

WATER PERMIT NO. 6520-3

Name of Applicant: Pat Walsh

Address: 47844 Co Rd 1B, Elk Point SD 57025 Phone: 605 356-2762

Amount of Water Claimed: 2.67 cfs Total Acres: 70

Source of Water Supply: groundwater (one existing well)

Water to be used for: irrigation County: Union

Type of Waste Disposal System:

Location: 2 miles northeast of Elk Point

PRIORITY Date Received: 6-21-04 Application/License Fee: \$275

Corrected Application Received: 7-6-04 Period of Annual Use: April 1 – September 30

Remarks: Using well authorized by Water Right No. 5283-3

Diversion Point: W ½ SW ¼ Sec 9-T91N-R49W

Land to be Irrigated: E ½ SE ¼ Sec 8-T91N-R49W

Depth of Well: 120 feet deep

Well Driller: : Wetmore Drilling

Remarks:

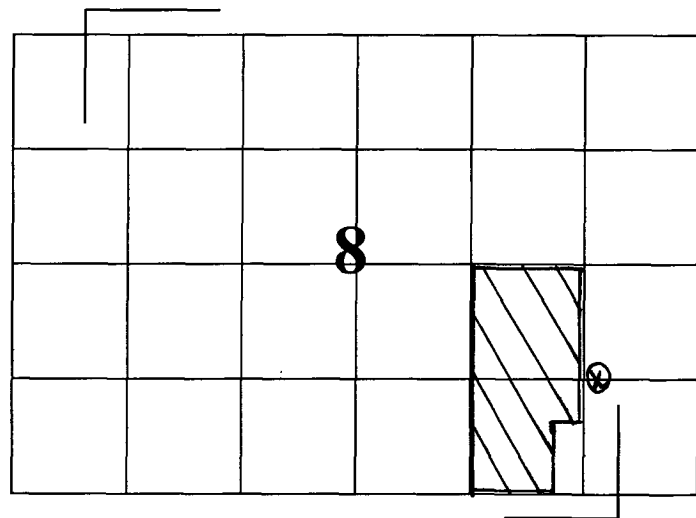
Type of Map: aerial

Prepared by: Racheal Kirkebak, NRCS

Reviewed and the Number Assigned on: 7-6-04

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



RECEIVED

JUL - 6 2004

WATER RIGHTS
PROGRAM

originally
received
6-21-04

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6520-3</u> (office use only)	Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Leader-Courier, Elk Point SD</u>	

Application For Permit To Appropriate Water For Irrigation

Type of Application: New Vested Right X Amendment/Correction to Permit No. 5283-3
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) To add an additional 70 acres of land to irrigate with water from well permit 5283-3

- Name of Applicant Pat Walsh Phone 605-356-2762
(check one) X Owner Tenant/lessee
Mailing Address 47844 Co. Rd. 1B Elk Point State SD 57025
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.67 *CFS or 1200 **GPM ***AF Total Acreage 70
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Well in the W $\frac{1}{2}$ SW $\frac{1}{4}$ section 9 91-49
- Location of point of diversion (example - 3 wells in SW $\frac{1}{4}$ NE $\frac{1}{4}$ section 12-T104N-R53W)
1 well in the W $\frac{1}{2}$ SW $\frac{1}{4}$ section 9 91-49
County UNION
- County or counties where water will be used UNION
- Annual period during which water is to be used April 1 To September 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 $\frac{1}{4}$ SE $\frac{1}{4}$ section 8 91-49	40		
SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 8 91-49	30		

8. Give a description of the project. (Attach sheet if more space is needed)
I will use gated pipe To furrow irrigate 70 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$ section 8 91-49 with water from the well in the W $\frac{1}{2}$ SW $\frac{1}{4}$ section 9 91-49 permit No 5283-3

STATE OF SOUTH DAKOTA) SS

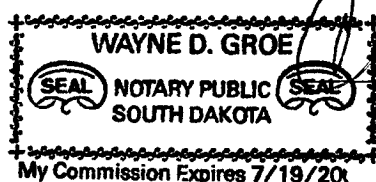
County of UNION

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, Pat Walsh, 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 Pat Walsh

Subscribed and sworn to before me this day of 20



Notary Public signature Wayne D. Groe

**SOUTH DAKOTA
WATER PERMIT NO. 6520-3**

Date of first receipt of application June 21, 2004.

Date of return to applicant for corrections, amendments or changes June 21, 2004.

Date of receipt of corrected application July 6, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6520-3 to Pat Walsh, 47844 Co Rd 1B, Elk Point SD 57025 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. 6520-3 appropriates 2.67 cubic feet of water per second from one existing well (Missouri-Elk Point Aquifer) 120 feet deep located in the W ½ SW ¼ Section 9 to irrigate 70 acres located in the E ½ SE ¼ Section 8; all in T91N-R49W. This water permit uses the well authorized by Water Right No. 5283-3.
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 - September 30.
3. The date from which applicant may claim right is June 21, 2004.
4. The date of approval of Permit No. 6520-3 is September 7, 2004.
5. One-fifth of the construction is to be completed on or before March 7, 2007.
6. All construction is to be completed on or before September 7, 2009.
7. Water is to be put to beneficial use on or before September 7, 2013.
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. 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

NOV 19 2004

date



Supplemental Information

(type or print in ink)

application to add
acres to permit #5283-3
Pat Walsh

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22" Depth 120'
- b) Casing Type PVC Diameter 1 1/2" Thickness 40
- c) Screen Type PVC Diameter 1 1/2" Thickness 40
- d) Gravel Pack pea gravel Length of Gravel Pack 50'
- e) Depth to Top of Water Bearing Material 75'
- f) Depth to Water (ground surface to water level) 20'
- g) Distance to nearest existing domestic well:
On applicants property NONE On property owned by others 1/3 mile

2. Wastewater Disposal System Information

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

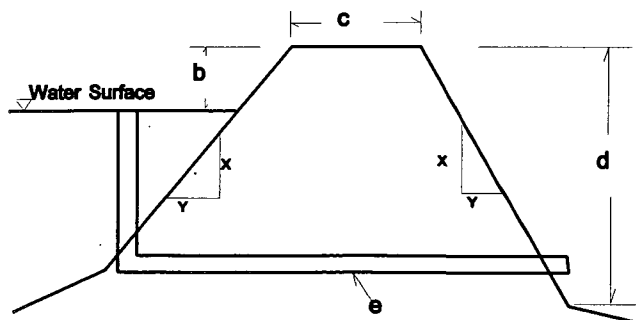
3. Dugout Information

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

4. Water Storage Dams

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

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



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date June 21, 20 04

RECEIVED OF Fat Walsh, 47644 County Rd 13, Elk Point SD 57025

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

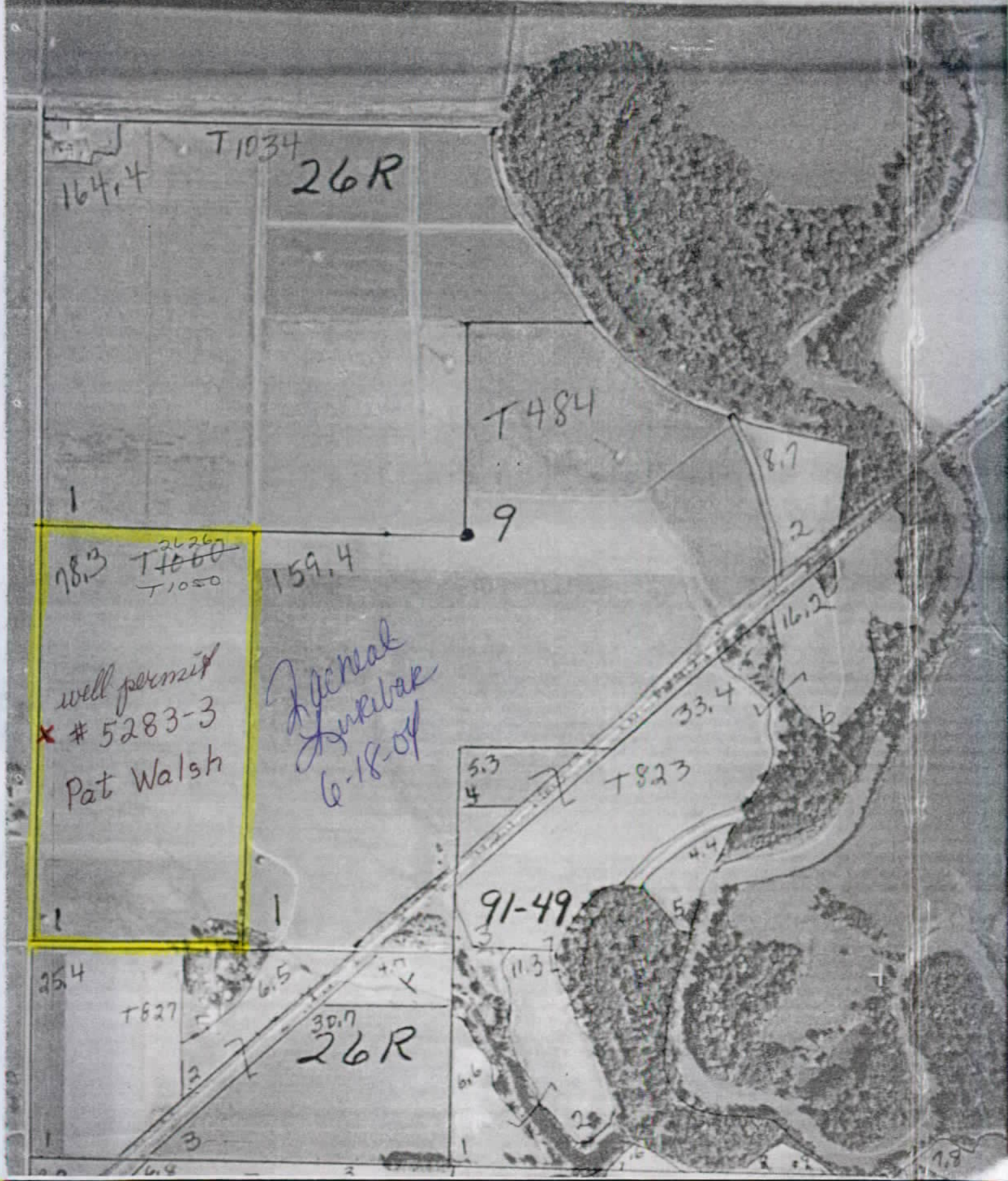
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	225	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	50	00
Fee for Filing Transfer Form _____		
Fee for _____ for C.Y. _____		
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	275.00

No. 004852

By J. D. Walsh
Chief Engineer gm

Elk Point - East

NOT TO SCALE



Elk Point - East

NOT TO SCALE

T 1032

106 R

NHEL

+

8

IRRIGATED

1 115.1

106 R

1994

91-49

*Reheat
P. Lak
6-18-04*

T 2516

70 acres to
be irrigated by
permit number
5283-3 in
section 9
Pat Walsh

T 2517

NHEL

1 16.1

T-890

T-822

T-818

T-1047

IRR
NHEL

106 R

6520-3

10-85

MAH 1990
DIVISION OF
WATER RIGHTS
Pierre, SD



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 21, 2004

Pat Walsh
47844 County Rd 1B
Elk Point SD 57025

Dear Mr. Walsh:

We have received your two completed Form 2A's Supplemental Information and application fees. Enclosed are two *Applications for a Permit to Appropriate Water*. Please complete one form for each application. The application forms also need to be signed and notarized.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

REPORT ON WATER PERMIT APPLICATION NO. 6520-3

For Pat Walsh

August 2, 2004

Application No. 6520-3 proposes to appropriate 2.67 cfs (1,198 gpm) from one existing well approximately 120 feet deep located in the W $\frac{1}{2}$ SW $\frac{1}{4}$ of section 9 to irrigate 70 acres located in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of section 8; all in T91N R49W in Union County. The applicant is requesting a diversion rate greater than the statutory limit of one cfs per 70 acres.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is a surficial outwash (sand and gravel) that is under water table conditions in this area. The Missouri Elk Point aquifer as described by Hedges (Hedges, 1982) is roughly the equivalent of the Missouri aquifer as described by Niehus. The aquifer underlies 180 square miles and contains an estimated 1.5 million acre-feet of water in storage in Union County (Niehus, 1994). The aquifer extends into Clay County to the west, blends into the Lower Vermillion Missouri aquifer to the northwest, blends into the Big Sioux South aquifer to the north, and is hydraulically connected to both the Big Sioux and Missouri Rivers. The aquifer also directly overlies the Dakota Formation which is also considered an aquifer in the southern portion of Union County (Niehus, 1994) and probably receives leakage from the Dakota Formation.

This is an existing well with a well completion report on file. The irrigation well log indicates a layer of clay from 3 to 17 feet overlying the aquifer sand from 17 to 55 feet followed by coarse sand and gravel from 55 to 130 feet all below land surface. The well was capable of producing 1,600 gpm with 20 feet of drawdown. This equates to a specific capacity of about 80 gpm/ft of drawdown. This information indicates that this well can produce the amount of water requested by this application.

The Water Rights Program monitors three observation wells completed into the Missouri Elk Point aquifer and located within a two mile radius of this application. The nearest of these observation wells is UN-87I and is located about three fourths mile north of this application. Water levels for UN-87I, UN-77M and UN-87H and the others from the Missouri Elk Point aquifer show good response to climatic conditions that is rising water levels during wet years (recharge) and gradually declining water levels during dry years. Hydrographs for UN-87I, UN-77M and UN-87H are included with this report (Water Rights, 2004). In general, the water level records indicate that the aquifer is capable of sustaining additional withdrawals.

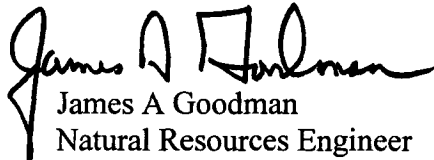
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing irrigation wells within a one-half mile radius of this application. The aquifer is under water table conditions and is very prolific in this area. Drawdown created by pumping is not significant. This area is intensively irrigated with the water source from the Missouri Elk Point aquifer. The water level record from the observation

wells indicate that pumping does not cause significant drawdown to occur. Interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is under water table conditions in this area. Drawdown created by pumping is not expected to be significant. Interference should not be a concern.
3. This well has been constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

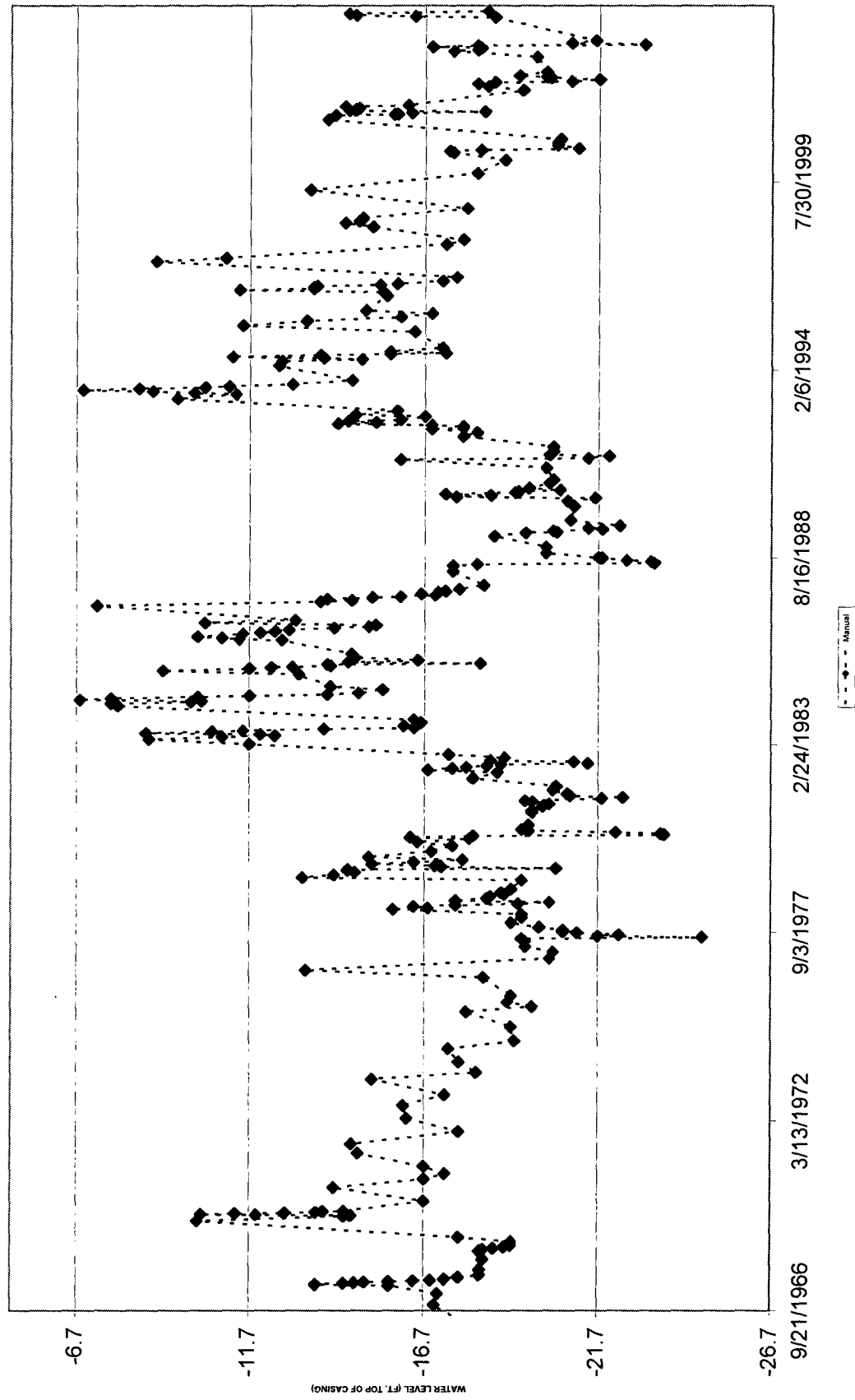
BIBLIOGRAPHY

Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57609.

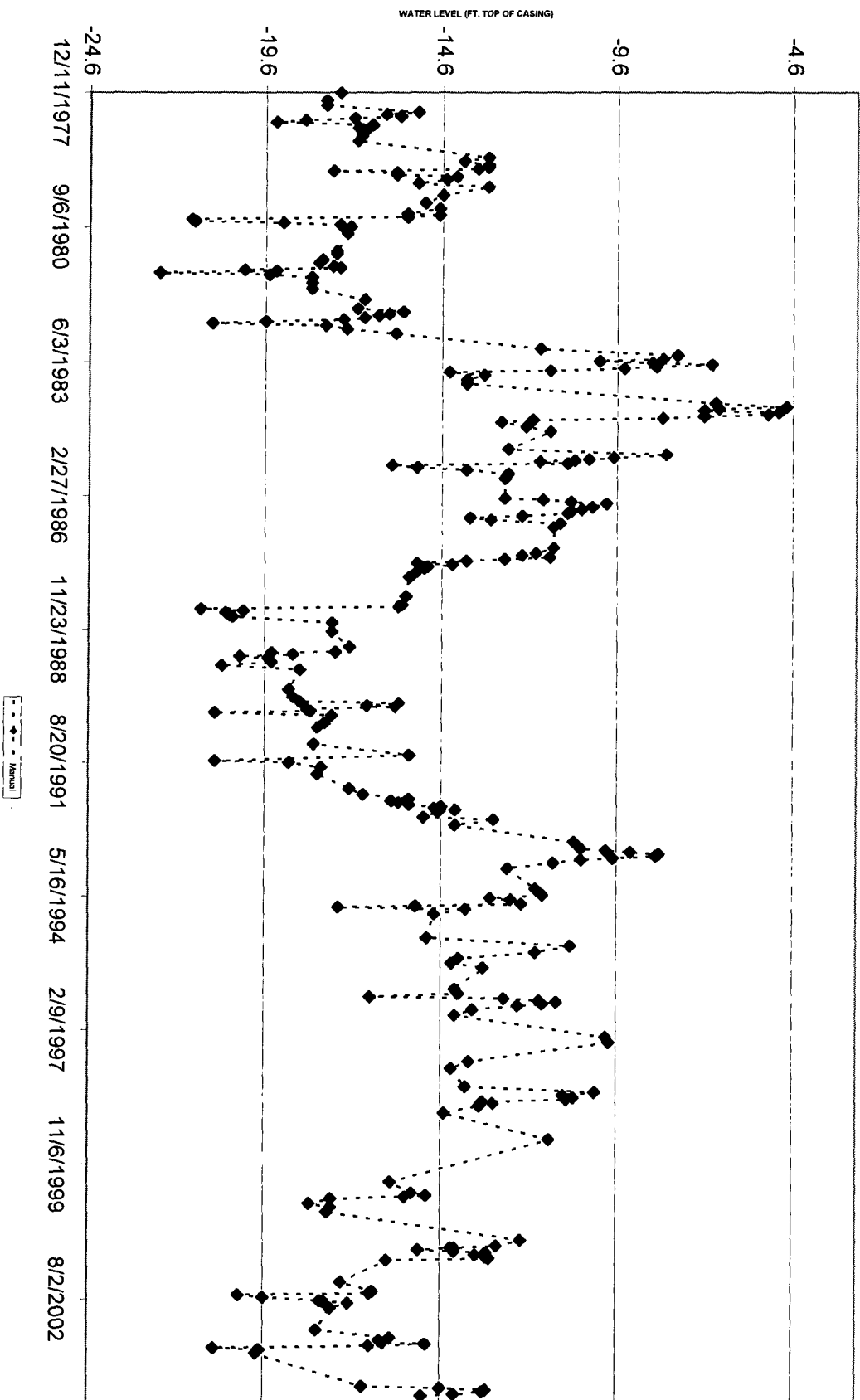
Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, Water-Resources Investigations Report 93-4195, USGS, Rapid City, SD, 57702.

Water Rights, 2004, Unpublished Observation Well Data for Union County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

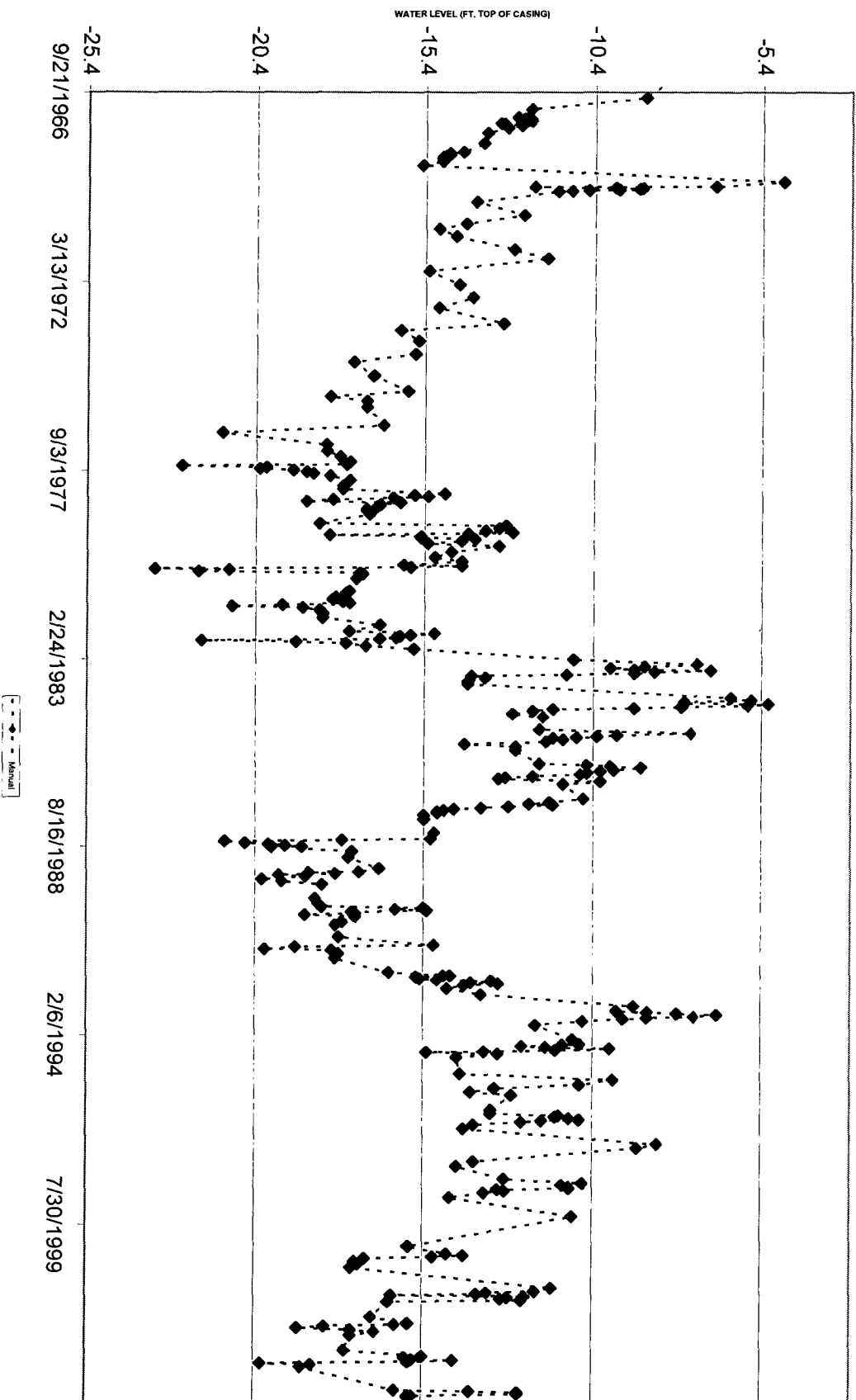
WATER RIGHTS' OBSERVATION WELL
UN-871



WATER RIGHTS' OBSERVATION WELL UN-77M



WATER RIGHTS' OBSERVATION WELL
UN-87H





**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. 6520-3, Pat Walsh**

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. 6520-3, Pat Walsh, 47844 Co. Road 1B, Elk Point SD 57025.

The Chief Engineer is recommending APPROVAL of Application No. 6520-3 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. 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
August 10, 2004

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Union) SSI, Susan Odson

certify that the attached printed Notice was
taken

from the Leader-Courier

printed and published in Elk Point

County of Union and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

August 19, 2004

August 26, 2004

Cost of Printing \$ 42.68

Susan Odson
(Signature)

Affidavits Coordinator
(Title)

Aug. 26, 2004
(Date Signed)

RECEIVED

AUG 30 2004

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION NOS. 6520-3 AND 6521-3 TO APPROPRIATE WATER

Notice is given that Pat Walsh, 47844 Co Rd 1B, Elk Point SD 57025 has filed the following applications for a water permit. Application No. 6520-3 proposes to appropriate 2.67 cubic feet of water per second (cfs) from one existing well (Missouri-Elk Point Aquifer) 120 feet deep located in the W 1/2 SW 1/4 Section 9 to irrigate 70 acres located in the E 1/2 SE 1/4 Section 8; all in T91N-R49W. The applicant is requesting a diversion rate greater than 1 cfs per 70 acres.

Application No. 6521-3 proposes to appropriate 2.67cfs from one well (Missouri-Elk Point Aquifer) 120 feet deep located in the center of the NW 1/4 Section 27 to irrigate 200 acres located in the NW 1/4, NW 1/4 SW 1/4 Section 27; all in T91N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6520-3 and 6521-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. 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 7, 2004.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, 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.

Publish August 19 and 26, 2004
34-6-76

Instruction to Newspaper - Publish first Notice on August 19, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 6520-3 and 6521-3 to Appropriate Water

Notice is given that Pat Walsh, 47844 Co Rd 1B, Elk Point SD 57025 has filed the following applications for a water permit.

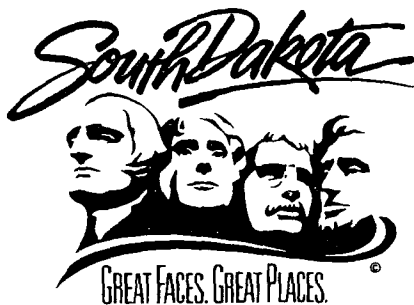
Application No. 6520-3 proposes to appropriate 2.67 cubic feet of water per second (cfs) from one existing well (Missouri-Elk Point Aquifer) 120 feet deep located in the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 9 to irrigate 70 acres located in the E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 8; all in T91N-R49W. The applicant is requesting a diversion rate greater than 1 cfs per 70 acres.

Application No. 6521-3 proposes to appropriate 2.67 cfs from one well (Missouri-Elk Point Aquifer) 120 feet deep located in the center of the NW $\frac{1}{4}$ Section 27 to irrigate 200 acres located in the NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27; all in T91N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6520-3 and 6521-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 7, 2004.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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

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

August 11, 2004

Pat Walsh
47844 Co Rd 1B
Elk Point SD 57025

Dear Mr. Walsh:

Water Permit Application Nos. 6520-3 & 6521-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Leader-Courier printed at Elk Point, SD (Ph # 605-356-2632). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and the reports on the applications 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 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. 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 applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, 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 applications.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 11, 2004

Leader-Courier
PO Box 310
Elk Point SD 57025-0310

ATTENTION: Legal Public Notice

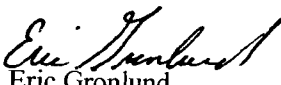
Enclosed is a Notice on Application Nos. 6520-3 & 6521-3 to Appropriate Water to be published twice. Please publish the first notice on August 19, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Pat Walsh, 47844 Co Rd 1 B, Elk Point SD (Ph # 605-356-2762).

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. 6521-3

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

Date _____

We are in receipt of your letter of August 11, 2004 enclosing Notice to Appropriate Water by Application Nos. 6520-3 & 6521-3 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

NOV 19 2004

Pat Walsh
47844 Co Rd 1B
Elk Point SD 57025

Dear Mr. Walsh:

Enclosed is Water Permit No. 6520-3 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

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, August 19, 2013, made a thorough examination of the water use system constructed by Pat Walsh of Elk Point, SD holder of Permit No. 6520-3, bearing the priority of June 21, 2004 authorizing the diversion of 2.67 cu. ft. per second of the waters of the Missouri: Elk Point aquifer for irrigation purposes, in Union County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

One well is in place with a submersible pump that is capable of producing 4.44 cfs (2,000 gpm).

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

Water is conveyed from the well via 10 in steel gated pipeline.

C. Works used to apply water to beneficial use:

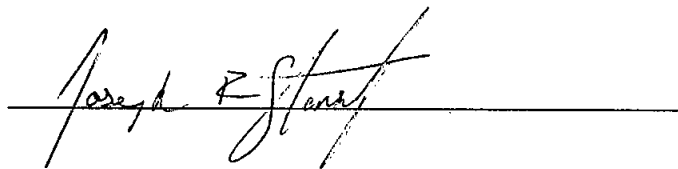
1,320 ft of steel gated pipe to flood irrigate 64 acres.

The system is in the following condition: good. The point of diversion is located 1,320 ft north of the SW corner of Section 9 and near the section line, T91N-R49W (42.711217 °N, 96.645317 °W). The works are capable of diverting and conveying to the place of use 4.44 cfs of water which is to be used for irrigation.

Water has been put to beneficial use to the maximum extent as follows:

40 ac	NE¼ SE¼	Section 8, T91N-R49W
24 ac	SE¼ SE¼	Section 8, T91N-R49W

comprising a total of 64 acres of land and the license should be issued for 2.67 cfs. Applicable permit qualifications have been complied with: Yes.

Date: May 30, 2014

REPORT ON INSPECTION OF PERMIT NO. 6520-3

DATE: 8/19/13

Other permit(s) associated with the project: 5283-3

Water Right No. 5283-3 authorizes 1.11 cfs from one well completed into the Missouri: Elk Point aquifer. The well is located in the W½ SW¼ Section 9, T91N-R49W. The right authorizes irrigation of 78 acres located in the W½ SW¼ Section 9, T91N-R49W. Water Permit No. 6520-3 is authorized to use the same well at an additional rate of 2.67 cfs to irrigate an additional 70 acres located in the E½ SE¼ Section 8, T91N-R49W.

DIVERSION POINT(S) LEGAL LOCATION(S):

W½ SW¼ Section 9, T91N-R49W (42.711217 °N, 96.645317 °W)

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore Drilling
- 2) Depth, feet: 130'
- 3) Well Log is available Y/N: Yes

Casing:

- 1) Diameter, inches: 16"
- 2) Length, feet: 130'
- 3) Type: ½" thick plastic

Screen:

- 1) Type: 100 slot PVC
- 2) Length, feet: 60'
- 3) Static water level, feet: 18' (04/26/89)

Motor:

- 1) Make: US Electric
- 2) Model No.: A326UP
- 3) Horsepower, hp: 30 hp

Pump:

- 1) Make: Western Land Roller
- 2) Model: B80138

- 3) Size: 8"
- 4) Capacity, gallons per minute: 1,500-2,000 GPM, 3 stages

DISTRIBUTION LINES OR CANALS:

- 1) Type: gated steel pipe
- 2) Size, inches: 10"
- 3) Length, feet: 1,320'

SYSTEM TYPE: Flood irrigation

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y/N: No

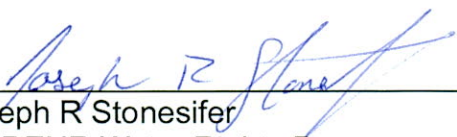
PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y/N: Yes
- 2) All structures, wells and lands on map Y/N: Yes
- 3) Irrigation Questionnaires check to determine if permit owner started irrigation by the end of construction period Y/N: Yes

Pat Walsh
Water Permit No. 6520-3



0 0.125 0.25 0.5 Miles


Joseph R Stonesifer
SD DENR Water Rights Program
May 30, 2014



	Well Location
	Irrigated Acres
	Section Boundaries
FSA - 2012	



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



JUN 18 2014

6520-3

Pat Walsh
47844 County Rd 1B
Elk Point SD 57025

Dear Mr. Walsh:

Enclosed is Water License No. 6520-3. 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. 6520-3, 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,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6520-3

(1) Pat Walsh, 47844 County Rd 1B, Elk Point SD 57025 made Application No. 6520-3, June 21, 2004 for a water permit to divert 2.67 cubic feet of water per second from ground water (one well – Missouri Elk Point Aquifer), Union County, South Dakota for irrigation purposes. Permit No. 6520-3, with a priority date of June 21, 2004 was approved September 7, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 7, 2009 and for the application to beneficial use of said water on or before September 7, 2013.

(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 2.67 cubic feet of water per second for beneficial use. The location of the diversion point is 1,320 feet north of the SW corner of Section 9, T91N, R49W (along section line).

The above well is also used to irrigate land authorized under Water Right No. 5283-3.

(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:

T91N, R49W Section 8	NE ¼ SE ¼	40 acres
	SE ¼ SE ¼	24 acres
	Total	64 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Pat Walsh, 47844 County Rd 1B, Elk Point SD 57025 the holder and/or owner of Water Right No. 6520-3 is issued a license to appropriate water, the right to use 2.67 cubic feet of water per second from ground water (one well – Missouri Elk Point Aquifer) with a priority date of June 21, 2004 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. 6520-3 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.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

JUN 18 2014

date



2016 Water Management Board Irrigation Questionnaire

Please fill out and return before December 1, 2016

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501 3181 ph. (605) 773 3352 or send your form(s) electronically over the internet at <http://denr.sd.gov/iq.aspx>

Permit No. 6520-3

Elevator

PATRICK V WALSH
47844 COUNTY RD 1B
ELK POINT SD 57025

Any address/ownership corrections?

Email rpwalsh@vyn.midco.net

Phone 605-670-0486

1. Did you irrigate in 2016? *yes ☒ **no ☐

*If yes, number of acres irrigated? 53

**If no, check reason(s) for not irrigating acres covered by Permit No. 6520-3

sufficient moisture ☐ no water available ☐

system not constructed ☐ use abandoned ☐

enrolled in CRP ☐, through what year? _____

other ☐, please explain in the Comment Box:

2. If your answer to question No. 1 is "no," you are done!
If you answered "yes," please complete Nos. 3, 4 & 5.

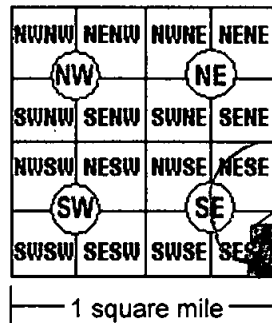
3. Did you apply chemicals or fertilizer through the system in 2016? yes ☐ no ☒

4. If more than one water source is listed below, circle each source used. A. GROUNDWATER

5. Provide your water use on the back of this form.

Comment Box

This form was converted to a center pivot irrigation system. We installed a Zimmatic Bender pivot that can bend/swing at the trees and allows us to irrigate more of the south half of the farm compared to a standard pivot. The new pivot can cover approximately 53 Acres.



Office use only

RECEIVED

NOV 28 2016

WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 6520-3

(see above section map for help reading legal descriptions)

sec 08-T091N-R49W, NE1/4SE1/4 - 40.00 acres

sec 08-T091N-R49W, SE1/4SE1/4 - 24.00 acres

*We will no longer flood irrigate this farm. We will utilize the new center pivot going forward.

Please provide your 2016 water use to irrigate the above acreage on the REVERSE side of this form.

For an example of a completed questionnaire, please refer to the reverse side of your cover letter.