

WATER PERMIT NO. 6160-3

Name of Applicant: Larry Nielson

Address: 18476 385th Ave, Tulare SD 57476

Phone: 605 596-4339

Amount of Water Claimed: 2.22 cfs

Total Acres: 160

Source of Water Supply: groundwater (2 wells)

Water to be used for: irrigation

County: Spink

Type of Waste Disposal System: NA

Location: 2 miles southwest of Tulare

PRIORITY

Date Received: 12-10-1999

Fee: \$250

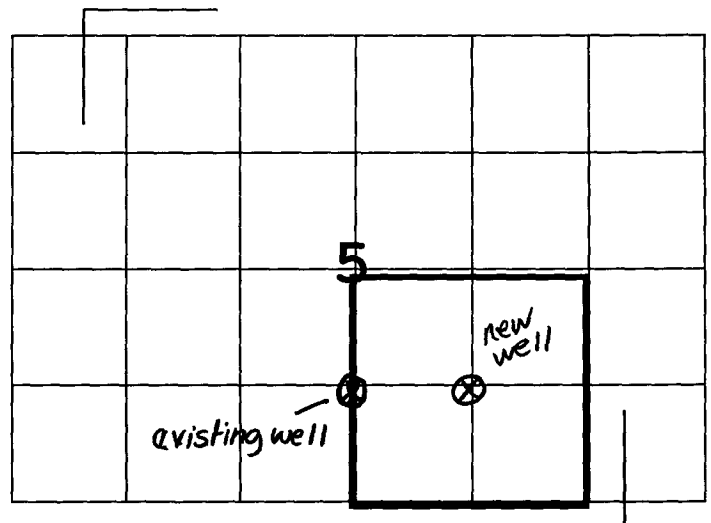
Corrected Application Received:

Period of Annual Use: April 1 – October 31

Remarks: Going to initially irrigate from existing well authorized by No. 1708-3 and drill a second well within 5 years.

Diversion Point: SW ¼ SE ¼ and approximate center SE ¼ Sec 5-T114N-R64W

Land to be Irrigated: SE ¼ Sec 5-T114N-R64W



Depth of Well: 135 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Russell Simon, NRCS

Reviewed and the Number Assigned on: XX

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 6160-3

Date of first receipt of application December 10, 1999.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6160-3 to Larry Nielson, 18476 385th Ave, Tulare SD 57476 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. 6160-3 appropriates 2.22 cubic feet of water per second from one existing and one proposed well (Tulare: Western Spink Aquifer) 135 feet deep located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the approximate center of SE $\frac{1}{4}$ Section 5 to irrigate 160 acres located in the SE $\frac{1}{4}$ Section 5; all in T114N-R64W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is December 10, 1999.
4. The date of approval of Permit No. 6160-3 is February 21, 2000.
5. One-fifth of the construction is to be completed on or before August 21, 2002.
6. All construction is to be completed on or before February 21, 2005.
7. Water is to be put to beneficial use on or before February 21, 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 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.
2. The proposed well authorized by Permit No. 6160-3 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

MAR 01 2000

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6/60-3</u>	(office use only) Hydrologic Unit <u>10/60006</u>
	Basin <u>Pompe River</u>	
	Newspaper <u>The Redfield Press, Redfield, 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.) _____

- Name of Applicant Larry Nielson Phone 605 596 4339
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 18476 385th Ave Tulare State SD 57476
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.22 *CFS or 1000 **GPM ***AF Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 2 wells in SE 1/4
section 5-114-64 (SW 1/4 SE 1/4 - existing well &
approximate center SE 1/4 - new well) County Spink
- County or counties where water will be used Spink
- Annual period during which water is to be used April - October 31
- 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
SE 1/4 - SE 1/4 - 5-114-64	40		
SW 1/4 - SE 1/4 - 5-114-64	40		
NW 1/4 - SE 1/4 - 5-114-64	40		
NE 1/4 - SE 1/4 - 5-114-64	40		

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

Install a center pivot on the SE 1/4 of section 5-114-64. The well will initially be the existing well on the quarter line, within 5 years a new well will be drilled at the pivot point

STATE OF SOUTH DAKOTA) SS

County of Spink

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)

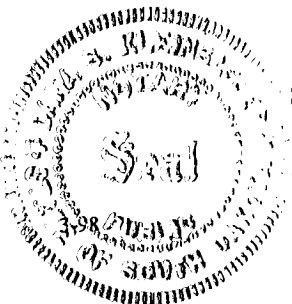
I, Larry Nielson, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature [Signature]

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

[Signature]
Notary Public signature

Exam 10-25-03



Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 135 ft
- b) Casing Type PVC Diameter 16" Thickness 3/8"
- c) Screen Type PVC Diameter 16" Thickness 3/8"
- d) Gravel Pack 20 ft Length of Gravel Pack 20 ft
- e) Depth to Top of Water Bearing Material 105 ft
- f) Depth to Water (ground surface to water level) 30 ft
- g) Distance to nearest existing domestic well:
On applicants property 1 1/2 mi On property owned by others 1 mi (artesian)

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 _____

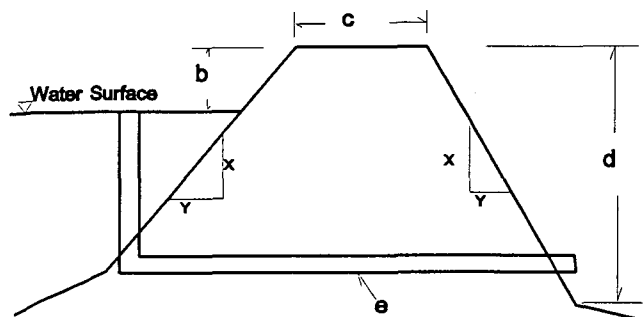
3. Dugout Information

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

4. Water Storage Dams

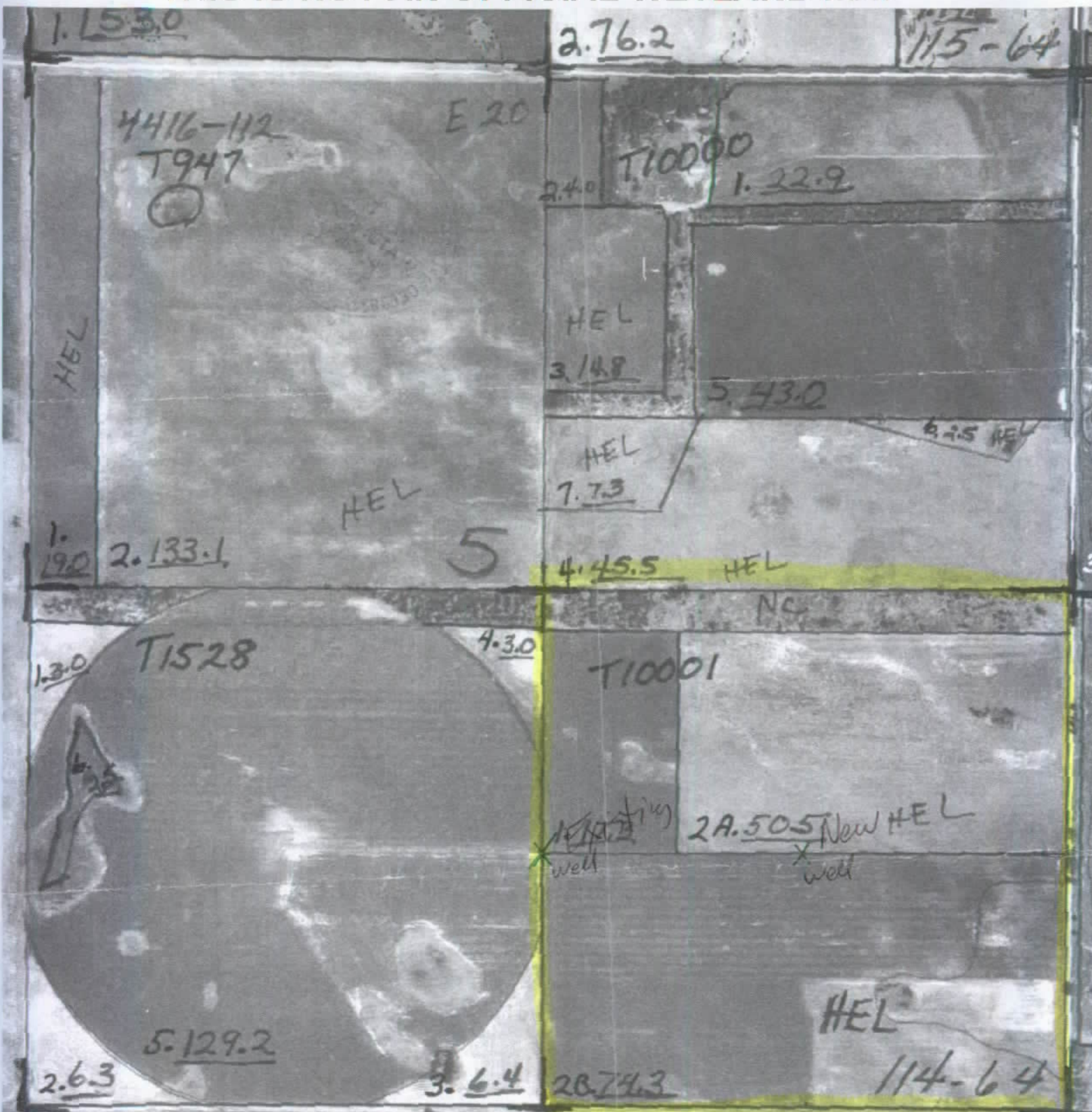
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- 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

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



Russell Simon
Program Tec

6160-3

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416292

Pierre, December 10, 19 99

RECEIVED OF Larry Nielson, 18476 - 385th Ave., Tulare, SD 57476
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6160-3</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. <u>6160-3</u>	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 Hatcher
Chief Engineer

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6160-3, Larry Nielson**

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. 6160-3, Larry Nielson, 18476 385th Avenue, Tulare SD 57476.

The Chief Engineer is recommending APPROVAL of Application No. 6160-3 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 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.
2. The proposed well authorized by Permit No. 6160-3 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 20, 2000

REPORT ON WATER PERMIT APPLICATION NO. 6160-3
for Larry Nielson
January 14, 2000

Application No. 6160-3 proposes to appropriate 2.22 cfs (996gpm) from one existing well and one proposed well approximately 135 feet deep located in the SW 1/4 SE 1/4 and the approximate center of the SE 1/4 of Section 5, respectively, to irrigate 160 acres located in the SE 1/4 of Section 5; all in T114N-R64W in Spink County.

AQUIFER - TULARE - WESTERN SPINK (T-WS)

The Tulare Western Spink is a buried outwash (sand and gravel) which is under confined or artesian conditions in this area. The aquifer underlies 72,300 acres and contains an estimated 270,930 acre feet of recoverable water in storage in Spink County (Hedges, 1972). The aquifer is hydraulically connected to the Tulare Hand aquifer to the west, the Tulare Hitchcock aquifer to the east and probably the Turtle River and Wolf Creek surface water drainage. Ground water movement is from west to east and toward the James River (Kuiper, 1984). The entire Tulare aquifer underlies 510 square miles and contains an estimated 2.4 million acre feet of water in storage in Spink County (Hamilton, 1996). The Tulare Western Spink is a specific management unit of the Tulare aquifer.

The Water Rights Program does monitor three observation wells within a two mile radius of this application. Observation wells, SP-80R (about two miles northwest), SP-80A (about three-fourth mile north) and SP-80C (about one and one-quarter miles south) are all completed into the Tulare Western Spink aquifer. Hydrographs for these three wells are included with this report. The water level record indicates that the aquifer responds to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2000).

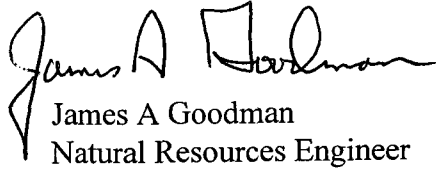
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are four existing water rights within a one mile radius of this application. The closest existing well is about one-quarter mile to the west and will be the well used to irrigate this property until the new well can be developed. Drawdown will occur and there will be overlapping cones of depression between wells, however, this is not expected to adversely affect production from the existing wells. The drawdown created by pumping in the area already exceeds 30 feet annually in some of the observation well records. This has apparently not caused any problems and this additional diversion should not add to any problem.

CONCLUSIONS

1. Water is available from the Tulare Western Spink aquifer.

2. The aquifer is confined and under artesian conditions. Drawdown will occur as a result of pumping. Under existing conditions drawdown has not been adverse and this additional diversion should not change that.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

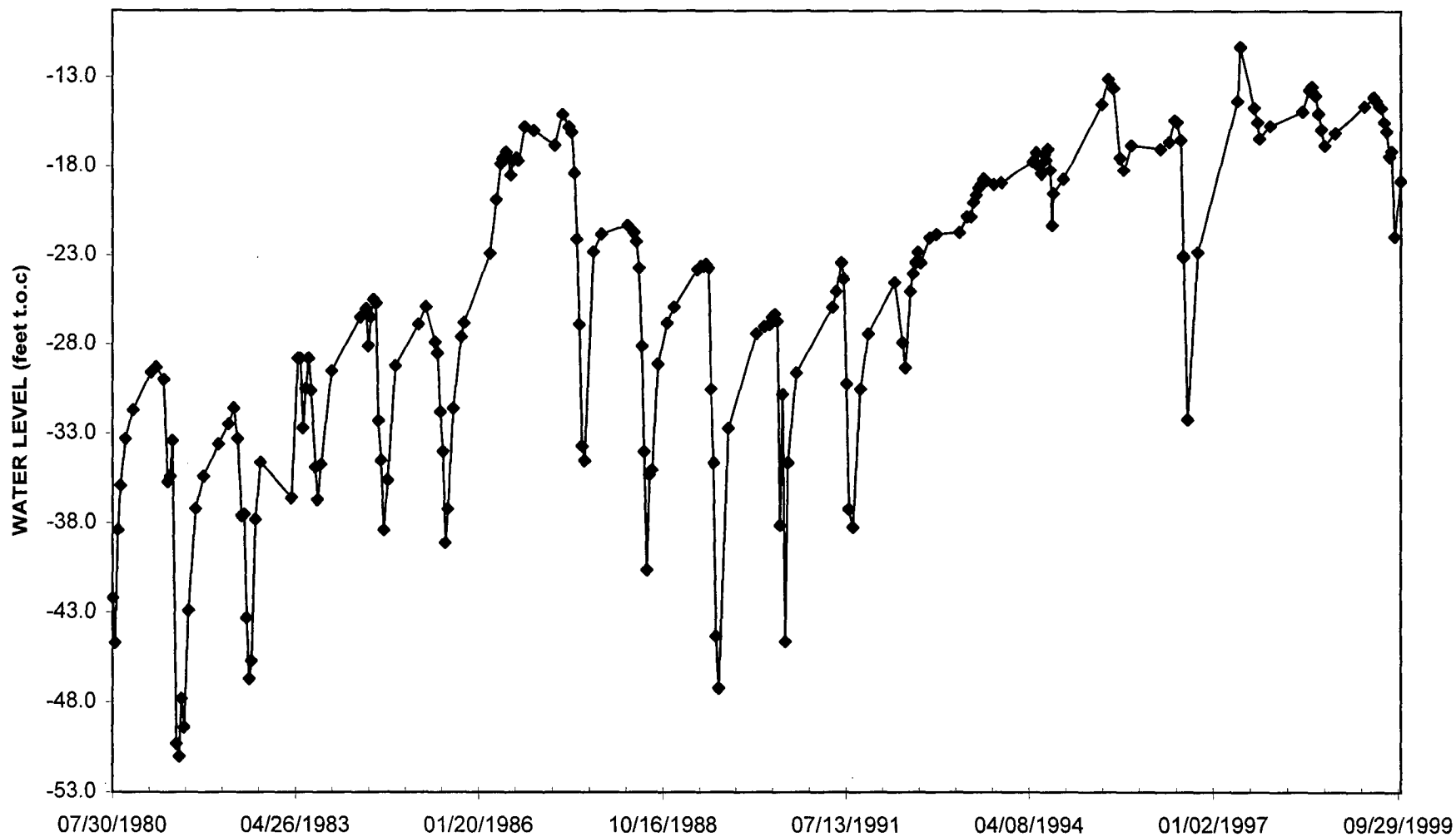
Hamilton, L.J., L.W. Howells, 1996, Water Resources of Spink County, South Dakota, Water Resources Investigations Report 96-4056, USGS, Rapid City, SD, 57702.

Hedges, L.S., et al, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

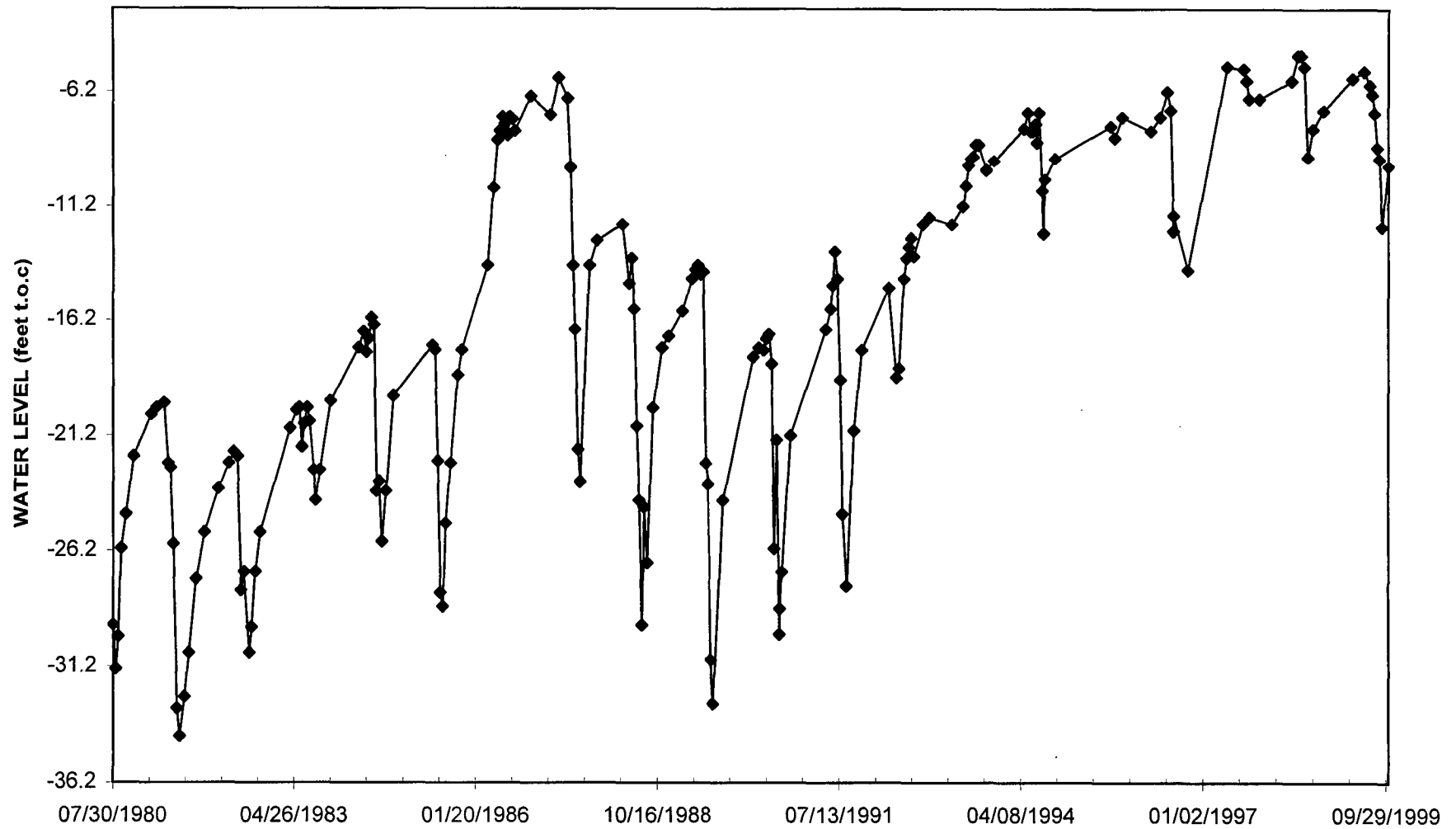
Kuiper, L.K., 1984, Appraisal of the Water Resources of the Eastern Part of the Tulare Aquifer, Beadle, Hand, and Spink Counties, South Dakota, Water Resources Investigations Report 84-4078, USGS, Huron, SD, 57350.

Water Rights, 2000, Unpublished Observation Well Data for Spink County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

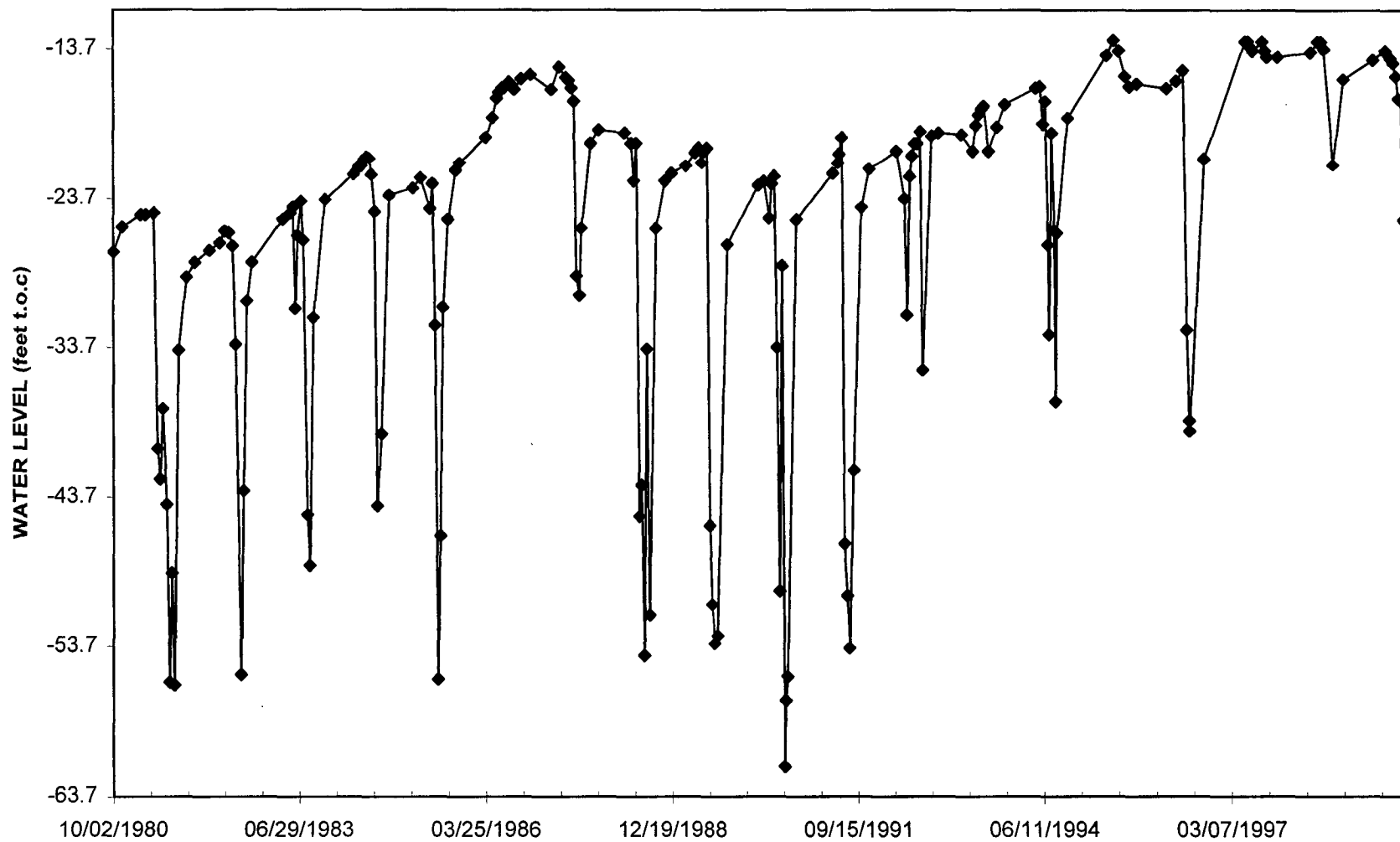
WATER RIGHTS' OBSERVATION WELL
SP-80C



WATER RIGHTS' OBSERVATION WELL
SP-80A



WATER RIGHTS' OBSERVATION WELL
SP-80R





**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 21, 2000

Larry Nielson
18476 385th Ave.
Tulare, SD 57476

Dear Mr. Nielson:

Water Permit Application No. 6160-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Redfield Press printed at Redfield, SD (Ph # (605) 472-0822). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 21, 2000

The Redfield Press
Box 440
Redfield, SD 57469-0440

ATTENTION: Legal Public Notice

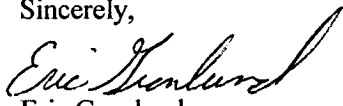
Enclosed is a Notice of Hearing on Application No. 6160-3 to Appropriate Water to be published twice. Please publish the first notice on February 2, 2000, with the second publication 7 days later.

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 Larry Nielson, 18476 385th Ave., Tulare, SD 57476 (Ph # (605) 596-4339).

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. 6160-3

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

Date _____

We are in receipt of your letter of January 21, 2000, enclosing Notice of Hearing to Appropriate Water by Application No. 6160-3 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 February 2, 2000, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6160-3 to Appropriate Water

Notice is given that Larry Nielson, 18476 385th Ave, Tulare SD 57476 has filed an application for a water permit to appropriate 2.22 cubic feet of water per second from one existing and one proposed well (Tulare:Western Spink Aquifer) 135 feet deep located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the approximate center of SE $\frac{1}{4}$ Section 5 to irrigate 160 acres located in the SE $\frac{1}{4}$ Section 5; all in T114N-R64W

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6160-3 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 21, 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.

Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Spink

SS

Application filed for Water Permit

No. 39

NOTICE OF APPLICATION NO. 6160-3 TO APPROPRIATE WATER

Notice is given that Larry Nielson, 18476 385th Avenue, Tulare, South Dakota 57476 has filed an application for a Water Permit to appropriate 2.22 cubic feet of water per second from one existing and one proposed well (Tulare: Western Spink Aquifer) 135 feet deep located in the SW1/4 SE1/4 and the approximate center of SE1/4 Section 5 to irrigate 160 acres located in the SE1/4 Section 5; all in T114N-R64W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends **APPROVAL** of Application No. 6160-3 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 East Capitol, Pierre, South Dakota 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 21, 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.

(February 2, 9)

I, Deb Reinbold, of said County and State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield, in said County and State, by THE REDFIELD PRESS, and has been such newspaper during the time hereinafter mentioned, and that I Deb Reinbold, the undersigned, am Off. Mgr. of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the legal or official notice entitled:

Notice of Application No. 6160-3 to Appropriate Water

a printed copy of which is hereto attached, was printed and published in said newspaper in 2 successive issues, to wit:

The first publication being made on February 2, 2000
2nd February 9, 2000 5th 20
3rd 20 6th 20
4th 20 7th 20

that the full amount of the fee charged for publishing the same to-wit: the sum of \$ 32.89, insures to the benefit of the publisher of THE REDFIELD PRESS, 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.

Deb Reinbold

Subscribed and sworn to before me this 10th day
of February, 20 00.

Linda Simpson
Notary Public, Spink County, South Dakota





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 01 2000

Larry Nielson
18476 385th Ave.
Tulare, SD 57476

Dear Mr. Nielson:

Enclosed is Water Permit No. 6160-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

Permit No. 6160-3
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, 6/5/2006, made a thorough examination of the water use system constructed by Larry Nielson of 18476 385th Ave, Tulare SD holder of Permit No. 6160-3, bearing the priority of December 10, 1999 authorizing the diversion of 2.22 cu. ft. per second of the waters of the Tulare: Western Spink Aquifer for irrigation purposes, in Spink County.

Inspection contact & relationship Larry Nielson
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 135 feet
- 4) Well log is available Y
- 5) Comment:

Casing:

- 1) Diameter 16 inches
- 2) Length 115 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 20 feet
- 3) Static water level 35 feet

Pump:

- 1) Make WLR
- 2) Model 12CH
- 3) Size 4 Stage
- 4) Capacity 1000 GPM

Motor:

- 1) Make Flow serve
- 2) Model No. S-318A
- 3) Horsepower rating 60 hp

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

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

C. Works used to apply water to beneficial use:**Center pivot:**

- 1) Make T-L
- 2) Overall length 1060 feet
- 3) Number of towers 8
- 4) Distance between towers 200 feet
- 5) End gun Y
- 6) High or low pressure Low
- 7) Capacity 800 GPM

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 None
- 4) Chemigation Equipment Does not chemigate
- 5) All structures, wells and lands on map Y

The system is in good condition with the point(s) of diversion located as follows: 1300 ft West and 1300 ft South of the E $\frac{1}{4}$ corner of Section 5, T114N-R64W (N 44.70953 W -98.54983). The works are capable of diverting and conveying to the place of use 1.78 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:

Water Permit No. 6160-3

Section 5, T114N-R64W

NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres

SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres

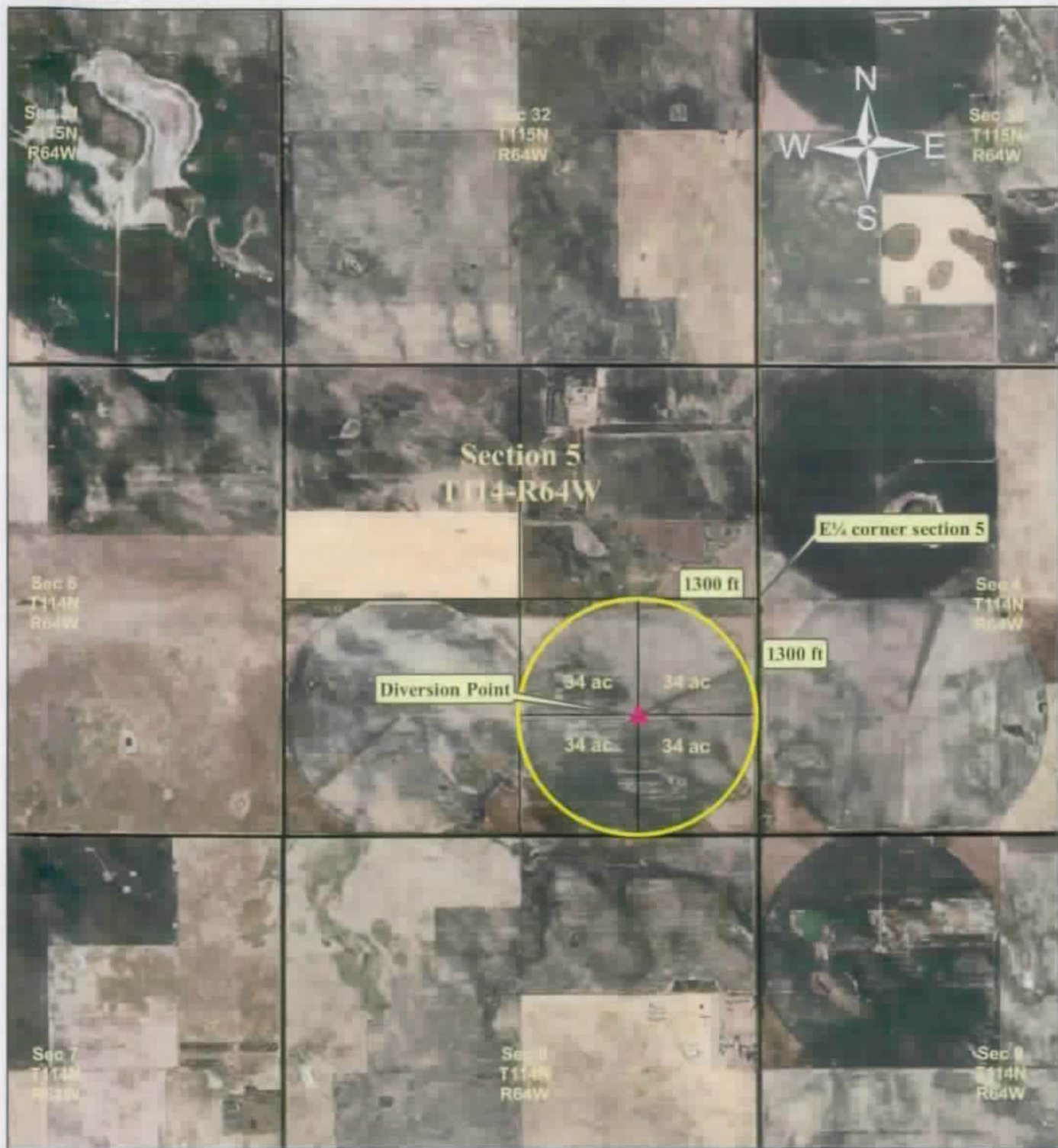
comprising a total of 136 acres of land and the license should be issued for 1.78 cfs.

Aaron A. Tieman

Aaron Tieman
Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: 10/18/2007

Larry Nielson
 18476 385th Ave
 Tulare, SD - Spink County
 Water Permit No. 6160-3



Aaron A. Tieman

Aaron Tieman
 Natural Resources Project Engineer
 DENR Water Rights Program
 10/18/2007





**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 30 2007

6160-3

Larry Nielson
18476 385th Ave
Tulare SD 57476

Dear Mr. Nielson:

Enclosed is Water License No. 6160-3. 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. 6160-3, 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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6160-3

(1) Larry Nielson, 18476 385th Ave, Tulare SD 57476 made Application No. 6160-3, December 10, 1999 for a water permit to divert 2.22 cubic feet of water per second from groundwater (two wells), Spink County, South Dakota for irrigation purposes. Permit No. 6160-3, with a priority date of December 10, 1999 was approved February 21, 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 21, 2005 and for the application to beneficial use of water on or before February 21, 2009.

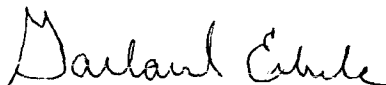
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6160-3 is issued a license, bearing a priority date of December 10, 1999 to appropriate 1.78 cubic feet of water per second from groundwater (one well) to irrigate 136 acres.

The diversion point is located: 1,300 feet west and 1,300 feet south of the East ¼ corner of Section 5-T114N-R64W (center of SE ¼). The acres authorized for irrigation are as follows:

Section 5-T114N-R64W	NW ¼ SE ¼	34 acres
	SW ¼ SE ¼	34 acres
	SE ¼ SE ¼	34 acres
	NE ¼ SE ¼	34 acres
Total 136 acres		

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6160-3 including the following now applicable qualifications:

- 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.
- The well authorized by Permit No. 6160-3 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

OCT 30 2007

date

