

WATER PERMIT NO. 6159-3

Name of Applicant: Melvin Wieting

Address: 19312 396th Ave, Hitchcock SD 57348

Phone: 605 266-2889

Amount of Water Claimed: 1.88 cfs

Total Acres: 132

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Beadle

Type of Waste Disposal System: NA

Location: 5 miles southeast of Hitchcock

PRIORITY

Date Received: 12-9-99

Fee: \$250

Corrected Application Received:

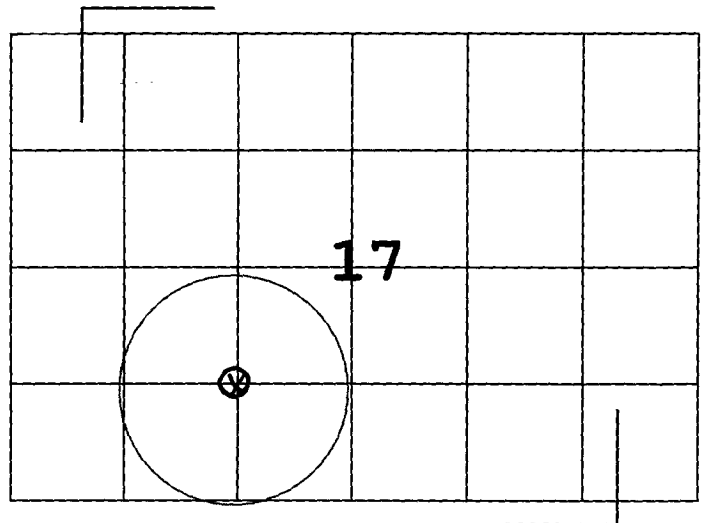
Period of Annual Use: May 1 – September 30

Remarks:

Diversion Point: center of SW ¼

Sec 17-T113N-R62W

Land to be Irrigated: SW ¼ Sec 17-T113N-R62W



Depth of Well: 65 feet deep

Well Driller: Huron Drilling, Inc.

Remarks:

Type of Map: aerial

Prepared by: Ron Duvall

Reviewed and the Number Assigned on: 12-9-99

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6159-3**

Date of first receipt of application December 9, 1999.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6159-3 to Melvin Wieting, 19312 396th Ave, Hitchcock SD 57348 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. 6159-3 appropriates 1.88 cubic feet of water per second from one well (Tulare Hitchcock Aquifer) 65 feet deep located in the center of the SW ¼ Section 17 to irrigate 132 acres located in the SW ¼ Section 17; all in T113N-R62W.
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 December 9, 1999.
4. The date of approval of Permit No. 6159-3 is February 14, 2000.
5. One-fifth of the construction is to be completed on or before August 14, 2002.
6. All construction is to be completed on or before February 14, 2005.
7. Water is to be put to beneficial use on or before February 14, 2009.
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. 6159-3 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.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

FEB 24 2000

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only) No. <u>6159-3</u> Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>The Plainsman, Huron, SD</u>



Application For Permit To Appropriate Water For Irrigation

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

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

1. Name of Applicant Melvin Wieting Phone 266 889-2889
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 19312 396th Ave Whitehead State SD 57348
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.88*CFS or 800**GPM ***AF Total Acreage 182
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Ground Water
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well SW 1/4 section 17 T113 - R62 (center)
County Beadle
5. County or counties where water will be used Beadle
6. Annual period during which water is to be used June - August May 1 to Sept 30
7. List below each forty acre division, 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
<u>NW 1/4 SW 1/4 17-113-62</u>	<u>33</u>		
<u>NE 1/4 SW 1/4 "</u>	<u>33</u>		
<u>SW 1/4 SW 1/4 "</u>	<u>33</u>		
<u>SE 1/4 SW 1/4 "</u>	<u>33</u>		

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

STATE OF SOUTH DAKOTA) SS
County of Beadle

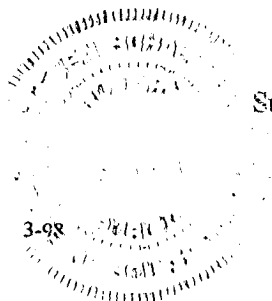
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

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

Applicant's signature Melvin Wieting

Subscribed and sworn to before me this 9 day of December 19 99

Shirley Schaefer
Notary Public signature
commission expires: 1-19-03



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 5" Depth 65'
- b) Casing Type none Diameter - Thickness -
- c) Screen Type none Diameter - Thickness -
- d) Gravel Pack none Length of Gravel Pack -
- e) Depth to Top of Water Bearing Material 40'
- f) Depth to Water (ground surface to water level) 25'
- g) Distance to nearest existing domestic well:

On applicants property 1500 ftOn property owned by others 3/4 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) -
- b) System Capacity (gallons) - Year Constructed -
- c) Connected to the City of - Sanitary System -

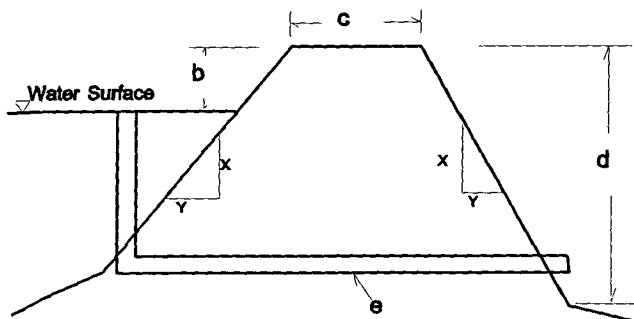
3. Dugout Information

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

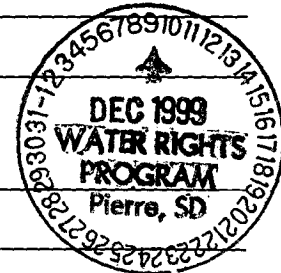
4. Water Storage Dams

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



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 416290

Pierre, _____ December 9, 1999

RECEIVED OF Melvin Wieting, 19312 - 396th Ave., Hitchcock, SD 57348

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 _____	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. _____	50 00
Fee for Filing Transfer Form _____	
Fee for Filing Extension Request _____	
Fee for _____	

(Any Other Work Provided by Law)	Total 300 00

By John H. Hatcher
Chief Engineer

Huron Drilling Inc. Drillers Log

- Job Name TERRY-MELVIN WIELING
- Location SEC 17-T-113-RL2W REARVIL
- Date 12/8/99
- Rig # 24
- Foreman TOM RATHEN



#	Depth	Time	Remarks
1	20	11:05 Am	Yellow Clay - Yellow Gravel
2	40	1:25 Pm	Blue Clay - 39-40 Sand - Gravel
3	60	1:35 Pm	Coarse sand and gravel - Coal
4	80	T.D.	100-65 coarse gravel - 65-80 Blue clay
			Huron Drilling Inc Doug Deery Pres

NOT TO

S3 SW 17-113-62

Transferred
to
Spink

Don J. Small
Natural Resources Engineer
12/9/99

NHEL
① 154.4 (w)

17

KHEL
①80.0

NNEL
② 14.9 (W)

q,d

20

well

27.1

NHF
 35.5

T-85
NHCL
5.8 ✓

44

MMEL

NC

① 130.0

⑧ 5.4

④ 10.6

W 113

T-85

ANAL
④ 24.7

T-9192

NC

S3

6159-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

6159
6240-3
07-92

Location NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 17 Twp 113 Rg 62
County Beadle

Please mark well location with an "X"

		North	
			X
W			
		E	

Well Completion Date 4-17-00

1 Mile

Well Owner: Terry Wieting
Business Name: _____
Address: 19312 396th Ave
Hitchcock SD 57348

FORMATION	DEPTH	
	FROM	TO
top soil	0	5
yellow clay	5	30
sand gravel	30	65

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1500 ft. from septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

rotary

STATIC WATER LEVEL 25 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: compressed air
☐ Bailed
☐ Other
 Pumping Level Below Land Surface
45 ft. After 6 Hrs. pumped 300 GPM
 _____ ft. After _____ Hrs. pumped _____ GPM
 If pump installed, pump rate _____ GPM

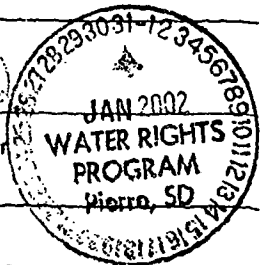
REMARKS

This well was drilled under license # 94
And this report is true and accurate.

Drilling firm _____
Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder _____

Date: 1-30-02



CASING DATA: ☐ Steel ☒ Plastic ☐ Other
If other describe _____
PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
500 LB/FT 8 IN 0 FT 65 FT 14 IN
____ LB/FT ____ IN ____ FT ____ FT ____ IN
____ LB/FT ____ IN ____ FT ____ FT ____ IN

GROUTING DATA

Grout Type No. of Sacks Grout Weight From To
Portland 20 _____ lb./gal 0 ft. 30 ft.
____ lb./gal ____ ft. ____ ft.
Describe grouting procedure Trimie pipe

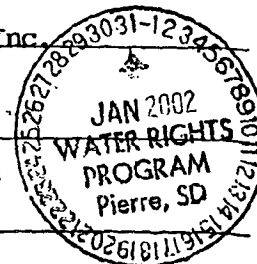
SCREEN: ☐ Perforated pipe ☒ Manufactured
Diameter 8" IN Length 20 FEET
Material Pvc
Slot Size 25 Set From 40 Feet to 60 Feet
Other information gravel packed 35-65'
grout seal 30-35'

WAS A PACKER OR SEAL USED? ☒ YES ☐ NO
If so, what material? bentonite
Describe packer(s) and location? 30-35'

DISINFECTION: Was well disinfected upon completion?
X YES, How: HTH
____ NO, Why Not? _____
Laboratory sent to for water quality analysis _____

6159
~~6240-3~~

Date: 1-30-02



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6159-3, Melvin Wieting**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6159-3, Melvin Wieting, 19312 396th Avenue, Hitchcock SD 57348.

The Chief Engineer is recommending APPROVAL of Application No. 6159-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6159-3 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.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



Garland Erbele, Chief Engineer
January 14, 2000

REPORT ON WATER PERMIT APPLICATION NO. 6159-3

for Melvin Wieting

December 23, 1999

Application No. 6159-3 proposes to appropriate 1.88 cfs (844 gpm) from one well approximately 65 feet deep located in the center of the SW 1/4 of Section 17 to irrigate 132 acres located in the SW 1/4 of Section 17; all in T113N-R62W in Beadle County.

AQUIFER - TULARE HITCHCOCK (T-H)

The Tulare Hitchcock is a predominantly surficial outwash (sand and gravel) which is under water table conditions over most of Spink and Beadle Counties. However, the test well report filed with the application indicates sand and gravel from about 37 feet to 65 feet below land surface with a static water level of 25 feet which would indicate the aquifer is under artesian conditions at this site. The aquifer underlies 53,800 acres and contains an estimated 333,000 acre feet of recoverable water in storage in Beadle County (Hedges, 1982). The aquifer extends into Spink County to the north and is also hydraulically connected to the Tulare Western Spink aquifer to the northwest. Groundwater movement is basically from west to east toward the James River (Kuiper, 1984).

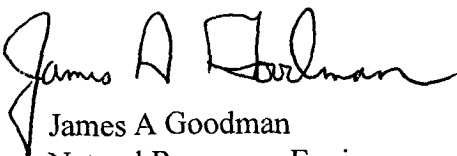
The Water Rights Program does monitor observation wells in this area. BD-80C is located about three miles southeast, BD-77A is located about three and one-half miles northwest and SP-79N is located about three miles north of this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2000). Hydrographs for these three observation well are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing water right Nos. 4350-3 and 2476-3 located within one mile of this application. The well for this application is about one half mile from an existing well. Interference is not a concern. Drawdown created by pumping is not expected to be significant at this distance between diversions points. The observation well hydrographs confirm that drawdown is not significant.

CONCLUSIONS

1. Water is available from the Tulare Hitchcock aquifer.
2. The aquifer is confined and under artesian conditions at this site, however, over most of the area the aquifer is under water table conditions. Drawdown is not expected to be significant nor cause any adverse effects at this site.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.

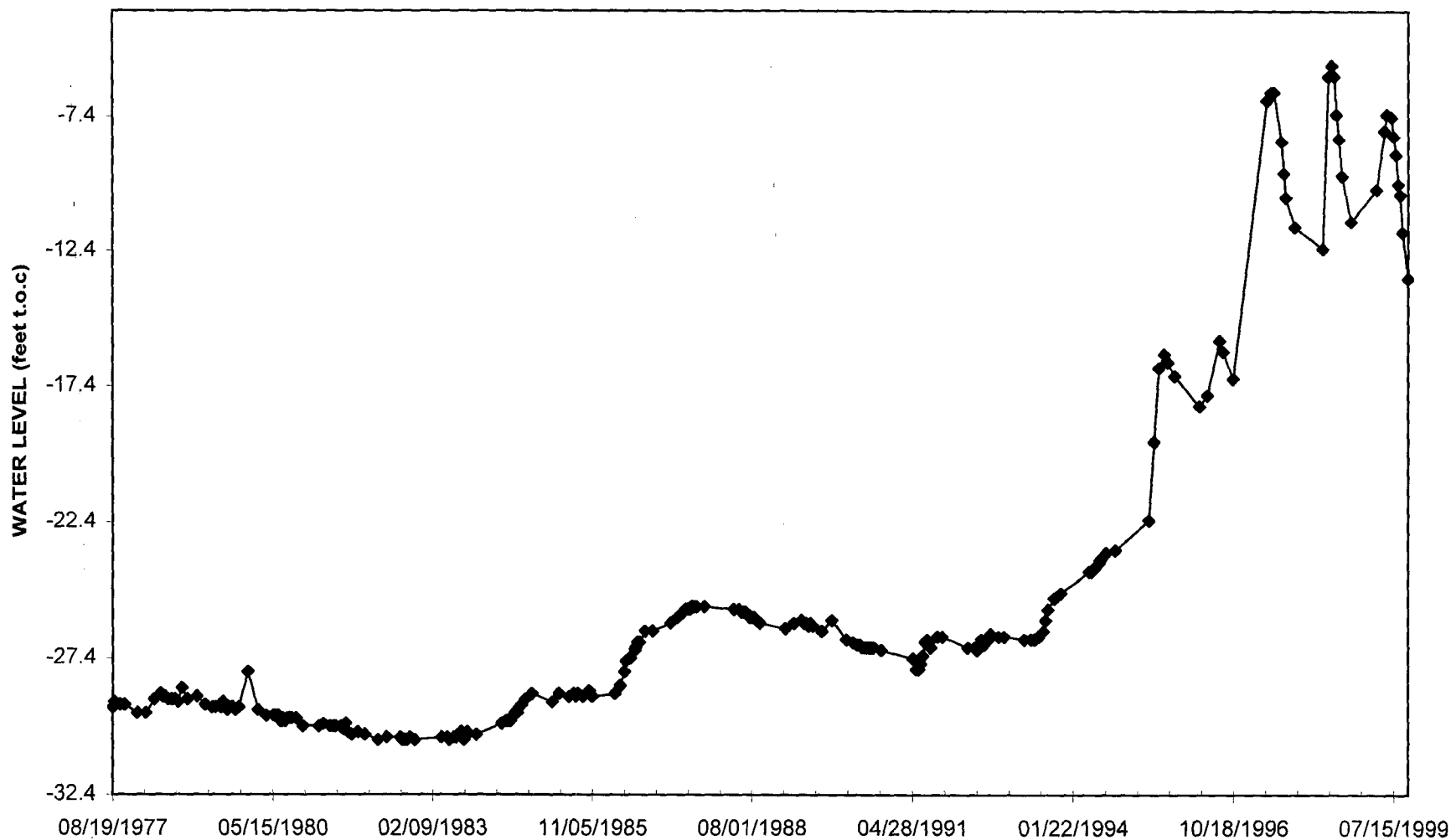


James A Goodman
Natural Resources Engineer

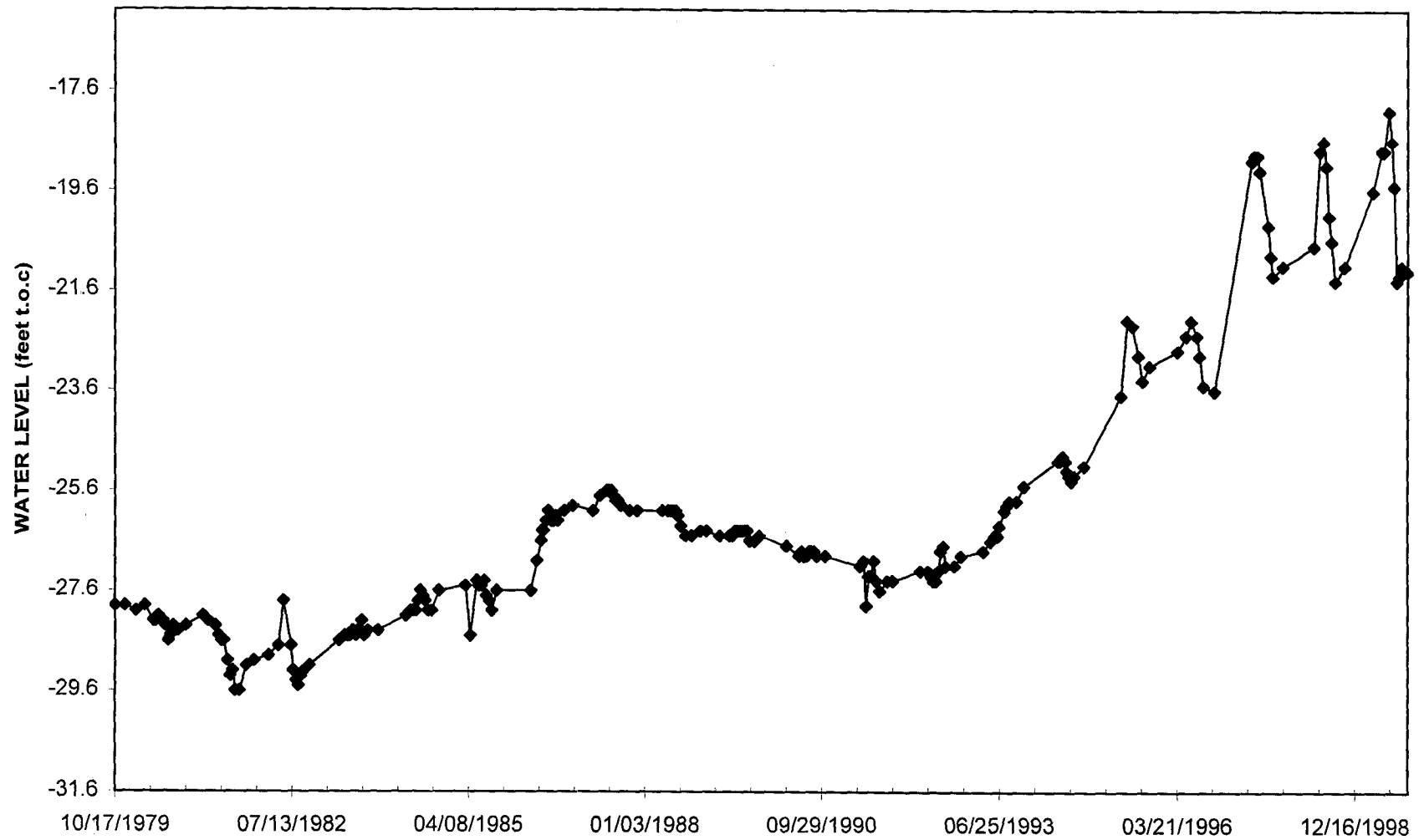
BIBLIOGRAPHY

- 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., 1984, Appraisal of the Water Resources of the Eastern Part of the Tulare Aquifer, Beadle, Hand, and Spink Counties, South Dakota, WRI 84-4078, USGS, Huron, SD, 57350.
- Water Rights, 2000, Unpublished Observation Well Data for Beadle and Spink Counties, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

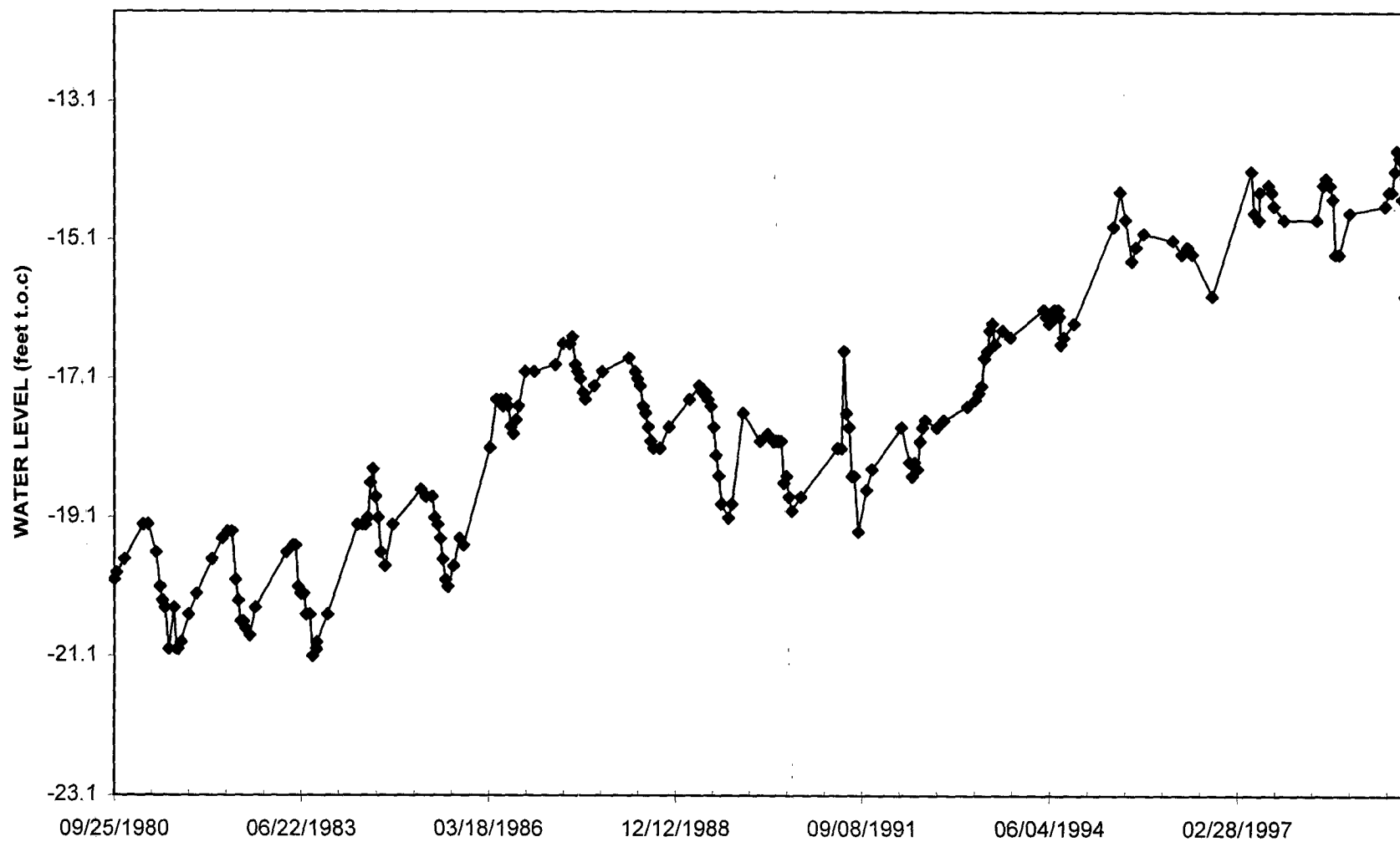
WATER RIGHTS' OBSERVATION WELL
BD-77A



WATER RIGHTS' OBSERVATION WELL
SP-79N



WATER RIGHTS' OBSERVATION WELL
BD-80C





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

January 18, 2000

Melvin Wieting
19312 396th Ave.
Hitchcock, SD 57348

Dear Mr. Wieting:

Water Permit Application No. 6159-3 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 Plainsman printed at Huron, SD (Ph # (605) 352-6401). 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
www.state.sd.us/denr

January 18, 2000

The Plainsman
P.O. Box 1278
Huron, SD 57350-1278

ATTENTION: Legal Public Notice

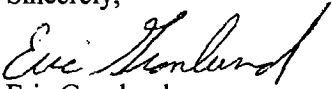
Enclosed is a Notice of Hearing on Application No. 6159-3 to Appropriate Water to be published twice. Please publish the first notice on January 26, 2000, with the second publication 7 days later.

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 Melvin Wieting, 19312 396th Ave., Hitchcock, SD 57348 (Ph # (605) 266-2889).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 6159-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of January 18, 2000, enclosing Notice of Hearing to Appropriate Water by Application No. 6159-3 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 January 26, 2000, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6159-3 to Appropriate Water

Notice is given that Melvin Wieting, 19312 396th Ave, Hitchcock SD 57348 has filed an application for a water permit to appropriate 1.88 cubic feet of water per second from one well (Tulare Hitchcock Aquifer) 65 feet deep located in the center of the SW ¼ Section 17 to irrigate 132 acres located in the SW ¼ Section 17; all in T113N-R62W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6159-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 February 14, 2000.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

PRINTER'S AFFIDAVIT



STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

I, Connie Nelson, being duly sworn on oath, say that THE PLAINSMAN is a daily paper published at Huron, Beadle County, South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am *Legal Advertising Coordinator* of said newspaper and know the facts herein state. The annexed notice headed:

Notice of Application No. 6159-3 to Appropriate Water, Melvin Wieting

was published for *two weeks, once each week, the same day each week*, in said newspaper, and not in any supplement of the said newspaper, the first publication was on 26th day of January, 2000, and the last publication on the 2nd day of February, 2000. That the full amount of the fee charged for publishing the same, to wit: Seventy Six and 50/100 Dollars inures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me this 2nd day of

February, 2000.

Notary Public, South Dakota

My term expires 7/15/2004

Legal #21

FP 100-00 L.P. 2-2-00

**NOTICE OF APPLICATION
NO. 6159-3 TO
APPROPRIATE WATER**

Notice is given that Melvin Wieting, 19312 396th Ave, Hitchcock, SD 57348 has filed an application for a water permit to appropriate 1.88 cubic feet of water per second from one well (Tulare Hitchcock Aquifer) 65 feet deep located in the center of SW1/4 Section 17 to irrigate 132 acres located in the SW1/4 Section 17, all in T113N-R62W.

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Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation.

The Chief Engineer's address is Water Rights Program, P-30 Building, 623 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 February 14, 2000.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Nettie H. Myers, Secretary,
Department of Environment and
Natural Resources,
No. 21 (adv.)

2x 7/2 x
4519 = 476 50

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

Date 11/9/2000

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



FROM: Melvin Wieting
(name)
19312 396th Ave, Hitchcock
(address)
SD 57348
(city, state, zip) _____ (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6159-3 states that the water use system is to be constructed by 2/14/2005, and water is to be put to beneficial use by 2/14/2009.
(date) (date)

The water use system was completed on May 1, 2000.
(date)

Applying the water to beneficial use was completed on June 20, 2000.
(date)

You may schedule an investigation so that the water license may be issued.

Melvin Wieting
(signature)



7-98

Note: Two wells have been developed
needs to be corrected prior to licensing.

Permit No. 6159-3
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, June 25, 2001, made a thorough examination of the water use system constructed by Melvin Wieting of 19312 396th Avenue, Hitchcock SD 57348 holder of Permit No. 6159-3, bearing the priority of December 9, 1999 authorizing the diversion of 1.88 cu. ft. per second of the waters of ground water (Tulare Hitchcock aquifer) for irrigation purposes, in Beadle County.

Inspection contact & relationship to permit holder, if applicable: **Terry Wieting (son)**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Huron Drilling
- 2) No. of Wells 2
- 3) Depth(s) 62 & 60 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 12 & 8 inches
- 2) Length 47 & 40 feet
- 3) Type plastic

Screen:

- 1) Type stainless & PVC
- 2) Length 15 & 20 feet
- 3) Static water level 22 & 25 feet

Motor/Pump:

- 1) Make both Grundfos
- 2) Model both submersible
- 3) Capacity 750 GPM

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

- 1) Type PVC
- 2) Size 4 inches
- 3) Length 450 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Zimmatic
- 2) Number of towers 7
- 3) End gun Y
- 4) Low pressure 40 - 45 psi
- 5) Capacity 750 GPM

Chemigation Equipment:

- 1) Does chemigate N

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. 6159-3

The system is in good condition with the point(s) of diversion located as follows: South well: 1,320 feet N and 1,320 feet E (center of SW¼); North well: 1,770 feet N and 1,320 feet E; both from SW corner section 17-T113N-R62W. The works are capable of diverting and conveying to the place of use 1.67 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 17-T113N-R62W:

NE¼SW¼ 32 acres

SW¼SW¼ 32 acres

NW¼SW¼ 32 acres

SE¼SW¼ 32 acres

Pivot is about 20 feet short of full quarter size pivot to accommodate buildings and shelterbelt.

comprising a total of 128 acres of land and the license should be issued for 1.67 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: December 4, 2003

Approval of Additional Diversion Point(s)

NAME: Melvin Wieting

ADDRESS: 19312 396th Avenue, Hitchcock SD 57348

DATE: December 4, 2003 **COUNTY:** Beadle

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The water source identified in No. 6159-3 is the Tulare Hitchcock aquifer with a permitted diversion rate of 1.88 cfs from one well. The inspection found two wells developed into the Tulare Hitchcock aquifer with a combined diversion rate of 1.67 cfs.

- **If irrigation, no new land is irrigated**

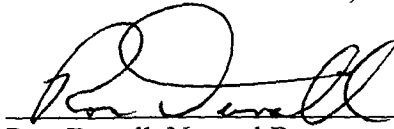
The developed acreage is 128 acres as compared with 132 acres specified on the application.

- **Review of Existing Diversions**

The nearest existing permitted diversion from the Tulare Hitchcock aquifer is Water Right No. 4350-3 held by Melvin Puffer with a priority date of September 3, 1976. This water right authorizes use of two wells with the nearest well being approximately 3,200 feet from Mr. Wieting's additional well. To date, there has been no reported interference between these wells. The wells have co-existed since April 2000 when the Wieting well was constructed. The additional well is actually located further away from the Puffer well than the well constructed in the permitted location under No. 6159-3.

RECOMMENDED ACTION

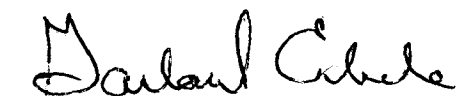
Based on the above criteria, it is recommended that the additional diversion point be licensed as developed.



Ron Duvall, Natural Resources Engineer
Water Rights Program

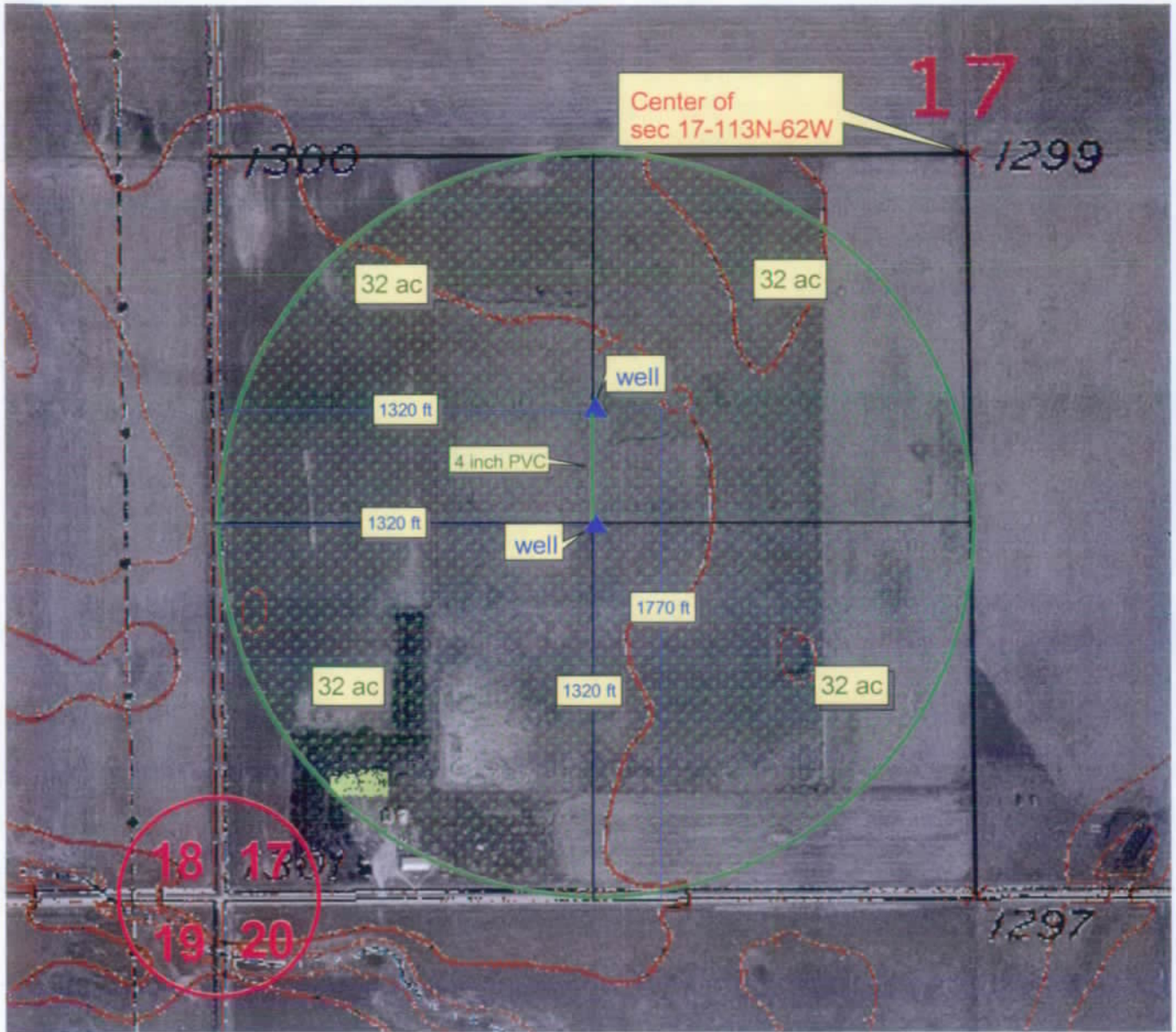
The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion point does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

600 0 600 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat. Res. Engineer
August 6, 2001

No. 6159-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6159-3

(1) Melvin Wieting, 19312 396th Ave, Hitchcock SD 57348 made Application No. 6159-3, December 9, 1999 for a water permit to divert 1.88 cubic feet of water per second from groundwater (one well), Beadle County, South Dakota for irrigation purposes. Permit No. 6159-3, with a priority date of December 9, 1999 was approved February 14, 2000 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 14, 2005 and for the application to beneficial use of said water on or before February 14, 2009.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on November 9, 2000. The *Notice* stated the diversion system was completed on May 1, 2000 and the water placed to beneficial use on June 20, 2000.

An investigation conducted for licensing purposes found an additional diversion point developed under Water Permit No. 6159-3. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the additional diversion point does not increase the potential for interference with existing water rights.

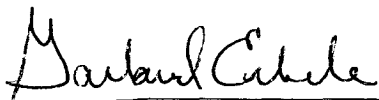
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6159-3 is issued a license, bearing a priority date of December 9, 1999 to appropriate 1.67 cubic feet of water per second from groundwater (two wells) to irrigate 128 acres.

The diversion points are located: South well – 1,320 feet north and 1,320 feet east (center of SW ¼); and North well – 1,770 feet north and 1,320 feet east (N ½ SW ¼); both from the southwest corner of Section 17-T113N-R62W. The acres authorized for irrigation are as follows:

Section 17-T113N-R62W			
NE ¼ SW ¼	32 acres	SW ¼ SW ¼	32 acres
NW ¼ SW ¼	32 acres	SE ¼ SW ¼	32 acres
Total 128 acres			

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6159-3 including the following now applicable qualifications:

- The wells 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.
- The wells authorized by Permit No. 6159-3 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.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

DEC 29 2003

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 29 2003

6159-3

Melvin Wieting
19312 396th Ave
Hitchcock SD 57348

Dear Mr. Wieting:

Enclosed is Water License No. 6159-3. This is the final water right document completing your process of obtaining a Water Right.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 25, 2010

4308-3
6159-3

Melvin G Wieting
1774 Ohio Ave SW
Huron SD 57350-3922

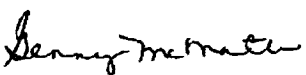
Dear Mr. Wieting:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaire.

The notice was originally mailed to 19312 396th Ave, Hitchcock SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,


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

enclosures

6159-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 8, 2010

4308-3
6159-3

Terry Wieting
870 Beach Ave NE
Huron SD 57350

Dear Mr. Wieting:

Thank you for the return of the 2010 irrigation questionnaires and also for the notation concerning the need for ownership changes on Water Right Nos. 4308-3 and 6159-3.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (\$100.00 total). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads 'Genny McMath'.

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

enclosures

RECEIVED

JAN 20 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 6159-3

Date: 1-18-11

I/We request that Water Right No. 6159-3

formerly owned by: Melvin G Wieting

be transferred to: (name & address) Terry Wieting
870 Beach Ave NE
Aurora, SD 57350 Telephone No. 554-0207

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

128 acres - SW 1/4 Section 17, T113N, R62W

I/We understand that the validity of Water Right No. 6159-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Terry Wieting, the new owner, certify that the above information is true and correct.

[Signature]
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/20, 20 11

RECEIVED OF Pleasant View Farms 39512 193rd St Hitchcock SD 57348

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	50	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 <u>6159-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

04851

By

Garland Erbelle

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 20, 2011

4308-3
6159-3

Terry Wieting
870 Beach Ave NE
Huron SD 57350

Dear Mr. Wieting:

I am writing to acknowledge receipt of the ownership changes and filing fees you submitted for transferring Water Right Nos. 4308-3 and 6159-3.

The ownership changes have been completed. The water rights formerly held by Melvin G Wieting are now listed in your name. Enclosed for your records are Receipt Nos. 04850 and 04851 in the amount of \$50.00 each.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures