

WATER PERMIT NO. 6418-3

Name of Applicant: Paul D Nelson

Address: PO Box 183, Gettysburg SD 57442

Phone: 605 765-2469

Amount of Water Claimed: 56.90 AF (0.22 cfs)

Total Acres: NA

Source of Water Supply: runoff and wells

Water to be used for: fish wildlife propagation

County: Sully

Type of Waste Disposal System:

Location: 10 miles southeast of Gettysburg

PRIORITY Date Received: 4-30-2003

Application/License Fee: \$200

Corrected Application Received: 5-16-2003

Period of Annual Use: January 1 – December 31

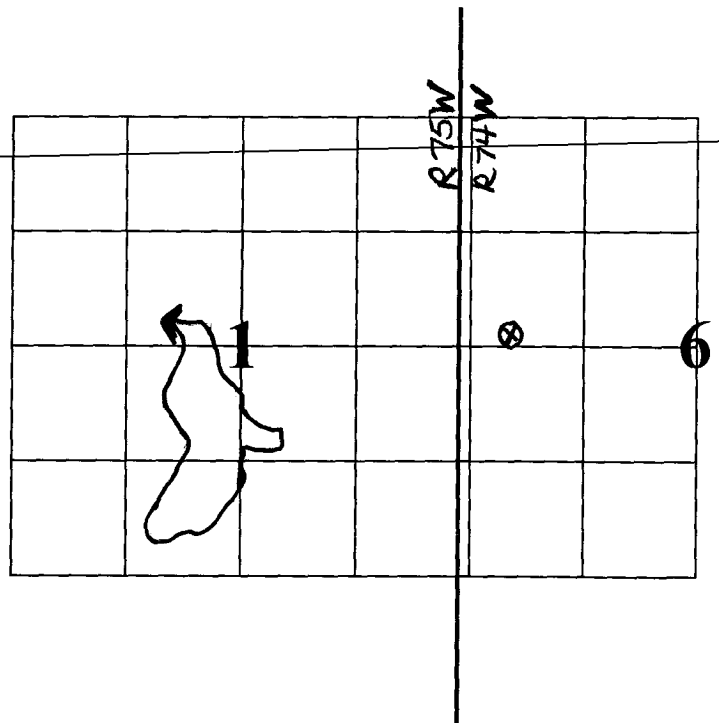
Remarks: surface supplemented by well

Dam diversion Point: SE ¼ NW ¼ Sec 1-T116N-

R75W Well diversion Point: SW ¼ NW ¼ Sec 6-

T116N-R74W

Water Impounded: SE ¼ NW ¼, E ½ SW ¼, NW ¼ SE ¼ Sec 1; all in T116N-R75W



Depth of Well: 2120 feet deep

Well Driller: : Huron Drilling

Remarks:

Type of Map: topo

Prepared by: Roger C Smith, PE

Reviewed and the Number Assigned on: 5-16-2003

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6418-3**

Date of first receipt of application April 20, 2003.

Date of return to applicant for corrections, amendments or changes May 6, 2003.

Date of receipt of corrected application May 16, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6418-3 to Paul D Nelson, PO Box 83, Gettysburg SD 57442 authorizing the construction of the dam and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6418-3 authorizes impoundment of 56.80 acre-feet of water from runoff by constructing a dam located in the SE ¼ NW ¼ Section 1 with water impounded in the SE ¼ NW ¼, E ½ SW ¼, NW ¼ SE ¼ Section 1; all in T116N-R75W. The dam will be supplemented by a well (Inyan Kara Formation) 2120 feet deep which appropriates 0.22 cubic feet per second located in the SW ¼ NW ¼ Sec 6-T116N-R74W. This permit authorizes sufficient water to maintain the water level to the outlet elevation.
2. The water appropriated shall be used for the purpose of fish and wildlife propagation and livestock water and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 6418-3 is September 15, 2003.
5. The date from which applicant may claim right is April 20, 2003.
6. One-fifth of the construction is to be completed on or before March 15, 2006.
7. ~~All construction is to be completed on or before September 15, 2008.~~
8. Water is to be put to beneficial use on or before September 15, 2012.
9. 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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
3. No pumping from the well into dam is authorized when the water is discharging from the pond.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

OCT 10 2003

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>418-3</u>	(office use only) Hydrologic Unit <u>10130105</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Onida Watchman</u>	

RECEIVED
APR 30 2003
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

- | | | | |
|---|---|---|--|
| ☐ Municipal | ☐ Suburban Housing | ☐ Recreational | ☐ Institutional |
| ☐ Rural Water System | ☐ Commercial | ☒ Fish & Wildlife | ☐ Geothermal Heat |
| ☐ Domestic (over 18 gpm) | ☐ Industrial | ☐ Other | |

Type of Application: (check one)

- ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

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

1. Name of Applicant Paul P Nelson Phone 605-765-2469
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address _____ State _____
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.22 *CFS or Peak 100 GPM **GPM 56.80 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Surface Runoff, supplemented by artesian well (2 wells)
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Sully
dam - SE 1/4 NW 1/4 Sec 4; water impounded: SE 1/4 NW 1/4, E 1/2 SW 1/4, NW 1/4, SE 1/4 Sec 4,
T116N-R75W
well - SW 1/4 NW 1/4 Sec 6-T116N-R74W
5. County or counties where water will be used Sully
6. Annual period during which water is to be used March to Oct Jan 1-Dec 31
7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Small impoundment (max ht 4.5') with agri-drain water control structure and 18" pvc pipe as primary spillway. Design Ducks Unlimited, Roger Smith, P.E. Regional Engineer. Plans and Specifications available upon request to Roger Smith "rsmith@ducks.org"

STATE OF SOUTH DAKOTA)

County of _____

SS

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, Paul P Nelson, 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 Paul P Nelson

Subscribed and sworn to before me this 29th day of April 20 03

Linda Koop
Notary Public Signature

See well completion reports on file
for 2120 ft well in w 1/2 of NW 1/4 of
(type or print in ink) Sec 6 - 116 - 74

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others _____

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

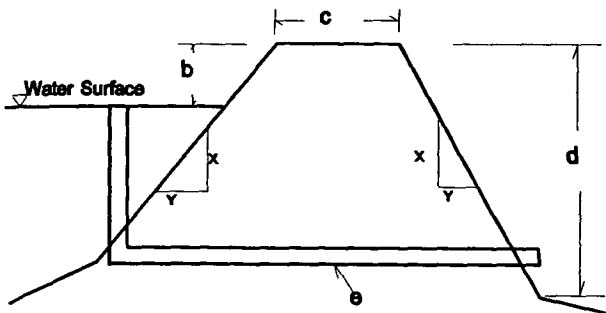
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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:

Ducks Unlimited, Inc
Roger Smith, P.E.
Regional Engineer



- b) Freeboard ~~2.0~~ 3.5'
- c) Crest Width 12'
Crest Length 258'
- d) Height ~~4.5~~ 5.5'
- e) Primary Outlet Capacity 12 CFS
If pipe, diameter 18"
- f) Secondary Spillway Capacity 25 CFS
Spillway Width 40'
- g) X & Y Slope _____
Upstream 3:1 with 10' berm
Downstream 3:1
- h) Surface Area of Impoundment 31
- i) Storage 56.8 Acre Feet
- j) Drainage Area Above Dam 500 Acres

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others _____

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

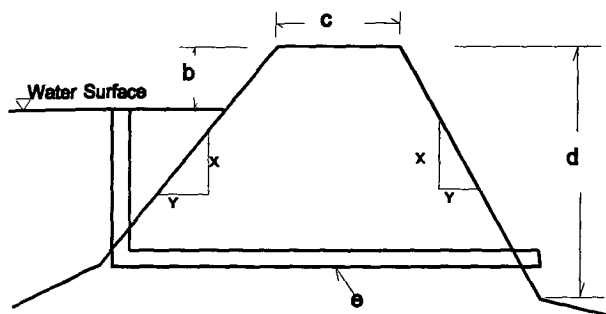
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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:

Ducks Unlimited, Inc
Roger Smith, P.E.
Regional Engineer



- b) Freeboard ~~2.0~~ 3.5'
- c) Crest Width 12'
Crest Length 258'
- d) Height ~~4.5~~ 5.5'
- e) Primary Outlet Capacity 12 CFS
If pipe, diameter 18"
- f) Secondary Spillway Capacity 25 CFS
Spillway Width 40'
- g) X & Y Slope
Upstream 3:1 with 10' berm
Downstream 3:1
- h) Surface Area of Impoundment 31
- i) Storage 56.8 Acre Feet
- j) Drainage Area Above Dam 500 Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 16, 20 03

RECEIVED OF Paul Nelson, 119 Hilltop Dr, Box 183, Gettysburg SD 57442

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6418-3</u>	50	00
Fee for Filing Transfer Form _____		
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.

000779

By

Darland Ebel
Chief Engineer *gm*

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 30, 20 03

RECEIVED OF Paul Nelson, 119 Hilltop Dr., Box 183, Gettysburg SD 57442-0183

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

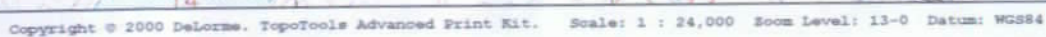
Fee for Application for Permit No. <u>67418-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for _____		
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. <u>5-5</u>		
(Any Other Work Provided by Law)	TOTAL	150.00

No.

000734

By

Darland Elbe
Chief Engineer
gsm



2000 ft

[Signature]

6418-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 6 Twp 116 Rg 74

County

North

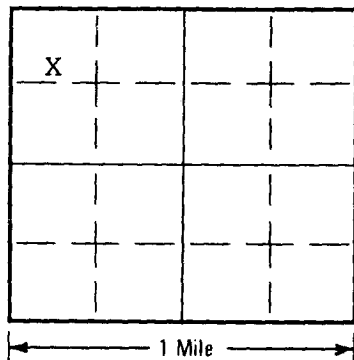
Sully

Please mark well location with an "X"

W

E

Well Completion Date

5-6-02

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 500 ft. from Septic tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☒ OtherIf other describe Copper

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>250</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>300</u> FT	<u>8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>35</u>	_____ lb./gal	<u>0</u> ft	<u>300</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Pressure plugSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 2 IN Length 200 FEETMaterial CopperSlot Size 3/8 Set From 1920 Feet to 2120 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☒ YES ☐ NOIf so, what material? RubberDescribe packer(s) and location? Above perf

DISINFECTION: Was well disinfected upon completion?

_____ YES, How: _____

X NO, Why Not? Flowing well

Laboratory sent to for water quality analysis

Pierre, SDWell Owner: Paul Nelson

Business Name: _____

Address: 119 Hilltop Dr.Gettysburg, SD 57442

WELL LOG:

DEPTH

FORMATION	DEPTH	
	FROM	TO
Top soil	0	5
Sand	5	10
Yellow clay	10	20
Blue clay	20	60
Shale	60	1300
Greenhorn	1300	1340
Shale	1340	1505
Dakota	1505	1805
Morrison	1805	1855
Sundance	1855	2120

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure 165 PSIGPM flow 75 through 2 inch pipeControlled by ☒ Valve ☐ Reducers ☐ Other _____Reduced Flowrate 15 GPMCan well be completely shut in? Yes

WELL TEST DATA:

☐ Pumped

Describe: _____

☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

AUG - 8 2002

This well was drilled under license # 94 WATER RIGHTS PROGRAM

And this report is true and accurate.

Drilling firm Huron Drilling Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 8-7-02

INSUFFICIENT LOG

116-75-12 E 1/4

Paul Nelson		DATE		NO. NO.		
FOR NAME		DATE		NO. NO.		
DATE	TIME	REMARKS				
01	1620	10:30				
02	1640	10:45	Sandy			
03	1650	11:30	Back Bit No. 1 at 1620 + 3/4" V-38			
04	1620	21:10	1620 Dakota Sand			
05	1700	21:35	Good Strake			
06	1720	3:00	Good Strake			
07	1750	3:35	Good Strake			
08	1850	4:30				
09	1900	5:05				
10	1800	5:35	Fence			
11	1800	8:15 AM 4/25/76	START LOG			
12	1850	9:45				
13	1900	11:30	23 yellow clay blue clay			
14	1900	2:45	No. 2 at 1865 4/4" V-38			
15	1900	4:15 PM 1890	boulder 42-58			
16	1900	5:15 PM 4/26/76 - 4/27/76 Bit #3 at 1910	gravel streaks ss			
17	1900	10:15 AM Good Sand 1925-1930 4/4" V-38				
18	1900	11:05	1920-1930 Sand			
19	1900	12:00 PM 1930-1940 Good Sand	shale @ 160			
20	1900	12:42	1950-1975 Sand			
21	1900	3:45	1975-1980 Good Sand			
22	1900	5:32	1980-1985 Sand			
23	1900	6:30	1985-2000 Good Sand			
24	1900	6:41	2000-2020 Best Shale			
25	21:00	6:55	Bit No. 4 at 2005 4/4" V-38			
26	21:00	7:20	2080-2090 Shale			
27	21:05	TD	2090-2115 Vids Open			
			Back @ 2115			
			2115-2120 Good Sand			

(Paul Nelson)



May 6, 2003

Paul D Nelson
PO Box 183
Gettysburg SD 57442

Dear Mr. Nelson:

Thank you for submitting the *Application for a Permit to Appropriate Water* for dam to be located in Sully County. In order to complete the application the following is required.

1. Under Item No. 2 the amount of water claimed (diversion rate) in gallons per minute from the well is necessary. I realize that this is an artesian well that likely flows - if this is the case we need to know the flow from the well.
2. Under Item No. 4 - A legal description of the dam and the well. The map does not specify the township, however, from looking in a sportsman atlas it appears to be T116N, R75W. This needs to be clearly indicated on the map (the Range is indicated on the map).
3. ~~The map must show the location of the well.~~
4. The map must be signed by a registered professional¹ engineer, registered land surveyor or government employee who prepares maps as part of his duties.
5. The well construction needs to be provided on the Form 2A, Supplemental Information form. Is this a proposed or existing well? If it is an existing well, please submit a copy of the well completion report if available. Does the well have a valve so the flow may be controlled to the minimum amount necessary?
yes
6. We have received the \$150 application filing fee. In addition to the application filing fee, the Water Rights Program collects the \$50 licensing fee at the time of filing. Please submit \$50 for the licensing of the water permit.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

c: Roger Smith, Ducks Unlimited

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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



RECEIVED
MAY 16 2003
WATER RIGHTS
PROGRAM

Thursday, May 15, 2003

Karen Schlaak
Dept of Environment & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

Dear Karen:

I am returning the forms, hopefully filled out adequately. I apologize for the previous omissions.

Under Item #2 I have listed 100 GPM as the maximum amount of water to be released to this site. I must emphasize that this would be for a very short duration and only as a supplement in a very dry year.

Concerning Item #4 I have indicated on the map where the well is located. It is in the W1/2 of the NW1/4 of Sec 6-116-74. The dam is located in the S1/2 of the NW1/4 of Sec 1-116-75.

I am not familiar with the details of the well construction. I did indicate on Form 2A of the supplemental information sheet to see the well completion reports, which are on file, for the 2120 foot well in Sec 6-116-74. The well does have a valve so the flow can be controlled to a minimum. The well is an existing well.

I am enclosing an additional \$50 for the licensing of the water project. Also enclosed is the map signed by Roger Smith.

I hope this information completes the form. Please let me know if additional information is required.

Sincerely,

Paul D. Nelson

REPORT ON WATER PERMIT APPLICATION NO. 6418-3
For Paul D. Nelson
July 17, 2003

Application No. 6418-3 proposes to impound 56.80 acre-feet of water from runoff by constructing a dam located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 1 with water impounded in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 1; all in T116N R75W in Sully County. The runoff storage will be supplemented by a well approximately 2120 feet deep located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 6, T116N R74W. The amount of water claimed from the well is 0.22 cfs (100 gpm). This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation and livestock water purposes.

AQUIFER – INYAN KARA (INKR)

The Inyan Kara is a buried sand, sandstone, and shale that is under artesian conditions at this site. In fact, the well completion report indicates the well had a shut in pressure of 165 psi and was capable of producing 75 gpm of free flow through a two inch pipe. The well as built complies with SD Well Construction Standards for a domestic well. This type of construction would not be allowed for any other water uses such as this permit application, however, the driller apparently thought this well was drilled for domestic and stock purposes. The Inyan Kara aquifer underlies 1058 square miles and contains an estimated 8.88 million acre-feet of recoverable water in storage in Sully County (Hedges, 1982). The aquifer is areally extensive and hydraulically connected into all the surrounding counties, Hughes County to the south, Potter County to the north, Hyde County to the east and Dewey and Stanley Counties to the west.

The Water Rights Program does not monitor an Inyan Kara observation well in this area. In fact there is only one Inyan Kara observation well in the network in eastern South Dakota. This is ED-85B and is located about 64 miles northeast of this application. The water levels for this well may not be representative of the area of this application. A hydrograph for ED-85B is included with this report (Water Rights, 2003). Very little historical information is available for this area. There are other flowing wells in the area which also obtain water from this same source.

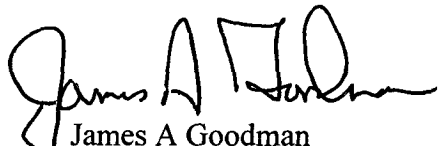
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights from the Inyan Kara aquifer in this area. Interference is not a concern. There will be drawdown created by allowing this well to flow at the permitted rate, however, this is not expected to cause adverse effects on any other nearby well or impact water availability from the aquifer.

CONCLUSIONS

1. Water is available from the Inyan Kara aquifer.

2. The aquifer is under artesian conditions at this site. This well does free flow at the land surface and the well must be controlled in order to prevent the waste of water.
3. This permit is a combination of surface water runoff and ground water. The ground water is supposed to be used to maintain the water level in the pond. The surface area of this impoundment is about 31 acres. The mean annual lake evaporation would be about 36 to 38 inches per year. This would require a volume of about 93 to 98 acre feet per year of make up water. At a flow rate of 0.22 cfs this would require about 213 days to make up for the evaporation volume. It will be difficult to keep up with the evaporation rate during drought years.
4. The well should not be allowed to flow into the pond if the pond is full or discharging water.
5. Domestic use takes precedence over all permitted users in South Dakota. The idea that allowing ground water to be developed to maintain a lake level could be considered a waste or unreasonable use of water (SDCL 46-1-4). The only other use of this water is for domestic use and no other domestic user should be impacted by this diversion.



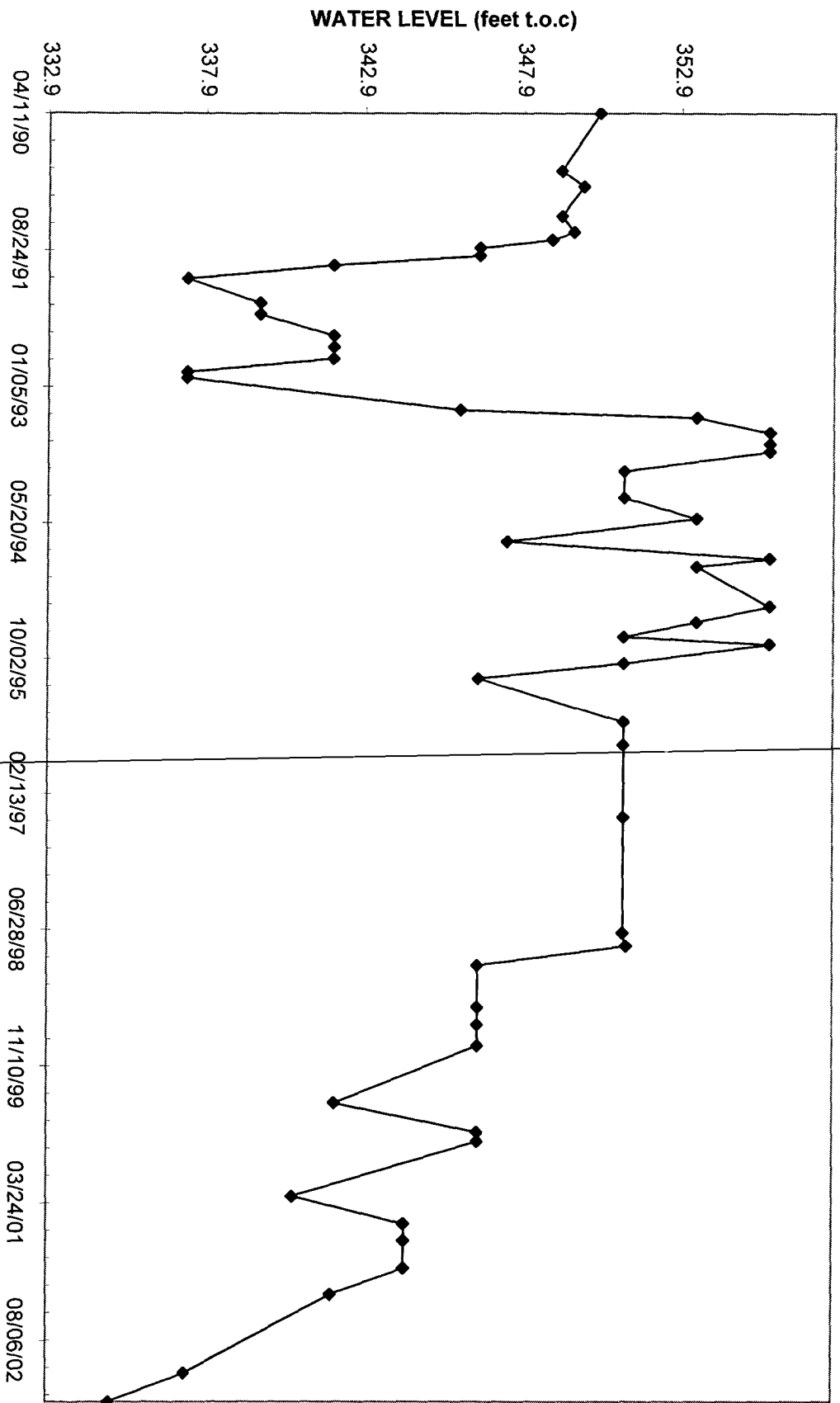
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

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

Water Rights, 2003, Unpublished Observation Well Data for the Inyan Kara aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
ED-85B





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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. 6418-3, Paul D Nelson**

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. 6418-3, Paul D. Nelson, PO Box 183, Gettysburg SD 57442.

The Chief Engineer is recommending APPROVAL of Application No. 6418-3 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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
3. No pumping from the well into dam is authorized when the water is discharging from the pond.

See report on application for additional information.

Garland Erbele, Chief Engineer
July 23, 2003



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 24, 2003

Onida Watchman
PO Box 245
Onida SD 57564-0245

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6418-3 to Appropriate Water to be published twice. Please publish the first notice on July 31, 2003 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 Paul D. Nelson, PO Box 183, Gettysburg SD 57442 (Ph # 605-765-2469).

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. 6418-3

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

Date _____

We are in receipt of your letter of July 24, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6418-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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.**

July 24, 2003

Paul D Nelson
PO Box 183
Gettysburg SD 57442

Dear Mr. Nelson:

Water Permit Application No. 6418-3 for fish wildlife propagation 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 Onida Watchman printed at Onida, SD (Ph # 605-258-2604). 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 July 31, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6418-3 to Appropriate Water

Notice is given that Paul D. Nelson, PO Box 183, Gettysburg SD 57442 has filed an application for a water permit to impound 56.80 acre-feet of water from runoff by constructing a dam located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1 with water impounded in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1; all in T116N-R75W. The dam will be supplemented by a well (Big Sioux Brookings Aquifer) 2120 feet deep which appropriates 0.22 cubic feet per second located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 6-T116N-R74W. This application request impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6418-3 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 August 18, 2003.

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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Sully) SSI, Alice Olson

certify that the attached printed Notice was taken

from the Onida Watchmanprinted and published in OnidaCounty of Sully and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Thursday, July 31, 2003Thursday, Aug. 7, 2003Cost of Printing \$38.19Alice Olson

(Signature)

Publisher

(Title)

Aug. 18, 2003

(Date Signed)

NOTICE OF
APPLICATION NO. 6418-3
to Appropriate Water

Notice is given that Paul D. Nelson, PO Box 183, Gettysburg, SD 57442 has filed an application for a water permit to impound 56.80 acre-feet of water from runoff by constructing a dam located in the SE1/4NW1/4 Section 1 with water impounded in the SE1/4NW1/4, E1/2SW1/4, NW1/4SE1/4 Section 1; all in T116N-R75W. The dam will be supplemented by a well (Big Sioux Brookings Aquifer) 2120 feet deep which appropriates 0.22 cubic feet per second located in the SW1/4NW1/4 Sec 6-T116N-R74W. This application request impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6418-3 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 August 18, 2003.

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
31-32

RECEIVED

AUG 21 2003

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 21, 2003

Paul D Nelson
PO Box 183
Gettysburg SD 57442

Dear Mr. Nelson:

The Notice of Application No. 6418-3 to Appropriate Water was published with an error. The notice indicated that the well was to be located in the Big Sioux:Brookings Aquifer. The correct aquifer is the Inyan Kara Formation.

As a result of the error, the Notice of Application needs to be advertised again to ensure that the water permit is free from legal problems due to incomplete public notice. Therefore, the notice has been sent to the Publisher of the Onida Watchman to be published again on August 28 and September 4. For your information, a copy of the notice is enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Water Rights Program. Please contact us if you have any questions.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

c: Onida Watchman



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 21, 2003

Onida Watchman
PO Box 245
Onida SD 57564-0245

ATTENTION: Legal Public Notice

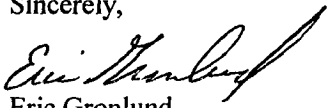
Enclosed is a Notice of Hearing on Application No. 6418-3 to Appropriate Water to be published twice. Please publish the first notice on August 28, 2003 with the second publication 7 days later.

Please bill the Water Rights Program for the cost of publication.

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. 6418-3

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

Date _____

We are in receipt of your letter of August 21, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6418-3 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 August 28, 2003 with the second publication 7 days later.

NOTICE OF APPLICATION NO. 6418-3 to Appropriate Water

Notice is given that Paul D. Nelson, PO Box 183, Gettysburg SD 57442 has filed an application for a water permit to impound 56.80 acre-feet of water from runoff by constructing a dam located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1 with water impounded in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1; all in T116N-R75W. The dam will be supplemented by a well (Inyan Kara Formation) 2120 feet deep which appropriates 0.22 cubic feet per second located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 6-T116N-R74W. This application request impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6418-3 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 September 15, 2003.

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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Sully) SSI, Alice Olson

certify that the attached printed Notice was taken

from the Okida Watchmanprinted and published in OkidaCounty of Sully and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Thursday, Aug. 28, 2003Thursday, Sept. 4, 2003

Cost of Printing _____

Alice Olson

(Signature)

Publisher

(Title)

Sept. 4, 2003

(Date Signed)

NOTICE OF
APPLICATION NO. 6418-3
to Appropriate Water

Notice is given that Paul D. Nelson, PO Box 183, Gettysburg, SD 57442 has filed an application for a water permit to impound 56.80 acre-feet of water from runoff by constructing a dam located in the SE1/4 NW1/4 Section 1 with water impounded in the SE1/4 NW1/4, E1/2 SW1/4, NW1/4 SE1/4 Section 1; all in T116N-R75W. The dam will be supplemented by a well (Inyan Kara Formation) 2120 feet deep which appropriates 0.22 cubic feet per second located in the SW1/4 NW1/4 Sec. 6-T116N-R74W. This application request impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6418-3 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 September 15, 2003.

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. Pimer, Secretary
Department of Environment and
Natural Resources
35-36

RECEIVED

SEP - 4 2003

WATER RIGHTS
PROGRAM

The Onida Watchman

116 South Main Street
P.O. Box 245
Onida, SD 57564-0245

Statement

DATE

8/28/2003

BILL TO

S.D. Department of Environment & Natural
Surface Water Quality Program
523 E. Capitol, Joe Foss Bldg.
Pierre, SD 57501

			AMOUNT DUE	AMOUNT ENC.	
			\$37.70		
DATE	DESCRIPTION	IN./WRD/LN	RATE	AMOUNT	BALANCE
07/31/03	Balance forward				36.00
08/21/03	PMT			-36.00	0.00
08/28/03	Notice of Application No. 6418-3 to Appropriate Water - 77 lines @ 27.2c; 2nd insert @ 80%	1	37.70	37.70	37.70
RECEIVED SEP - 4 2003 WATER RIGHTS PROGRAM					
CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	AMOUNT DUE
37.70	0.00	0.00	0.00	0.00	\$37.70

PAYMENT REQUEST FORM

PAYEE: The Onida Watchman
PO Box 245
Onida SD 57564-0245

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Publication of Notice of Application #6418-3

AMOUNT: \$37.70

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Garland Eubel

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.



**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 10 2003

Paul D Nelson
PO Box 83
Gettysburg SD 57442

Dear Mr. Nelson:

Enclosed is Water Permit No. 6418-3 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 12-2-03

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

RECEIVED

DEC - 4 2003

WATER RIGHTS
PROGRAM

FROM:

Paul D. Nelson
(name)PO Box 83
(address)Gettysburg SD 57442
(city, state, zip)605-765-2469
(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. 6418-3 states that the water use system is to be constructed by

9-15-2008
(date)

, and water is to be put to beneficial use by

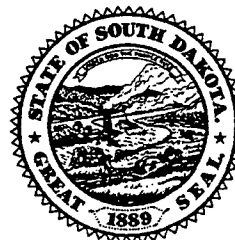
9-15-2012
(date)

The water use system was completed on 12-1-03
(date)

Applying the water to beneficial use was completed on 12-1-03
(date)

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

Paul D. Nelson
(signature)



Water Permit No. 6418-3
Missouri 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, **March 22, 2016**, made a thorough examination of the water use system constructed by **Paul D Nelson** of **PO Box 183, Gettysburg, SD 57442** holder of Permit No. **6418-3**, bearing the priority of **April 20, 2003** authorizing the diversion of **0.22** cu. ft. per second and/or the storage of **56.8** acre-feet of water from the **Inyan Kara Formation and Run-Off** for **Fish and Wildlife Propagation, and Livestock** purposes, in **Sully** County.

Inspection contact & relationship
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Huron Drilling Inc**
- 2) No. of Wells **1**
- 3) Depth(s) **2,120** feet
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **5** inches
- 2) Length **300** feet
- 3) Type **Copper**

Screen:

- 1) Type **Copper**
- 2) Length **200** feet
- 3) Static water level **Flowing**

Dam Information:

- 1) Height to crest **5.5** feet
- 2) Height to primary spillway **2** feet
- 3) Height to secondary spillway **5** ft
- 4) Crest width **12** feet
- 5) Crest length **250** feet

- 6) Spillway width 40 feet
- 7) Approx. storage 56.8 ac-ft
- 8) Date constructed: 2003

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

- 1) Type Buried Pipe

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 NA
- 3) Exceptions to compliance are: None

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

Well:

Approximately 2,965 feet south and 770 feet east of the NW corner of Section 6-116N-R74W
(N 44.88928, W -99.79400) (SW ¼ NW ¼)

Secondary Valve:

Approximately 2,900 feet south and 1,640 feet east of the NW corner of Section 1-116N-R75W
(N 44.88929, W -99.81072) (SE ¼ NW ¼)

Storage Dam:

Approximately 2,650 feet south and 1,920 feet east of the NW corner of Section 1-116N-R75W
(N 44.89019, W -99.80987) (SE ¼ NW ¼)

The works are capable of diverting and conveying to the place of use 0.22 cu. ft. per second of water and storing 56.8 acre-feet of water which is to be used for Fish and Wildlife Propagation, and Livestock use.

The license should be issued for 0.22 cfs and 56.8 acre-feet of storage.

All structures, wells and lands on map Y

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

The well is valved and can be completely shut in. The well delivers water used to supplement the storage dam through buried pipe to a second valve located in the SE ¼ NW ¼ Section 1-T116N-R75W. This valve directs, and delivers water to the storage dam through buried pipe as needed.

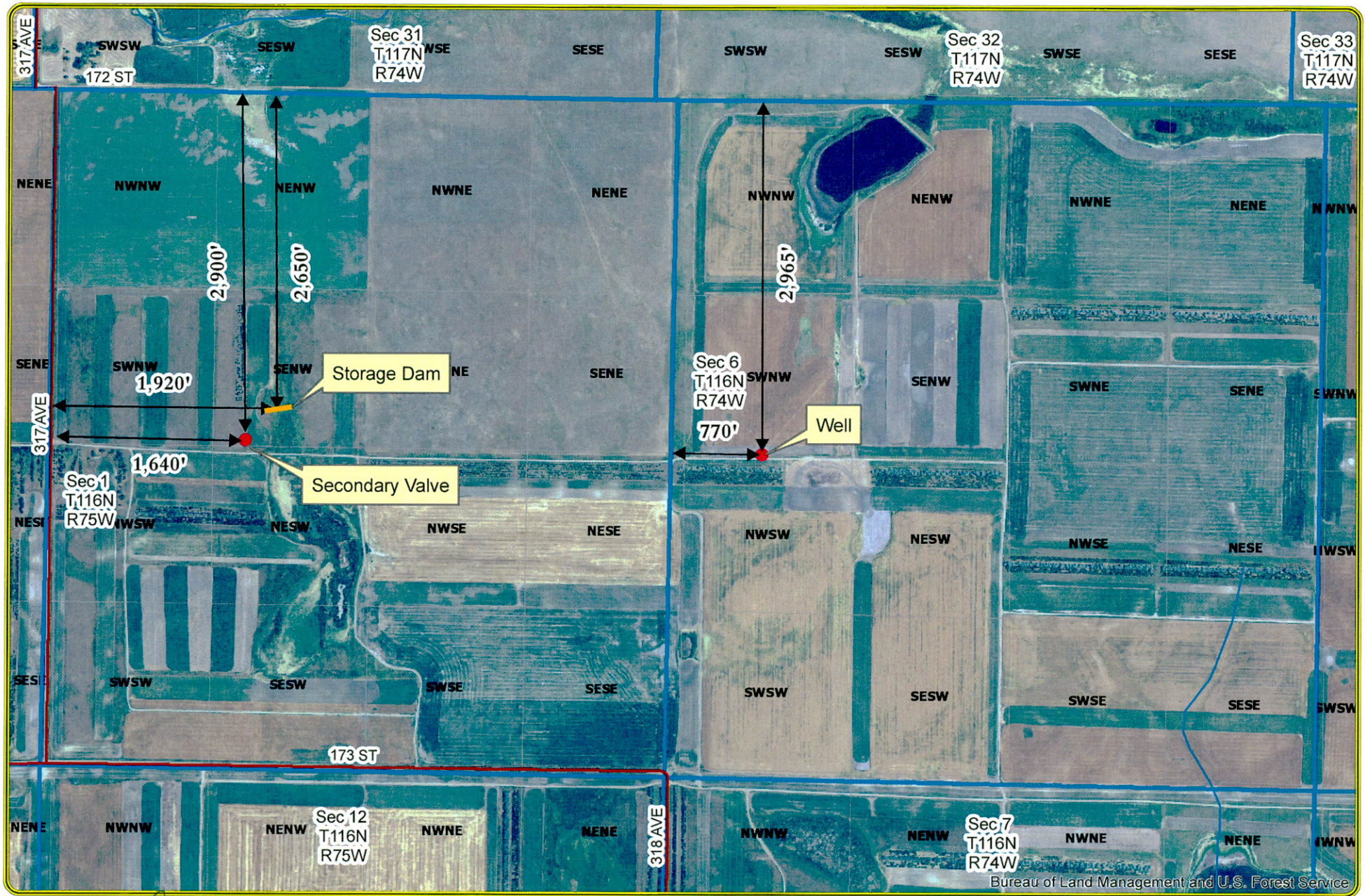


Mike DeFea

Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: March 25, 2016

Paul D Nelson
Water Permit No. 6418-3



Mike DeFea
Mike DeFea
Natural Resources Engineer II
DENR, Water Rights Program
March 28, 2016

0 0.125 0.25 0.5
Miles





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

MAY 03 2016

6418-3

Paul D Nelson
PO Box 183
Gettysburg SD 57442

Dear Mr. Nelson:

Enclosed is Water License No. 6418-3. 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.

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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6418-3**

(1) Paul D Nelson, PO Box 183, Gettysburg SD 57442 made Application No. 6418-3, April 20, 2003 for a water permit to impound 56.80 acre feet of runoff water by constructing a dam, located in Sully County, South Dakota for fish & livestock propagation and domestic livestock watering purposes. The storage dam is also supplemented by ground water, one well, Inyan Kara Formation at a rate of 0.22 cubic feet per second. Permit No. 6418-3, with a priority date of April 20, 2003 was approved September 15, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 15, 2008 and for the application to beneficial use of said water on or before September 15, 2012.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 0.22 cubic feet of water per second from the well to the storage dam and impound 56.8 acre feet (ground water and runoff) for beneficial use.

The location of the diversion points are:

- **Well:** approximately 2,965 feet south and 770 feet east of the NW corner of Section 6, T116N, R74W (SW ¼ NW ¼ Section 6);
- **Secondary Valve (directs & delivers water to the storage dam):** approximately 2,900 feet south and 1,640 feet east of the NW corner of Section 1, T116N, R75W (SE ¼ NW ¼ Section 1);
- **Storage dam:** approximately 2,650 feet south and 1,920 feet east of the NW corner of Section 1, T116N, R75W (SE ¼ NW ¼ Section 1).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Paul D Nelson, PO Box 183, Gettysburg SD 57442 the holder and/or owner of Water Right No. 6418-3 is issued a license to appropriate water, the right to divert 0.22 cubic feet of water per second from ground water, one well (Inyan Kara Formation) to a storage dam with impoundment of 56.8 acre feet of water from runoff and supplemented by the well with a priority date of April 20, 2003 from the location specified in (2) of this license for fish & wildlife propagation and domestic livestock watering purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6518-3 and subject to the following 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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

continued

- No pumping from the well into the dam is authorized when water is discharging from the pond.

Jeanne Goodman

Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 03 2016

date

