

WATER PERMIT NO. 5771-3

Phone: _____

Name of Applicant: Stanley Steinheuser

Post Office Address: RR 1, Box 134, Tulare SD 57475

Amount of Water Claimed: 2.28 cfs Total Acres: 160

Source of Water Supply: groundwater

Water to be used for: irrigation County: Spink

About 5 miles west of Tulare

PRIORITY Date Received: 4-27-93 Fee: \$250.00 Remarks: _____

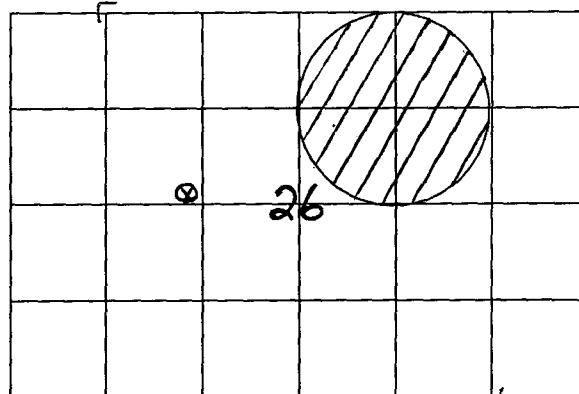
Corrected Application Received: _____ Period of Annual Use: April 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED: 5-20-93 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: SW 1/4 NW 1/4 Sec 26-T115N-R65W

Land to be Irrigated: NE 1/4 Sec 26-T115N-R65W



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

Depth of Well: 140 feet REMARKS: _____

Type of Map: aerial PREPARED BY: Elmer M. Ward Reviewed and the Number

Assigned on: 5-24-93 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. 5771-3 Hydrologic Unit 10160009
Basin James River
Newspaper The Redfield Press, Box 440, Redfield
(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.) _____

1. Name of Applicant Stanley Steinheuser Phone _____
(check one) ☐ Owner ☐ Tenant/lessee

Mailing Address RR #1, Box 134, Tulare State SD 57475
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed 2.28 *CFS or _____ **GPM _____ ***AF _____ Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)

3. Source of water supply Groundwater

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____
SW 1/4 NW 1/4 Section 26 T15N R65W County Spink

5. County or counties where water will be used Spink

6. Annual period during which water is to be used April 1 - October 31

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
all in Section 26, T15N R65W (Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW NE	40		
SW NE	40		
NE NE	40		
SE NE	40		

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: ☒ Gun: _____ Other (Specify): _____

9. Crops to be irrigated: corn

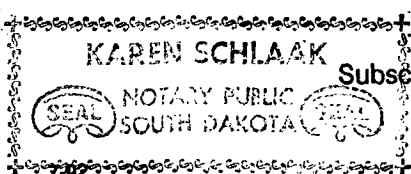
10. Give a description of the project. (Attach sheet if more space is needed)

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 Hughes)^{SS}

I, Stanley Steinheuser, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is representative of the water to be used, and that the matters stated in this application are true and correct.



Signed Stanley Steinheuser

Subscribed and sworn to before me this 27th day of April 19 93

Karen Schlaak
Notary Public
My Commission Expires April 1, 2001

**SOUTH DAKOTA
WATER PERMIT NO. 5771-3**

Date of first receipt of application April 27, 1993.

Date Soil/Water Compatibility Permit received May 20, 1993.

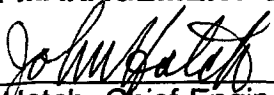
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5771-3 to Stanley Steinheuser, RR 1, Box 134, Tulare SD 57475 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5771-3 appropriates 2.28 cubic feet of water per second from one well (Tulare-Western Spink Aquifer) 140 feet deep located in the SW 1/4 NW 1/4 Section 26 to irrigate 160 acres located in the NE 1/4 Section 26; all in T115N-R65W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1- October 31.
3. The date from which applicant may claim right is April 27, 1993.
4. The date of approval of Permit No. 5771-3 is July 13, 1993.
5. One-fifth of the construction is to be completed on or before January 13, 1996.
6. All construction is to be completed on or before July 13, 1998.
7. Water is to be put to beneficial use on or before July 13, 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. The well authorized by Permit No. 5771-3 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

AUG 10 1993

date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

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

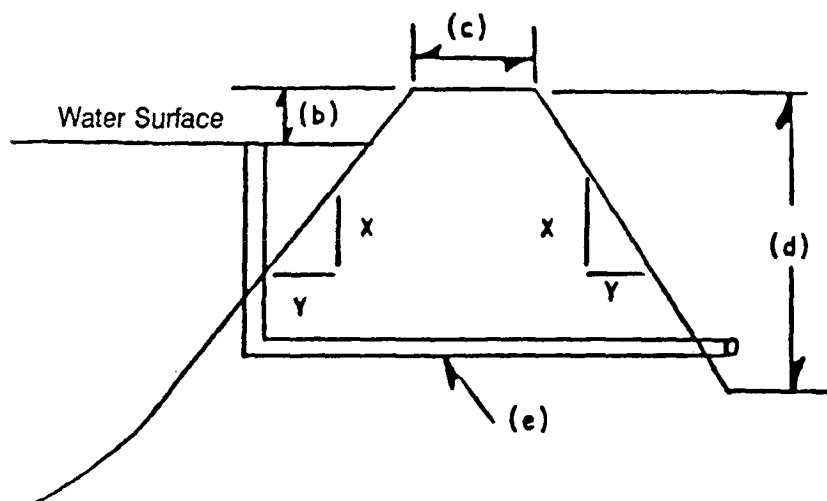
2. Dugout Information

- Surface Dimensions _____ Depth _____
- 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.

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



- Freeboard _____
- Crest Width _____
Crest Length _____
- Height _____
- Primary Outlet Capacity _____
If pipe, diameter _____
- Secondary Spillway Capacity _____
Spillway Width _____
- X & Y Slope
Upstream _____
Downstream _____
- Surface Area of Impoundment _____
- Storage _____ Acre Feet
- Drainage Area above Dam _____ Acres

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

WR#

4774

OWNERS NAME: STEINHEUSER, STANLEY

OWNERS ADDRESS: RR 1 BOX 134

TULARE, SD 57475

COUNTY LAND LOCATED IN: SPINK

PHONE: _____

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION: SW $\frac{1}{4}$ NW $\frac{1}{4}$ 26-T115N-R65W

Depth: _____

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

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

3. CROPS TO BE IRRIGATED: CORN

WATER QUALITY:

4. WATER SAMPLE NUMBER: 93-0132

7. ADJUSTED (SAR): 1.69

5. SALINITY (EC X 10⁶): 650

8. PERCENT SODIUM: 17.12

6. SODIUM (SAR): 0.74

Requirements:

A buffer strip of permanent vegetation shall be maintained along the river in the project area. This buffer strip shall not be irrigated.

The area mapped as Davison-Crossplain Complex (217) shall be maintained in permanent vegetation.



XXX APPROVED
____ DISAPPROVED
____ WAIVER

XXX REQUIREMENTS

Russell J. Stone
Director, Division of Conservation

MAY 17, 1993

Date

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

Identification Legend
Spink County, South Dakota
March 24, 1993

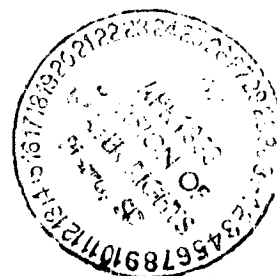
Mapping Symbol	Name	Included Symbols
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283D*	Hand-Talmo complex, 9 to 25 percent slopes	
284*	Dimo loam	
285A*	Carthage fine sandy loam, 0 to 2 percent slopes	
285B*	Carthage fine sandy loam, 2 to 6 percent slopes	
285C*	Carthage fine sandy loam, 6 to 9 percent slopes	
286A*	Carthage-Blendon fine sandy loam, 0 to 2 percent slopes	
286B*	Carthage-Blendon fine sandy loam, 2 to 6 percent slopes	
287A*	Blendon-Henkin fine sandy loams, 0 to 2 percent slopes	
287B*	Henkin-Blendon fine sandy loams, 2 to 6 percent slopes	
287C*	Henkin-Blendon fine sandy loams, 6 to 9 percent slopes	
287D*	Westover-Henkin fine sandy loams, 9 to 25 percent slopes	
288A*	Forestburg loamy fine sand, 0 to 3 percent slopes	
288B*	Forestburg loamy fine sand, 3 to 6 percent slopes	
289A*	Forestburg-Doger loamy fine sands, 0 to 3 percent slopes	
289B*	Forestburg-Doger loamy fine sands, 3 to 6 percent slopes	
290*	Elsmere loamy fine sand	
295B*	Hand-Carhtage complex, 3 to 6 percent slopes	

* Provisional Map Units



TABLE 1 - SOIL INTERPRETIVE GROUPS
SPINK COUNTY, SOUTH DAKOTA
Progressive Survey



USDA:SCS

Sec. II-A

Map Symbol	Map Unit Name		% Slope	tg	Cap. Class	Range Site	Past. Group	Wbrk. Group	VEG(I)	K	T	Hyd. Group
	Houdek	SD0171	2-6	ec	Ile-2	Si	F	3	6(48)	0.28	5	B
	Prosper	SD0293	1-2	ec	Ilc-3	Ov	K	1	6(48)	0.28	5	B
214B	Houdek-Ethan-Prosper loams		1-6									
	Houdek	SD0171	2-6	ec	Ile-2	Si	F	3	6(48)	0.28	5	B
	Ethan	SD0040	2-6	ec	IIIe-12Si		G	8	4L(86)	0.28	5	B
	Prosper	SD0293	1-2	ec	Ilc-3	Ov	K	1	6(48)	0.28	5	B
214C	Houdek-Ethan-Prosper loams		2-9									
	Houdek	SD0171	4-9	ec	IIIe-2	Si	F	3	6(48)	0.28	5	B
	Ethan	SD0040	6-9	ec	IVe-3	Si	G	8	4L(86)	0.28	5	B
	Prosper	SD0039	2-4	ec	Ile-3	Si	K	1	6(48)	0.28	5	B
216A	Crossplain-Tetonka complex		0-2									
	Crossplain clay loam	SD0032	0-2	ec	IIw-1	Ov	A	2W	6(43)	0.24	5	C
	Tetonka silt loam, undrained	SD0044	0-1	ec	IVw-1	WM	B2	10	6(48)	0.32	5	C/D
	drained	SD0044	0-1	ec	IIw-4	WM	A	2W	6(48)	0.32	5	C/D
220A	Beadle loam	SD0017	0-2	ec	IIIs-1	Cy	E	4L	6(48)	0.28	5	C
220B	Beadle loam	SD0017	2-6	ec	IIIe-3	Cy	E	4L	6(48)	0.28	5	C
220C	Beadle loam	SD0017	6-9	ec	IVe-7	Cy	E	4L	6(48)	0.28	5	C
221A	Beadle-Dudley complex		0-2									
	Beadle clay loam	SD0017	0-2	ec	IIIs-1	Cy	E	4L	6(48)	0.28	5	C
	Dudley silt loam	SD0034	0-2	ec	IVs-2	Cp	C	9	6(48)	0.43	3	D
222A	Houdek-Stickney complex		0-2									
	Houdek loam	SD0171	0-2	ec	Ilc-2	Si	F	3	6(48)	0.28	5	B
	Stickney silt loam	SD0035	0-2	ec	IIIs-1	Cy	E	4L	6(48)	0.37	3	C
222B	Houdek-Stickney complex		2-6									
	Houdek loam	SD0171	2-6	ec	Ile-2	Si	F	3	6(48)	0.28	5	B
	Stickney silt loam	SD0035	2-3	ec	IIIs-1	Cy	E	4L	6(48)	0.37	3	C
223A	Stickney-Dudley silt loams		0-2									
	Stickney	SD0035	0-2	ec	IIIs-1	Cy	E	4L	6(48)	0.37	3	C
	Dudley	SD0034	0-2	ec	IVs-2	Cp	C	9	6(48)	0.43	3	D
224A	Dudley-Jerauld silt loams		0-2									
	Dudley	SD0034	0-2	ec	IVs-2	Cp	C	9	6(48)	0.43	3	D
	Jerauld	SD0057	0-2	ec	VIIs-1	TCp	NS	10	6(48)	0.37	3	D
225A	Stickney-Dudley-Hoven silt loams		0-2									

SOUTH DAKOTA TECHNICAL GUIDE

EAST CENTRAL

LRA 53B, 55B, 55C

Rev.16-Mar-93

217 Davison-Crossplain complex
Davison loam
Crossplain clay loam

SD0036 0-2 ec IIe-4 Lsb F 3* 4L(86) 0.28 5 B
SD0032 0-2 ec IIw-1 Ov A 2W 6(48) 0.24 5 C

TABLE 1 - SOIL INTERPRETIVE GROUPS
SPINK COUNTY, SOUTH DAKOTA
Progressive Survey



Sec. II-A

USDA:SCS

Map			%	Cap.	Range	Past.	Wbrk.				Hyd.
Symbol	Map Unit Name		Slope	tg	Class	Site	Group	Group	WEG(I)	K	T Group
	Stickney	SD0035	0-2	ec	IIIs-1	Cy	E	4L	6(48)	0.37	3 C
	Dudley	SD0034	0-2	ec	IVs-2	Cp	C	9	6(48)	0.43	3 D
	Hoven	SD0056	0-2	ec	VIIs-6	CD	B2	10	6(48)	0.37	3 D
226	Houdek-Stickney-Tetanka complex		0-3								
	Houdek loam	SD0171	0-3	ec	IIC-2	Si	F	3	6(48)	0.28	5 B
	Stickney silt loam	SD0035	0-3	ec	IIIs-1	Cy	E	4L	6(48)	0.37	3 C
	Tetanka silt loam, undrained	SD0044	0-1	ec	IVw-1	WM	B2	10	6(48)	0.32	5 C/D
	drained	SD0044	0-1	ec	Iiw-4	WM	A	2W	6(48)	0.32	5 C/D
227	Jerauld-Hoven silt loams		0-2								
	Jeruld	SD0057	0-2	ec	VIIs-1	TCp	NS	10	6(48)	0.37	3 D
	Hoven	SD0056	0-2	ec	VIIs-6	CD	B2	10	6(48)	0.37	3 D
230	Bon loam	SD0022	0-2	ec	IIC-1	Ov	K	1	6(48)	0.24	5 B
231	Bon loam, channeled	SD0314	0-2	ec	VIw-1	Ov	K	1	6(48)	0.24	5 B
233	Durrstein silt loam	SD0024	0-1	ec	VIIs-6	SL	J	10	6(48)	0.37	3 D
234	Farmsworth silt loam	SD0255	0-2	ec	IVs-2	Cp	C	9	6(48)	0.37	3 D
235	Farmsworth-Durrstein silt loams		0-2								
	Farmsworth	SD0255	0-2	ec	IVs-2	Cp	C	9	6(48)	0.37	3 D
	Durrstein	SD0024	0-1	ec	VIIs-6	SL	J	10	6(48)	0.37	3 D
237	Ethan-Bon, channeled, loams,		0-20								
	Ethan	SD0040	2-20	ec	VIe-3	Si	G	8	4L(86)	0.28	5 B
	Bon	SD0314	0-2	ec	VIw-1	Ov	K	1	6(48)	0.24	5 B
279	Dimo-Grat loam		0-2								
	Dimo	SD0031	0-2	ec	IIIs-2	Ov	K	1	6(48)	0.24	4 B
	Grat	SD0190	0-2	ec	IVw-1	Sb	A	2W	6(48)	0.32	4 D
280	Enet loam	SD0027	0-2	ec	IIIs-2	Si	D1	6G	6(48)	0.28	4 B
281A	Delmont-Enet loams		0-2								
	Delmont	SD0023	0-2	ec	IVs-1	SwG	D2	6G	6(48)	0.28	3 B
	Enet	SD0027	0-2	ec	IIIs-2	Si	D1	6G	6(48)	0.28	4 B
281B	Delmont-Enet loams		2-6								
	Delmont	SD0023	2-6	ec	IVe-6	SwG	D2	6G	6(48)	0.28	3 B
	Enet	SD0027	2-6	ec	IIIe-6	Si	D1	6G	6(48)	0.28	4 B
282B	Delmont-Talmo complex										
	Delmont loam	SD0023	2-6	ec	IVe-6	SwG	D2	6G	6(48)	0.28	3 B

SOUTH DAKOTA TECHNICAL GUIDE

EAST CENTRAL

LRA 53B, 55B, 55C

Rev.16-Mar-93

TABLE 1 - SOIL INTERPRETIVE GROUPS
SPINK COUNTY, SOUTH DAKOTA
Progressive Survey



USDA:SCS

Sec. II-A

Map Symbol	Map Unit Name		% Slope	tg	Cap. Class	Range Site	Past. Group	Wbrk. Group	WEG(1)	K	T	Hyd. Group
282C	Talmo gravelly loam	SD0043	2-6	ec	VIIs-4	VSw	NS	10	8(0)	0.20	2	A
	Delmont-Talmo complex		6-9									
	Delmont loam	SD0023	6-9	ec	VIe-5	SwG	D2	6G	6(48)	0.28	3	B
	Talmo gravelly loam	SD0043	6-9	ec	VIIs-4	VSw	NS	10	8(0)	0.20	2	A
282D	Talmo-Delmont complex		9-15									
	Talmo gravelly loam	SD0043	9-15	ec	VIIs-4	VSw	NS	10	8(0)	0.20	2	A
	Delmont loam	SD0023	9-15	ec	VIe-5	SwG	D2	6G	6(48)	0.28	3	B
284	Dimo loam	SD0031	0-1	ec	IIIs-2	Ov	K	1	6(48)	0.24	4	B
286A	Carthage-Blendon fine sandy loams		0-2									
	Carthage	SD0146	0-2	ec	IIIs-7	Sy	H	5	3(86)	0.20	5	B
	Blendon	SD0010	0-2	ec	IIIs-7	Sy	H	5	3(86)	0.20	5	B
286B	Carthage-Blendon fine sandy loams		2-6									
	Carthage	SD0146	2-6	ec	IIIs-8	Sy	H	5	3(86)	0.20	5	B
	Blendon	SD0010	2-6	ec	IIIs-8	Sy	H	5	3(86)	0.20	5	B
287A	Blendon-Henkin fine sandy loams		0-2									
	Blendon	SD0010	0-2	ec	IIIs-7	Sy	H	5	3(86)	0.20	5	B
	Henkin	SD0029	0-2	ec	IIIs-7	Sy	H	5	3(86)	0.20	5	B
287B	Henkin-Blendon fine sandy loams		2-6									
	Henkin	SD0029	2-6	ec	IIIs-8	Sy	H	5	3(86)	0.20	5	B
	Blendon	SD0010	2-6	ec	IIIs-8	Sy	H	5	3(86)	0.20	5	B
287C	Henkin-Blendon fine sandy loams		2-9									
	Henkin	SD0029	6-9	ec	IVe-8	Sy	H	5	3(86)	0.20	5	B
	Blendon	SD0010	2-6	ec	IIIs-8	Sy	H		53(86)	0.2	5B	

(NA) - Not Assigned

* These soils are highly calcareous and silver maple is not suited.

1/ Interpretations may vary due to thickness of topsoil replaced, slope, soil texture and water table depth

2/ These areas have been excavated for fill material and topsoil generally replaced. Interpretations may vary.

SOUTH DAKOTA TECHNICAL GUIDE

EAST CENTRAL

LRA 53B, 55B, 55C

Rev.16-Mar-93

Preliminary Information
Subject to Change
USDA - SCS

*James H. Eklund
District Conservationist*

R65W

T115N

Zone Sheet 95

214B
287B
287B
287A
287A
230
231



36

RECEIPT

413745

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, April 27, 19 93

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

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

Fee for Application for Permit No. <u>5771-3</u> to Appropriate Water, to construct 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 _____		

(Any Other Work Provided by Law)	Total	250 00

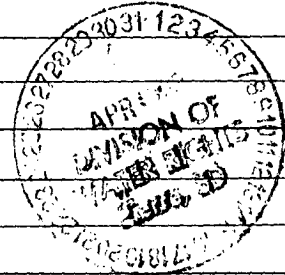
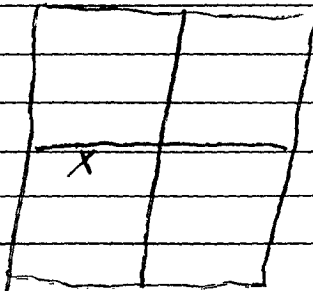
By John H. H. H. H.
Chief Engineer

PULLMAN DRILLING — DRILLERS LOG

Phone: 1-800-451-4884

Stanley Steinhauser JOB NAME	N 1/2 - Sec 4 26-115-65 Spink Co. LOCATION	3-4-91 DATE	RIG NO.	Rayner FOREMAN
---------------------------------	--	----------------	---------	-------------------

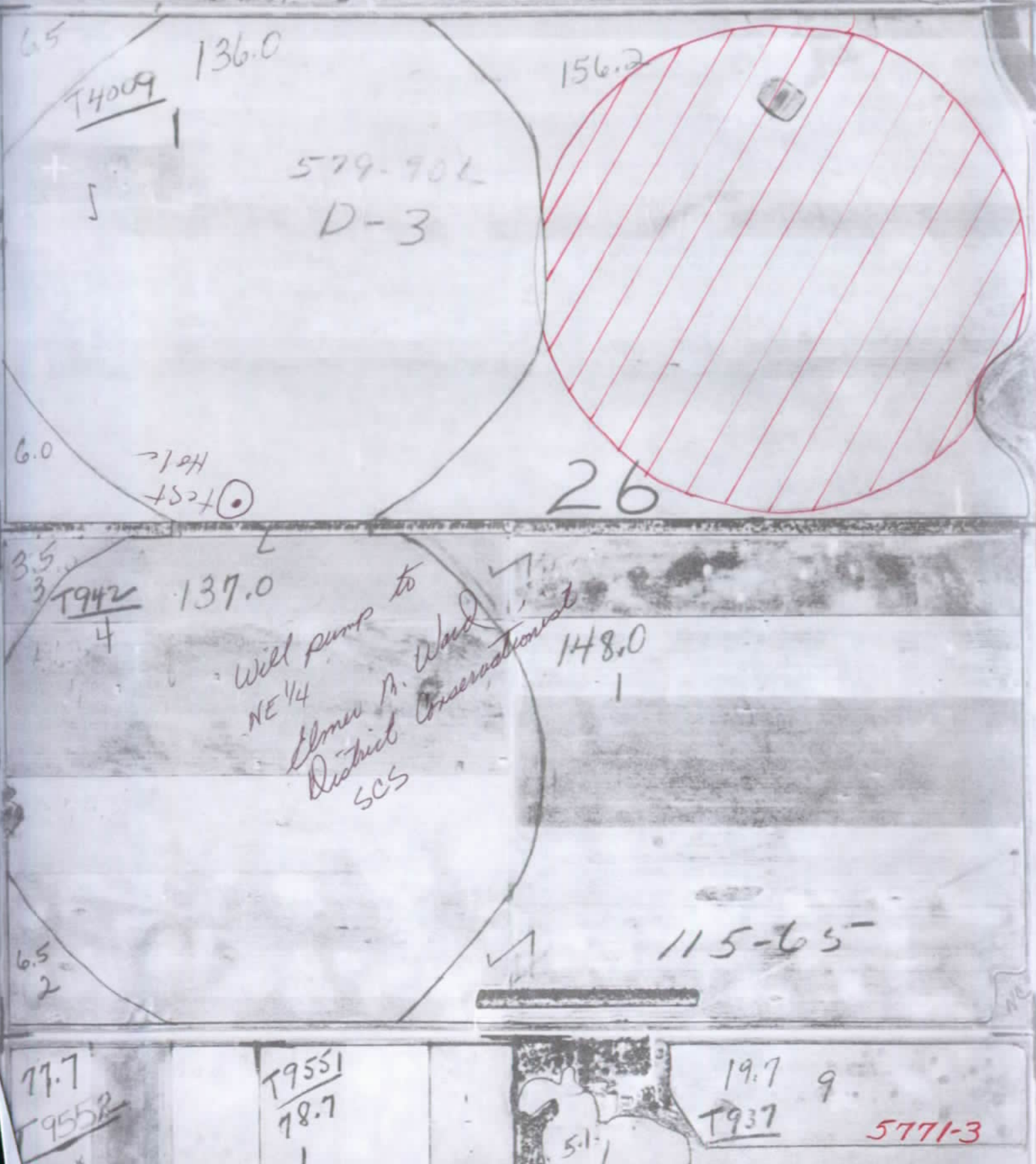
JI No.	DEPTH	TIME	REMARKS
1	20		0-17 yellow clay
2	40		17-20 sandy blue clay
3	60		20-80 " " "
4	80		80-83 blue clay
5	100		83-100 coarse sand & gravel
6	120		100-125 green rock
7	140		125-140 blue clay
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(att) Eric Gronlund

REMARKS:

NOT TO SCALE



REPORT ON APPLICATION NO. 5771-3
for Stanley Steinheuser
June 3, 1993

Application No. 5771-3 proposes to appropriate 2.28 cfs from one well approximately 140 feet deep located in the SW 1/4 NW 1/4 of section 26 to irrigate 160 acres located in the NE 1/4 of section 26; all in T115N R65W in Spink County.

AQUIFER - TULARE WESTERN SPINK (T-WS)

The Tulare Western Spink is a complex system which can be either buried or surficial. The aquifer consists of outwash (sand and gravel) and is predominantly under artesian conditions. According to the test well log submitted with this application the top of the aquifer was encountered at 83 feet and continued to a depth of 125 feet. The depth to water was reported to be 14 feet below land surface. This well would be under artesian conditions at this site but about 1/4 mile to the south the aquifer is under water table conditions. The aquifer underlies 72,300 acres and contains an estimated 270,930 acre feet of recoverable water in storage in Spink County (Hedges, 1982). The aquifer is hydraulically connected to the Tulare Hand aquifer to the west and the Tulare Hitchcock aquifer to the east. Ground water movement is from west to east-southeast towards the James River (Kuiper, 1984). Also the Turtle River appears to be hydraulically connected to the aquifer and would be a potential recharge and discharge zone depending upon the ground water levels at the time.

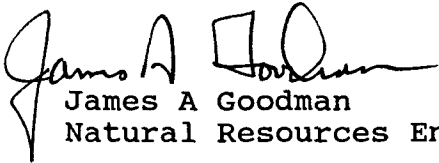
The Division of Water Rights monitors 22 observation wells completed into the Tulare Western Spink aquifer in southern Spink County. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years due to recharge and gradually declining water levels during dry years (Water Rights, 1993). The artesian portions of the aquifer also show good response to pumping (irrigation and rural water development). The water level record indicates that the aquifer is capable of sustaining additional withdrawals. There are two observation wells SP-80P and SP-63E located within 1 mile of this application.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing water permit Nos. 4897-3 and 5192-3 located within 1/2 mile of this application. Permit No. 5192-3 (combined with Permit No. 5390-3) is issued to the applicant for this permit. Interference is not expected to be adverse. This well will be approximately 1320 feet northeast of the well for application No. 4897-3 and approximately 1320 feet north of the well for permit no. 5192-3. Drawdown will occur as a result of pumping, however, this should not adversely affect the ability of wells in the area to supply the amount of water needed.

CONCLUSIONS

1. Water is available from the Tulare Western Spink aquifer.
2. Interference should not be a problem. Although drawdown will occur as a result of pumping this should not be significant and not cause an adverse impact. This is also shown by the observation well record for the area.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S., etal, 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.
- Kuiper, L.K., 1984, Appraisal of the Water Resources of the Eastern Part of the Tulare Aquifer, Beadle, Hand and Spink Counties, SD, USGS WRI 84-4078, USGS, Huron, SD, 57350.
- Water Rights, 1993, Unpublished Observation Well Records for Spink County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5771-3, Stanley Steinheuser

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. 5771-3, Stanley Steinheuser, RR 1 Box 134, Tulare, SD 57475.

The Chief Engineer is recommending APPROVAL of Application No. 5771-3 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. The well authorized by Permit No. 5771-3 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.


JOHN HATCH, Chief Engineer
June 10, 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.

June 11, 1993

Stanley Steinheuser
RR 1 Box 134
Tulare, SD 57475

Dear Mr. Steinheuser:

Water Permit Application No. 5771-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of The Redfield Press printed at Redfield, SD (Ph # 472-0822). 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

June 11, 1993

The Redfield Press
Box 440
Redfield, SD 57469

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5771-3 to be published twice. Please publish the first notice on June 16, 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 Stanley Steinheuser, RR 1 Box 134, Tulare, SD 57475 (Ph # 472-2264).

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 June 16, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5771-3 to Appropriate Water

Notice is given that Stanley Steinheuser, RR 1 Box 134, Tulare, SD 57475 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from one well (Tulare-Western Spink Aquifer) 140 feet deep located in the SW 1/4 NW 1/4 Section 26 to irrigate 160 acres located in the NE 1/4 Section 26; all in T115N-R65W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5771-3 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 6, 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. 5771-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for July 13, 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 13, 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 13, 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 6, 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 6, 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 Spink) ss

I, Margaret Mundstuck

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

printed and published in Redfield

County of Spink and State of

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

June 16, 1993

June 23, 1993

Cost of Printing: \$52.40

Margaret Mundstuck
 (Signature)

Bookkeeper
 (Title)

June 23, 1993
 (Date Signed)



Application for Water Permit filed

No. 81

NOTICE OF HEARING ON APPLICATION NO. 5771-3 TO APPROPRIATE WATER

Notice is given that Stanley Steinheuser, RR 1 Box 134, Tulare, SD 57475 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from one well (Tulare-Western Spink Aquifer) 140 feet deep located in the SW 1/4 NW 1/4 Section 26 to irrigate 160 acres located in the NE 1/4 Section 26; all in T115N-R65W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5771-3 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 engineers 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 6, 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 petitioners legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5771-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for July 13, 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 13, 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 13, 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 6, 1993.

If a hearing is held, the Chief Engineers 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 6, 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-11 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.

(June 16, 23)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 10 1993

Stanley Steinheuser
RR 1 Box 134
Tulare, SD 57475

Dear Mr. Steinheuser:

Enclosed is Water Permit No. 5771-3 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 17, 1996

5390-3, 5771-3

Stanley Steinheuser
RR 1 Box 134
Tulare SD 57475

Dear Mr. Steinheuser:

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

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

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

Please remit fee to:

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

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

enclosure

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

RECEIPT

415135

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 3, 19 96

RECEIVED OF Stanley Steinheuser, RR 1, Box 334, Tulare, SD 57476

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5771-3</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



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

Date 10-1-96 X

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

FROM: Stanley Steinheuser RR1 Box 134
(name) (address)
Tulare SD 57475 605-472-2264
(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. 5771-3. (NE¹/₄ Sec 26-T115N-R65W)

Water Permit No. 5771-3 states that the diversion system is to be constructed by July 13, 1998, and that the water is put to beneficial use by
(date)

July 13, 2002.
(date)

The diversion system was completed on 7-13-96 X.
(date)

Applying the water to beneficial use was completed on 7-13-96 X.
(date)

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

Stanley Steinheuser X
(signature)

Water Rights Division - DENR

Conversation or File Documentation

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

Comments:

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

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



Lynn Beck
Natural Resources Engineer

REPORT ON INSPECTION OF PERMIT NO. 5771-3

DATE OF INSPECTION: 7-25-96

Other permit(s) associated with the project: 5192-3 and 5390-3

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

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: same

NAME & ADDRESS OF PERMIT HOLDER: same

DIVERSION POINT LEGAL LOCATION: The well is 30' north and 1250' east of the SW corner of the NW $\frac{1}{4}$, Section 26, T115N, R65W.

WELL INFORMATION:

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

Casing:

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

Screen:

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

Pump:

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

Motor:

- 1) Make Johndeer diesel motor
- 2) Model No. #
- 3) Horsepower rating 85 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type aluminum
- 2) Size 8 inches
- 3) Length 2706 feet

SYSTEM TYPE:**Center pivot:**

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

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

PERMIT QUALIFICATIONS AND REGULATIONS:

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

Permit No. 5771-3
James River - Water District

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

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

I have this day, 7-25-96 made a thorough examination of the water use system constructed by Stanley Steinheuser of RR 1 Box 134, Tulare SD 57475 holder of Permit No. 5771-3, bearing the priority of April 27, 1993 authorizing the diversion of 2.28 cu. ft. per second of the waters of Tulare-Western Spink Aquifer for irrigation purposes, in Spink County.

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

A. Works used to divert the water:

One well 140 feet deep with 120 feet of 16 inch pvc casing and 20 feet of pvc screen. The well has a submersible pump with a capacity of 850 cfs and a Johndeer diesel motor rated at 85 hp.

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

Zimmatic center pivots 1250 feet long with 8 towers and an end gun. The center pivot is a low pressure system with a capacity of 850 gpm.

C. Works used to apply water to beneficial use:

2706 feet of 8 inch aluminum

The system is in the following condition good. The points of diversion are located: the well is 30 feet north and 1250 feet east of the SW corner of the NW¹/₄, Section 26, T115N, R65W. The works are capable of diverting and conveying to the place of use 1.89 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in Section 26, T115N, R65W:

NE¹/₄ NE¹/₄ 34 acres

NW¹/₄ NE¹/₄ 34 acres

SW¹/₄ NE¹/₄ 34 acres

SE¹/₄ NE¹/₄ 33 acres

comprising a total of 135 acres of land and the license should be issued for 1.89 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

Lynn Beck
Lynn Beck
Natural Resources Engineer
DENR, Water Rights Program

9-16-96
Date

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5771-3

(1) Stanley Steinheuser, RR 1 Box 134, Tulare SD 57476 made Application No. 5771-3, April 27, 1993 for a water permit to divert 2.28 cubic feet of water per second from groundwater (one well), Spink County, South Dakota for irrigation purposes. Permit No. 5771-3, with a priority date of April 27, 1993 was approved July 13, 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 13, 1998 and for the application to beneficial use of said water on or before July 13, 2002.

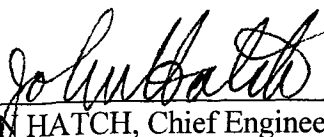
The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on October 1, 1996. The *Notice* stated the diversion system was completed on July 13, 1996 and the water placed to beneficial use on July 13, 1996.

(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 30 feet north and 1,250 feet east of the west 1/4 corner of Section 26-T115N-R65W (SW 1/4 NW 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 26-T115N-R65W	
NE 1/4 NE 1/4	34 acres
NW 1/4 NE 1/4	34 acres
SW 1/4 NE 1/4	34 acres
SE 1/4 NE 1/4	33 acres
Total 135 acres	

(4) Pursuant to South Dakota Water Law 46-5-30.1 Stanley Steinheuser, RR 1 Box 134, Tulare SD 57476 the holder and/or owner of Water Permit No. 5771-3 is issued a license to appropriate water, the right to use 1.89 cubic feet of water per second from groundwater (one well) with a priority date of April 27, 1993 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. 5771-3 and subject to South Dakota State Law.

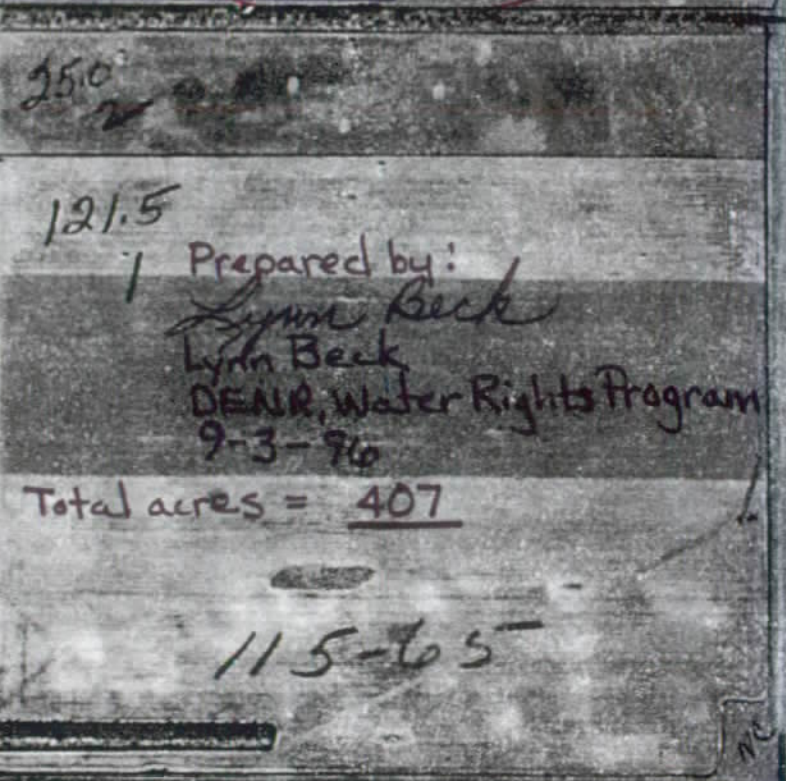
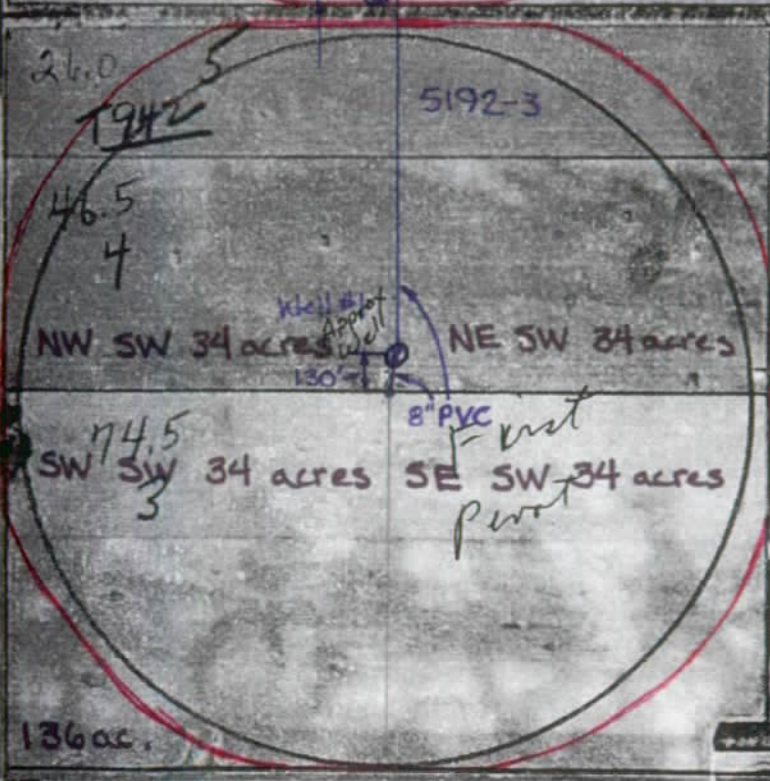
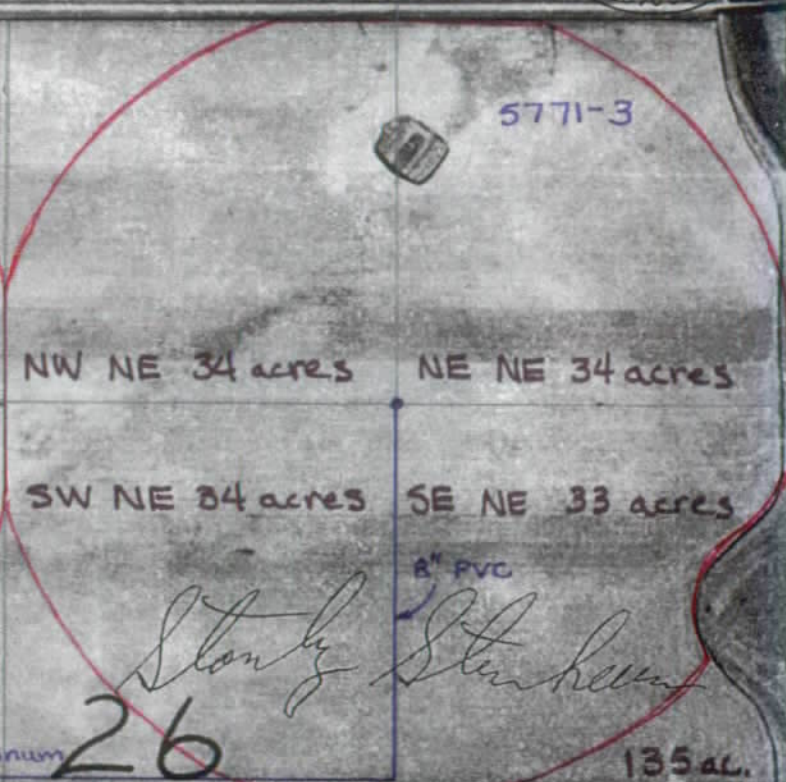
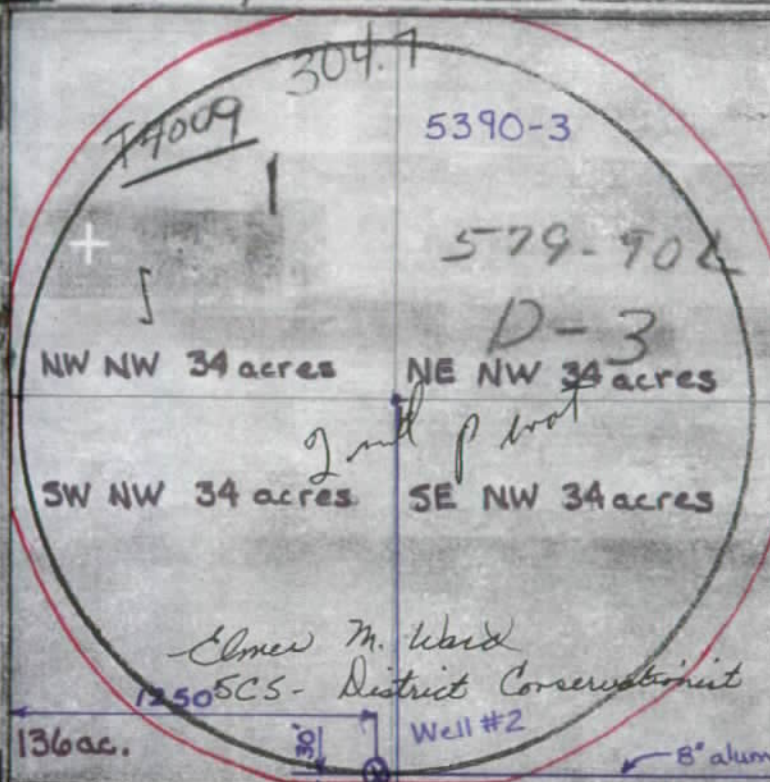

JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 26 1996

date



NOT TO SCALE





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 26 1996

5390-3

5771-3

Stanley Steinheuser
RR 1, Box 134
Tulare, SD 57476

Dear Mr. Steinheuser:

Enclosed are Water License Nos. 5390-3 and 5771-3. These are the final water right documents completing your process of obtaining Water Rights. Enclosed are Receipt Nos. 415135 and 415136 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 5390-3 and 5771-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

ks
enclosures

NOTE: The applicable portions of Water Permit No. 5192-3 have been incorporated into this Water License No. 5390-3.

Water Rights Division - DENR

Conversation or File Documentation

Name of Person: Stanley Steinheuser

File Nos. 5771-3, 6184-3

Address: 38542 180th St, Tulare, SD 57476 **County:** Spink

Date: July 31, 2001 **Telephone:** (605) 472-2264

RE: Status of Water Permit No. 5771-3

Comments: I told Stanley that I am in the process of writing up his inspection report for Water Permit No. 6184-3. I told him that when I was out there the end of June that he told me that he only irrigates three-fourths of the land located in the NE ¼ of Section 26 T115N-R65W. I told that his permit (Water Right No. 5771-3) allows him to irrigate most of the NE ¼ section. He told me that conditions are too wet for him to do that right now. When he can he will irrigate most of the land in the NE ¼ of Section 26 T115N-R65W.



Stacy J. Johnson

Natural Resources Project Engineer