

WATER PERMIT NO. 6536-3

Name of Applicant: Dave Eide

Address: 5615 Lincoln SW, Huron SD 57350

Phone: 605 352-8979

Amount of Water Claimed: 1.11 cfs

Total Acres: 160

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Beadle

Type of Waste Disposal System:

Location: 2 miles southwest of Huron

PRIORITY

Date Received: 8-26-04

Application/License Fee: \$300

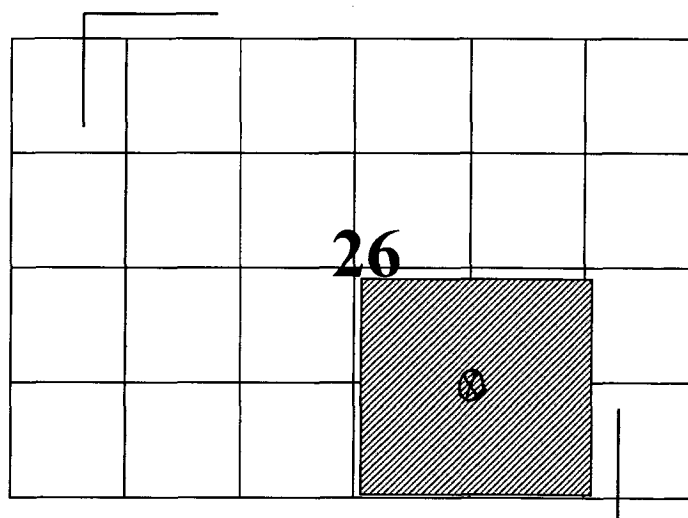
Corrected Application Received:

Period of Annual Use: April 1 – September 30

Remarks:

Diversion Point: center of SE ¼ Sec 26-T110N-
R62W

Land to be Irrigated: SE ¼ Sec 26-T110N-R62W



Depth of Well: 100 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Carol Otto, Beadle Co. FSA

Reviewed and the Number Assigned on: 8-27-04

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6536-3</u>	(office use only) Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>	
	Newspaper <u>The Plainsman, Huron</u>	

RECEIVED
AUG 26 2004
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 Dave Eide (Owner) Phone 352-8979
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 5615 Lincoln SW Huron State 57350
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.1 *CFS or 500 **GPM ***AF Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Beadle
center SE1/4 Sec 26 - T110N-R62W
- County or counties where water will be used Beadle
- Annual period during which water is to be used Possibly April thru 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
Township 110 Range 62 SE1/4 of SE1/4	40	All listed to the left	
Township 110 Range 62 SW1/4 of SE1/4	40	is in section 26.	
Township 110 Range 62 NE1/4 of SE1/4	40	The actual area that gets	
Township 110 Range 62 NW1/4 of SE1/4	40	water will be about 140 acres	

- Give a description of the project. (Attach sheet if more space is needed)
Plan on installing a center pivot irrigation system to irrigate
crops on the southeast 1/4 section of Township 110 Range 62
Section 26 Beadle County South Dakota.

STATE OF SOUTH DAKOTA)
County of Beadle) SS

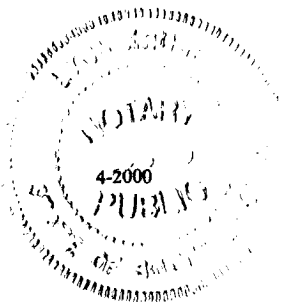
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Dave Eide, 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 Dave Eide

Subscribed and sworn to before me this 24th day of August 2004

[Signature]
Notary Public signature



**SOUTH DAKOTA
WATER PERMIT NO. 6536-3**

Date of first receipt of application August 26, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6536-3 to Dave Ejde, 5615 Lincoln SW, Huron SD 57350 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. 6536-3 appropriates 1.11 cubic feet of water per second from one well to be completed into the Warren:West James Aquifer (approximately 100 feet deep) located in the center of the SE ¼ Section 26 to irrigate 160 acres located in the SE ¼ Section 26; all in T110N-R62W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is August 26, 2004.
4. The date of approval of Permit No. 6536-3 is November 22, 2004.
5. One-fifth of the construction is to be completed on or before May 22, 2007.
6. All construction is to be completed on or before November 22, 2009.
7. Water is to be put to beneficial use on or before November 22, 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. The well authorized by Permit No. 6536-3 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) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

DEC 07 2004

date



Supplemental Information

(Complete applicable portions only)

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 100 feet
- b) Casing Type PVC Diameter 16" Thickness .056"
- c) Screen Type stainless steel Diameter 16" Thickness
- d) Gravel Pack pear rock Length of Gravel Pack 20 feet
- e) Depth to Top of Water Bearing Material 30 feet
- f) Depth to Water (ground surface to water level) 30 feet
- g) Distance to nearest existing domestic well:
- On applicants property 1/2 mile 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

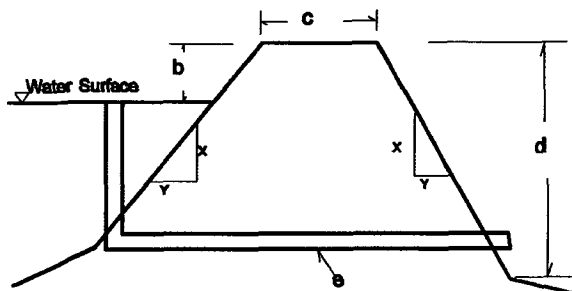
3. Dugout Information

- 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:



- 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 AUGUST 27, 20 04

RECEIVED OF Dave Fide, 5615 Lincoln Ave SW, Huron SD 57350

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

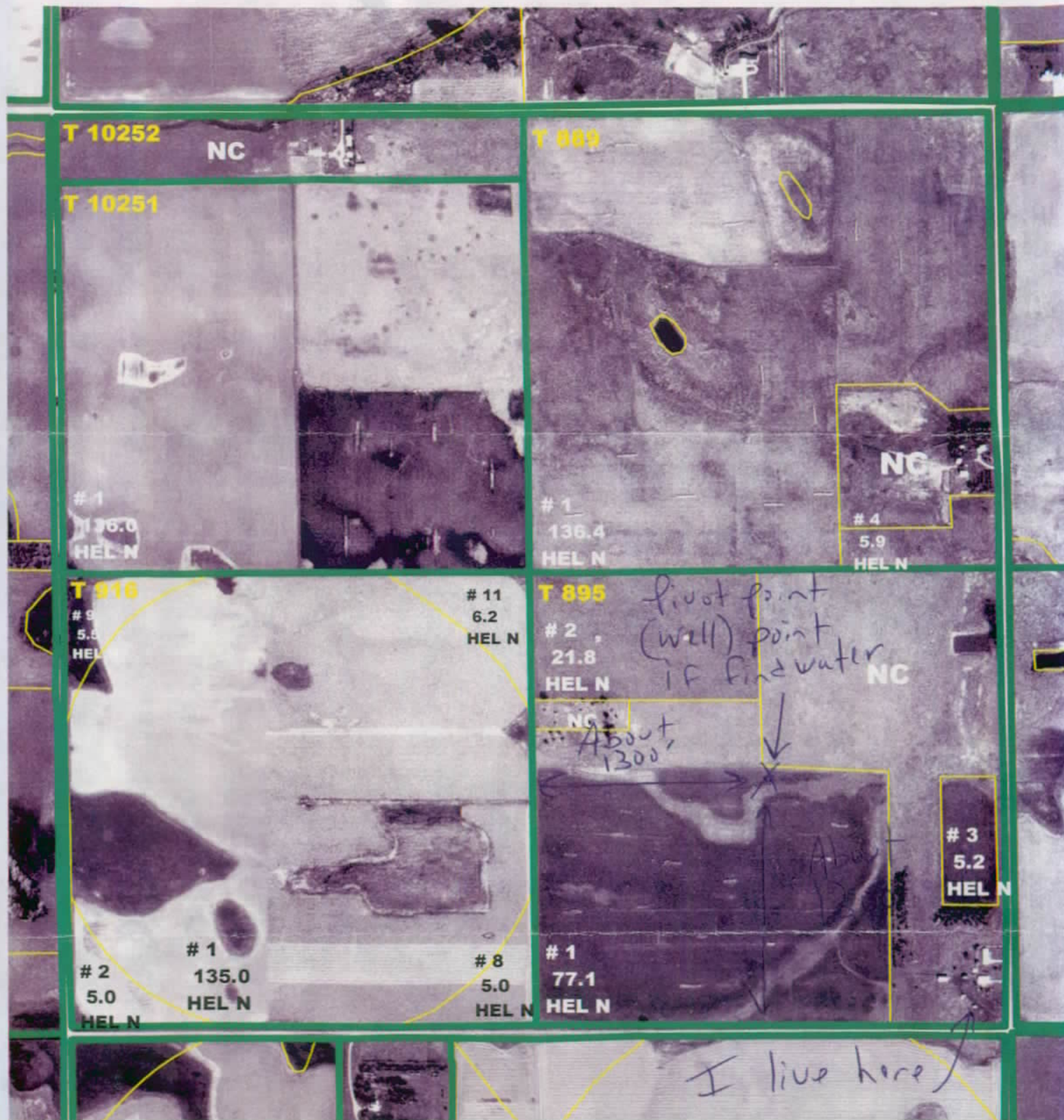
Fee for Application for Permit No. <u>6536-3</u> to Appropriate Water, to construct and to put water to beneficial use	250	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6536-3</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	300.00

No.

000000

By

Harland Eide
Chief Engineer
gm



United States Department of Agriculture
Farm Service Agency

26-110-62

Beadle County



May 26, 2004

1997 Digital Orthophotography - Not To Scale

Carol Otto
Program Technician - Beadle Co FSA 6536-3

Permit # 1775-3
south of application

Beadell

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: NE 1/4 1/4 Section 35 Township 110-N Range 62-W

Well owner Freeland Farms Doland
(Name) (Address)

Date well drilling completed 7-6-78 Purpose of well irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
0-2	Topsoil	Depth to static water level _____ ft.
2-15	Yellow clay & rock	Name of producing aquifer (if known) _____
15-20	coarse gravel	Total depth of drill hole <u>66</u> ft.
20-25	clay & coal	Depth to bottom of casing <u>66</u> ft.
25-28	fine sand	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
28-46	Sand & coal	
46-47	Clay & sand	
47-51	Sand	
51-52	Clay & sand	Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
52-60	Sand	
60-61	Clay & sand	
61-66	Sand	

Fiberglass

Fiberglass

If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Empire Irrigation Drilling Co.
Name of Drilling Contractor Inc.

(2) PUMP INSTALLATION

Company name and size of pump _____ HP

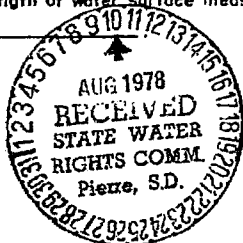
Type of pump _____ Capacity of installed pump _____ G.P.M.

Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____



Name of Pump Installation Contractor

Geraine Pullman
 FOREMAN

JOB NAME	LOCATION	DATE	RIG NO.	FOREMAN
DEPTH	TIME	REMARKS	DESCRIPTION	
1- 20		Topsoil		
2- 40				
3- 60		Gravel Streaks - Mix Bentonite - 5 Bags		
4- 80		Gravel Streaks		
5- 100		Gravel Streaks	#1	
6- 115		Blue Clay		
		Total Depth 110		

REPORT ON WATER PERMIT APPLICATION NO. 6536-3

For Dave Eide
October 13, 2004

Application No. 6536-3 proposes to appropriate 1.11 cfs (500gpm) from one well approximately 100 feet deep located in the center of the SE ¼ of section 26 to irrigate 160 acres located in the SE ¼ of section 26; all in T110N R62W in Beadle County.

AQUIFER – WARREN WEST JAMES (W-WJ)

The Warren West James is a predominantly buried outwash (sand and gravel) that is under artesian conditions in this area. The aquifer underlies 119,500 acres and contains an estimated 568,000 acre feet of recoverable water in storage in Beadle County (Hedges, 1982). The aquifer extends into Jerauld and Sanborn Counties to the south and the direction of ground water movement is from the northwest to the southeast and toward the James River. In the subsurface the aquifer appears to be hydraulically connected to the Niobrara Formation.

No test well data was submitted with this application. However there are existing irrigation wells about one-half mile to the west and south of this application. Also there is an observation well BD-76L located about one-quarter mile to the southeast of this proposed well. A domestic well located just to the northeast of this proposed well was completed into a deeper aquifer and evidently the Warren aquifer was not present at that site.

Recharge to the Warren West James aquifer has been estimated to range from 0.9 -3.4 inches per year for the unconfined portions of the aquifer and 0.24-0.72 inches per year for the confined portions of the aquifer (Emmons, 1988). This amounts to an annual volume of about 7,200 acre-feet for the area of aquifer in Beadle County (Buhler, 2004). Water use from the Warren West James was estimated by Buhler to be less than the estimated annual recharge to the aquifer. This included an estimate of 2,600 acre-feet of potential use by the City of Huron and also realizing that irrigation use is subject to large fluctuation based upon climatic conditions (see summary in the Buhler Report).

The Water Rights Program monitors seven observation wells completed into the Water West James aquifer and within five miles of this application. Water level records for these wells show good response to pumping (artesian head fluctuation) and to aquifer recharge. A hydrograph for observation well BD-76L is included with this report. In general the observation well record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2004).

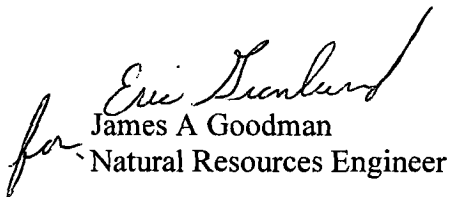
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing water right Nos. 1775-3 and 3891-3 in this immediate area. The wells for these existing rights are located one-half mile south and one-half mile west of this proposed well respectively. Interference will occur. That is, there will be

overlapping cones of depression from the individual irrigation wells. Without test drilling and actual test pumping this cannot be fully evaluated however this is not expected to be adverse. Also, this site may not contain sufficient aquifer thickness to warrant completing a production well. The available information suggests that the aquifer may not extend to the north. There are also numerous domestic wells to the east that obtain water from the 100 to 140 depth and it is not known if these domestic wells are in the same aquifer system.

CONCLUSIONS

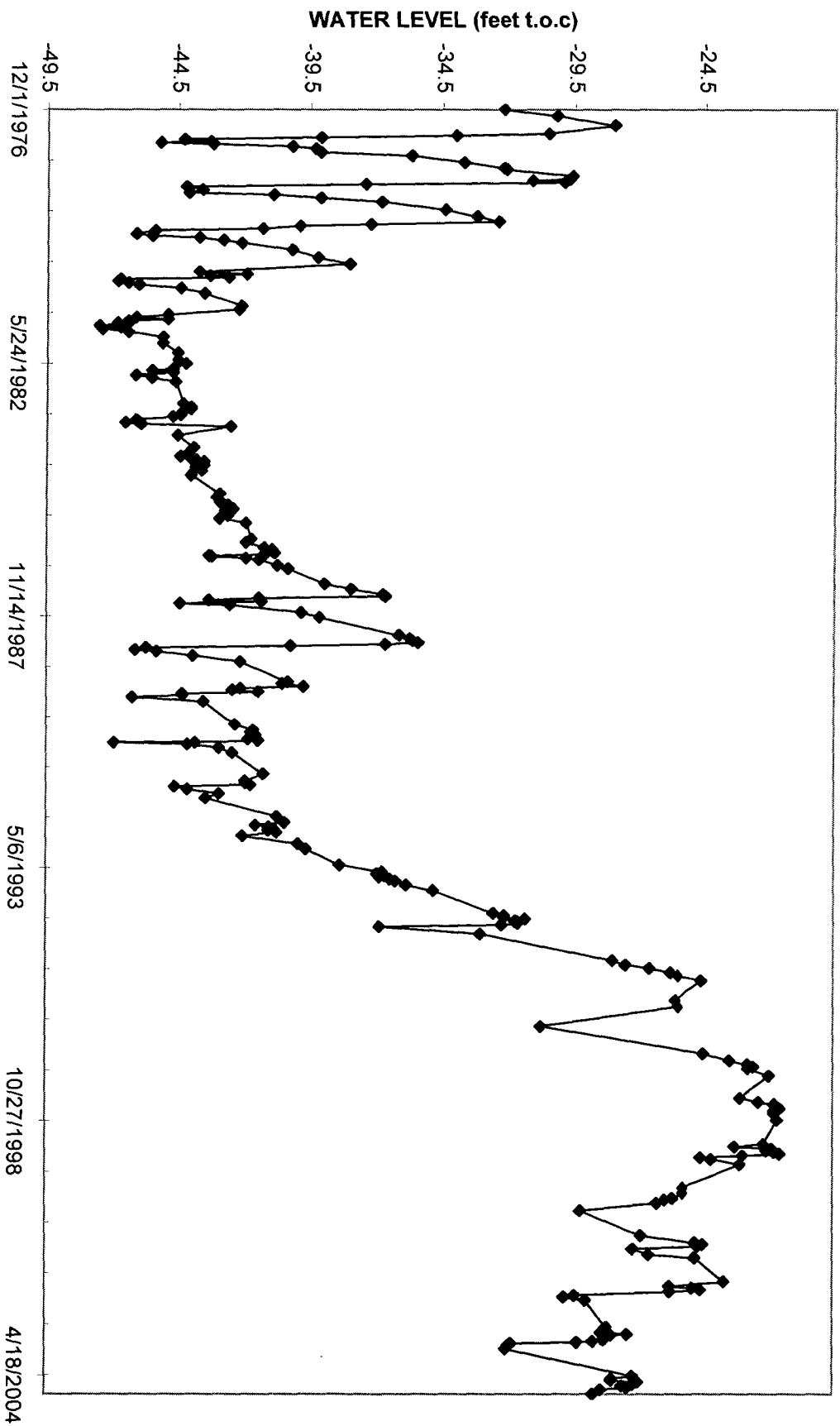
1. Water is available from the Warren West James aquifer. However, the amount irrigation and municipal development from the aquifer does warrant close scrutiny of additional water permit applications.
2. The aquifer is under artesian conditions at this site. Drawdown will be created by pumping. Interference will occur however this is not expected to adversely affect existing water rights.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. In general the water quality of the Warren West James aquifer is marginal for irrigation use.


for James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Buhler, K., 2004, Report on Water Permit Application No. 6471-3 for Marshall Brothers, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.
- Emmons, P.J., 1988, A Digital Simulation of the Glacial-Aquifer System in Sanborn and Parts of Beadle, Miner, Hansen, Davison, and Jerauld Counties, South Dakota, Water Resources Report 87-4082, USGS, Huron, SD, 57350.
- 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, 57069.
- Water Rights, 2004, Unpublished Observation Well Data for Beadle County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
BD-76L





**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. 6536-3, Dave Eide**

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. 6536-3, Dave Eide, 5615 Lincoln SW, Huron SD 57350.

The Chief Engineer is recommending APPROVAL of Application No. 6536-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6536-3 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) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 26, 2004

PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

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

Dave Eide (DENR) – Notice Appropriate
Water 6536-3

Was published for Four days, once each week, on the same day, in said newspaper, and not in any supplement of the said 3rd day of November, 2004 and the last publication was on the 10th day of November, 2004. That the full amount of the fee charged for publishing the Forty Five 67/00 Dollars insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division there of has been made with any other person, and that no part there of has been agreed to be paid to any person whomsoever.

Kristie Kahre

Subscribed and sworn to before me this 11th
day of November, 2004.

Tera Baeken
Notary Public, South Dakota

My term expires 08/ 27/ 2010

Legal #445

RECEIVED

NOV 29 2004

WATER RIGHTS
PROGRAM

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 November 22, 2004.

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
No. 445 (adv.)

F.P. 11-3-04 L.P. 11-10-04

NOTICE OF APPLICATION NO. 6536-3 to

Appropriate Water

Notice is given that Dave Eide, 5615 Lincoln SW, Huron SD 57350 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from one well to be completed into the Warren West James Aquifer (approximately 100 feet deep) located in the center of the SE 1/4 Section 26 to irrigate 160 acres located in the SE 1/4 Section 26; all in T110N-R62W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6536-3 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

Instruction to Newspaper - Publish first Notice on November 3, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6536-3 to Appropriate Water

Notice is given that Dave Eide, 5615 Lincoln SW, Huron SD 57350 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second from one well to be completed into the Warren:West James Aquifer (approximately 100 feet deep) located in the center of the SE ¼ Section 26 to irrigate 160 acres located in the SE ¼ Section 26; all in T110N-R62W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6536-3 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 November 22, 2004.

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**

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.

October 26, 2004

Dave Eide
5615 Lincoln SW
Huron SD 57350

Dear Mr. Eide:

Water Permit Application No. 6536-3 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 Plainsman printed at Huron, SD (Ph # 605-352-6401). 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 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 application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 26, 2004

The Plainsman
PO Box 1278
Huron SD 57350-1278

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6536-3 to Appropriate Water to be published twice. Please publish the first notice on November 3, 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 Dave Eide, 5615 Lincoln SW, Huron SD (Ph # 605-352-8979).

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. 6536-3

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

Date _____

We are in receipt of your letter of October 26, 2004 enclosing Notice to Appropriate Water by Application No. 6536-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEC 07 2004

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dave Eide
5615 Lincoln SW
Huron SD 57350

Dear Mr. Eide:

Enclosed is Water Permit No. 6536-3 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

January 18, 2005

RECEIVED

JAN 20 2005

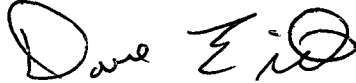
WATER RIGHTS
PROGRAM

Eric Gronlund
Joe Foss Building
523 East Capitol
Pierre, SD 57501

Dear Mr. Gronlund:

I recently received irrigation well permit #6536-3. Apparently I made a mistake when filling out the permit application and asked to pump 500 gallons of water per minute. I would actually like to pump 800 gallons of water per minute. Is there a way we can resolve this situation? Excuse me for my mistake.

Sincerely,

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

Dave Eide
(605) 352-8979 or
(605) 352-8591



**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.

January 21, 2005

Dave Eide
5615 Lincoln SW
Huron SD 57350

Dear Mr. Eide:

As you requested, we are readvertising Water Permit No. 6536-3 for the correct diversion rate of 1.78 cubic feet of water per second (800 gallons per minute). The notice has been sent to the Publisher of the Plainsman printed at Huron, SD (Ph # 605-352-6401). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the revised recommendation of the Chief Engineer and revised 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 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 application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2005

The Plainsman
PO Box 1278
Huron SD 57350-1278

ATTENTION: Legal Public Notice

Enclosed is Readvertisement of Notice of Permit No. 6536-3 to Appropriate Water to be published twice. Please publish the first notice on January 28, 2005 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 Dave Eide, 5615 Lincoln SW, Huron SD (Ph # 605-352-8979).

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. 6536-3

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

Date _____

We are in receipt of your letter of January 21, 2005 enclosing Notice to Permit No. 6536-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

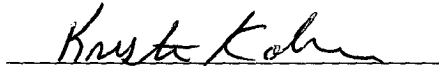
PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

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

Dave Eide/ DENR – Re Do Permit #6536-3

Was published for Two days, once each week, on the same day, in said newspaper, and not in any supplement of the said 28th day of January, 2004 and the last publication was on the 4th day of February, 2005. That the full amount of 00/00 the fee charged for publishing is 00/00 Dollars insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division there of has been made with any other person, and that no part there of has been agreed to be paid to any person whomsoever.



Subscribed and sworn to before me this 14th
day of February, 2005


Notary Public, South Dakota

My term expires 08/ 27/ 2010

Legal #30

F.P. 1-28-05 L.P. 2-4-05 READVERTISEMENT OF NOTICE OF PERMIT NO. 6536-3 to Appropriate Water

Notice is given of readvertisement of Water Permit No. 6536-3 held by Dave Eide, 5615 Lincoln SW, Huron SD 57350. Water Permit No. 6536-3 appropriates 1.11 cubic feet of water per second (cfs) (500 gallons per minute) from one well to be completed into the Warren-West James Aquifer (approximately 100 feet deep) located in the center of the SE 1/4 Section 26 to irrigate 160 acres located in the SE 1/4 Section 26; all in T110N-R62W. Readvertisement of this permit is necessary to correct the amount of water claimed. The notice published November 3 and 10, 2004 indicated the amount of water claimed as 1.11 cfs. The correct amount of water claimed is 1.78 cfs (800 gallons per minute). This readvertisement does not authorize an increase in the irrigated acreage.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of readvertisement of Permit No. 6536-3 because 1) unappropriated water is available based on the use being a non consumptive use of water, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest because failure to treat water at these points of diversion may impair the waters of the state. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant

and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 14, 2005.

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.

No. 30 (adv.)

REC
FEB

WATER
PERM

Instruction to Newspaper - Publish first Notice on January 28, 2005 with the second publication 7 days later. The applicant is responsible for payment.

READVERTISEMENT OF NOTICE OF PERMIT NO. 6536-3 to Appropriate Water

Notice is given of readvertisement of Water Permit No. 6536-3 held by Dave Eide, 5615 Lincoln SW, Huron SD 57350. Water Permit No. 6536-3 appropriates 1.11 cubic feet of water per second (cfs) (500 gallons per minute) from one well to be completed into the Warren:West James Aquifer (approximately 100 feet deep) located in the center of the SE ¼ Section 26 to irrigate 160 acres located in the SE ¼ Section 26; all in T110N-R62W. Readvertisement of this permit is necessary to correct the amount of water claimed. The notice published November 3 and 10, 2004 indicated the amount of water claimed as 1.11 cfs. The correct amount of water claimed is 1.78 cfs (800 gallons per minute). This readvertisement does not authorize an increase in the irrigated acreage.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of readvertisement of Permit No. 6536-3 because 1) unappropriated water is available based on the use being a non consumptive use of water, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest because failure to treat water at these points of diversion may impair the waters of the state. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 14, 2005.

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.

**REISSUED
SOUTH DAKOTA
WATER PERMIT NO. 6536-3**

Date of first receipt of amended application January 20, 2005.

The Chief Engineer, on behalf of the Water Management Board, reissues Water Permit No. 6536-3 to Dave Eide, 5615 Lincoln SW, Huron SD 57350 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. 6536-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Warren:West James Aquifer (approximately 100 feet deep) located in the center of the SE ¼ Section 26 to irrigate 160 acres located in the SE ¼ Section 26; all in T110N-R62W. This permit is being reissued to correct the amount of water claimed. The notice published November 3 and 10, 2004 indicated the amount of water claimed as 1.11 cfs. The correct amount of water claimed is 1.78 cfs (800 gallons per minute).
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is January 20, 2005.
4. The date of approval of Permit No. 6536-3 is February 14, 2005.
5. One-fifth of the construction is to be completed on or before August 14, 2007.
6. All construction is to be completed on or before February 14, 2010.
7. Water is to be put to beneficial use on or before February 14, 2014.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6536-3 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) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

FEB 22 2005
date





FEB 22 2005

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dave Eide
5615 Lincoln SW
Huron SD 57350

Dear Mr. Eide:

Enclosed is Water Permit No. 6536-3 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 21, 2009

6536-3

Dave Eide
1210 N Park St
Watertown SD 57201-1156

Dear Mr. Eide:

Enclosed is a "Notice" dated October 16, 2009 concerning the 2009 irrigation questionnaire.

The notice was originally mailed to 5615 Lincoln SW, Huron SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,


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

enclosures

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6536-3

I have this day, November 19th, 2015, made a thorough examination of the water use system constructed by Dave Eide of 1210 N Park Watertown SD 57201 authorized by Permit No. 6536-3, bearing the priority of August 26, 2004 authorizing the diversion of 1.78 cu. ft. per second of the waters of Warren: West James for irrigation purposes, in Beadle County.

Inspection contact & relationship **David Eide**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Pullman Well Drilling Inc.
- 2) No. of Wells One
- 3) Depth 82 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 16 inches
- 2) Length 67 feet
- 3) Type plastic

Screen:

- 1) Type stainless steel
- 2) Length 15 feet
- 3) Static water level 23 feet

Pump:

- 1) Make Bolls
- 2) Model unknown
- 3) Size unknown
- 4) Capacity 675 GPM

Motor:

- 1) Make GE Induction
- 2) Model No. unknown
- 3) Horsepower rating 50 hp

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

- 1) Type underground pipe
- 2) Size unknown
- 3) Length ≈150 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Zimmatic
- 2) Overall length 1,267 feet

- 3) Number of towers 7
- 4) End gun Yes (range 95 feet)
- 5) Pressure: 40 psi
- 6) Capacity 675 GPM

Chemigation Equipment:

- 1) Does not chemigate

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes

If no, describe: n/a

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

List any extended period of nonuse: none

- 3) Exceptions to compliance are: none

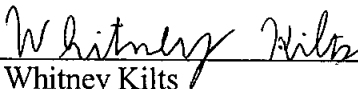
E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows: Approximately 1,460 ft west and 1,415 ft north of the SE corner of Section 26-T110N-R62W (NW ¼ SE ¼) (latitude 44.30192 N and longitude 98.24012W).
2. The works are capable of diverting and conveying to the place of use 1.50 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:
legal description/acreage
SE ¼ Section 26-T110N-R62W 135 acres

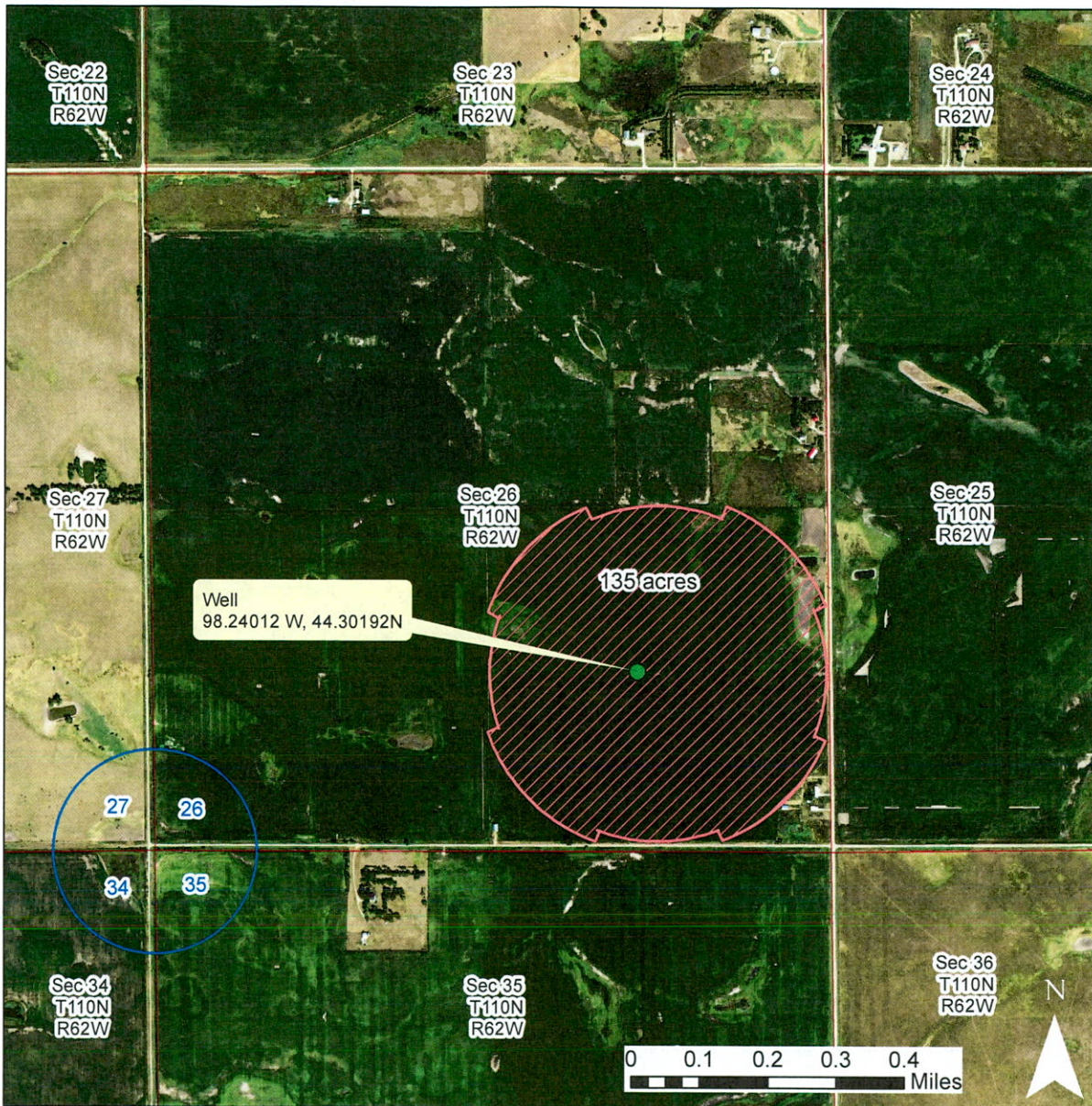
comprising a total of 135 acres of land and the license should be issued for 1.50 cfs
3. All structures, wells and lands on map Yes

F. Comments or other permit associated with the project:

Mr. Eide indicated the system was initially set up for between 700 to 800 gpm, but pivot was nozzled at 675 gpm for final system set up.


Whitney Kilts
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 01/26/2016



Diversion point located using Garmin eTrex 10 GPS
Date: January 25, 2016

Completed by: Whitney Kilts
Whitney Kilts, Natural Resources Engineer
SD DENR, Water Rights Program

Water Right No. 6536-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

FEB 01 2016

6536-3

Dave Eide
1210 N Park
Watertown SD 57201

Dear Mr. Eide:

Enclosed is Water License No. 6536-3. 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. 6536-3, 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. 6536-3**

(1) Dave Eide, 1210 N Park, Watertown SD 57201 made Application No. 6536-3, January 20, 2005 for a water permit to divert 1.78 cubic feet of water per second from ground water (one well – Warren West James Aquifer), Beadle County, South Dakota for irrigation purposes. Permit No. 6536-3, with a priority date of January 20, 2005 was approved February 14, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 14, 2010 and for the application to beneficial use of said water on or before February 14, 2014.

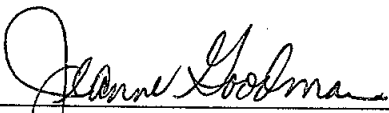
(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.50 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 1,460 feet west and 1,415 feet north of the SE corner of Section 26, T110N, R62W (NW ¼ SE 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: 135 acre circle in the SE ¼ Section 26, T110N, R62W.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Dave Eide, 1210 N Park, Watertown SD 57201 the holder and/or owner of Water Right No. 6536-3 is issued a license to appropriate water, the right to use 1.50 cubic feet of water per second from ground water (one well, Warren West James Aquifer) with a priority date of January 20, 2005 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. 6536-3 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 authorized by Permit No. 6536-3 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. ***The well was completed in March, 2005 by Pullman Well Drilling Inc. A copy of the well log is on file with the Water Rights Program.***
- 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

FEB 01 2016

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 26, 2016

6536-3

Dave Eide
204 N Lake Dr
Watertown SD 57201 5508

Dear Mr. Eide:

Enclosed is a "Notice" dated October 21, 2016 concerning the 2016 irrigation questionnaire.

The notice was originally mailed to 1210 N Park, Watertown SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures