

WATER PERMIT NO. 5813-3

Phone: 853-2582

Name of Applicant: Ed Watkins

Post Office Address: HC 73, Box 42, St. Lawrence SD 57373

Amount of Water Claimed: no add'l Total Acres: 29 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Hand

About 7 miles NE of St. Lawrence

PRIORITY Date Received: 3-22-94 Fee: \$150.00 Remarks: Additional

acreage on Permit No. 5085-3

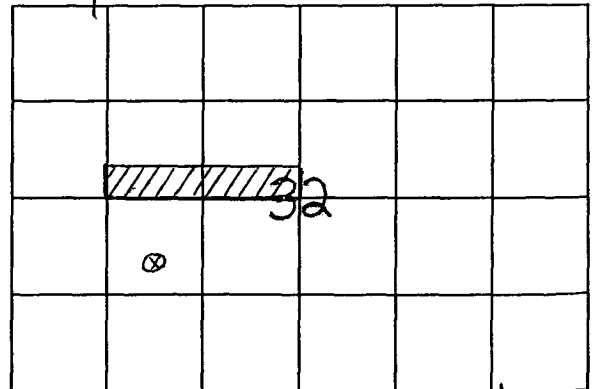
Corrected Application Received: 3-25-94 Period of Annual Use: May 1 - Sept 30

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

WI-1 Description same as Application YES NO REMARKS:

Diversion Point: NW 1/4 SW 1/4 Sec 32-T113N-R66W

Land to be Irrigated: S 1/2 NW 1/4 Sec 32-T113N-
R66W



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

Depth of Well: 70 feet REMARKS: same well as used with Permit No. 5085-3

Type of Map: aerial PREPARED BY: James Iverson, ASCS Reviewed and the Number

Assigned on: 3-25-94 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. 5813-3 Hydrologic Unit 10160009
Basin James River
Newspaper The Miller Press, Box 196, Miller
(office use only)



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

Type of Application: New Vested Right X Amendment/Correction to Permit No. 5085-3
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)
ADD 29 ACRES TO IRRIGATE NO ADDITIONAL
WATER NEEDED TO CFS TOTAL

- Name of Applicant ED WATKINS Phone 1-605-853-2582
(check one) X Owner Tenant/lessee
Mailing Address HC 73 Box 42 ST LAWRENCE State SD 57373
(Street, RR, or Box) (City) (Zip Code)
130429 (Zip Code)
- Amount of water claimed 1.85 ~~add'l cfs~~ *CFS or **GPM ***AF Total Acreage 159
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout if applicable) (29 add'l)
- Source of water supply WELL
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
T-113-N R-66-W ~~SEC 32~~ SEC 32 (NW1/4 SW1/4)
County HAND
- County or counties where water will be used HAND
- Annual period during which water is to be used MAY 1 - SEPT 30
- 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
<u>5 1/2 NW 1/4 Sec 32-T113N-R66W</u>

Acres
<u>29</u>

Land Description

Acres

- Type of Irrigation: Gravity: Towline: Center Pivot: Gun: X Other (Specify):
- Crops to be Irrigated: CORN ALFALFA
- Give a description of the project. (Attach sheet if more space is needed)

159 ACRES TO BE PLANTED TO A CORN AND
ALFALFA ROTATION

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 HAND ss

I, Ed Watkins, 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 Ed Watkins

Subscribed and sworn to before me this 21 day of March 19 94

Thany Green
Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 5813-3**

Date of first receipt of application March 22, 1994.

Date of return to applicant for corrections, amendments or changes March 23, 1994.

Date of receipt of corrected application March 25, 1994.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5813-3 to Ed Watkins, HC 73 Box 42, St. Lawrence SD 57373 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. 5813-3 authorizes irrigation of 29 additional acres. Water Right No. 5085-3 appropriates 1.85 cubic feet of water per second from one well located in the NW 1/4 SW 1/4 Section 32 to irrigate 130 acres located in the SW 1/4 Section 32; all in T113N-R66W. This permit authorizes irrigation of 29 additional acres located in the S 1/2 NW 1/4 Section 32- T113N-R66W from the existing well. This permit does not authorize any increase in the developed diversion rate.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - September 30.
3. The date from which applicant may claim right is March 22, 1994.
4. The date of approval of Permit No. 5813-3 is June 28, 1994.
5. One-fifth of the construction is to be completed on or before December 28, 1996.
6. All construction is to be completed on or before June 28, 1999.
7. Water is to be put to beneficial use on or before June 28, 2003.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

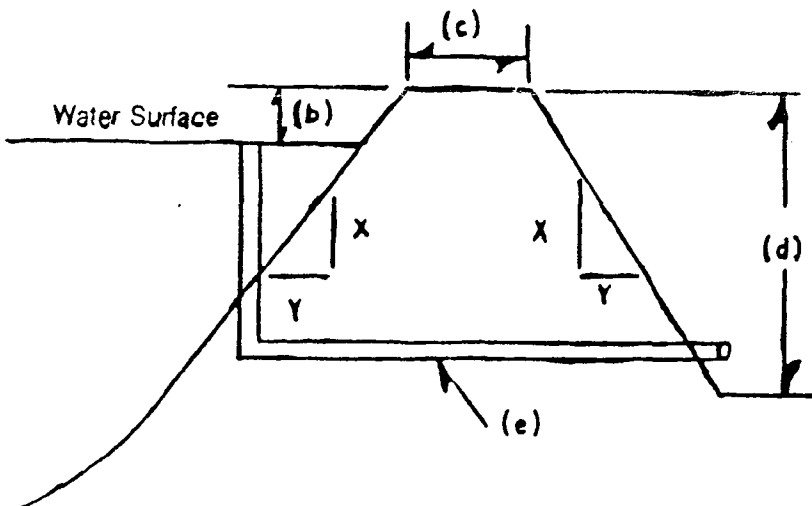
QUALIFICATIONS

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

AUG 19 1994
date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 23, 1994

Ed Watkins
HC 73, Box 42
St. Lawrence SD 57373

Dear Mr. Watkins:

We received your Application for a Permit to Appropriate Water on March 22, 1994. The filing fee for this application will be \$150.00.

Upon receipt of the fee, further processing of your application will continue.

Sincerely,

Karen Schlaak
Karen Schlaak
Environmental Scientist
Water Rights Division
605 773-3352

RECEIPT

414108

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 25, 19 94

RECEIVED OF Lorna Watkins, HC 73 Box 42, St. Lawrence, SD 57373

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

Fee for Application for Permit No. <u>5813-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	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	150 00

By John Blatch
Chief Engineer

File No. 5813-3

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Ed Watkins

ADDRESS: HC 73, Box 42, St. Lawrence SD COUNTY: Hand

DATE: 3-25-94 TELEPHONE:

RE: S/W Compatibility Permit

COMMENTS:

We are proceeding with this application based on the repeal of the Soil/Water Compatibility Permit statutes by the 1994 Legislature.

Karen Schlaak

Karen Schlaak
Environmental Scientist

NOT TO SCALE

113-66
M-14

T 1079

T 5412
T 1091

①

47.6

32

②

29.0

T 1098

2.4

WELL

James H. Anderson
USDA-ARS

④

122.4

Trees out

⑤

13.3

Trees
die
out

4.9

131.6

Trees
die
out113-66
M-14

REPORT ON WATER PERMIT APPLICATION NO. 5813-3
for Ed Watkins
May 5, 1994

Application No. 5813-3 propose to irrigate 29 additional acres. Water Right No. 5085-3 appropriates 1.85 cfs from one well located in the NW 1/4 SW 1/4 of section 32 to irrigate 130 acres located in the SW 1/4 of section 32; all in T113N R66W in Hand County. This application is to irrigate 29 acres located in the S 1/2 NW 1/4 of section 32 T113N R66W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

AQUIFER - TULARE HAND (T-HA)

The Tulare Hand is a glacial outwash (sand and gravel) under unconfined or water table conditions in this area. The aquifer underlies 208,700 acres and contains an estimated 938,000 acre feet of recoverable water in storage in Hand County (Hedges, 1982). The aquifer has been described as a complex system of interconnected sand and gravel layer separated by till (Koch, 1981). The well is located in a stream valley which could easily supply recharge water to the aquifer during periods of flow.

The driller's log filed by Pullman Drilling indicates that sand and gravel was encountered from basically the land surface to a depth of 67 feet. The well is cased with 16 inch diameter plastic and is screened with 15 feet of 60 slot Johnson SS set from 52 to 67 feet below land surface. The well is grouted in accordance with SD Well Construction Standards. The report indicates the well is capable of pumping 800 gpm.

The Division of Water Rights monitors two observation wells completed into the Tulare Hand aquifer located 1 mile east and 1 mile west of this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1994).

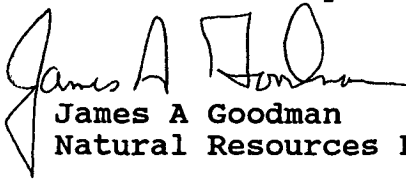
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The only existing permitted diversion in this area is Water Right No. 5085-3 which is owned by the applicant and will use the same diversion point. Interference is not a concern.

CONCLUSIONS

1. Water is available from the Tulare Hand aquifer.
2. The well as built is constructed in accordance with SD Well Construction Standards.

3. Interference is not a concern. The aquifer is under water table conditions and drawdown will not be significant very far from the production well.



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.

Koch, N.C., 1980, Geology and Water Resources of Hyde and Hand Counties, South Dakota, Part II: Water Resources, SDGS Bulletin 28, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1994, Unpublished Observation Well Records for Hand County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

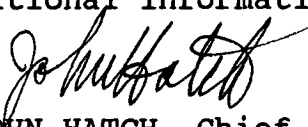
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5813-3, Ed Watkins

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. 5813-3, Ed Watkins, HC 73 Box 42, St. Lawrence, SD 57373.

The Chief Engineer is recommending APPROVAL of Application No. 5813-3 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 13, 1994



**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 20, 1994

Ed Watkins
HC 73 Box 42
St. Lawrence, SD 57373

Dear Mr. Watkins:

Water Permit Application No. 5813-3 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 Miller Press printed at Miller, SD (Ph # 853-3575). 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 20, 1994

The Miller Press
Box 196
Miller, SD 57362-0196

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5813-3 to be published twice. Please publish the first notice on May 30, 1994, 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 Ed Watkins, HC 73 Box 42, St. Lawrence, SD 57373 (Ph # 853-2582).

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 May 30, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5813-3 to Appropriate Water
and to Amend Water Right No. 5085-3

Notice is given that Ed Watkins, HC 73 Box 42, St. Lawrence, SD 57373 has filed an application for a water permit to irrigate 29 additional acres. Water Right No. 5085-3 appropriates 1.85 cubic feet of water per second from one well located in the NW 1/4 SW 1/4 Section 32 to irrigate 130 acres located in the SW 1/4 Section 32; all in T113N-R66W. This application is to irrigate 29 additional acres located in the S 1/2 NW 1/4 Section 32-T113N-R66W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5813-3 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 16, 1994. 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 a.m., June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, 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 June 28, 1994, 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 16, 1994.

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 16, 1994, 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. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

Length of line 12016
Size of type 8pt
Number of lines 108
Line rate 297817

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

)SS

County of Hand)

Gary L. McFarlane of said county being first duly sworn, on oath says that he is the publisher of The Miller Press, a weekly newspaper printed and published in Miller, said County of Hand and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the Hearing application no 5813-3 - appropriate water

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week Two successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

<u>May 31</u> 19 <u>94</u> ;	19 <u>32.16</u>
<u>June 6</u> 19 <u>94</u> ;	19 <u>25.73</u>
19 ;	19
19 ;	19
19 ;	19

that the full amount of the fees for the publication of the annexed notice is \$ 57.89

Gary L. McFarlane

Subscribed and sworn to before me this 6th

day of

June

19

94

Kenneth A. Sargent

Notary Public, MY COMMISSION EXPIRES MAY 8, 2001

County of Hand, South Dakota



NOTICE OF HEARING on Application No. 5813-3 to Appropriate Water and to Amend Water Right No. 5085-3

Notice is given that Ed Watkins, HC 73 Box 42, St. Lawrence, SD 57373 has filed an application for a water permit to irrigate 29 additional acres. Water Right No. 5085-3 appropriates 1.85 cubic feet of water per second from one well located in the NW 1/4 SW 1/4 Section 32 to irrigate 130 acres located in the SW 1/4 Section 32; all in T113NR66W. This application is to irrigate 29 additional acres located in the S 1/2 NW 1/4 Section 32-T113N-R66W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5813-3 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 16, 1994. 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.

tioner 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 a.m., June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, 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 June 28, 1994, 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 16, 1994.

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 16, 1994, 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. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources, FPNO 40 108 LPNO 41



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 19 1994

Ed Watkins
HC 73 Box 42
St. Lawrence, SD 57373

Dear Mr. Watkins:

Enclosed is Water Permit No. 5813-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

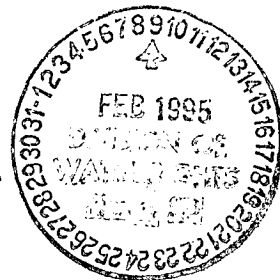
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

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

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

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



Date 1-15-95

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

FROM: ED WATKINS HC 73 Box 42
(name) (address)
ST LAWRENCE S.D. 57373 605-853-2582
(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. 5813-3.

Water Permit No. 5813-3 states that the diversion system is to be constructed by 6-28-1999, and that the water is put to beneficial use by 6-28-2003.
(date) (date)

The diversion system was completed on 5-15-94.
(date)

Applying the water to beneficial use was completed on 5-95.
(date)

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

Ed Watkins
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 21, 1995

5813-3

Ed Watkins
HC 73, Box 42
St. Lawrence, SD 57373-9710

Dear Mr. Watkins:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 5813-3, has been completed. Your final water right document, the Water License, can now be issued.

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

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

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

Sincerely,

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

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

RECEIPT

414704

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 11, 19 95

RECEIVED OF Ed or Lorna Watkins, LLC 73, Box 42, St. Lawrence, SD 57393

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>5813-3</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

Chief Engineer

John Hatch (CE)

Permit No. 5813-3
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, September 26, 1995 made a thorough examination of the water use system constructed by Ed Watkins of HC 73, Box 42, St. Lawrence, SD 57373-9710 holder of Permit No. 5813-3 and License No. 5085-3, bearing the priority of 5813-3: March 22, 1994 and 5085-3: February 3, 1986 authorizing the diversion of 1.85 cu. ft. per second of the waters of Tulare-Hand Aquifer for irrigation purposes, in Hand County.

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

A. Works used to divert the water: **Well and diversion authorized by License No. 5085-3.**

One well 67 feet deep with 52 feet of 16 inch pvc casing and 15 feet of stainless steel screen; Western Landroller pump with a 1100 gpm capacity; Lister diesel motor rated at 88.5 hp.

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

3630 feet of 6 inch pvc pipe.

C. Works used to apply water to beneficial use:

Lindsey gun, 700 gpm capacity, 660 feet of 4.5 inch hose and an Easyrain gun 500 gpm capacity, 660 feet of 4 inch hose.

The system is in the following condition **good**. The point of diversion is located 1716 feet north and 660 feet west of the SW corner Section 32 in the NW 1/4 SW 1/4 T113N, R66W. The works are capable of diverting and conveying to the place of use 2.44 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 32, T113N, T66W:

Under 5085-3

NE 1/4 SW 1/4 35 acres

NW 1/4 SW 1/4 35 acres

SW 1/4 SW 1/4 25 acres

SE 1/4 SW 1/4 35 acres

Under 5813-3

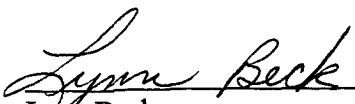
SW 1/4 NW 1/4 14.5 acres

SE 1/4 NW 1/4 14.5 acres

comprising a total of 159 acres of land and the license should be issued for 1.85 cfs (5813-3 authorizes no additional diversion to 5085-3).

Applicable permit qualifications have been complied with: **yes**

Exceptions to compliance are: **none**


 Lynn Beck

Natural Resources Engineer
 DENR, Water Rights Program

11-17-95
 Date

REPORT ON INSPECTION OF PERMIT NO. 5813-3

DATE OF INSPECTION: 9-26-95

Other permit(s) associated with the project: 5085-3

DIVERSION POINT LEGAL LOCATION: authorized by License No. 5085-3, 1716 feet north and 660 feet west of the SW corner Section 32, T113N, R66W; in the NW 1/4 SW 1/4.

WELL INFORMATION:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 67 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 16 inches
- 2) Length 52 feet
- 3) Type pvc

Screen:

- 1) Type stainless steel
- 2) Length 15 feet
- 3) Static water level 15 feet

Pump:

- 1) Make Western Landroller
- 2) Model #
- 3) Size #
- 4) Capacity 1100 GPM

Motor:

- 1) Make Lister diesel
- 2) Model No. #
- 3) Horsepower rating 88.5 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type pvc 2) Size 6 inches 3) Length 3630 feet

SYSTEM TYPE:

Big Gun:

- 1) Make Lindsey
- 2) Nozzle size 1.5 inches
- 3) Hose size 4.5 inches
- 4) Hose length 660 feet
- 5) Capacity 700 GPM

- 1) Make Easyrain
- 2) Nozzle size 1.5 inches
- 3) Hose size 4 inches
- 4) Hose length 660 feet
- 5) Capacity 500 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

113-66
M-14

T 1091

⑤

47.6

Prepared by: 5085-3

Lynn Beck

Lynn Beck
Natural Resource Engineer
DENR, Division of Water Rights

6-18-92

T 1079

5813-3

Prepared by:

Prepared by:
Lynn Beck

Lynn Beck
Natural Resources Engineer
DENR, Water Rights Program
9-16-95

9-16-95

32

SW ¹ / ₄ NW ¹ / ₄ 14.5 acres	SE ¹ / ₄ NW ¹ / ₄ 14.5 acres
--	--

⑥

29.0

6" PVC

5/8/95

6° PVC

NW⁴ SW⁴ 35 acres

NE⁴ SW⁴ 35 Acres

71099

460'

240

-Well

SW4 SW4 25 acres

SE4 SW4 35 acres

4.9

131.6

1000

④
122.4

Transcript

~~113-66~~

15813-3

Total Acres = 130

Total Acres = 29 5085-3

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5813-3**

(1) Ed Watkins of HC 73 Box 42, St Lawrence, SD 57373-9710 made Application No. 5813-3, March 22, 1994 for a water permit to appropriate no additional cubic feet of water per second from (groundwater - an existing well), Hand County, South Dakota for irrigation purposes. Permit No. 5813-3, with a priority date of March 22, 1994 was approved June 28, 1994 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 28, 1999 and for the application to beneficial use of said water on or before June 28, 2003.

On February 9, 1995, the permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*". The "*Notice*" stated the diversion system was completed on May 15, 1994 and the water applied to beneficial use in May, 1995.

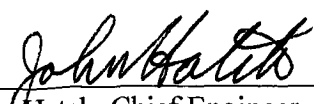
Water Permit No. 5813-3 authorized irrigation of 29 additional acres to the acreage and water use system developed under Water Right No. 5085-3. No. 5813-3 did not allow for an increase in the developed diversion rate. The applicable portions of Water Permit No. 5085-3 have been incorporated into this Water License No. 5813-3. The priority dates, as they pertain to the acres irrigated, are described in (3) of this license.

(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 1.85 cubic feet of water per second for beneficial use. The location of the diversion point(s) is 1,716'N and 660'W of the SW corner of Section 32, T113N, R66W (NW 1/4 SW 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 **159 acres (listed below) all in Section 32, T113N, R66W:**

Priority date: February 3, 1986 (5085-3)	Priority date: March 22, 1994 (5813-3)
NE 1/4 SW 1/4 35 acres	SW 1/4 NW 1/4 14.5 acres
NW 1/4 SW 1/4 35 acres	SE 1/4 NW 1/4 14.5 acres
SW 1/4 SW 1/4 25 acres	
SE 1/4 SW 1/4 35 acres	

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ed Watkins of HC 73 Box 42, St Lawrence, SD 57373-9710 the holder and/or owner of Incorporated Water Permit No. 5813-3 is issued a license to appropriate water, the right to use 1.85 cubic feet of water per second from groundwater (one well) with priority dates of February 3, 1986 and March 22, 1994 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5813-3 and subject to South Dakota State Law.


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

DEC 18 1995

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 18 1995

5813-3

Ed Watkins
HC 73, Box 42
St. Lawrence, SD 57373-9710

Dear Mr. Watkins:

Enclosed is Water License No. 5813-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414704 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5813-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Water Permit No. 5085-3 have been incorporated into this Water License No. 5813-3.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 03 2007

5813-3
6282-3

Ed Watkins
36910 196th St
St Lawrence SD 57373

Dear Mr. Watkins:

Enclosed is your Water License No. 6282-3. This is the final water right document completing your process of obtaining a Water Right. Included with your water license is a map prepared by the Staff Engineer who conducted the field investigation.

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. 6282-3, 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

enclosures

Note: The applicable portions of Water Right No. 5813-3 were incorporated into Water License No. 6282-3.