

WATER PERMIT NO. 7029-3

Name of Applicant: Pat Walsh

Address: 47844 County Road 1B, Elk Point SD 57025

Phone: 605 356-2762

Amount of Water Claimed: no add'l

Total Acres: 120 acres

Source of Water Supply: groundwater (1 existing well)

Water to be used for: irrigation

County: Union

Type of Waste Disposal System:

Location: 2 miles southeast of Elk Point

PRIORITY

Date Received: 5-1-08

Application/License Fee: \$275

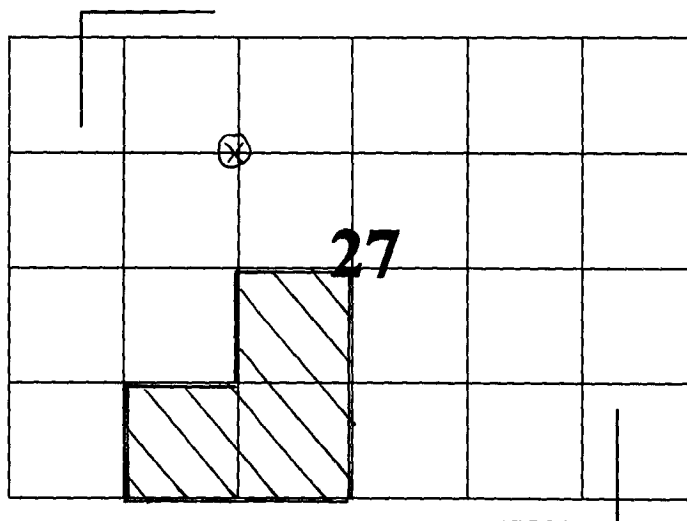
Corrected Application Received:

Period of Annual Use: April - Sept 30

Remarks: Using well authorized by Permit No. 6521-3

Diversion Point: center NW ¼ Sec 27-T91N-R49W

Land to be Irrigated: E ½ SW ¼, SW ¼ SW ¼ Sec
27-T91N-R49W



Depth of Well: 135 feet deep

Well Driller: : Daktoa Drilling & Backhoe, Inc.

Remarks:

Type of Map: aerial

Prepared by: Jeffrey w Union Co NRCS

Reviewed and the Number Assigned on: 5-1-08

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7029-3</u> (office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Southern Union Co. Leader Courier</u> <u>605-356-2632</u> <u>P.O. Box 310</u>

RECEIVED

MAY - 1 2008

WATER RIGHTS
PROGRAM
Elk Pt. 57025

Application For Permit To Appropriate Water For Irrigation

 Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 6521-3
 (Use predates Mar 2, 1955)

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

add an additional 120 acres of irrigated land to permit 6521-3

 1. Name of Applicant Pat Walsh Phone 605-356-2762
 (check one) ☒ Owner ☐ Tenant/lessee
 Mailing Address 47844 County Road 1B Elk Point State SD 57025
 (Street, RR, or Box and City) (Zip Code)
no add'l

 2. Amount of water claimed 2.67 *CFS or 1800 **GPM ***AF Total Acreage 120
 (*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable
3. Source of water supply Well (Missouri - Elk Point Aquifer)4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Union

existing well in the center of the NW1/4 section 27 91-49

5. County or counties where water will be used Union6. Annual period during which water is to be used April 1 to September 30
 7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
 (Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NE 1/4 SW 1/4 section 27	40		
SE 1/4 SW 1/4 section 27	40		
SW 1/4 SW 1/4 section 27	40		
My permit 6521-3 already includes the NW 1/4 SW 1/4 section 27			40

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

The water will be used to irrigate farm ground with gated pipe and a center pivot

 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 WalshSubscribed and sworn to before me this 11 day of April 20 08Kristie Mann

Notary Public signature

My commission expires: 10-10-2009

SOUTH DAKOTA
WATER PERMIT NO. 7029-3

Date of first receipt of application May 1, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7029-3 to Pat Walsh, 47844 County Road 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. 7029-3 authorizes irrigation of 120 additional acres. Water Permit No. 6521-3 appropriates 2.67 cubic feet of water per second from one well completed into the Missouri:Elk Point Aquifer (135 feet deep) located in center of the NW ¼ Section 27 to irrigate 200 acres located in the NW ¼, NW ¼ SW ¼ Section 27; all in T91N-R49W. This permit authorizes irrigation of an additional 120 acres located in the E ½ SW ¼, SW ¼ SW ¼ Section 27-T91N-R49W from the existing well. No increase in the diversion rate is authorized by this permit.
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 May 1, 2008.
4. The date of approval of Permit No. 7029-3 is July 7, 2008.
5. One-fifth of the construction is to be completed on or before January 7, 2011.
6. All construction is to be completed on or before July 7, 2013.
7. Water is to be put to beneficial use on or before July 7, 2017.
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

JUL 28 2008
date



(type or print in ink)

4-11-08 well in
NW 1/4 Section 27

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22" Depth 120'
- b) Casing Type PVC Diameter 16" Thickness Sch 40
- c) Screen Type PVC Diameter 16" Thickness Sch 40
- d) Gravel Pack pea gravel Length of Gravel Pack 50 ft.
- e) Depth to Top of Water Bearing Material 75 ft.
- f) Depth to Water (ground surface to water level) 21 ft.
- g) Distance to nearest existing domestic well:
- On applicants property NONE On property owned by others 1/2 Mile

2. Wastewater Disposal System Information

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

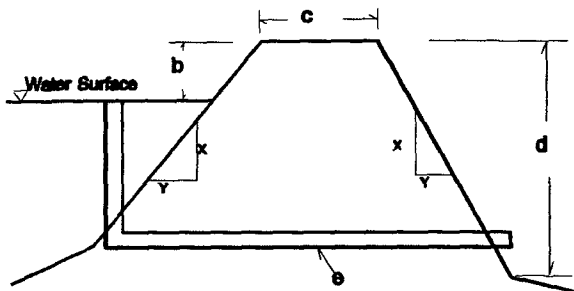
3. Dugout Information

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

4. Water Storage Dams

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

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



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

RECEIVED

MAY - 1 2008

WATER RIGHTS
PROGRAM

Jeffrey J. Lof, NRIS 4/29/08

1999

NOT TO

480

T-1060

NHEL

T1059

T-809

T2436

T-2435

IRRIGATED

27.0

IRRIGATED

NHEL

NHEL

NHEL

IRRIGATED

NHEL

XWell

T-1057

27

17.0

1139.0

2646

7.0

NHEL

T-2370

T-794

1081 R

PAT WALSH

NHEL

ISABEL
CALLAHAN

JOHN DEAL

177.0

139.6

181.2

155.4

91-49

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 NW 1/4 Sec 27 Twp 91N Rg 48W
 County Union

Please mark well location with an "X"

Well Completion Date 8-16-04

Well Owner: Pat Walsh
 Business Name: _____
 Address: 47844 County Rd 1 B
Elk Point, SD 57025

WELL LOG:	DEPTH	
	FROM	TO
<u>Heavy clay</u>	<u>0</u>	<u>45</u>
<u>Sandy</u>	<u>45</u>	<u>62</u>
<u>Clay</u>	<u>62</u>	<u>80</u>
<u>Sand</u>	<u>80</u>	<u>90</u>
<u>Med. gravel</u>	<u>90</u>	<u>135</u>

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from N/A (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>5CH 40 LB/FT</u>	<u>16 IN</u>	<u>0 FT</u>	<u>135 FT</u>	<u>22 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>	_____	_____ lb./gal	<u>30 ft</u>	<u>10 ft</u>
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Pumped in from bottom

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 16 IN Length 40 FEET

Material 5CH 40 slotted pipe

Slot Size 80 Set From 95 Feet to 135 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

_____ YES, How: _____

☒ NO, Why Not? Irrigation

Laboratory sent to for water quality analysis _____

STATIC WATER LEVEL 19 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

- ☒ Pumped Describe: _____
☐ Bailed _____
☐ Other _____

Pumping Level Below Land Surface

49 ft. After 2 Hrs. pumped 1100 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 800 GPM

REMARKS

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FEB 24 2005

WATER RIGHTS
PROGRAM

This well was drilled under license # 667

And this report is true and accurate.

Drilling firm Dakota Drilling & Backhoe, Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

2-24-05

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/1, 20 08

RECEIVED OF Pat Walsh 47844 County Rd 1B Elk Point SD 57025

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

Fee for Application for Permit No. <u>7027-3</u> 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. <u>7027-3</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	275 00

No.

By

[Signature]
Chief Engineer



**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. 7029-3, 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. 7029-3, Pat Walsh, 47844 Country Road 1B, Elk Point SD 57025.

The Chief Engineer is recommending APPROVAL of Application No. 7029-3 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
June 12, 2008

REPORT ON WATER PERMIT APPLICATION NO. 7029-3
For Pat Walsh
June 10, 2008

Application No. 7029-3 proposes to irrigate an additional 120 acres. Water Permit No. 6521-3 appropriates 2.67 cfs (1,200 gpm) from one well approximately 120 feet deep located in the center of the NW $\frac{1}{4}$ of section 27 to irrigate 200 acres located in the NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 27; all in T91N R49W in Union County. This application proposes to irrigate an additional 120 acres located in the E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 27, T91N R49W from the existing well. No increase in the diversion rate is authorized by this application.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is a buried outwash (sand and gravel) that is under confined conditions in the area of this application. The aquifer can be surficial and under water table conditions a few miles to the south and west. Even though the aquifer is buried at this site the behavior of the water levels is like a water table situation. 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 Missouri aquifer as described by Niehus closely mirrors the Missouri Elk Point as described in the Hedges report (Hedges, 1982). The aquifer blends into the Lower Vermillion Missouri aquifer to the northwest, into the Big Sioux South aquifer to the northeast, extends into Clay County to the west and is hydraulically connected to both the Big Sioux and Missouri Rivers. Ground water movement is from northwest to southeast in the area of this application (Niehus, 1994).

The irrigation well for this application has already been completed. The log indicates clay from the surface to a depth of 45 feet, sandy from 45 to 62 feet, clay from 62 to 80 feet and sand to medium gravel from 80 to 135 feet all below land surface. The completed well had a static water level of 19 feet below land surface and was capable of producing 1100 gpm with 30 feet of drawdown. This is a specific capacity of 36.6 gpm/ft of drawdown.

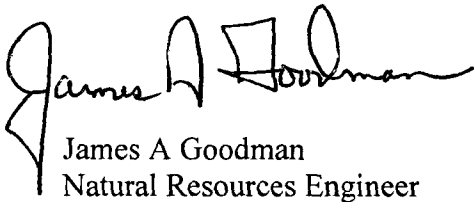
The Water Rights Program does monitor two observation wells within three miles of this site. These are observation well UN-77N which is located about three miles to the east and UN-80E which is located about one mile to the west both from this application. Water levels for these wells show good response to climatic conditions. Water levels decline during dry years and rise during wet years (recharge). Overall the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2008). The observation wells are both technically under artesian conditions and display the typical fluctuations of an artesian well caused by pumping of nearby irrigation wells. Note that the fluctuation of water levels is during the summer months (irrigation season) and amounts to only a few feet of expected change. The important concept to note is the overall water level responses of both wells are similar because the water levels react to similar hydrologic conditions.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are four existing irrigation wells within one mile radius of the well for this application. These wells have all been in use for many years with no apparent problems. The distance between wells is sufficient to minimize any potential impacts of pumping. Interference should not be a concern. Drawdown created by pumping does not appear to be significant in this area. This is shown by the observation well hydrographs included with this report. The reported specific capacity data for the nearby irrigation wells indicates the aquifer in this area is prolific.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer should be under artesian conditions at this site. Drawdown created by pumping is not expected to be significant. The distance between production wells should be sufficient to minimize any potential impacts. Interference is not expected to be adverse or a serious concern.
3. The well authorized by this application appears to have been constructed in accordance with SD Well Construction Standards.

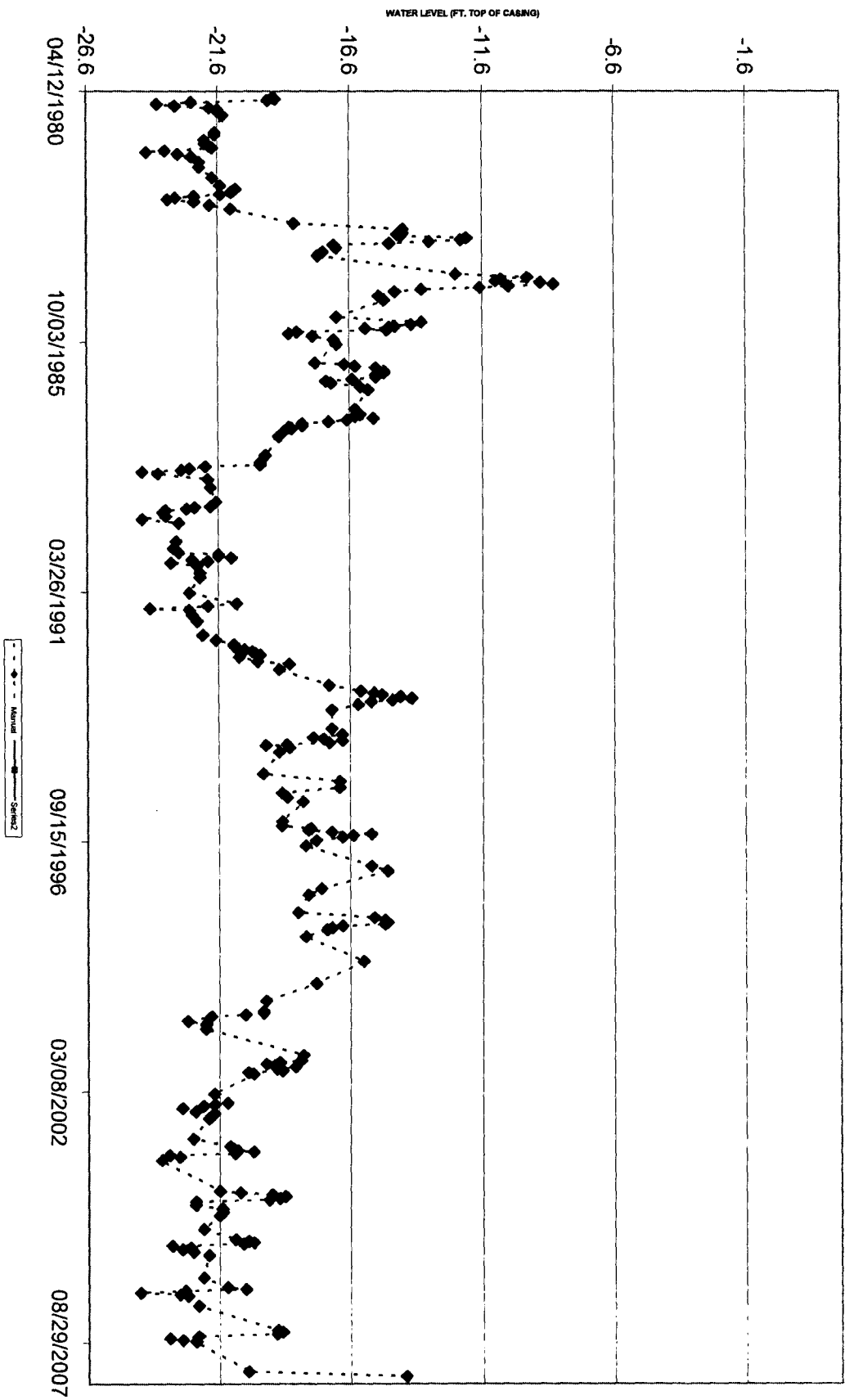


James A Goodman
Natural Resources Engineer

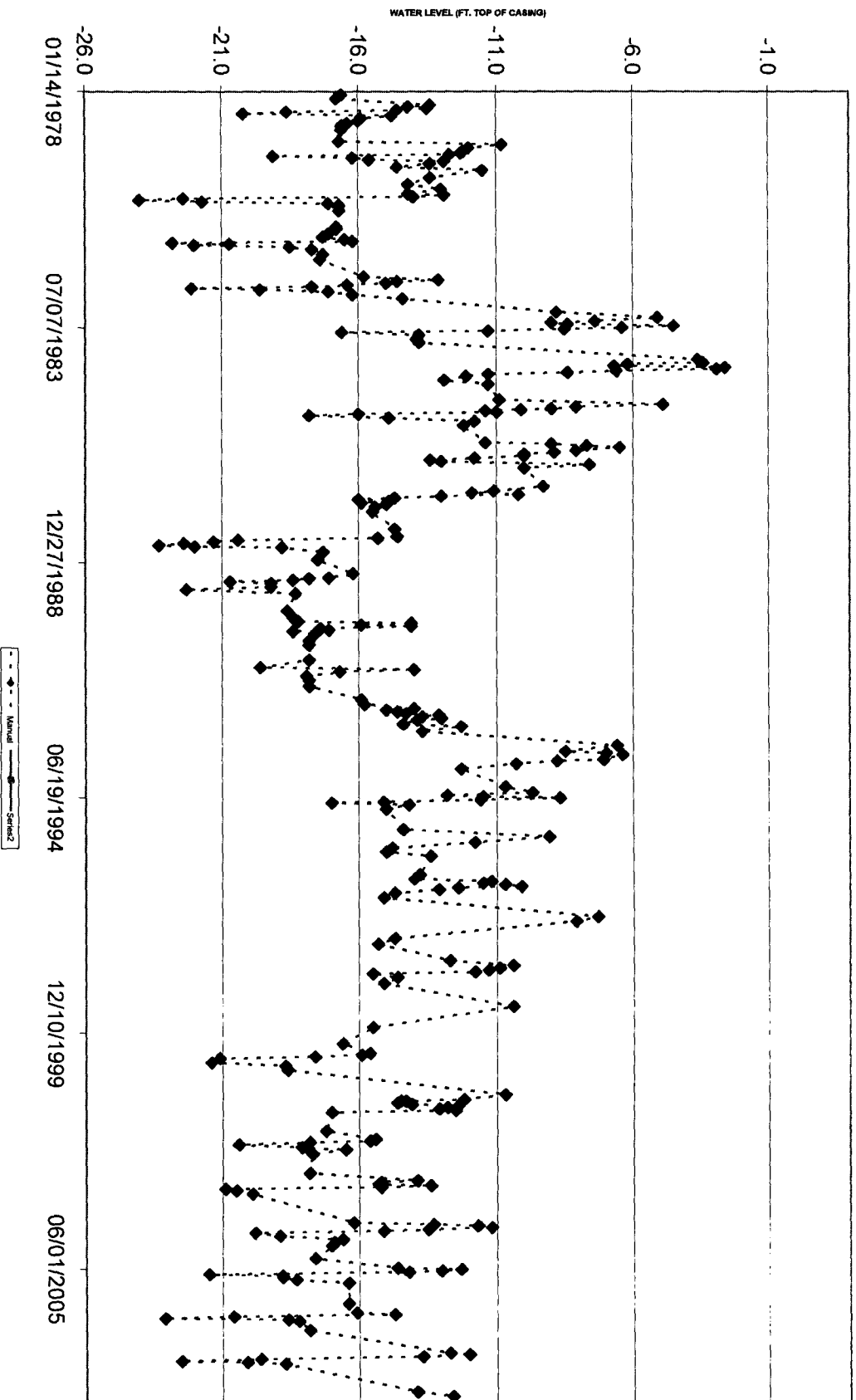
BIBLIOGRAPHY

- Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- 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, 2008, Unpublished Observation Well Records for Union County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
UN-80E



WATER RIGHTS' OBSERVATION WELL
UN-77N



RECEIVED

JUN 30 2008

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Union) SS

I, 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:

June 19, 2008

June 26, 2008

Cost of Printing \$ 50.89

Sno-00s
(Signature)

Affidavits Coordinator
(Title)

6-26-08

(Date Signed)

NOTICE OF APPLICATION

NO. 7029-3 TO

APPROPRIATE WATER

Notice is given that Pat Walsh, 47844 County Road 1B, Elk Point SD 57025 has filed an application for a water permit to irrigate 120 additional acres. Water Permit No. 6521-3 appropriates 2.67 cubic feet of water per second from one well completed into the Missouri: Elk Point Aquifer (135 feet deep) located in center of the NW1/4 Section 27 to irrigate 200 acres located in the NW1/4, NW1/4 SW1/4 Section 27; all in T91N-R49W. This application proposes to irrigate an additional 120 acres located in the E1/2 SW1/4, SW1/4 SW1/4 Section 27-T91N-R49W from the existing well. No increase in the diversion rate is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7029-3 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 July 7, 2008.

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.

Publish June 19 and 26, 2008

25-8-76



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 12, 2008

Southern Union County Leader Courier
PO Box 310
Elk Point SD 57025

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7029-3 to Appropriate Water to be published twice. Please publish the first notice on June 19, 2008 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 County Rd 1B, Elk Point SD 57025 (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. 7029-3

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

Date _____

We are in receipt of your letter of June 12, 2008 enclosing Notice to Appropriate Water by Application No. 7029-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.



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.

June 12, 2008

Pat Walsh
47844 County Rd 1B
Elk Point SD 57025

Dear Mr. Walsh:

Water Permit Application No. 7029-3 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 Southern Union County 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 recommendation of the Chief Engineer and 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.

Instruction to Newspaper - Publish first Notice on June 19, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 7029-3 to Appropriate Water

Notice is given that Pat Walsh, 47844 County Road 1B, Elk Point SD 57025 has filed an application for a water permit to irrigate 120 additional acres. Water Permit No. 6521-3 appropriates 2.67 cubic feet of water per second from one well completed into the Missouri:Elk Point Aquifer (135 feet deep) located in center of the NW ¼ Section 27 to irrigate 200 acres located in the NW ¼, NW ¼ SW ¼ Section 27; all in T91N-R49W. This application proposes to irrigate an additional 120 acres located in the E ½ SW ¼, SW ¼ SW ¼ Section 27-T91N-R49W from the existing well. No increase in the diversion rate is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7029-3 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 this 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 this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUL 28 2009

Pat Walsh
47844 County Rd 1B
Elk Point SD 57025

Dear Mr. Walsh:

Enclosed is Water Permit No. 7029-3 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

7029-3
RECEIVED
JAN - 5 2009
WATER RIGHTS
PROGRAM

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

Date 12-24-08

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

FROM: PAT WALSH
(name)

47844 County Road 1 B
(address)

EIK Point, S.D. 57025
(city, state, zip)

1-605-356-2762
(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.

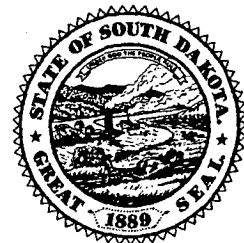
Water Permit No. 7029-3 states that the water use system is to be constructed by
July 7, 2013 , and water is to be put to beneficial use by July 7, 2017 .
(date) (date)

The water use system was completed on JUNE 15, 2008 .
(date)

Applying the water to beneficial use was completed on JUNE 16, 2008 .
(date)

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


(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 5, 2009

7029-3

Pat Walsh
47844 County Rd 1B
Elk Point SD 57025

Dear Mr. Walsh:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. 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

Permit No. 7029-3 & 6521-310170203 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, August 19, 2013, made a thorough examination of the water use system constructed by Pat Walsh of Elk Point, SD holder of Permit Nos. 7029-3, bearing the priority of June 21, 2004, and 6521-3, bearing priority of May 1, 2008, authorizing the diversion of 2.67 cfs 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 1.78 cfs (800 gpm).

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

The well is 18.5 ft from the north pivot point and 2,700 ft from the south pivot point. Water is conveyed via 8 in steel pipeline. The system is powered by a submersible motor.

C. Works used to apply water to beneficial use:

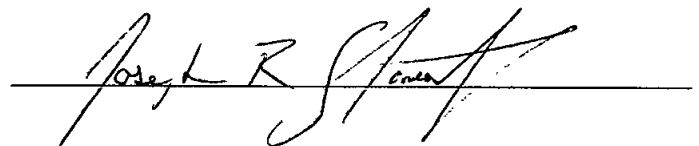
Two center pivots with end guns, both 1,256 ft in length with 7 towers. Total capacity is 1.78 cfs (800 gpm).

The system is in the following condition: good. The point of diversion is located 1,320 ft south and 1,320 ft east of the NW corner of Section 27, T91N-R49W (42.674833 °N, 96.620967 °W). The works are capable of diverting and conveying to the place of use 1.78 cfs of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

33 ac	NE¼ NW¼	Section 27, T91N-R49W	33 ac	NE¼ SW¼	Section 27, T91N-R49W
33 ac	NW¼ NW¼	Section 27, T91N-R49W	33 ac	NW¼ SW¼	Section 27, T91N-R49W
33 ac	SW¼ NW¼	Section 27, T91N-R49W	33 ac	SW¼ SW¼	Section 27, T91N-R49W
33 ac	SE¼ NW¼	Section 27, T91N-R49W	33 ac	SE¼ SW¼	Section 27, T91N-R49W

comprising a total of 264 acres of land and the license should be issued for 1.78 cfs. Applicable permit qualifications have been complied with: Yes.

Date: May 29, 2014



REPORT ON INSPECTION OF PERMIT NO. 7029-3 & 6521-3

DATE: 8/19/13

Comments: Water Permit No. 6521-3 authorizes 2.67 cfs from one well located in the NW¼ Section 27, T91N-R49W, to irrigate 200 acres located in the NW¼, NW¼ SW¼ Section 27, T91N-R49W.

Water Permit No. 7029-3 authorizes irrigation of 120 acres located in the SW¼ SW¼, E½ SW¼ Section 27, T91N-R49W, using the well authorized by Water Permit No. 6521-3 without increasing diversion rate authority.

This system has one well supplying two irrigation pivots.

DIVERSION POINT LEGAL LOCATION:

Center of NW¼ Section 27, T91N-R49W (42.674833 °N, 96.620967 °W)

WELL INFORMATION:

- 1) Well Drilling Firm: Dakota Drilling and Backhoe, Inc
- 2) Depth, feet: 135'
- 3) Well Log is available Y/N: Yes

Casing:

- 1) Diameter, inches: 16"
- 2) Length, feet: 135'
- 3) Type: sch 40 plastic

Screen:

- 1) Type: 80 slot sch 40 plastic
- 2) Length, feet: 40'
- 3) Static water level, feet: 19' (08/16/04)

Pump:

- 1) Type: submersible
- 2) Capacity, gallons per minute: 800 GPM

DISTRIBUTION LINES OR CANALS:

- 1) Type: steel
- 2) Size, inches: 8"
- 3) Length, feet: 18.5' to north pivot and 2,700' to south pivot

SYSTEM TYPE:

Center pivots (both are the same):

- 1) Make: Zimmatic / Growsmart
- 2) Overall length, feet: 1,256'
- 3) Number of towers: 7
- 4) Pressure, psi: 29/35 PSI
- 5) End gun Y/N: Yes
- 6) Capacity, gallons per minute: 800 GPM

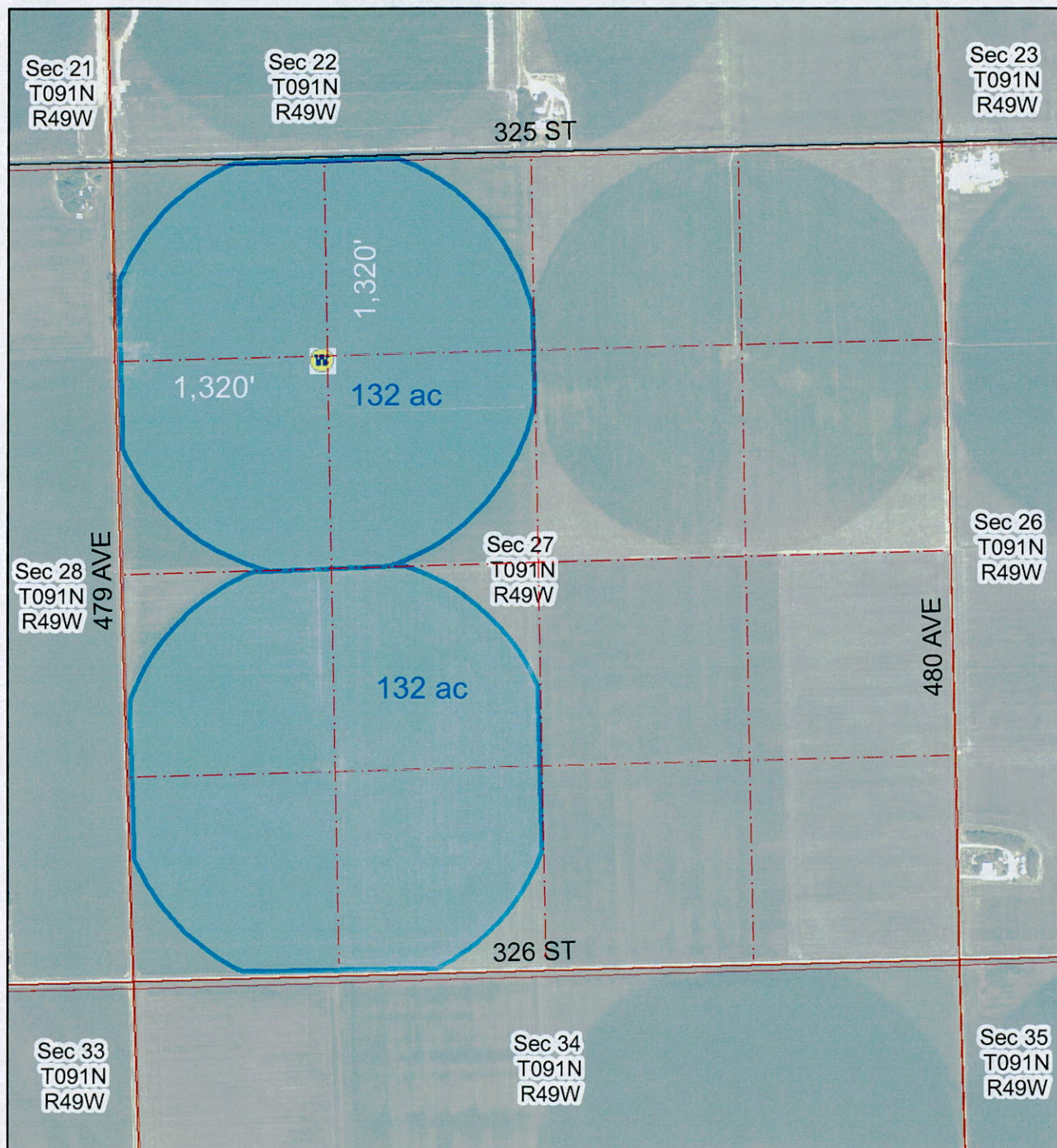
CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y/N: No

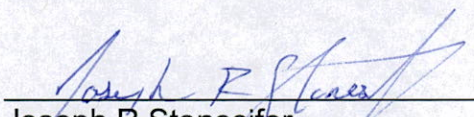
PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permits 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 Nos. 7029-3 & 6521-3



0 0.125 0.25 0.5 Miles


Joseph R Stonesifer
SD DENR Water Rights Program
May 29, 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

6521-3
7029-3

Pat Walsh
47844 County Rd 1B
Elk Point SD 57025

Dear Mr. Walsh:

Enclosed is Water License No. 7029-3. 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. 7029-3, 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.

The applicable portions of Water Permit No. 6521-3 were incorporated into Water License No. 7029-3. 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. 7029-3

(1) Pat Walsh, 47844 County Rd 1B, Elk Point SD 57025 made Application No. 7029-3, May 1, 2008 for a water permit to authorize irrigation of an additional 120 acres using the existing well (Missouri Elk Point Aquifer) authorized under Water Permit No. 6521-3. The project is located in Union County, South Dakota. Permit No. 7029-3, with a priority date of May 1, 2008 was approved July 7, 2008 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 7, 2013 and for the application to beneficial use of said water on or before July 7, 2017.

Water Permit No. 6521-3, with a priority date of June 21, 2004, authorizes diversion of 2.67 cubic feet of water per second (cfs) to irrigate 200 acres in the NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, T91N, R49W. Water Permit No. 7029-3 authorizes additional acreage to the existing system with no additional diversion authority. The applicable portions of Water Permit No. 6521-3 are incorporated into Water License No. 7029-3. Priority dates for the acreage irrigated are described in (3) of this license.

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

The location of the diversion point is 1,320 feet south and 1,320 feet east of the NW corner of Section 27, T91N, R49W (center of the NW $\frac{1}{4}$).

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

Section 27, T91N, R49W – Total 264 acres					
Description	Acres	Priority date	Description	Acres	Priority date
NE $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres	June 21, 2004	NW $\frac{1}{4}$ SW $\frac{1}{4}$	33 acres	June 21, 2004
NW $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres	June 21, 2004	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33 acres	May 1, 2008
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres	June 21, 2004	SW $\frac{1}{4}$ SW $\frac{1}{4}$	33 acres	May 1, 2008
SE $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres	June 21, 2004	SE $\frac{1}{4}$ SW $\frac{1}{4}$	33 acres	May 1, 2008

- *June 21, 2004 priority date – established under Water Permit No. 6521-3*
- *May 1, 2008 priority date – established under Water Permit No. 7029-3*

(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 Incorporated Water Right No. 7029-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well, Missouri Elk Point Aquifer) with priority dates of May 1, 2008 and 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 Incorporated Water Right No. 7029-3 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.

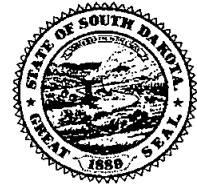
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

JUN 18 2014

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

No. 7029-3

July 10, 2017

Pat Walsh
47844 County Rd 1B
Elk Point SD 57025

Dear Mr. Walsh:

On July 6, 2017, a staff member from the Department of Environment and Natural Resources (DENR) observed overspray from the irrigation system located in the SW 1/4 Sec 27-T91N-R49W onto the adjacent east/west road (see attached photo). This irrigation system is covered by Water Right No. 7029-3.

It is common for center pivots to have stops which are used to shut off the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to waste water or operate an irrigation system in violation of state water law, which includes end gun overspray upon lands, including roadways, not authorized by the water right. Application of water to a roadway or unauthorized lands is a waste and unreasonable use of water pursuant to SDCL 46-1-4.

If you don't believe this irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,


Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosure

Overspray Report

Date of Picture: 7/6/2017 9:35 AM

County: Union

Water Right/Permit No.: 7029-3

Reported by: Brookings Water Rights Program Seasonal Well Technician



Date: 7/6/17

Time: 9:35 AM

Take a picture with your tablet; try to show road and end of pivot.

Direction facing in picture: N E (W) S NW SW NE SE

Location (gps from tablet): 48.664, -96.621

Location (nearest intersection & direction and distance): 1/4 mile East of 47th Ave & 326 St

Can also take a screenshot of your map by pressing (at the same time) power and volume up and can then attach screenshot to e-mail of picture (make sure your blue dot shows up in the correct location)

Windy: Yes No

Notes: GPS and location description match up, based on picture location and direction pivot is located in the SW 1/4 Section 27-T91N-R49W (see map below) this matches to Water Right No. 7029-3

