

WATER PERMIT NO. 6309-3

Name of Applicant: Alan W. Shade

Address: 46051 287th St, Davis SD 57021

Phone: 605 238-5529

Amount of Water Claimed: 1.33 cfs

Total Acres: 60 acres

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Turner

Type of Waste Disposal System:

Location: 1 miles southeast of Davis

PRIORITY

Date Received: 3-6-2002

Fee: \$150

Corrected Application Received:

Period of Annual Use: May 1 – November 30

Remarks:

Diversion Point: approximate center of

E ½ NE ¼ Sec 10-T97N-R52W

Land to be Irrigated: E ½ NE ¼

Sec 10-T97N-R52W

Depth of Well: 60 feet deep

Well Driller: :

Remarks:

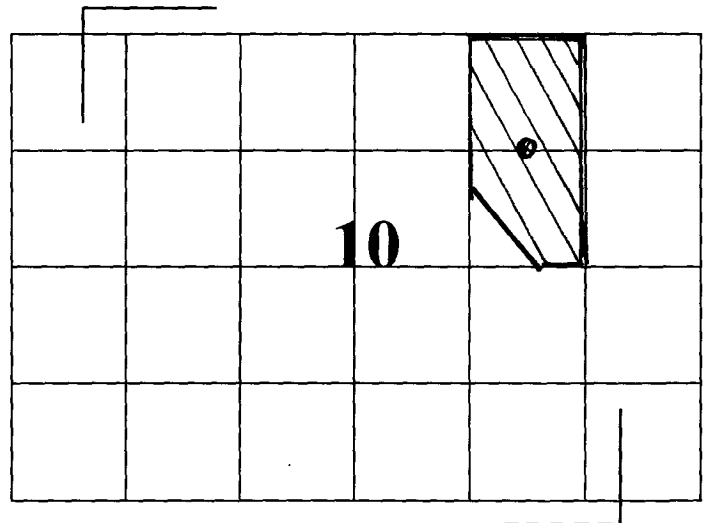
Type of Map: aerial

Prepared by: Janet Jaquis, Turner Co. FSA

Reviewed and the Number Assigned on: 3-6-2002

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



SOUTH DAKOTA
WATER PERMIT NO. 6309-3

Date of first receipt of application March 6, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6309-3 to Alan W. Shade, 46051 287th St, Davis SD 57021 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. 6309-3 appropriates 1.33 cubic feet of water per second from one well (Parker Centerville Aquifer) 60 feet deep located in the approximate center of the E ½ NE ¼ Section 10 to irrigate 60 acres located in the E ½ NE ¼ Section 10; all in T97N-R52W.
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 – November 30.
3. The date from which applicant may claim right is March 6, 2002.
4. The date of approval of Permit No. 6309-3 is May 6, 2002.
5. One-fifth of the construction is to be completed on or before November 6, 2004.
6. All construction is to be completed on or before May 6, 2007.
7. Water is to be put to beneficial use on or before May 6, 2011.
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. If a new well is drilled it shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6309-3 authorizes a maximum diversion rate of 1.33 cfs for the irrigation of 60 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
4. 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

MAY 31 2002

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6309-3</u> (office use only)
	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Hurley Leader, Hurley</u>

RECEIVED
MAR - 6 2002
WATER RIGHTS
PROGRAM

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 Alan W. Shade Phone 605 238-5529
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 46051 287th St. Davis State SD 57021
1.33 (Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 4.5 *CFS or 600 **GPM ***AF Total Acreage 60
(*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) Approximate Center
of the E 1/2 NE 1/4 10-97-52 County Turner
- County or counties where water will be used Turner
- Annual period during which water is to be used May - Nov 30
- 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
NE 1/4 NE 1/4 10-97-52	40		
SE 1/4 NE 1/4 10-97-52	40		

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

use existing well to pump water to towable Center
Pivot irrigator

STATE OF SOUTH DAKOTA) SS
County of Turner

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, Alan W. Shade, 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

Alan W. Shade

Subscribed and sworn to before me this

4th

day of Mar

2002

Karen M. Greier

Notary Public signature

Comm exp: 2-8-05

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 14" Depth 60
- b) Casing Type Steel Diameter 14" Thickness _____
- c) Screen Type Johnson Stainless TRR Diameter 14" Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack 8'
- e) Depth to Top of Water Bearing Material 10'
- f) Depth to Water (ground surface to water level) 7'
- g) Distance to nearest existing domestic well:

On applicants property _____

On property owned by others 1/2 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 _____

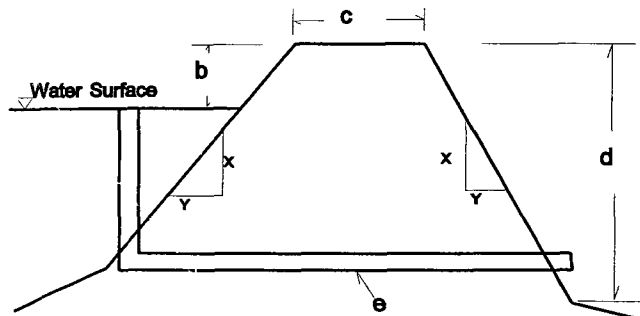
3. Dugout Information

- 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

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP

RECEIVED
MAR 01 2002
TURNER CO. FSA

T-2767

T-4156

K-19

T-2695

T-573

NHEL
49.5

NHEL
1 95.2

NHEL
92.6

NHEL
3 92.2

NHEL
11 80.3

97-522

NHEL
41.3

NHEL
61.9

NHEL
34.0

to well

Lincoln Co.

Transferred

T-5298

T-2746

6309-3

Turner Co FSA
Joint Figures

RECEIPT
Water Rights Program
South Dakota Department of Environment and Natural Resources

417111

Pierre, March 6, 20 02

RECEIVED OF Alan W. Shade, 46051 287th St., Davis, SD 57021
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 _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By Darland Erlbeck
Chief Engineer *gm*

March 4, 2002
46051 287th St.
Davis, SD 57021

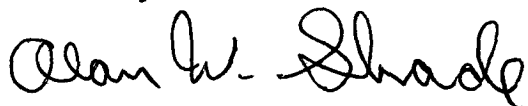
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED
MAR - 6 2002
WATER RIGHTS
PROGRAM

Dear Sir:

I would like to apply for an irrigation permit. The following is the description of the project. The permit would be for the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of 10-97-52. Charles Eide, Permit number 2552-3, previously irrigated this parcel. There was a 35-foot well and a towable big gun, which was started in 1976 but was abandoned 10-15 year ago. I would like to use the existing well again if it is capable of supplying water for a towable center pivot. If not, I would propose to drill a new 60-foot well. If you have any questions please call me at 238-5529. Thank you for consideration of this permit.

Sincerely

A handwritten signature in cursive script that reads "Alan W. Shade".

Alan W. Shade

Water Rights Program - File Documentation

NAME: Alan W. Shade

ADDRESS: Davis SD

DATE: 3-6-2002 **COUNTY:** TU **TELEPHONE:** 605 238-5527

RE: pending application

COMMENTS:

Called Alan Shade to verify the number of acres he intends to irrigate. He stated he would be irrigating 60 acres. A portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10 can not be irrigated because of the river.

I told Mr. Shade that the 600 gpm he was requesting was more than the statutory limit allowed. Based on 1 cfs per 70 acres he would be allowed approximately 387 gpm. Mr. Shade thought he needed 600 gpm in order to operate his center pivot. I explained that exceptions can be made if the method of irrigation requires more water. I suggested he contact someone and find out the amount of water needed and he stated he'd just go with requesting 600 gpm.



Karen Schlaak
Environmental Scientist

REPORT ON WATER PERMIT APPLICATION NO. 6309-3
For Alan W. Shade
April 2, 2002

Application No. 6309-3 proposes to appropriate 1.33 cfs (600 gpm) from one well approximately 60 feet deep located in the approximate center of the E ½ NE ¼ of section 10 to irrigate 60 acres located in the E ½ NE ¼ of section 10; all in T97N R52W in Turner County. The applicant is requesting a diversion rate greater than the statutory limit of one cfs per 70 acres.

AQUIFER – PARKER CENTERVILLE (PAC)

The Parker Centerville aquifer is a surficial outwash (sand and gravel) which is under water table conditions in this area. The aquifer underlies 74 square miles and contains an estimated 322,000 acre-feet of water in storage in Turner County (Lindgren, 1990). The aquifer extends into Lincoln and Clay Counties to the south and east and blends into the East Fork and West Fork Vermillion aquifers to the north. The aquifer is also hydraulically connected to the Vermillion River. In general, ground water movement is from north to south and locally toward the river. Recharge to the Parker Centerville aquifer has been estimated to be about 4.9 inches per year (Hedges, 1982). This calculates to about 19,300 acre-feet of recharged water per year in Turner County, alone. So far the largest water use has totaled about 14,000 acre-feet and that was in 1989. Some development of the aquifer has occurred since 1989 but this should not be significant. There is also a small amount of water used for municipal and domestic use.

No test hole information was filed with this application; however, there is an existing 35 feet deep irrigation well on the property. Also, there is a monitoring well located in the immediate area that indicates sand and gravel from 7 to 50 feet below land surface. This information and the data from the county study are sufficient to evaluate this application.

The Water Rights Program monitors an observation well, TU-77K, what is located within one-half mile of the well for this application. The water level record indicates that the aquifer is capable of sustaining additional development (Water Rights, 2002). A hydrograph of this observation well is included with this report.

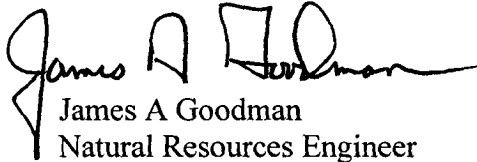
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing irrigation water right Nos. 2499-3 and 2220-3 with wells located about one-half mile from the existing well for this application. Interference is not a concern. The observation well TU-77K is located in the immediate area and the hydrograph indicates drawdown created by pumping is not significant.

CONCLUSIONS

1. Water is available from the Parker Centerville aquifer.

2. Interference is not a concern. The existing wells have not had a significant impact on the observation well. Approval of this application will not change that fact.
3. The existing well is about 35 feet deep and will be used if possible. If a new well is drilled it must be constructed in accordance with SD Well Construction Standards and must remain in the Parker Centerville aquifer. The observation well in the area indicates the aquifer may be greater than 50 feet thick.
4. This land had been irrigated by Water Right No. 2252-3 but this right was cancelled for abandonment. If there are any abandoned wells on the property these must be plugged pursuant to the well construction standards.
5. This application requests a diversion rate greater than the statutory limit of one cfs per 70 acres. The reason given is that a towable center pivot will require that amount of water to function properly. This reason is satisfactory.



James A Goodman
Natural Resources Engineer

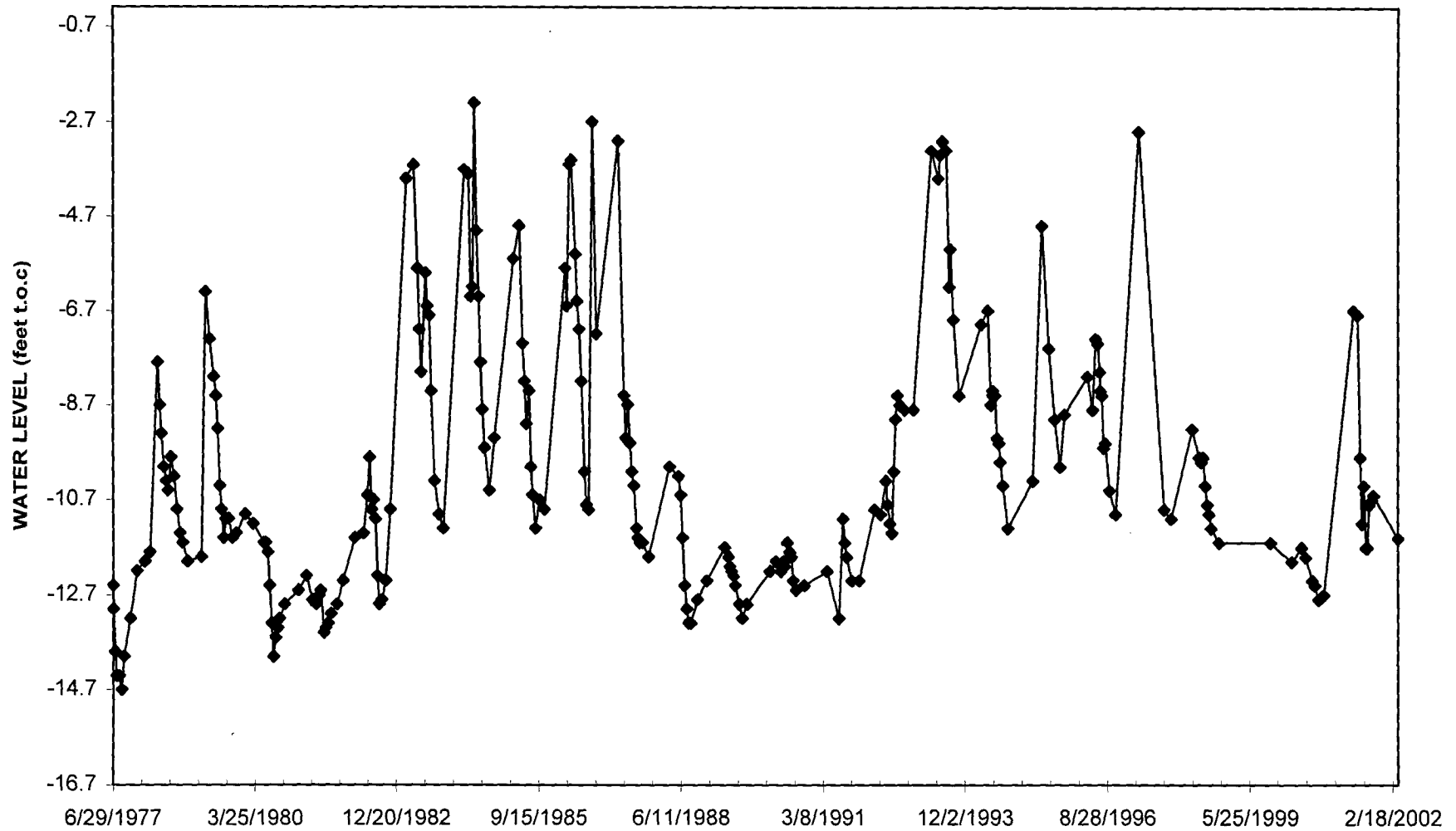
BIBLIOGRAPHY

Hedges, L.S., 1983, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, Task 7: Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Lindgren, R.J., D.S., Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, WRI 90-4093, USGS, Huron, SD, 57069.

Water Rights, 2002, Unpublished Observation Well Data for Turner County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
TU-77K**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6309-3, Alan W. Shade**

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. 6309-3, Alan Shade, 46051 287th Street, Davis SD 57021.

The Chief Engineer is recommending APPROVAL of Application No. 6309-3 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. If a new well is drilled it shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6309-3 authorizes a maximum diversion rate of 1.33 cfs for the irrigation of 60 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
4. 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
April 11, 2002

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF TURNER

Lynette Almond, General Manager, being first duly sworn, on oath says HURLEY LEADER is a WEEKLY newspaper published in HURLEY in said county of TURNER, State of South Dakota; and that she is authorized to and does make this affidavit on behalf of said HURLEY LEADER; that affiant has personal knowledge of all facts stated in this affidavit; that said newspaper is published as defined by SDCL 17-2-2.1 through 17-2-2.2, as amended, has a bona fide circulation of at least two hundred copies WEEKLY, has been published in the English language in said county and has been admitted to the United States for the second class mailing privilege, for at least one year consecutive prior to the publication of the notice herein mentioned and is printed wholly or in part in an office maintained at the place of publication; that said notice, a printed copy of which is attached to the paper in which the same was published is hereto attached and made part of this affidavit, was published in said newspaper

2 time(s) as follows: that the first publication of said notice in said newspaper aforesaid was on 7 the 18th day of April and that the succeeding publications were several times on Thursday, the 25th day of April on Thursday, the day of on Thursday, the day of on Thursday, the day of

Affiant further says that the full amount of the fee for the publication of said notice inures to the benefit of the owners of said newspaper; that no agreement of understanding or division thereof has been made with any other person, that therefore has been agreed to be paid to any person whomsoever that the fees charged for the publication thereof are:

DOLLARS (\$ 34.81)

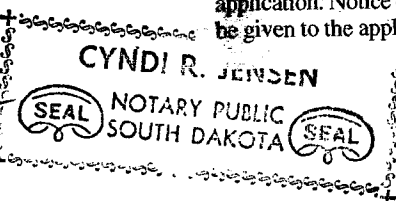
(x) Lynette Almond

Subscribes and sworn to before me this 16th of

May, 2002

Cyndi R. Jensen
Notary Public

My commission expires April 15, 2006



THURSDAY, APRIL 18, 2002

Public Notices

Because the people must know.



Notice of Application No. 6309-3 to Appropriate Water

Notice is given that Alan W. Shade, 46051 287th St., Davis SD 57021 has filed an application for a water permit to appropriate 1.33 cubic feet of water per second from one well (Parker Centerville Aquifer) 60 feet deep located in the approximate center of the E 1/2 NE 1/4 Section 10 to irrigate 60 acres located in the E 1/2 NE 1/4 Section 10; all in T97N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6309-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, 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 per-

son 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)-733-3352" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 6, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

RECEIVED

MAY 08 2002

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

April 12, 2002

Alan W. Shade
46051 287th St.
Davis, SD 57021

Dear Mr. Shade:

Water Permit Application No. 6309-3 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 Hurley Leader printed at Hurley, SD (Ph # 605-238-5229). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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.

Instruction to Newspaper - Publish first Notice on April 18, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6309-3 to Appropriate Water

Notice is given that Alan W. Shade, 46051 287th St, Davis SD 57021 has filed an application for a water permit to appropriate 1.33 cubic feet of water per second from one well (Parker Centerville Aquifer) 60 feet deep located in the approximate center of the E ½ NE ¼ Section 10 to irrigate 60 acres located in the E ½ NE ¼ Section 10; all in T97N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6309-3 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 May 6, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 12, 2002

Hurley Leader
PO Box 218
Hurley, SD 57063

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6309-3 to Appropriate Water to be published twice. Please publish the first notice on April 18, 2002 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 Alan W. Shade, 46051 287th St., Davis, SD 57021 (Ph # 605-238-5529).

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

-----CUT HERE-----

No. 6309-3

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

Date _____

We are in receipt of your letter of April 12, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6309-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 31 2002

Alan W. Shade
46051 287th St.
Davis, SD 57021

Dear Mr. Shade:

Enclosed is Water Permit No. 6309-3 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

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

Date 11-5-05

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

FROM: Alan W. Shade
(name)
46051 287th
(address)
Davis S. DAK 57021 238-5529
(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.

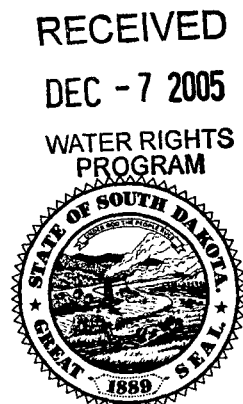
Water Permit No. 6309-3 states that the water use system is to be constructed by
May 6, 2007 , and water is to be put to beneficial use by May 6, 2011
(date) (date)

The water use system was completed on 7-22-05
(date)

Applying the water to beneficial use was completed on 7-22-05
(date)

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

Alan W. Shade
(Signature)



Permit No. 6309-3
Vermillion 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, **July 15, 2008**, made a thorough examination of the water use system constructed by **Alan Shade** of **46051 287th Ave., Davis, SD 57032** holder of Permit No. **6309-3**, bearing the priority of **March 6, 2002** authorizing the diversion of **1.33** cu. ft. per second of the waters of **Parker Centerville Aquifer** for **Irrigation** purposes, in **Turner** County.

Inspection contact & relationship **Alan Shade 238-5529**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Hammond Wetmore Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **59** feet
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **16** inches
- 2) Length **15** feet
- 3) Type **Plastic**

Screen:

- 1) Type **PVC**
- 2) Length **40** feet
- 3) Static water level **10** feet

Pump:

- 1) Make **Fairbanks**
- 2) Model **HSO-10-7**
- 3) Capacity **600** GPM

Motor:

- 1) Make US Motor
- 2) Model No. ID # M-057722620
- 3) Horsepower rating 50 hp

B. Works used to apply water to beneficial use:

Center pivot:

- 1) Make (2) Lindsey pivots
- 2) Number of towers (1) 4 Tower, (1) 2 Tower
- 3) End gun Y
- 4) High or low pressure Low

Chemigation Equipment:

- 1) Does chemigate N

C. 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

The system is in Good condition with the point(s) of diversion located as follows:

Approximately 1,155 feet south and 650 feet west of the NE corner of Section 10 T97N-R52W
(N 43.23963, W -96.96667) (NE ¼ NE ¼)

The works are capable of diverting and conveying to the place of use 1.33 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:

Section 10 T97N-R52W

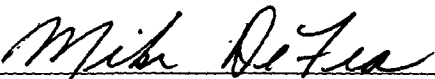
NE ¼ NE ¼ - 31 acres

SE ¼ NE ¼ - 18 acres

comprising a total of 49 acres of land and the license should be issued for 1.33 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:


Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: February 7, 2011

Date:

Alan Shade

Water Permit No. 6309-3



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
February 7, 2011

0 950 1,900 3,800 Feet



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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 10 2011

6309-3

Alan Shade
46051 287th Ave
Davis SD 57032

Dear Mr. Shade:

Enclosed is Water License No. 6309-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6309-3, 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,

A handwritten signature in black ink, which appears to read "Garland Erbele". The signature is fluid and cursive.

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6309-3**

(1) Alan Shade, 46051 287th Ave, Davis SD 57032 made Application No. 6309-3, March 6, 2002 for a water permit to divert 1.33 cubic feet of water per second from ground water (one well – Parker Centerville Aquifer), Turner County, South Dakota for irrigation purposes. Permit No. 6309-3, with a priority date of March 6, 2002 was approved May 6, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 6, 2007 and for the application to beneficial use of said water on or before May 6, 2011.

(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 1.33 cubic feet of water per second for beneficial use.

The location of the diversion point is 1,155 feet south and 650 feet west of the NE corner of Section 10, T97N, R52W (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 10, T97N, R52W

NE ¼ NE ¼	31 acres
SE ¼ NE ¼	18 acres
Total	49 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Alan Shade, 46051 287th Ave, Davis SD 57032 the holder and/or owner of Water Right No. 6309-3 is issued a license to appropriate water, the right to use 1.33 cubic feet of water per second from ground water (one well – Parker Centerville Aquifer) with a priority date of March 6, 2002 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6309-3 and subject to the following qualification:

- The well approved under this *Right* 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.
- If a new well is drilled it shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the 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 (*Well drilled by Hammond Wetmore Drilling in 2005 – copy of log on file with the Water Rights Program.*)
- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, *Water Right* No. 6309-3 authorizes a maximum diversion rate of 1.33 cfs for the irrigation of 49 acres with an annual volume not to exceed 2 acre-feet of water per acre per year (*qualification changed to 49 acres based on the acreage developed*).
- This *Water Right* 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

FEB 10 2011
date

