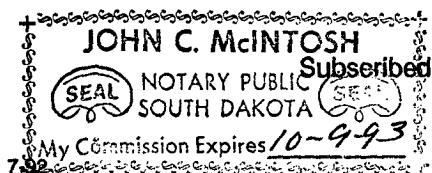


Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach maps, soils information and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA

County of UNION SS

I, Allen Pace, 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 representative of the water to be used, and that the matters stated in this application are true and correct.



Signed Allen Pace
Subscribed and sworn to before me this 16 day of MARCH 19 93
John C. McIntosh
Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 5766-3**

Date of first receipt of application April 12, 1993.

Date Soil/Water Compatibility Permit received May 6, 1993.

Date of return to applicant for corrections, amendments or changes April 13, 1993.

Date of receipt of corrected application April 19, 1993.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5766-3 to Allen Pace, Box 292, Elk Point SD 57025 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5766-3 appropriates 1.77 cubic feet of water per second from one well (Missouri:Elk Point Aquifer) 136 feet deep located in the center of the SE 1/4 Section 18 to irrigate 240 acres located in the S 1/2 NE 1/4, SE 1/4 Section 18; all in T90N-R49W.
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: June 1 - August 31.
3. The date from which applicant may claim right is April 12, 1993.
4. The date of approval of Permit No. 5766-3 is July 14, 1993.
5. One-fifth of the construction is to be completed on or before January 14, 1996.
6. All construction is to be completed on or before July 14, 1998.
7. Water is to be put to beneficial use on or before July 14, 2002.
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. 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

AUG 10 1993
date

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 18 1/2 inch Depth 136'
- b) Casing Type PVC Diameter 16" Thickness 16-LB/FT
- c) Screen Type PVC Diameter 16" Thickness 16-LB/FT
- d) Gravel Pack Thickness 24" Length of Gravel Pack 30'
- e) Depth to Top of Water Bearing Material 61'
- f) Depth to Water (ground surface to water level) 26'
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others 1500 Feet

2. Dugout Information

- 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 for each dam. The locations of the dams need to 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

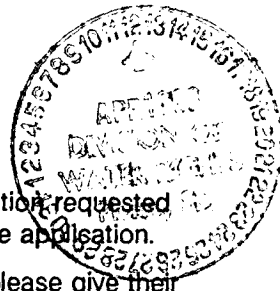
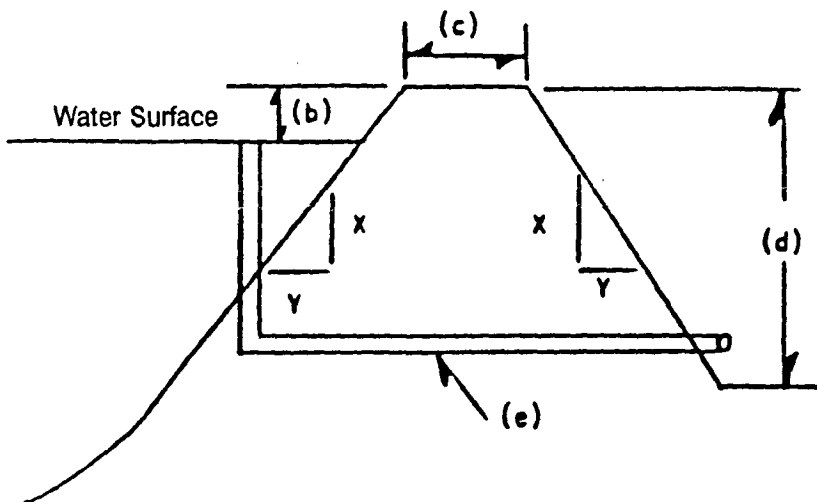
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area above Dam _____ Acres

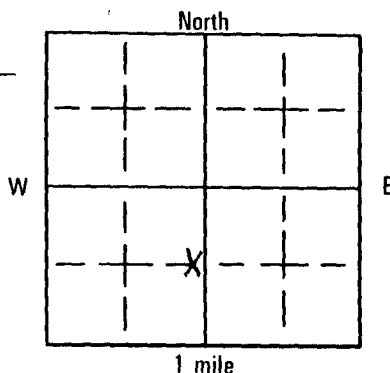


SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location E 1/2 SW 1/4 Sec 18 Twp 90N Rg 49WCounty Union

Please mark well location with an "X"

Well Completion Date 6-17-92

PROPOSED USE:

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

Method of Drilling:

Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>16</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>96</u> FT	<u>18 1/4</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? 25 FEETWhat is grouting material? best cementIf cement, number of sacks? 15Describe grouting procedure Pumped w/ Tremie pipeWhat was grout weight? 15.5 LB/GALSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 16 IN Length 40 FEETMaterial plasticSlot Size 60 Set From 96 Feet To 134 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 ☐ NOExplain Chlorine SolutionBacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name Allan PaceAddress 221, Elk Point, SD 57025

Well Log:

Depth

Formation	From	To
Top Soil	0	3
Brown Clay	3	10
Fine Sand	10	61
Sand & Gravel	61	106
Boulder	104	106
Sand & Gravel	106	138
Clute	138	142

STATIC WATER LEVEL 26 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:

☒ Pumped☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

54 ft. After 3 Hrs. pumped 800 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 341

And this report is true and accurate.

Drilling firm Wetmore Drilling

Signature of License Representative:

Signature of Well Owner:

Allan PaceDate 1-12-93

T-769

NHEL

1 60.4

T-660

T-756

NHEL

1 37.8

T-648

John A. McEntal
Assistant

Elk County Asses

Elk Point, SD 57445

PH 356-3315

1 76.7

T-730

18

Landowner
D.E. Pace

T-661

NHEL

1091

Irrigated

186.9

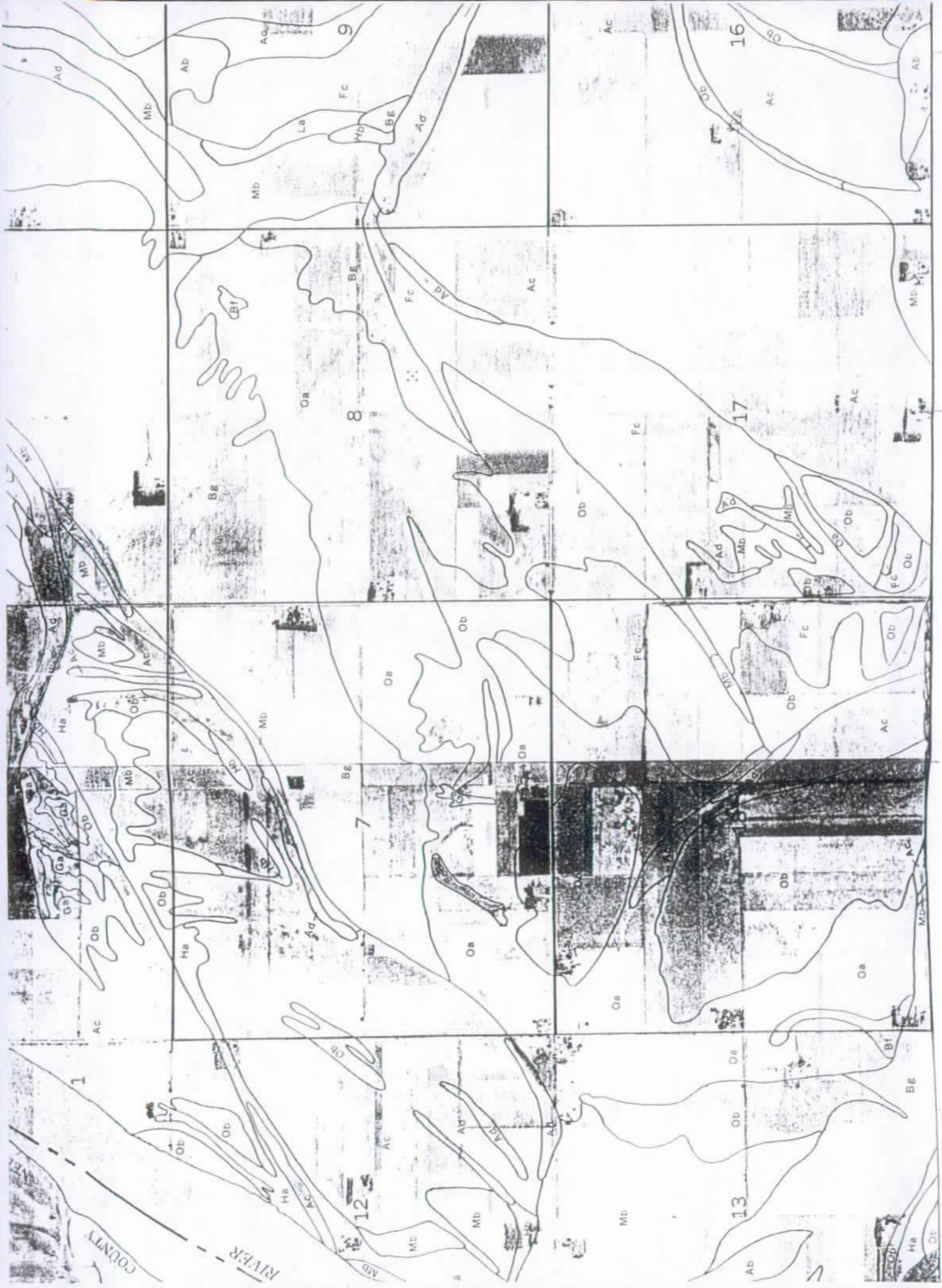
Irrigated

65.8

90-49

2 228.2

5746-3



RECEIPT

413728

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, April 12, 1993RECEIVED OF Allen Pace, Box 292, Elk Point, SD 57025

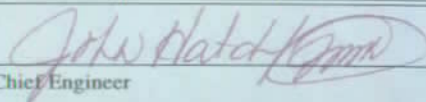
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>5766-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	275	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 _____		

(Any Other Work Provided by Law)	Total	275 00

By

Chief Engineer



Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4771

WR#

OWNERS NAME: PAGE, ALLEN OWNERS ADDRESS: BOX 292
ELK POINT SD 57025

COUNTY LAND LOCATED IN: UNION PHONE: (605)356-3182

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION CENTER SE $\frac{1}{4}$ 18-T90N-R49W

Depth _____

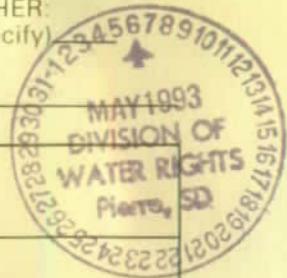
Legal Description	Acres	Legal Description	Acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 18-T90N-R49W	40	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 18-T90N-R49W	40
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 18-T90N-R49W	40	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 18-T90N-R49W	40
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 18-T90N-R49W	40	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 18-T90N-R49W	40

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

3. CROPS TO BE IRRIGATED: CORN & SOYBEANS

WATER QUALITY:

4. WATER SAMPLE NUMBER: 93-0099 7. ADJUSTED (SAR): 2.62
5. SALINITY (EC X 10⁶): 1400 8. PERCENT SODIUM: 15.00
6. SODIUM (SAR): 0.91



Requirements:

THE SOILS OF THE PROJECT ALL HAVE SEASONAL HIGH WATER TABLES, WHICH UNDER IRRIGATION, MAY REMAIN IN A PERCHED CONDITION. SHOULD THIS OCCUR, THE WATER TABLE MAY INHIBIT THE LEACHING OF SALTS, ADVERSELY AFFECT CROPS AND CAUSE TRAFFICABILITY PROBLEMS; AS SUCH, ADEQUATE INTERNAL DRAINAGE IS NECESSARY. TO ACHIEVE THIS, NECESSARY INTERNAL DRAINAGE MAY REQUIRE A FORM OF ARTIFICIAL DRAINAGE; I.E., TILE, TO BE INSTALLED, AS DEEMED NECESSARY.

PLEASE BE ADVISED, WE DO NOT CONSIDER YOUR PARTICIPATION IN ANY PROGRAMS IN DEVELOPING OUR RECOMMENDATION; SO BEFORE UNDERTAKING ANY DRAINAGE PROJECT, CONTACT YOUR LOCAL ASCS AND SCS OFFICE.

Russell J. Stone

Director, Division of Conservation

MAY 4, 1993

Date

XXX APPROVED

____ DISAPPROVED

____ WAIVER

XXX REQUIREMENTS

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1993

Allen Pace
RR 1
Elk Point, SD 57025

Dear Mr. Pace:

A well driller's report filed by Wetmore Drilling shows that they completed a new well for you which produced 800 Gallons Per Minute (GPM). Based on the information in the report, it appears you need water permit.

1. A water permit must be obtained for any water use except for reasonable, private domestic use. Reasonable domestic use is defined as use of 18 Gallons Per Minute (GPM) or less, on an average daily basis (26,000 gallons per day), with a maximum rate not exceeding 25 GPM. Irrigation of more than one acre requires obtaining a water permit. Enclosed are application forms and an instruction sheet to apply for a water permit to irrigate.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. If your new well was drilled as a replacement well, and you do not plan to use the old well, the old well is considered abandoned. All abandoned wells must be plugged by a licensed well driller. If the old well is not going to be abandoned, but ill not be used, the well must be sealed or capped at the surface until such time that it is used.

Please use the enclosed postage free envelope to return the completed application by February 28, 1993 or contact Barry McLaury, Natural Resources Analst, at 605-773-3352 if you have questions.

Very truly yours,

RON DUVALL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 1993

Allen Pace
RR 1
Elk Point, SD 57025

Dear Mr. Pace:

This is a follow up of my January 22, 1993 letter concerning the need for a water permit for your water use. A well driller's report filed by Wetmore Drilling shows that they completed a new well for you which produced 800 Gallons Per Minute (GPM). Based on the information in the report, it appears you need a water permit.

1. A water permit must be obtained for any water use except for reasonable, private domestic use. Reasonable domestic use is defined as use of 18 Gallons Per Minute (GPM) or less, on an average daily basis (26,000 gallons per day), with a maximum rate not exceeding 25 GPM. **Any irrigation in excess of 18 GPM or one acre requires obtaining a water permit.** Enclosed are application forms and an instruction sheet to apply for a water permit.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. If your new well was drilled as a replacement well, and you do not plan to use the old well, the old well is considered abandoned. All abandoned wells must be plugged by a licensed well driller. If the old well is not going to be abandoned, but will not be used, the well must be sealed or capped at the surface until such time that it is used.

Please use the enclosed postage free envelope to return the completed application by February 28, 1993 or contact Barry McLaury at 605-773-3352 if you have any questions.

Very truly yours,

RON DUVAL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 30, 1993

Allen Pace
RR 1
Elk Point, SD 57025

Dear Mr. Pace:

This is to follow up my January 22, 1993 and March 10, 1993 letters concerning the need for a water permit for your water use. **NO RESPONSE HAS BEEN RECEIVED.** A well driller's report filed by Wetmore Drilling shows that they completed a new well for you which produced 800 Gallons Per Minute (GPM). Based on the information in the report, it appears you need a water permit.

1. A water permit must be obtained for any water use except for reasonable, private domestic use. Reasonable domestic use is defined as use of 18 Gallons Per Minute (GPM) or less, on an average daily basis (26,000 gallons per day), with a maximum rate not exceeding 25 GPM. **Any irrigation in excess of 18 GPM or one acre requires obtaining a water permit.** Enclosed are application forms and an instruction sheet to apply for a water permit.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. If your new well was drilled as a replacement well, and you do not plan to use the old well, the old well is considered abandoned. All abandoned wells must be plugged by a licensed well driller. If the old well is not going to be abandoned, but will not be used, the well must be sealed or capped at the surface until such time that it is used.

Please use the enclosed postage free envelope to return the completed application by January 28, 1993 or contact Barry McLaury at 605-773-3352 if you have any questions.

Very truly yours,

RON DUVALL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
enclosure



April 13, 1993

Allen Pace
Box 292
Elk Point SD 57025

Dear Mr. Pace:

In regard to your water permit application received on April 12, 1993, the following information needs to be submitted and clarified in order to process your application.

Item No. 2 of the application, states total acreage as 200 acres. On Item No. 7, the number of acres listed totals 240 acres. Which amount is correct? It would appear from the map submitted with the application that you intend to irrigate 240 new acres. The two figures must be the same. The filing fee remains the same whether you apply for 200 or 240 acres. Also, Item No. 7 states 40 acres will be irrigated in the SW 1/4 NW 1/4. None of the acreage outlined on the aerial photo is located in the NW 1/4. Should that be the SW 1/4 NE 1/4 Section 18?

Item No. 4 of the application, states the location of the diversion point as SE 1/4, S 1/2 NE 1/4 Section 18. It would appear from the aerial photo submitted with the application, that the well is located in the center of the SE 1/4 Section 18-T90N-R49W. Is this location correct?

Item No. 10 of the application, makes mention of another well being utilized. It is unclear what your intentions are. Are you referring to the permit which is located in the W 1/2 Section 18? Is that well going to be used in conjunction with the well you are applying for? Our files indicate the permit located in the W 1/2 Section 18 is held by Harold Ballinger. Are you now the owner and if so a Notice of Transfer needs to be filed.

A well log or driller's test log signed by a South Dakota licensed well driller must accompany the application.

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

enclosures

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Allen Pace

ADDRESS: Box 292, Elk Point SD 57025 COUNTY: Union

DATE: 4-19-93 TELEPHONE: 356-3182

RE: Pending Application

COMMENTS:

Allen Pace called regarding my letter dated April 13, 1993. Mr. Pace stated the well is located in the center of the SE 1/4 Section 18-T90N-R49W. The application is to irrigate 240 acres. On Item No. 7 of the application, the first line should be SW 1/4 NE 1/4 Section 18. Only one well will be utilized. The land in the W 1/2 Section 18 is owned by someone else.

Mr. Pace stated we should have a copy of the well completion report -- which we did.

Karen Schlaak

Karen Schlaak
Natural Resources Analyst

REPORT ON APPLICATION NO. 5766-3

Allen Pace
May 12, 1993

Application No. 5766-3 proposes to appropriate 1.77 cfs from one well approximately 136 feet deep located in the center of the SE 1/4 of section 18 to irrigate 240 acres located in the S 1/2 NE 1/4, SE 1/4 of section 18; all in T90N R49W in Union County.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) which is hydraulically connected to the Big Sioux and Missouri Rivers. The aquifer is unconfined and under water table conditions at this site. According to the well log submitted with the application fine sand was encountered at a depth of 10 feet to 61 feet and sand and gravel from 61 feet to 138 feet. The completed well had a static water level of 26 feet below land surface and was capable of producing 800 gpm with a drawdown of 28 feet (3 hours pumping). This yields a specific capacity of 28.6 gpm/ft of drawdown. The Missouri Elk Point underlies 99,600 acres and contains an estimated 1.5 million acre feet of recoverable water in storage in Union County (Hedges, 1982). The aquifer is also hydraulically connected to the Big Sioux South aquifer, the Lower Vermillion Missouri aquifer and the Missouri Elk Point in Clay County.

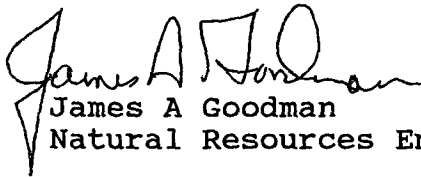
The Division of Water Rights monitors 24 observation wells completed into the Missouri Elk Point aquifer in Union County. Two of these wells UN-78B and UN-770 are located within 2 miles of this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1993).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

Union County is intensively irrigated with water from the Missouri Elk Point aquifer. There are 230 irrigation permits for water from this aquifer in Union County alone (Irrigation Report, 1991). The highest year of water use was 1988 when 22,195 acre feet was pumped for irrigation (Irrigation Report, 1988). The average recharge has been estimated at 3.8 inches per year which equates to about 31,540 acre feet per year (Hedges, 1983). Interference is not expected to be a concern. Significant drawdown caused by pumping does not extend very far from an individual production well. There are two existing water permits/rights Nos. 3011-3 and 5369-3 which have diversion points about 1/2 mile from this application.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is unconfined and under water table conditions. Interference is not expected to be a concern. The observation well record indicates that drawdowns are relatively small and do not affect the aquifer significantly.
3. This well has been completed in accordance with SD Well Construction Standards.
4. Test data supplied with the application indicates the well is capable of diverting 800 gpm at a drawdown of 28 feet.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S., et al, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Hedges, L.S., et al, 1983, Same, Task 7: Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Irrigation Report, 1988, 1988 Irrigation Summary, SD DENR, Division of Water Rights, Pierre, SD, 57501.
- Irrigation Report, 1991, 1991 Irrigation Summary, SD DENR, Division of Water Rights, Pierre, SD, 57501.
- Water Rights, 1993, Unpublished Observation Well Data for Union County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5766-3, Allen Pace

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. 5766-3, Allen Pace, Box 292, Elk Point, SD 57025.

The Chief Engineer is recommending APPROVAL of Application No. 5766-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

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

See report on application for additional information.


JOHN HATCH, Chief Engineer
May 19, 1993



**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.

May 21, 1992

Allen Pace
Box 292
Elk Point, SD 57025

Dear Mr. Pace:

Water Permit Application No. 5766-3 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 Elk Point Leader-Courier printed at Elk Point, SD (Ph # 356-2632). 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
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

May 21, 1993

Elk Point Leader-Courier
Box 310
Elk Point, SD 57025

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5766-3 to be published twice. Please publish the first notice on June 3, 1993, 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 Allen Pace, Box 292, Elk Point, SD 57025 (Ph # 356-3182).

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

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Allen Pace

ADDRESS: Box 262, Elk Point SD 57025 COUNTY: Union

DATE: June 2, 1993 TELEPHONE:

RE: Publication Notice

COMMENTS:

On June 2, 1993, I received the first publication of the Notice of Hearing for Water Permit Application No. 5766-3. The second publication was to be run on June 3. When I called the paper to have the necessary corrections made, I was informed that the paper had already went to press and it was to late for the changes to be made. I told the paper that we would be sending another notice of hearing which would have to be published again for two weeks.



Karen Schlaak
Natural Resources Analyst

Instruction to Newspaper - Publish first Notice on June 3, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5766-3 to Appropriate Water

Notice is given that Allen Pace, Box 292, Elk Point, SD 57025 has filed an application for a water permit to appropriate 1.77 cubic feet of water per second from one well (Missouri:Elk Point Aquifer) 136 feet deep located in the center of the SE 1/4 Section 18 to irrigate 240 acres located in the S 1/2 NE 1/4, SE 1/4 Section 18; all in T90N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5766-3 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 June 25, 1993. 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, July 7, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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. The July 7, 1993, 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 June 25, 1993.

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 June 25, 1993, 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; 46-2-3.1, 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 9, 1993

Allen Pace
Box 292
Elk Point SD 57025

Dear Mr. Pace:

I am writing to advise you that the legal notice of hearing on your water permit application published in the Elk Point Leader-Courier was incorrect. The newspaper was called on June 2 to have the errors corrected on the second publication; however, the paper was being run at the time, making it impossible to make the necessary changes.

As a result of the error, the legal notice will need to be readvertised. The readvertisement is needed to ensure that the Water Permit is free from legal problems due to inaccurate and incomplete public notice. The information to readvertise the notice is being sent to you and the newspaper at this time. Be sure to contact the newspaper to authorize publication and to arrange for payment.

If you have any questions, please contact this office.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

cc: Elk Point Leader-Courier



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 9, 1993

Elk Point Leader-Courier
Box 310
Elk Point, SD 57025

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5766-3 to be published twice. Please publish the first notice on June 17, 1993, 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. The APPLICANT is Allen Pace, Box 292, Elk Point, SD 57025 (Ph # 356-3182).

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
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 June 17, 1993, with the second publication 7 days later.

NOTICE OF HEARING on Application No. 5766-3 to Appropriate Water

Notice is given that Allen Pace, Box 292, Elk Point, SD 57025 has filed an application for a water permit to appropriate 1.77 cubic feet of water per second from one well (Missouri:Elk Point Aquifer) 136 feet deep located in the center of the SE 1/4 Section 18 to irrigate 240 acres located in the S 1/2 NE 1/4, SE 1/4 Section 18; all in T90N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5766-3 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 July 5, 1993. 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. 5766-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for July 14, 1993, 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 July 14, 1993, 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 July 14, 1993, 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 July 5, 1993.

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 July 5, 1993, 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; 46-2-3.1, 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Union) ss

I, Lester E. Emerson

certify that the attached printed Notice was
 taken from the The Leader-Courier

printed and published in Elk Point

County of Union

South Dakota. The notice was published in the newspaper on the following two

June 17, 1993

June 24, 1993

Cost of Printing: 63.72

Lester E. Emerson
 (Signature)

Editor-Publisher
 (Title)

June 24 - 1993
 (Date Signed)



Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 5, 1993.

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 July 5, 1993, 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.

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 Pub. June 17, 24

NOTICE OF HEARING
 ON APPLICATION NO. 5766-3
 TO APPROPRIATE WATER

Notice is given that Allen Pace, Box 292, Elk Point, SD 57025 has filed an application for water permit to appropriate 1.77 cubic feet of water per second from one well (Missouri: Elk Point Aquifer) 136 feet deep located in the center of the SE 1/4 Section 18 to irrigate 240 acres located in the S 1/2 NE 1/4, SE 1/4 Section 18; all in T90N R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5766-3 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 July 5, 1993. 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. 5766-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for July 14, 1993, 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 July 14, 1993, 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 July 14, 1993, hearing date will be automatically delayed for at least 20 days upon written request to the



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 10 1993

Allen Pace
Box 292
Elk Point, SD 57025

Dear Mr. Pace:

Enclosed is Water Permit No. 5766-3 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.

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5766-3

DATE OF INVESTIGATION:	August 11, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	
NAME & ADDRESS OF PERMIT HOLDER	Allen Pace Rt 1 Box 42 Elk Point SD 57025
DIVERSION POINT LEGAL LOCATION	Approximately 1300 feet North & 1320 feet West of SE corner of Section 18, T90N, R49W

Other permit(s) associated with the project: none

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore
- 2) No. of Wells one
- 3) Depth(s) 142 feet
- 4) Well log is available Yes
- 5) Comment: _____

Casing:

- 1) Diameter 16 inches
- 2) Length 96 feet
- 3) Type plastic

Screen:

- 1) Type manufactured PVC
- 2) Length 40 feet
- 3) Static water level 26 feet

Pump:

- 1) Make Western Land Roller
- 2) Model Serial No. 9205587
- 3) Size _____
- 4) Capacity 800 GPM

Motor:

- 1) Make US Electric
- 2) ID No. 6232-50-V03V336R20 9M
- 3) Horsepower rating 50 hp

DISTRIBUTION LINES OR CANALS:

1) Type _____ 2) Size _____ inches 3) Length 1320 feet

* there is a distribution line from the well to the northerly pivot pad. The well is at the southerly pivot pad

SYSTEM TYPE:**Center pivot:**

- 1) Make Reinke - Electrogator
- 2) Overall length 1360 feet
- 3) Number of towers 8
- 4) End gun Yes
- 5) High or low pressure Low
- 6) Capacity 800 GPM

CHEMIGATION EQUIPMENT:

- 1) No chemigation equipment present

PERMIT QUALIFICATIONS:

- 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

COMMENTS

- ◆ Mr. Pace did not accompany me on the licensing investigation but did give me permission to look at the system.
- ◆ The system was operating at the time of the licensing investigation.
- ◆ Pivot point is not on wheels – difficult to move but can be done.
- ◆ Field was planted half in corn and half in beans at time of investigation.
- ◆ The W½ of Section 18 is oversized.

Permit No. 5766-3
Vermillion River - Water District

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

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

I have this day, August 11, 1999, made a thorough examination of the water use system constructed by Allen Pace of Rt 1 Box 42, Elk Point SD 57025-9718 holder of Permit No. 5766-3, bearing the priority of April 12, 1993 authorizing the diversion of 1.77 cu. ft. per second of the waters of the Missouri:Elk Point Aquifer for irrigation purposes, in Union County.

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

A. Works used to divert the water:

A 50 HP US Electric motor with a Wester Land Roller – Ingersoll Rand pump

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

Aproximately 1320 feet of pipeline from well to northly pivot pad

C. Works used to apply water to beneficial use:

Reinke-Electrogator center pivot (8 tower)

The system is in the following condition good. The point of diversion is approximately 1300 feet North & 1320 feet West of SE corner of Section 18, T90N, R49W. The works are capable of diverting and conveying to the place of use 1.77 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:

T90N R49W	Section 18	SW¼ NE¼	33 acres
		SE¼ NE¼	33 acres
		NW¼ SE¼	38 acres
		NE¼ SE¼	38 acres
		SW¼ SE¼	33 acres
		SE¼ SE¼	33 acres

comprising a total of 208 acres of land and the license should be issued for 1.77 cfs

Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: September 3, 1999

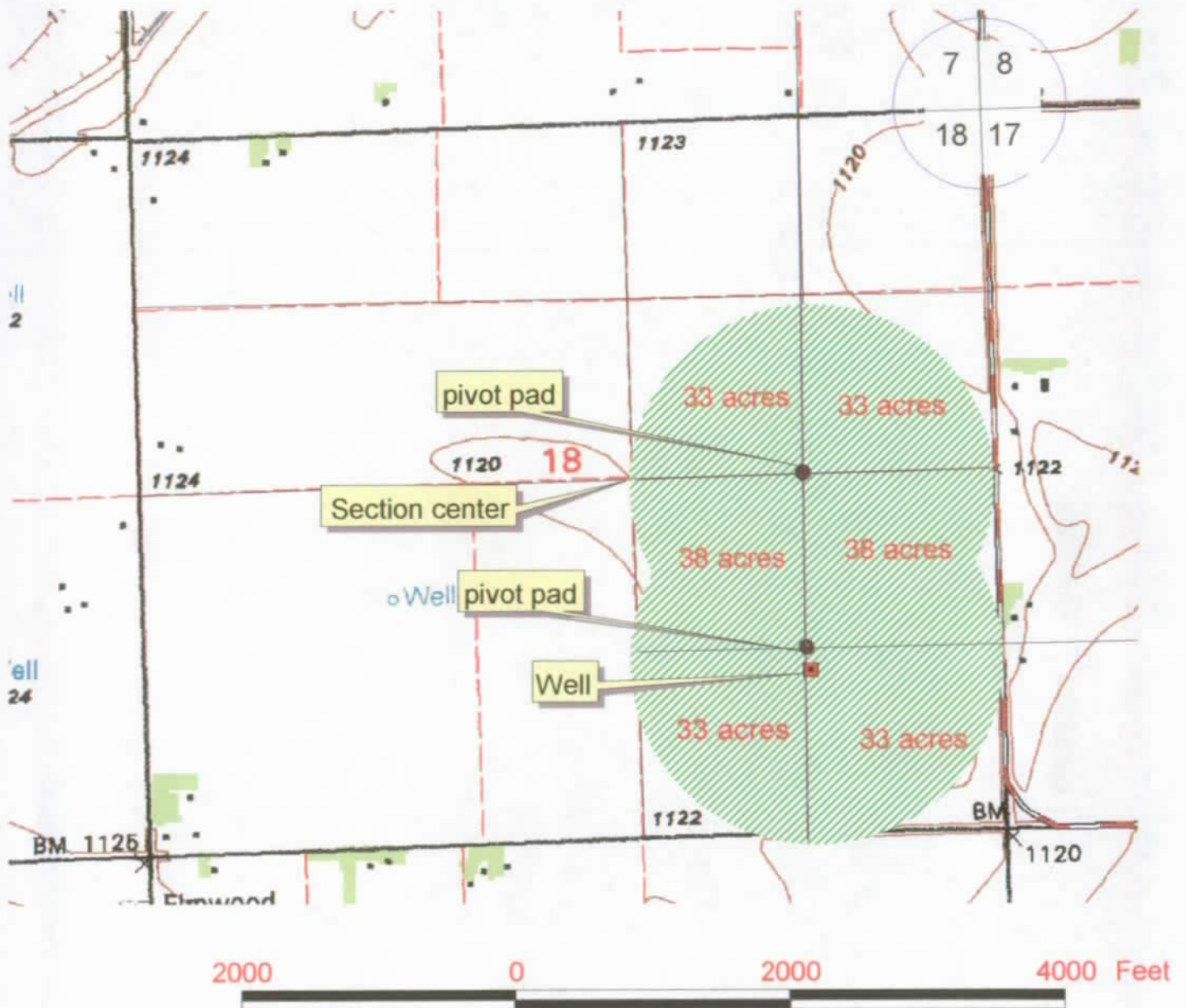
An annual irrigation questionnaire had not been being sent to Mr. Pace. This should be corrected.



Eric Gronlund

Natural Resources Engineer

DENR, Water Rights Program

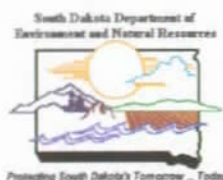


Legal description

well - approx. center of Section 18, T90N, R49W

acreage - S1/2 NE1/4, SE 1/4 Sec. 18, T90N, R49W

Note: uses a towable center pivot
which can be moved on to either
pivot pad



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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5766-3

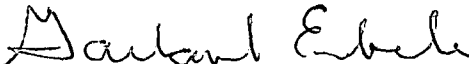
(1) Allen Pace, 32957 477th Ave, Elk Point, SD 57025 made Application No. 5766-3, April 12, 1993 for a water permit to divert 1.77 cubic feet of water per second from ground water (one well – Missouri Elk Point Aquifer), Union County, South Dakota for irrigation purposes. Permit No. 5766-3, with a priority date of April 12, 1993 was approved July 14, 1993 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 14, 1998 and for the application to beneficial use of said water on or before July 14, 2002.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.77 cubic feet of water per second for beneficial use. The location of the diversion point is 1,300'N and 1,320'W of the SE corner of Section 18, T90N, R49W (approximate center of the SE ¼).

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

Section 18, T90N, R49W			
SW ¼ NE ¼	33 acres	NW ¼ SE ¼	38 acres
SE ¼ NE ¼	33 acres	NE ¼ SE ¼	38 acres
		SW ¼ SE ¼	33 acres
		SE ¼ SE ¼	33 acres
Total acres irrigated - 208			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Allen Pace, 32957 477th Ave, Elk Point, SD 57025 the holder and/or owner of Water Right No. 5766-3 is issued a license to appropriate water, the right to use 1.77 cubic feet of water per second from ground water (one well – Missouri Elk Point Aquifer) with a priority date of April 12, 1993 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Right No. 5766-3 and subject to South Dakota State Law.


Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 22 2000

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 7, 1999

5766-3

Allen Pace
RR 1, Box 42
Elk Point, SD 57025-9718

Dear Mr. Pace:

The investigation of your water use system was conducted on August 11, 1999, by Eric Gronlund, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 5766-3. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

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

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



5766-3
**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: ALLEN PACE, RR 1 BOX 42, ELK POINT, SD 57025 9718

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) 5766-3. 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) 5766-3 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) 5766-3 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.
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1. Article Addressed to:

ALLEN PACE

~~RR 1 BOX 42~~ 32957-477th

ELK POINT SD 57025 9718

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature

X *Al Pace*☐ Agent☐ Addressee

D. 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)

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PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2000

5766-3

Allen Pace
32957 477th Ave
Elk Point, SD 57025

Dear Mr. Pace:

Thank you for calling about your 1999 irrigation questionnaire. I completed a form for you based on our phone conversation. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 5766-3.

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416375

Pierre, February 2, 2000

RECEIVED OF Allan Pace, 32957 - 477 Ave., Elk Point, SD 57025
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 5766-3

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By Harold Ebel
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 22 2000

5766-3

Allen Pace
32957 477th Ave.
Elk Point, SD 57025

Dear Mr. Pace:

Enclosed is Water License No. 5766-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416375 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. 5766-3, 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.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

gm
enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2002

NOTICE

TO: ALLEN PACE, 32957 477TH AVE, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5766-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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) 5766-3 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 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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) 5766-3 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 8, 2002, 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:

ALLEN PACE
32957 477TH AVE
ELK POINT SD 57025

COMPLETE THIS SECTION ON DELIVERY

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

1-17-02

C. Signature

X *Allen Pace*☐ Agent
☐ AddresseeD. Is delivery address different from item 1? ☒ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Registered☐ Insured Mail☐ Express Mail☒ Return Receipt for Merchandise

C.O. Pierre, SD

4. Restricted Delivery? (Extra Fee)

☐ Yes

2.

7001 2510 0004 4797 4005

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

March 12, 2002

5766-3

Allen Pace
32957 477th Ave
Elk Point, SD 57025

Dear Mr. Pace:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit No. 5766-3.

I completed a questionnaire for you based on our March 12th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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



5766-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: ALLEN PACE, 32957 477TH AVE, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5766-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 5766-3 qualification:

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

The hearing will be held at 8:30 am, March 2, 2005 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) 5766-3 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 25, 2005, 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.



5766-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 0704

Your item was delivered at 12:47 pm on January 21, 2005 in ELK POINT, SD 57025. The item was signed for by A PACE.

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Enter label number:

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 0704

ALLEN PACE
32957 477TH AVE
ELK POINT SD 57025

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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PS Form 153, July 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 2005

5766-3

Allen Pace
32957 477th Ave
Elk Point SD 57025

Dear Mr. Pace

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 5766-3

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

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

January 18, 2008

NOTICE

TO: ALLEN PACE, 32957 477TH AVE, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5766-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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) 5766-3 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 11, 2008** 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) 5766-3 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 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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.

5766-3

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Track & Confirm

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Label/Receipt Number: 2303 2160 0000 0802 3370
Status: **Delivered**

Your item was delivered at 2:15 PM on January 19, 2008 in ELK POINT, SD 57025. The item was signed for by A PACE.

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Key to the package is located in the package.

The package is insured for \$500.

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 3370	
ALLEN PACE 32957 477TH AVE ELK POINT SD 57025	
Waiver of Signature ☐ YES ☐ NO	POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com ® or call 1-800-222-1811
Postmark Here	☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2008

5766-3

Allen Pace
32957 477th Ave
Elk Point SD 57025

Dear Mr. Pace:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 5766-3.

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



5766-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: ALLEN PACE, 32957 477TH AVE, ELK POINT, SD 57025
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5766-3 & 7951-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 5766-3 & 7951-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 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) 5766-3 & 7951-3 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 6, 2019** 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

5766-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2019

5766-3
7951-3

Allen Pace
32957 477th Ave
Elk Point SD 57025

Dear Pace:

I am writing to acknowledge receipt of your 2018 irrigation questionnaires.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 5766-3 and Water Permit No. 7951-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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