

WATER PERMIT NO. 5857-3

Phone: 345-4643 work 345-3489 home

Name of Applicant: Clinton (Lee) Houghton

Post Office Address: 413 Main, Webster SD 57274

Amount of Water Claimed: 2.0 cfs Total Acres: 160.00

Source of Water Supply: groundwater

Water to be used for: irrigation County: Clark

Location: 3 miles northwest of Willow Lake

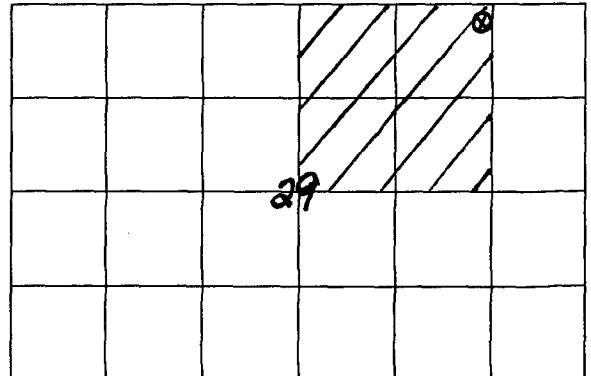
PRIORITY Date Received: 3-16-95 Fee: \$250.00

Corrected Application Received: 3-21-95 Period of Annual Use: May 1 - Oct 31

Remarks: _____

Diversion Point: NE 1/4 NE 1/4 Sec 29-T114N-R57W

Land to be Irrigated: NE 1/4 Sec 29-T114N-R57W



Well Log: Driller: Peckham Well Co. Licensed: YES X NO _____

Depth of Well: 54 feet REMARKS: _____

Type of Map: aerial Prepared By: Angie Lorenz, CFSA Reviewed and the Number

Assigned on: 9-21-95 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. 5857-3 Hydrologic Unit 10170201
Basin Big Sioux River
Newspaper Clark Co. Courier, 117 1st St West
(office use only)



Application For Permit To Appropriate Water For Irrigation

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 Clinton (Lee) Houghton Phone 345-4643 W
(check one) ☒ Owner ☐ Tenant/lessee

Mailing Address 413 Main Webster State SD 57274
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed 2.0 *CFS or 900 **GPM 160 ***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 well

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
ne 1/4 ne 1/4 29-114-57

County Clark

5. County or counties where water will be used Clark

6. Annual period during which water is to be used May/October 31

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NE 1/4 NE 1/4 29-114-57	40		
NW 1/4 NE 1/4 29-114-57	40		
SE 1/4 NE 1/4 29-114-57	40		
SW 1/4 NE 1/4 29-114-57	40		

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

Apply water to cropland using a well, turbine pump and center pivot.

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

STATE OF SOUTH DAKOTA)

County of Day)^{SS}

I, Lee Houghton, the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.

Signed Clinton (Lee) Houghton

Subscribed and sworn to before me this 14 day of March 19 95

[Signature] 2-22-2003
Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 30" Depth 54'
- b) Casing Type 16" PVC Diameter 16" Thickness 5/8"
- c) Screen Type Stainless steel Diameter 16" Thickness
- d) Gravel Pack Thickness 7" Length of Gravel Pack unknown
- e) Depth to Top of Water Bearing Material 45'
- f) Depth to Water (ground surface to water level) 15'
- g) Distance to nearest existing domestic well:

On applicants property none On property owned by others 1 mile

2. Dugout Information

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

3. Water Storage Dams

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

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

b) Freeboard

c) Crest Width

Crest Length

d) Height

e) Primary Outlet Capacity

If pipe, diameter

f) Secondary Spillway Capacity

Spillway Width

g) X & Y Slope

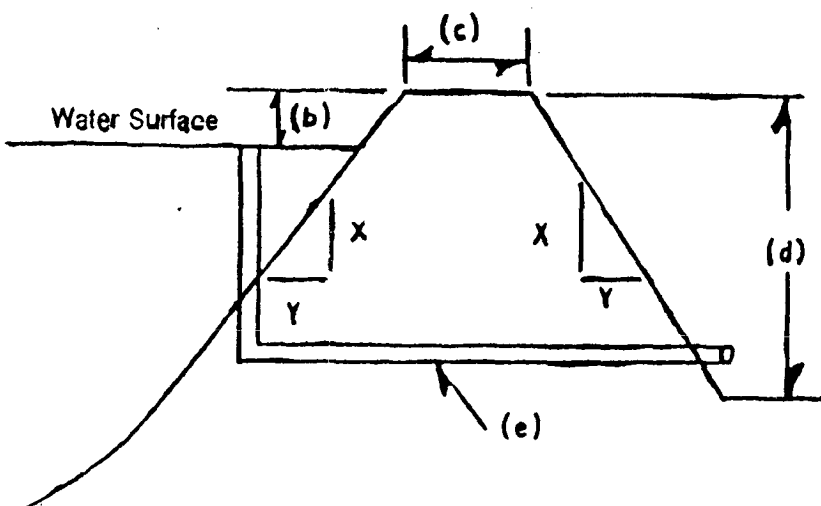
Upstream

Downstream

h) Surface Area of Impoundment

i) Storage Acre Feet

j) Drainage Area Above Dam Acres



SOUTH DAKOTA WATER PERMIT NO. 5857-3 FOR IRRIGATION

Date of first receipt of application March 16, 1995.

Date of return to applicant for corrections, amendments or changes March 17, 1995.

Date of receipt of corrected application March 21, 1995.

The Water Management Board approved Water Permit Application No. 5857-3 on July 6, 1995 for Clinton (Lee) Houghton, 413 Main, Webster SD 57274 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. 5857-3 appropriates 2.0 cubic feet of water per second from one well (Vermillion East Fork Willow Lake Aquifer) 54 feet deep located in the NE 1/4 NE 1/4 Section 29 to irrigate 160 acres located in the NE 1/4 Section 29; all in T114N-R57W.
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 - October 31.
3. The date from which applicant may claim right is March 16, 1995.
4. One-fifth of the construction is to be completed on or before January 6, 1998.
5. All construction is to be completed on or before July 6, 2000.
6. Water is to be put to beneficial use on or before July 6, 2004.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well authorized by Permit No. 5857-3 must be located at least 1320 feet from the existing irrigation well authorized by Water Right No. 3827-3, unless testing is completed and a closer location is authorized by the Chief Engineer.
2. 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.

(continued)

3. The well authorized by Permit No. 5857-3 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) pursuant to Section 74:02:04:28.
4. 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 Program
Department of Environment and Natural Resources

SEP 5 1995
date

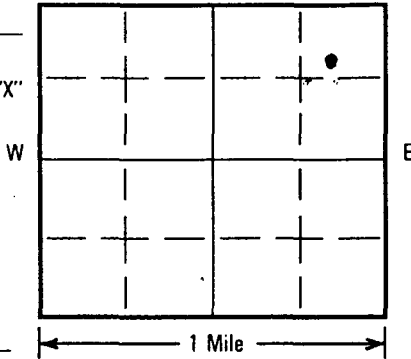
5857-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 29 Twp 114N Rg 57W
County Clark

Please mark well location with an "X"



Well Completion Date

7-16-98

Well Owner: Lee Houghton

Business Name:

Address: 413-MAIN AVE Webster SD
57274

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Black Dirt Black Dirt	0	3
Dirty SAND	3	30
Mix GRAY SAND	30	52
Blue CLAY	52	60

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1/2 mile ft. from (identify source).

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Rotary

CASING DATA: ☐ Steel ☐ Plastic ☒ Other

If other describe Fiber Glass

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
Don't LB/FT 12 IN 3 Above 32 FT 20 IN
Know LB/FT _____ IN _____ FT _____ FT _____ IN
_____ LB/FT _____ IN _____ FT _____ FT _____ IN

GROUTING DATA

Grout Type No. of Sacks Grout Weight From To
Best Cement _____ lb./gal 3 Above 20 ft.
_____ lb./gal _____ ft. _____ ft.

Describe grouting procedure PUMP WATER out Drift
Hole Down 20 ft - Cement Truck
DUMP IN

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 12 IN Length 20 FEET

Material Fiber Glass SPUN LIKE STAINLESS

Slot Size 60 Set From 32 Feet to 52 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

X YES, How: White Drilling

_____ NO, Why Not? 1 Gal AFTER

Laboratory sent to for water quality analysis _____

STATIC WATER LEVEL 1 Foot Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: Air & PUMP

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

1 ft. After 14 Hrs. pumped 400 GPM

1 ft. After 14 Hrs. pumped With FAN Torb GPM

If pump installed, pump rate 600 GPM

REMARKS

Well in
Sloogh

This well was drilled under license # 414

And this report is true and accurate.

Drilling firm Stadheim Well Drilling

Signature of License/Representative

Narda Stadheim

Signature of Well Owner or Equitable Property Holder

Date: 1-12-99





Clark

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: NE 1/4 Section 29 Township 114 Range 57
 Well owner: Keith Warkentien - Willow L. Ke
(Name) (Address)
 Date well drilling completed: 4-27-18 Purpose of well: domestic
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	ft.
0 - 1	Top soil	45	
1 - 18	yellow clay	15	
18 - 45	Blue clay	54	
45 - 54	Sand	54	

Depth to static water level _____ ft.
 Name of producing aquifer (if known) _____
 Total depth of drill hole _____ ft.
 Depth to bottom of casing _____ ft.

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
4" plastic

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Peckham Well Co.
 Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump: None HR _____
 Type of pump _____ Capacity of installed pump _____ G.P.M.
 Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.40B of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.



Peckham Well Co.
 Name of Pump Installation Contractor

REPRODUCTIONS. REDUCTION 25%
 POL NO 2-22-82
 DATE MICROFILMED 2-22-82
 STATE MICROFILMS

Angie Larey PA

FSH

AGGS-Office

Post Office Box 190

Clark, SD 57225-0190

Angie Loney PA

PA

1994

NOT TO SCALE



RECEIPT

414434

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, March 16, 19 95

RECEIVED OF Lee Houghton, 413 Main, Webster, SD 57274

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

Fee for Application for Permit No. <u>5857-3</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 Blatchford
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 17, 1995

Clinton (Lee) Houghton
413 Main
Webster SD 57274

Dear Mr. Houghton:

Enclosed is the aerial photo submitted with your water permit application. Please mark the location of the well, on the map, with an "X". The application states the well is located in the NE 1/4 NE 1/4 Section 29-T114N-R57W.

Upon return of the aerial photo, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 17, 1995

Gene Warkenthien
HCR 3 Box 9
Willow Lake, SD 57278

Dear Mr. Warkenthien:

Please find enclosed a copy of a notice of hearing and report for a water permit application filed by Clinton Houghton. This information is being sent to you because the application is located within 1 mile of your existing Water Right No. 3146-3.

If you have any questions, please feel free to contact me.

Sincerely,


Eric Gronlund
Water Rights Division
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 17, 1995

Marlin Warkenthien
HCR 3 Box 39
Willow Lake, SD 57278

Dear Mr. Warkenthien:

Please find enclosed a copy of a notice of hearing and report for a water permit application filed by Clinton Houghton. This information is being sent to you because the application is located within 1 mile of your existing Water Right No. 3827-3.

If you have any questions, please feel free to contact me.

Sincerely,


Eric Gronlund
Water Rights Division
(605) 773-3352

enclosure

REPORT ON WATER PERMIT APPLICATION NO. 5857-3
for Clinton (Lee) Houghton
May 2, 1995

Application No. 5857-3 proposes to appropriate 2.0 cfs (900 gpm) from one well approximately 54 feet deep located in the NE 1/4 NE 1/4 of section 29 to irrigate 160 acres located in the NE 1/4 of section 29; all in T114N R57W in Clark County.

AQUIFER - VERMILLION EAST FORK WILLOW LAKE (VEF-WL)

The Vermillion East Fork Willow Lake is a predominantly unconfined or water table glacial outwash (sand and gravel) however, it may be under confined or artesian conditions. The aquifer underlies an estimated 13,100 acres and contains an estimated 29,480 acre feet of recoverable water in storage (Hedges, 1982). This is a very conservative estimate and in a USGS report for Clark County this aquifer was called the Prairie Coteau #1. That aquifer underlies 80 square miles, contains an estimated 200,000 acre feet in storage and averages about 3.8 inches of recharge per year (Hamilton, 1986). A comparison between reports is realistic when it is considered that the Vermillion East Fork Willow Lake is only a portion of the Prairie Coteau. Also the USGS report is a more recent work and the aquifer is mapped more accurately.

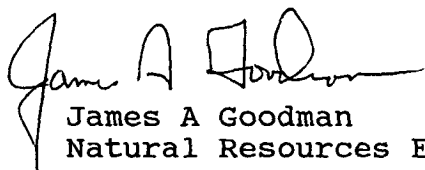
The Division of Water Rights does monitor an observation well CK-78L which is located within a few hundred feet of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1995).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing Water Rights Nos. 3146-3 and 3827-3 which are located within 1 mile of this application. The well for Water Right No. 3827-3 (1.78 cfs - 132 acres of irrigation) is located 600 feet north and 50 feet east of the NE corner of section 29. The well for this application is proposed to be in the very NE corner of section 29 which would put the existing well a little over 600 feet north of this application. At this distance cones of depression resulting from pumping should overlap causing interference. It is not expected that this interference would be adverse, however, testing would be required to evaluate this. In order to minimize this potential, test drilling should be done to evaluate the best area to develop a high capacity well within the area proposed for irrigation. Developing a well near the center of NE 1/4 of section 29 would alleviate any potential interference problems.

CONCLUSIONS

1. Water is available from the Vermillion East Fork Willow Lake aquifer.
2. The aquifer is under water table conditions in this area. Significant drawdown created by pumping should not extend very far from an individual production well. In this situation because of an existing well only about 600 feet distant interference is likely. Testing would be required to quantify any potential for adverse interference.
3. It does not appear that test drilling was done for this application. Until adequate testing is completed a distance of at least 1320 feet between wells should be maintained. This would minimize the impacts of interference. Besides test drilling might result in a more favorable location to put the production well.
4. The well authorized by this application, if approved, must be completed in accordance with SD Well Construction Standards.



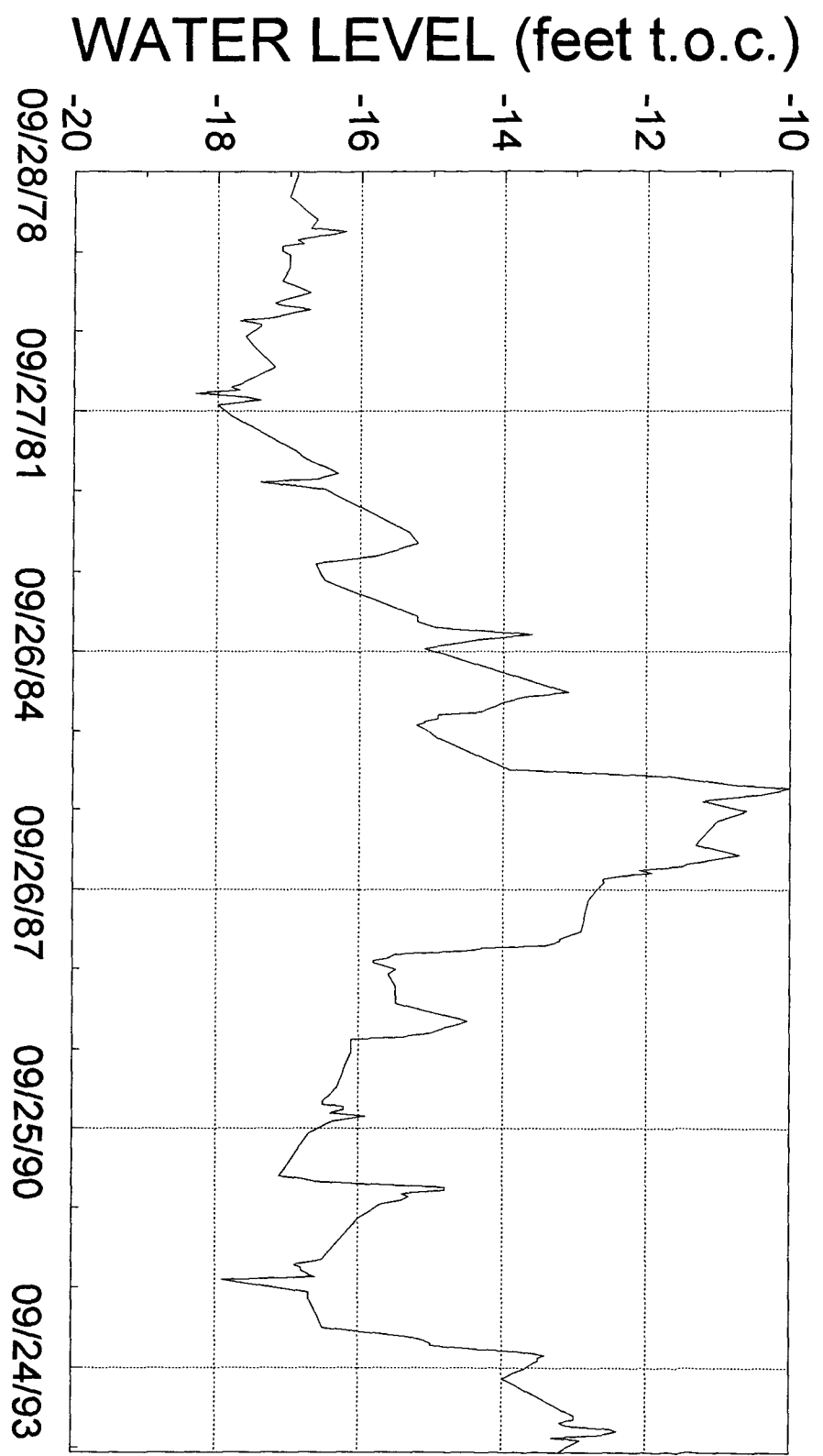
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hamilton, L.J., 1986, Geology and Water Resources of Clark County, South Dakota, Bulletin 29, SD DENR, SDGS, Vermillion, SD, 57069.
- 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.
- Water Rights, 1995, Unpublished Observation Well Data for Clark County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

CK-78L



RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5857-3, Clinton Houghton

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. 5857-3, Clinton Houghton, 413 Main, Webster, SD 57274.

The Chief Engineer is recommending APPROVAL of Application No. 5857-3 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 authorized by Permit No. 5857-3 must be located at least 1320 feet from the existing irrigation well authorized by Water Right No. 3827-3, unless testing is completed and a closer location is authorized by the chief engineer.
2. 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.
3. The well authorized by Permit no. 5857-3 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) pursuant to Section 74:02:04:28.
4. 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 8, 1995



**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 17, 1995

Clinton (Lee) Houghton
413 Main
Webster, SD 57274

Dear Mr. Houghton:

Water Permit Application No. 5857-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Clark County Courier printed at Clark, SD (Ph # 605-532-3654). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
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 17, 1995

Clark County Courier
117 First Street West
Clark, Sd 57225

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5857-3 to be published twice. Please publish the first notice on May 31, 1995, 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 Clinton (Lee) Houghton, 413 Main, Webster, SD 57274 (Ph # 605-345-4643(W) or 605-345-3489(H).

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 31, 1995, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5857-3 to Appropriate Water

Notice is given that Clinton (Lee) Houghton, 413 Main, Webster, SD 57274 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well (Vermillion East Fork Willow Lake Aquifer) 54 feet deep located in the NE 1/4 NE 1/4 Section 29 to irrigate 160 acres located in the NE 1/4 Section 29; all in T114N-R57W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5857-3 with qualifications 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.

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 23, 1995. 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.

The Water Management Board will consider this application at 9:30 a.m., Thursday, July 6, 1995, Tanglewood Room, Ramkota Inn - Best Western, 1901 9th Avenue SW, Highway 212 West, Watertown, SD 57201. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The July 6, 1995, 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 23, 1995.

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 23, 1995, 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. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Clark) ss

I, David Moritz

certify that the attached printed Notice was

taken from the Clark County

Courier

printed and published in Clark, SD

County of Clark and State of

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

May 31, 1995

June 7, 1995

Cost of Printing: \$49.14

100 lines 2 times

David Moritz
 (Signature)

Public
 (Title)

6-12-95
 (Date Signed)



**NOTICE OF HEARING
 on Application No. 5857-3 to
 Appropriate Water**

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5857-3 with qualifications 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 inter-

est.

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 23, 1995. 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.

The Water Management Board will consider this application at 9:30 a.m., Thursday, July 6, 1995, Tanglewood Room, Ramkota Inn - Best Western, 1901 9th Avenue SW, Highway 212 West, Watertown, SD 57201. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The July 6, 1995, 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 23, 1995.

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 23, 1995, 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. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.



SEP 5 1995

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Clinton (Lee) Houghton
413 Main
Webster, SD 57274

Dear Mr. Houghton:

Enclosed is Water Permit No. 5857-3 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 Program
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.



Mr. Goodman,

As you can see holes #4 and #2 are what I have been told are most likely the best holes for water. However Staddon in Watertown said that it is possible that #1 in center of 1/4 may be all right but further down. Question is to you, beings how you are familiar with area and etc. What do you think??

I would greatly appreciate any comments on this. Please call me at 605-345-3366 during the day. Thank you

La Hughton

CALLER BACK ON 10/28/97 - DISCUSSED INFO - SUGGESTED HE LOOK EAST - ALSO LEFT OPEN POSSIBLE SITE NEAR TEST HOLE #4 AND #2. HE WILL WORK SOME MORE ON THIS (JAG)

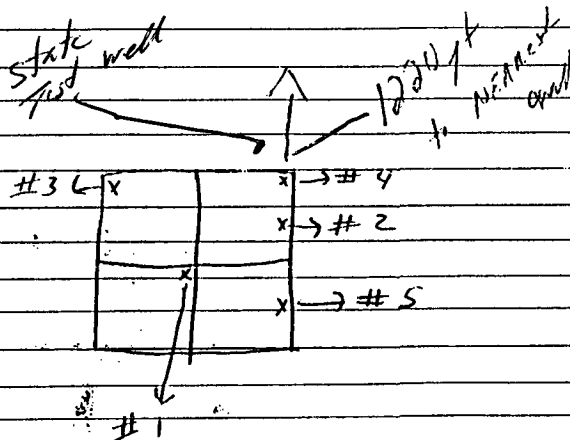
5857-3

PULLMAN DRILLING — DRILLERS LOG

Phone: 1-800-451-4884

Houghton Joe Houghton JOB NAME		Willow Lake 413 main LOCATION		5-13-97 DATE	RIG NO. 11	Jdp. FOREMAN
--------------------------------------	--	-------------------------------------	--	-----------------	------------	-----------------

Jt No.	DEPTH	TIME	REMARKS
1	20		0-6 Yellow gravel 6-15 Yellow clay 15-20 Blue clay
2	40		20-40 Blue clay
3	60		40-60 Blue clay
4	80		60-80 Blue clay
5			
6	#2		
7			
8	20		0-20 Yellow sand
9	40		20-30 Yellow sand w/ clay breaks 30-40 Sand
10	60		40-53 Med. to Fine sand looked dirty 53-60 Blue clay
11			
12	#3		
13			
14	20		0-4 Yellow clay 4-10 Yellow gravel 10-15 Yellow clay 15-20 Blue clay
15			
16	#4		
17			
18	20		0-20 Med. Yellow sand med. coarse
19	40		20-30 Med. yellow sand 30-40 Gray sand w/ Blue clay breaks
20	60		40-53 Med. to Fine sand w/ clay breaks 53-60 Blue clay
21			
22			
23	#5		
24			
25	20		0-20 Yellow sand
26	40		20-30 Gray sand w/ clay breaks 30-40 Blue clay
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			
40			



REMARKS:

Jim,
 you and I spoke of this 1/2 year
 Willow Lake a couple weeks ago.

LH

5857-3

11/30/98

To Whom it may concern, Jenny McMath

If we go with kilowat hrs used.
These numbers are those. 10763 kilowat hours. $\frac{1}{2}$ in
August, other $\frac{1}{4}$'s in July and Sept
At 10 ft to water 550' of water depth 50' total
at 45# PSI

Otherwise I would guesstimate 9 rotations at
App. 40 hrs each = 360 hrs at 450 to 500 gal/min
Again $\frac{1}{2}$ that time in August $\frac{1}{4}$ each in July
and Sept.

Thank you for your patience and cooperation

I will try to keep better records next yr.

Again, thank you

LaDyette

Permit No. 5857-3
Big Sioux 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, June 25, 2001, made a thorough examination of the water use system constructed by Clinton (Lee) Houghton of 413 Main, Webster SD 57274 holder of Permit No. 5857-3, bearing the priority of March 16, 1995 authorizing the diversion of 2.0 cu. ft. per second of the waters of ground water (Vermillion E Fork Willow Lake aquifer) for irrigation purposes, in Clark County.

Inspection contact & relationship to permit holder, if applicable: **Clinton Houghton**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Stadheim
- 2) No. of Wells 1
- 3) Depth(s) 52 feet
- 4) Well log is available Y
- 5) Comments: Wellhead is nearly encircled by water.

Casing:

- 1) Diameter 12 inches
- 2) Length 32 feet
- 3) Type fiberglass

Screen:

- 1) Type fiberglass
- 2) Length 20 feet
- 3) Static water level 1.0 feet

Pump:

- 1) Make No plate

Motor:

- 1) Make General Electric
- 2) Serial No. ESJ514345
- 3) Horsepower rating 50 hp

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 1,100 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make T & L
- 2) Number of towers Y
- 3) End gun Y/N
- 4) High or low pressure low
- 5) Capacity 600 GPM

Chemigation Equipment:

- 1) Does chemigate N (but may in future)

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: none

Report of Examination of Works

Permit No. 5857-3

The system is in good condition with the point of diversion located as follows: Well: 820 feet S and 300 feet W from NE corner section 29-T114N-R57W (NE $\frac{1}{4}$ NE $\frac{1}{4}$). The works are capable of diverting and conveying to the place of use 1.34 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: **All in section 29-T114N-R57W**

NE $\frac{1}{4}$ NE $\frac{1}{4}$ **14 acres**

NW $\frac{1}{4}$ NE $\frac{1}{4}$ **12 acres**

SW $\frac{1}{4}$ NE $\frac{1}{4}$ **33 acres**

SE $\frac{1}{4}$ NE $\frac{1}{4}$ **33 acres**

comprising a total of 92 acres of land and the license should be issued for 1.31 cfs.

Comments or other permit(s) associated with the project: **none** | All structures, wells and lands on map Y

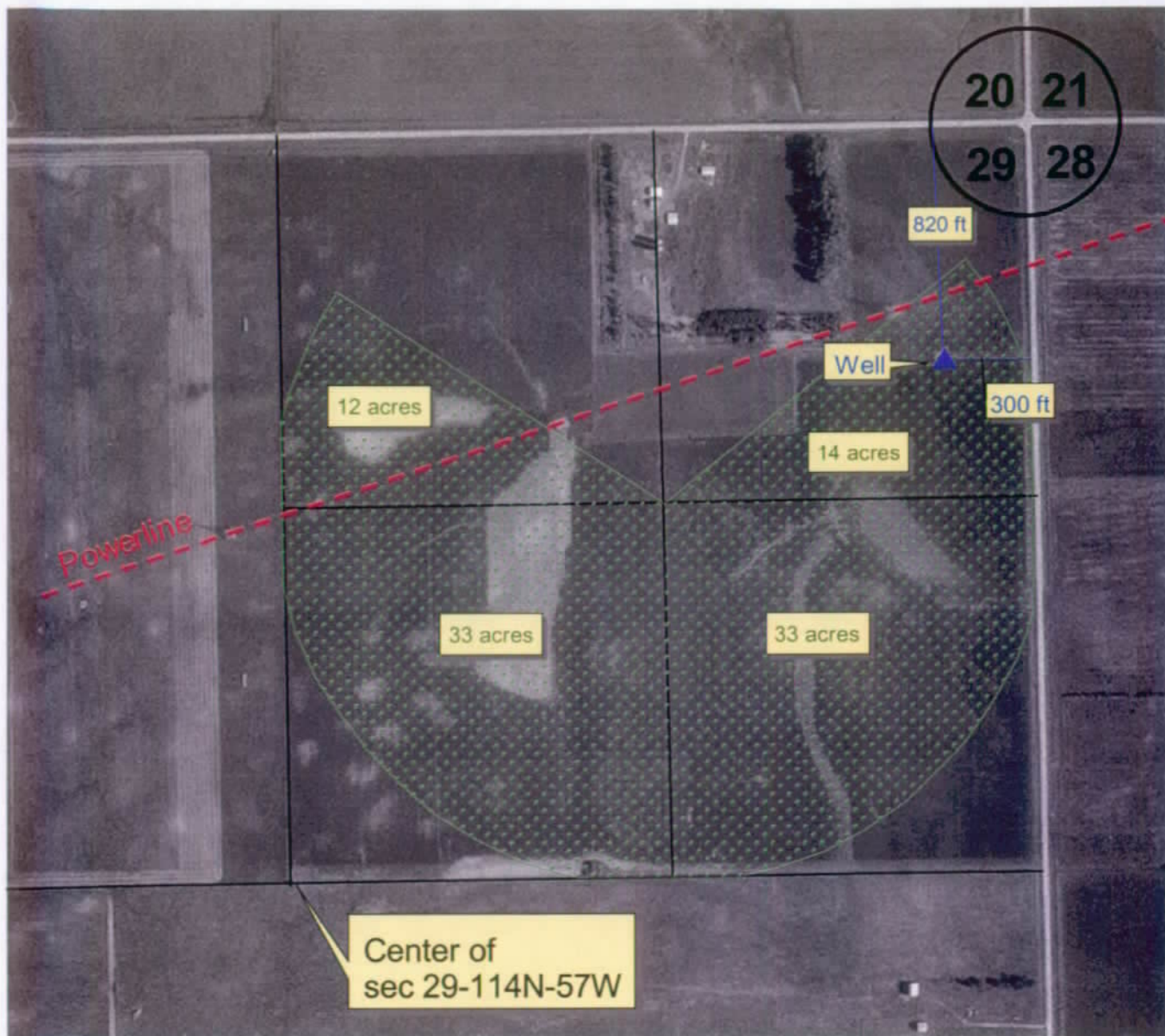


Ron Duvall

Natural Resources Engineer
DENR, Water Rights Program

Date report completed: August 3, 2001

600 0 600 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat. Res. Engineer
August 3, 2001

No. 5857-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 6, 2001

5857-3

Clinton (Lee) Houghton
413 Main
Webster, SD 57274

Dear Mr. Houghton:

On June 25, 2001, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5857-3, was completed by Ron Duvall, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 416889

Pierre, August 16, 2001

RECEIVED OF Lee Houghton, 710 W 9th Ave, Webster, SD 57274
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. _____ Permit No. 585703

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By

Garland Erbele

Chief Engineer

Garland Erbele

(Signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 24 2001

5857-3

Clinton (Lee) Houghton
413 Main
Webster, SD 57274

Dear Mr. Houghton:

Enclosed is Water License No. 5857-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416889 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5857-3

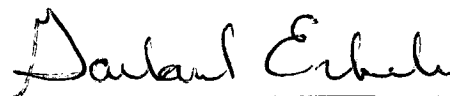
(1) Clinton (Lee) Houghton, 413 Main, Webster SD 57274 made Application No. 5857-3, March 16, 1995 for a water permit to divert 2.0 cubic feet of water per second from groundwater (one well), Clark County, South Dakota for irrigation purposes. Permit No. 5857-3, with a priority date of March 16, 1995 was approved July 6, 1995 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 6, 2000 and for the application to beneficial use of said water on or before July 6, 2004.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.31 cubic feet of water per second for beneficial use. The location of the diversion point is 820 feet S and 300 feet W from the NE corner Section 29-T114N-R57W (NE ¼ NE ¼).

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

Section 29-T114N-R57W	NE ¼ NE ¼	14 acres
	NW ¼ NE ¼	12 acres
	SW ¼ NE ¼	33 acres
	SE ¼ NE ¼	33 acres
Total 92 acres		

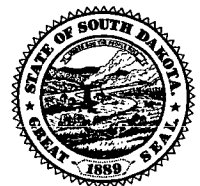
(4) Pursuant to South Dakota Water Law 46-5-30.1 Clinton (Lee) Houghton, 413 Main, Webster SD 57274 the holder and/or owner of Water Right No. 5857-3 is issued a license to appropriate water, the right to use 1.31 cubic feet of water per second from groundwater (one well) with a priority date of March 16, 1995 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 Right No. 5857-3 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 24 2001

date



5857-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 19 2007

5857-3
5857A-3

Clinton (Lee) Houghton
710 W 9th Ave
Webster SD 57274

Dear Mr. Houghton:

Enclosed is Water License No. 5857A-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the 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. 5857A-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

Note: The applicable portions of No. 5857-3 are incorporated into Water License No. 5857A-3.

enclosures