

WATER PERMIT NO. 7115-3

Name of Applicant: Lee Houghton

Address: 815 W 2nd St, Webster SD 57274

Phone: 605 345-3366

Amount of Water Claimed: no add'l

Total Acres: 20 acres

Source of Water Supply: groundwater (2 existing wells)

Water to be used for: irrigation

County: Clark

Type of Waste Disposal System: NA

Location: 3 miles northwest of Willow Lake

PRIORITY

Date Received: 3-26-09

Application/License Fee: \$200

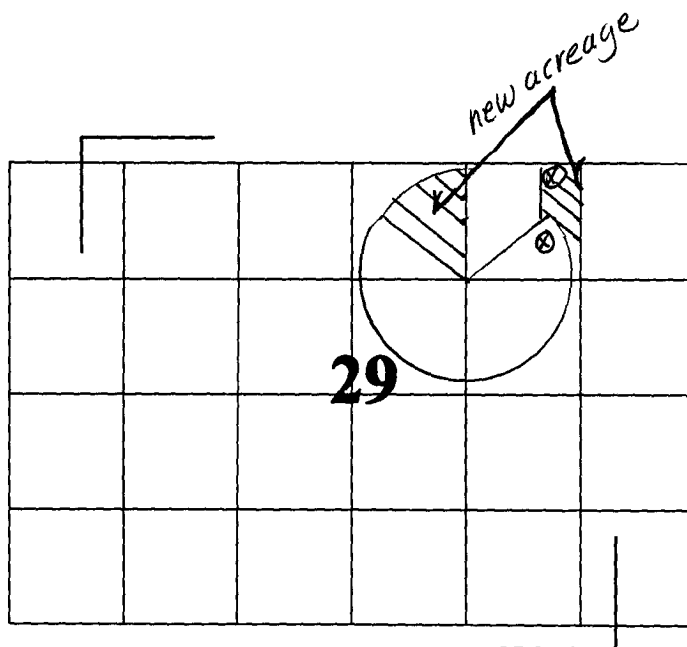
Corrected Application Received:

Period of Annual Use: May 1 – Oct 31

Remarks: Increases acreage authorized by Permit No. 5857A-3

Diversion Point: NE ¼ NE ¼ Sec 29-T114N-R57W

Land to be Irrigated: N ½ NE ¼ Sec 29-T114N-R57W



Depth of Well: 52 and 56 feet deep

Well Driller: Stadheim Drilling and Bullis Bros.

Remarks:

Type of Map: aerial

Prepared by: Ryan Fuher, Clark Co NRCS

Reviewed and the Number Assigned on: 3-26-09

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>7115-3</u>	(office use only) Hydrologic Unit <u>10170201</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Clark Co. Courier 1191st Ave E</u>	
	<u>605-532-3654</u>	<u>Clark 57225</u>

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MAR 26 2009
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 Lee Houghton Phone (605) 345-3366
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 815 west 2nd street Webster State SD 57274
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed N/add'l *CFS or **GPM ***AF Total Acreage 20 acr add'
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply ground water 2 wells possible
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Clark
2 wells in NE1/4 of NE1/4 sect 29 T114n-R57w
- County or counties where water will be used same
- Annual period during which water is to be used May 1st-Oct 31st
- 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
N1/2 of NE1/4 sect 29 T114N-R57 W	20		

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

Increase acres to permit #5857A-3 by 20. Would add another pivot and possible travel gun.

STATE OF SOUTH DAKOTA) SS
County of Day

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, Lee Houghton, 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 Lee Houghton

Subscribed and sworn to before me this 24th day of March 20 09

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MAR 26 2009

WATER RIGHTS
PROGRAM

Notary Public signature

DEBBIE LEE, Notary Public
Day County, South Dakota
My Commission Expires Feb. 27, 2014

**SOUTH DAKOTA
WATER PERMIT NO. 7115-3**

Date of first receipt of application March 26, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7115-3 to Lee Houghton, 815 West 2nd St, Webster SD 57274 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. 7115-3 authorizes irrigation of 20 additional acres. Water Right No. 5857A-3 appropriates 1.31 cubic feet of water per second from two wells completed into the Vermillion East Fork: Willow Lake Aquifer (52 and 56 feet deep) located in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29 to irrigate 92 acres located in the NE $\frac{1}{4}$ Section 29; all in T114N-R57W. This permit authorizes irrigation of an additional 20 acres located in the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 29-T114N-R57W from the 2 existing wells. This permit does not authorize any increase in the developed diversion rate.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – October 31.
3. The date from which applicant may claim right is March 26, 2009.
4. The date of approval of Permit No. 7115-3 is June 8, 2009.
5. One-fifth of the construction is to be completed on or before December 8, 2011.
6. All construction is to be completed on or before June 8, 2014.
7. Water is to be put to beneficial use on or before June 8, 2019.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

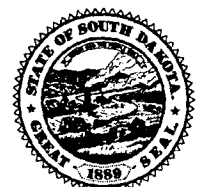
QUALIFICATIONS

1. The wells approved under Water Right No. 5857A-3 and 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

AUG 04 2009
date



1. Well Information - Proposed Construction

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

2. Wastewater Disposal System Information

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

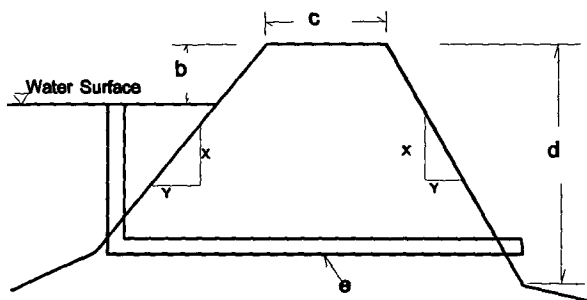
3. Dugout Information

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

4. Water Storage Dams

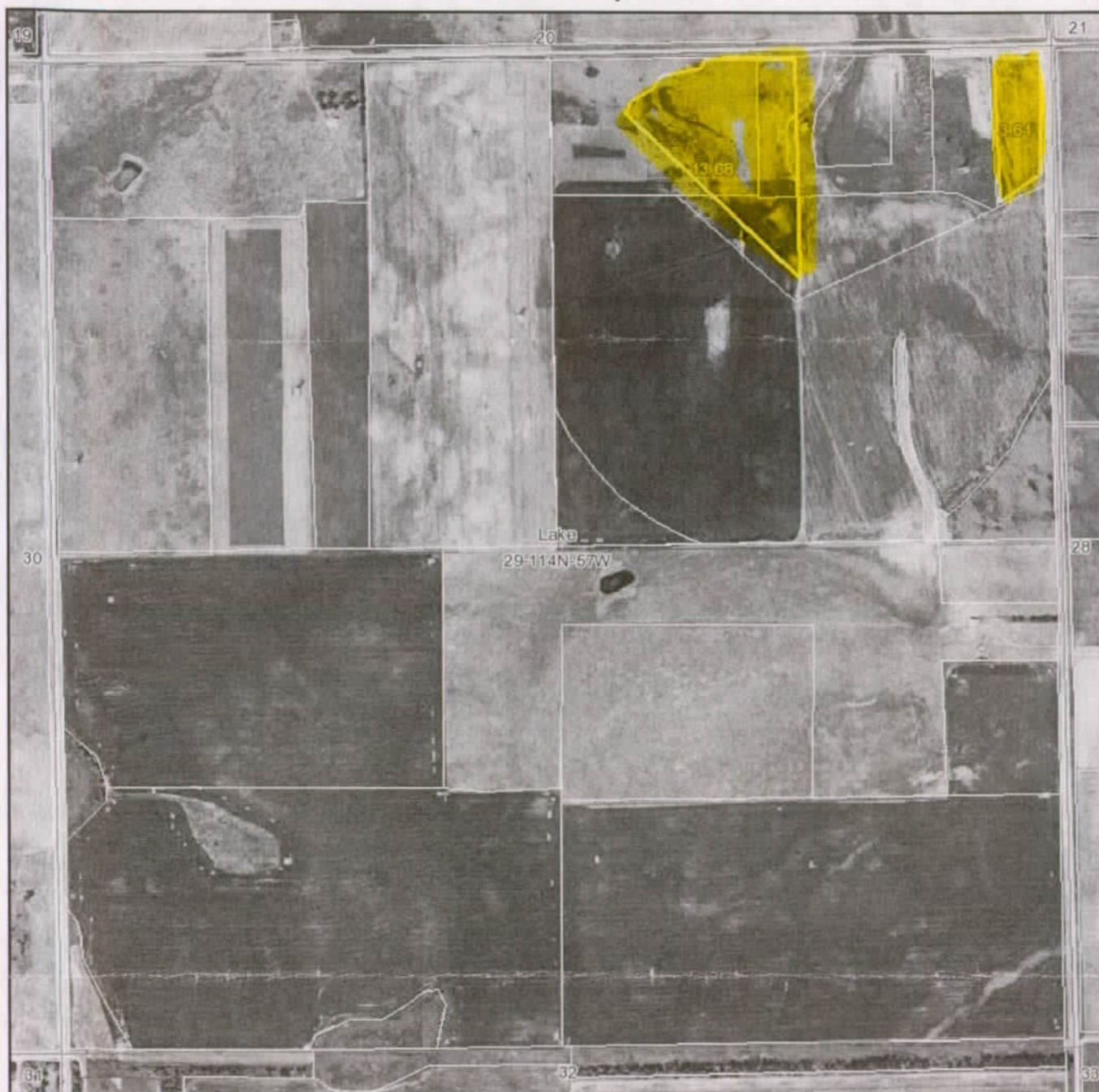
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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



- 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

Aerial Map



Ryan Futer 3/24/09

NRCS

Soil

Conservationist

29-114N-57W
Clark County
South Dakota

map center: 44° 39' 9.64, 97° 42' 19.07
scale: 9970



3/18/2009

Maps provided by:



©AgriData, Inc. 2009
www.AgriDataInc.com

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Field borders provided by Farm Service Agency as of 5/23/2008. Aerial photography provided by Aerial Photography Field Office.

MAR 26 2009

WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/26, 20 09

RECEIVED OF Lee Houghton 815 W 2nd St Webster SD 57274

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

Fee for Application for Permit No. <u>7115-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7115-3</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	200 00

No.

04093

By Michael Erbe
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. 7115-3, Lee Houghton**

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. 7115-3, Lee Houghton, 815 West 2nd Street, Webster SD 57274.

The Chief Engineer is recommending APPROVAL of Application No. 7115-3 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 wells approved under Water Right No. 5857A-3 and 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
May 12, 2009

REPORT ON WATER PERMIT APPLICATION NO. 7115-3
For Lee Houghton
April 20, 2009

Application No. 7115-3 proposes to irrigate 20 additional acres. Water Right No. 5857A-3 appropriates 1.31 cfs from two existing wells approximately 52 and 56 feet deep located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 29 to irrigate 92 acres located in the NE $\frac{1}{4}$ of section 29; all in T114N R57W in Clark County. This application proposes to add an additional 20 acres located in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of section 29, T114N R57W from the two existing wells. This application, if approved does not authorize any increase in the developed diversion rate of 1.31 cfs.

AQUIFER – VERMILLION EAST FORK - WILLOW LAKE (VEF-WL)

The Vermillion East Fork Willow Lake is a predominantly surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 13,100 acres and contains an estimated 29,480 acre feet of recoverable water in storage in Clark County (Hedges, 1982). The Vermillion East Fork aquifer Willow Lake management unit as described by Hedges is only a portion of the Prairie Coteau #1 aquifer as described by the USGS (Hamilton, 1986). Hamilton estimated that the aquifer underlies 80 square miles and contains an estimated 200,000 acre-feet of water in storage and the aquifer has an average recharge rate of about 3.8 inches per year (Hamilton, 1986). The USGS estimate is from a more recent work and should be more accurate but the Hedges work is still used for purposes identifying management zones within the aquifer.

The Water Rights Program monitors an observation well CK-78L located immediately adjacent to this application. Water levels for this observation show good response to climatic conditions. Water levels rise during wet years (recharge) and gradually decline during dry years. There appears to be some affect of pumping from nearby irrigation wells on the water levels of the observation well. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2009). A hydrograph for this observation well is included with this report.

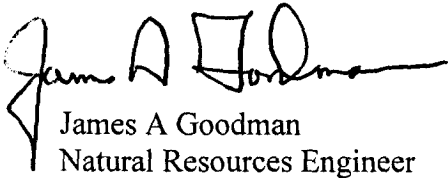
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing irrigation Water Right No. 3827-3 (1.78 cfs, 132 acres) located northeast of this application. These two irrigation right have been in existence for many years with no apparent problems. Approval of this application will not significantly change the operation of this irrigation system. Interference has not been a problem and should not be a potential problem with this change.

CONCLUSIONS

1. Water is available from the Vermillion East Fork Willow Lake aquifer.

2. The aquifer is under water table conditions in this area. Drawdown due to pumping does not appear to be significant. This is shown by the observation well hydrograph. Interference is not expected to be a concern.
3. These are existing wells and have been constructed in accordance with SD Well Construction Standards.
4. Approval of this application does not increase the licensed diversion rate of 1.31 cfs for this irrigation system.



James A Goodman
Natural Resources Engineer

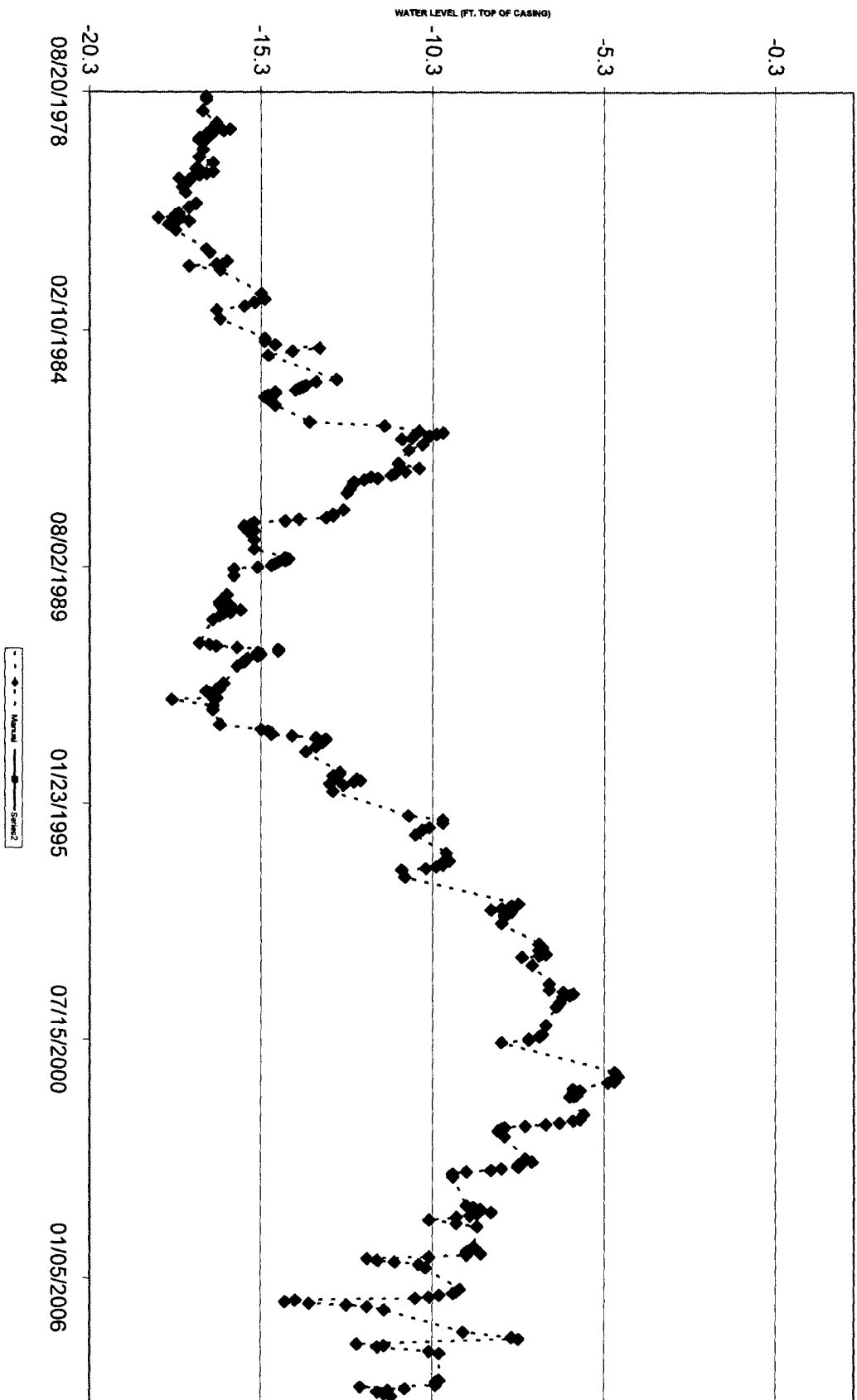
BIBLIOGRAPHY

Hamilton, L.J., 1986, Geology and Water Resources of Clark County, South Dakota, Bulletin 29, SD DENR, SDGS, Vermillion, SD, 57069.

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.

Water Rights, 2009, Unpublished Observation Well Data for Clark County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
CK-78L



**NOTICE OF APPLICATION
NO. 7115-3**

Notice is given that Lee Houghton, 815 W 2nd St, Webster SD 57274 has filed an application for a water permit to irrigate 20 additional acres. Water Right No. 5857A-3 appropriates 1.31 cubic feet of water per second from two wells completed into the Vermilion East Fork: Willow Lake Aquifer (52 and 56 feet deep) located in NE 1/4 NE 1/4 Section 29 to irrigate 92 acres located in the NE 1/4 Section 29; all in T114N-R57W. This application proposes to irrigate an additional 20 acres located in the N 1/2 NE 1/4 Section 29-T114N-R57W from the 2 existing wells. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7115-3 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.

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 of 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 June 8, 2009.

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.

5-20-2t

Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

LEE HOUGHTON

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

TWO

successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

RECEIVED

JUN - 1 2009

**WATER RIGHTS
PROGRAM**

MAY 20, 2009

MAY 27, 2009

that the full amount of the fees for the publication of the annexed notice is

45.47

William J. Krikac

Subscribed and sworn to before me this

28TH DAY OF MAY, 2009

Annet Helke

Notary Public

Clark County, South Dakota

My commission expires: 06/04/2013



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 13, 2009

Clark County Courier
119 1st Ave E
Clark SD 57225

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7115-3 to Appropriate Water to be published twice. Please publish the first notice on May 20, 2009 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 Lee Houghton, 815 W 2nd St., Webster SD 57274 (Ph # 605-345-3366).

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. 7115-3

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

Date _____

We are in receipt of your letter of May 13, 2009 enclosing Notice to Appropriate Water by Application No. 7115-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

May 13, 2009

Lee Houghton
815 W 2nd St
Webster SD 57274

Dear Mr. Houghton:

Water Permit Application No. 7115-3 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 Clark County Courier printed at Clark SD (Ph # 605-532-3654). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notices and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's 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 May 20, 2009 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7115-3

Notice is given that Lee Houghton, 815 W 2nd St, Webster SD 57274 has filed an application for a water permit to irrigate 20 additional acres. Water Right No. 5857A-3 appropriates 1.31 cubic feet of water per second from two wells completed into the Vermillion East Fork: Willow Lake Aquifer (52 and 56 feet deep) located in NE ¼ NE ¼ Section 29 to irrigate 92 acres located in the NE ¼ Section 29; all in T114N-R57W. This application proposes to irrigate an additional 20 acres located in the N ½ NE ¼ Section 29-T114N-R57W from the 2 existing wells. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7115-3 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.

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 June 8, 2009.

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.



AUG 04 2009

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Lee Houghton
815 W 2nd St
Webster SD 57274

Dear Mr. Houghton:

Enclosed is Water Permit No. 7115-3 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

McMath, Genny

From: Gronlund, Eric
Sent: Wednesday, July 25, 2012 1:47 PM
To: McMath, Genny
Subject: 7115-3, Lee Houghton

Mr. Houghton called saying he used the irrigation system authorized by 7115-3 for the first time on Sunday, July 22nd. He vaguely recalled needing to contact us when he completed the system.



7115-3

DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

JUN 21 2023

Clinton (Lee) Houghton
815 W 2nd St
Webster SD 57274

7115-3
5857A-3

Dear Mr. Houghton:

Enclosed is Water License No. 7115-3. 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 in the future, the owner of an existing well, 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, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

NOTE: The investigation found your irrigation system is capable of diverting 2.0 cubic feet of water per second (cfs) which is equivalent to approximately 900 gallons per minute. Your permit authorized 1.31 cfs (equivalent to 590 gpm). Diversion of water under this water license is limited to 1.31 cfs.

NOTE: The applicable portions of No. 5857A-3 are incorporated into this license

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7115-3

(1) Clinton (Lee) Houghton; 815 W 2nd St, Webster, SD 57274, made Application No. 7115-3, March 26, 2009, for a water permit to authorize the irrigation of an additional 20 acres in Section 29, T114N, R57W, Clark County, South Dakota. Permit No. 7115-3, with a priority date of March 26, 2009, was approved June 8, 2009, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 8, 2014, and for the application to beneficial use of water on or before June 8, 2019.

Water Right No. 5857A-3, with a priority date of March 16th, 1995, authorizes a diversion of 1.31 cubic feet of water per second from groundwater, 2 wells (Vermillion East Fork: Willow Lake Aquifer), to irrigate 92.0 acres. The applicable portions of No. 5857A-3 are incorporated into 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 1.31 cubic feet of water per second for beneficial use. The location of the diversion point is: *(one well has been abandoned)*

- 40 ft S & 365 ft W of the NE corner of Section 29, T114N, R57W (NE ¼ NE ¼)
(Latitude 44.65987 Longitude -97.69645)

(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 29, T114N, R57W	
NW ¼ NE ¼	32.6 acres
NE ¼ NE ¼	8.8 acres
SE ¼ NE ¼	33.2 acres
SW ¼ NE ¼	33.0 acres
TOTAL: 107.6 acres	

(4) Pursuant to South Dakota Water Law 46-5-30.1 Clinton (Lee) Houghton, the holder and/or owner of Water Right No. 7115-3 is issued a license to appropriate water, the right to irrigate 92.0 acres, using 1.31 cubic feet of water per second from groundwater, 1 well (Vermillion East Fork: Willow Lake Aquifer), with a priority date of March 16, 1995, and a priority date of March 26, 2009, for irrigation of the additional 15.6 acres, from the location specified in (2) of this license.

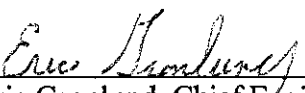
This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7115-3 and subject to the following qualifications:

1. The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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.

continued

2. The well authorized by Permit No. 7115-3 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 drilled by Bullis Bros in 2004. A copy of the well completion report is on file with the Water Rights Program.)*
3. This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.




Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

JUN 21 2023

date

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7115-3

I have this day, June 8, 2023, made a thorough examination of the water use system constructed by Lee Houghton, 815 W 2nd St, Webster, SD 57274 of Permit No. 7115-3, bearing the priority of March 26, 2009 authorizing the diversion of 1.31 cu. ft. per second of the waters of the Vermillion East Fork: Willow Lake Aquifer for irrigation purposes, in Clark County.

A. Works used to divert the water: (Permitted under Permit 5857A-3) (See Section F)

Well Information:

- 1) Well Drilling Firm: Bullis Brothers
- 2) No. of Wells 1
- 3) Depth(s) 56 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 16 inches
- 2) Length 43.5 feet
- 3) Type Plastic

Screen:

- 1) Type Stainless steel
- 2) Length 8 feet
- 3) Static water level 5 feet

Pump:

- 1) Make Turbine
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 900 GPM

Motor:

- 1) Make NEMA
- 2) Model No. FC84
- 3) Horsepower rating 50 hp

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

- 1) Type Buried PVC
- 2) Size 8 inches
- 3) Length 1960 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make 2- T&L
- 2) Overall length 1300 & 1300 feet
- 3) Number of towers 8(south) & 9(north)
- 4) End gun Y
- 5) Capacity 900 GPM

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by N

If no, describe: **Pumping 2.0 cfs but only authorized to pump 1.31 cfs by Permit**

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in **fair** condition with the point(s) of diversion located as follows: **WELL LOCATION**
From the NE corner Sec 29, T114N, R57W, 40 ft S & 365 ft W, Lat 44.65987 Long -97.69645 (NE ¼ NE ¼)

2. The works are capable of diverting and conveying to the place of use **2.0** 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

All land in Sec 29 T114N R57W

NW ¼ NE ¼ – 32.6 acres

NE ¼ NE ¼ – 8.8 acres

SE ¼ NE ¼ – 33.2 acres

SW ¼ NE ¼ – 33.0 acres

comprising a total of **107.6** acres of land and the license should be issued for **1.31** cfs

3. All structures, wells and lands on map Y

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

The irrigated acreage was estimated with the aid of FSA imagery and ArcMAPS software.

The pump rate reported in a recent Irrigation Questionnaire was used to establish the system flow capacity.

Only one well is currently being used (the well near the north road) while two (2) wells are authorized. Wells authorized by Permit 5857A.

The mailing address and the telephone number in the permit materials are current

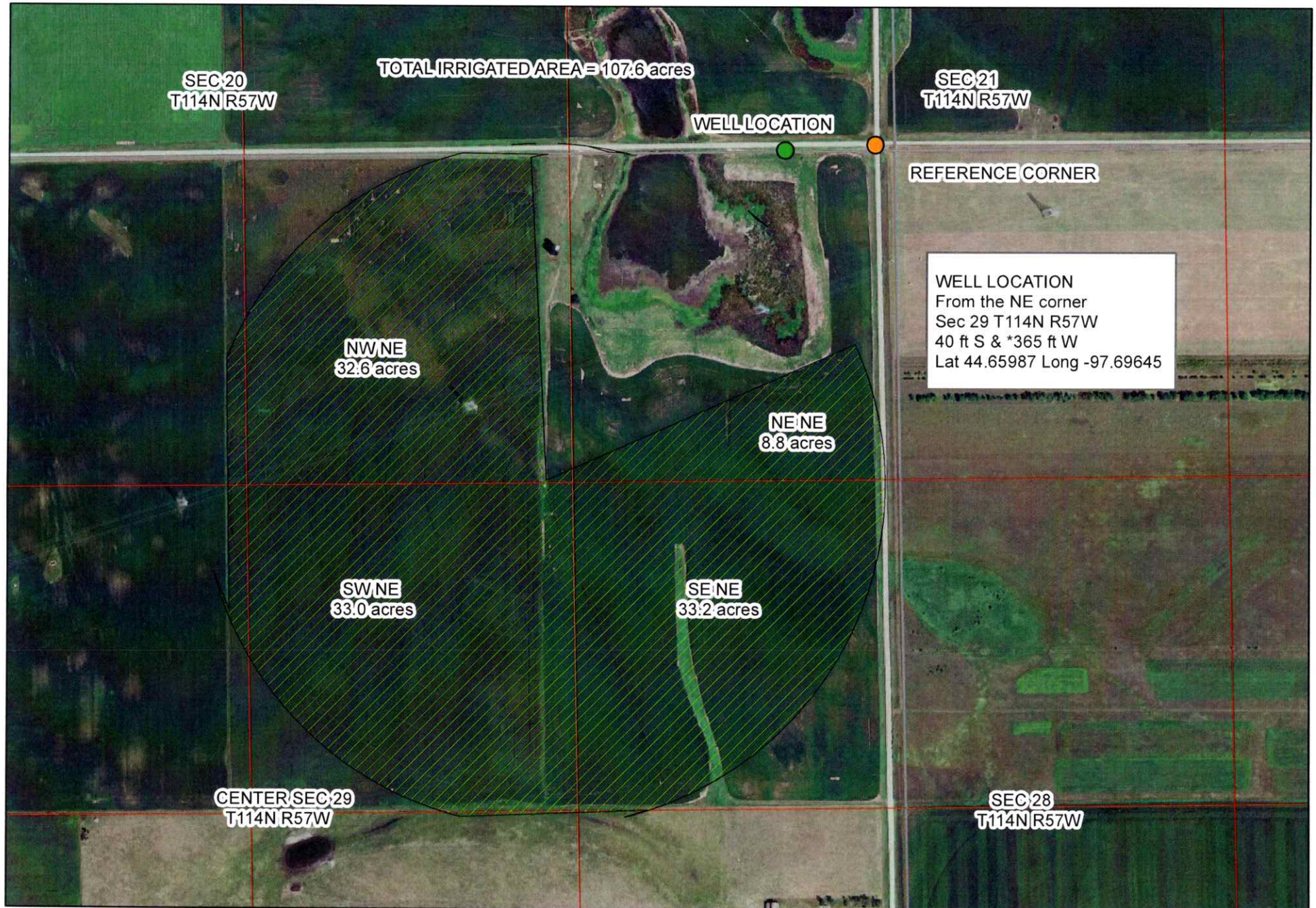
I talked to Lee Houghton by phone during the field inspection visit.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: June 16, 2023

6-20-23 Amanda Dewell called and spoke with Lee on the phone and verified that he was not able to irrigate the strip along the NE corner. Lee also confirmed that the original well had been capped.



0 0.05 0.1 0.2 0.3 0.4 Miles



Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program