

WATER PERMIT NO. 7674-3

Name of Applicant: **Bob Timp**

Address: **20591 432nd Ave, DeSmet SD 57231** Phone: **605 860-0498**

Amount of Water Claimed: **4.44 cfs** Total Acres: **360 acres**

Source of Water Supply: **groundwater (3 wells)**

Water to be used for: **irrigation** County: **Kingsbury**

Type of Waste Disposal System:

Location: **3 miles northwest of DeSmet**

PRIORITY Date Received: **1-24-13**

Application/License Fee: **\$ 1350**

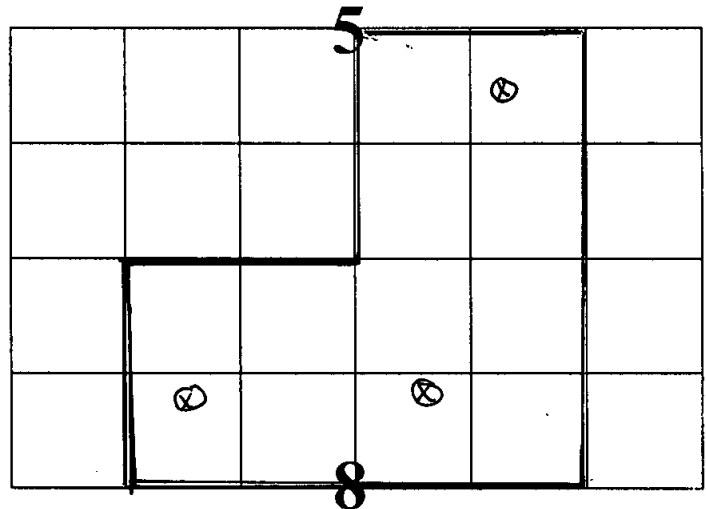
Corrected Application Received: **1-31-13**

Period of Annual Use: **May 1 – Sept 30**

Remarks:

Diversion Point: **SW 1/4 NW 1/4, SW 1/4 NE 1/4**
Sec 8 and NE 1/4 SE 1/4 Sec 5; all in T111N-
R56W

Land to be Irrigated: **N 1/2 Sec 8 and SE 1/4 Sec**
5; all in T111N-R56W



Depth of Well: **72 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **1-31-13**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7674-3</u>	(office use only) Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>	<u>605-854</u>
	Newspaper <u>DeSmet News Bx 6957231</u>	<u>9331</u>
	<u>Plainsman Box 1278 Huron 57352</u>	<u>605-352</u> <u>60401</u>

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JAN 24 2013

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.)

1. Name to Appear on Irrigation Permit Bob Timp
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent _____
(name and complete address if different than above name)

Mailing Address 20591 432nd Ave DeSmet SD 57231
(Address) (City) (State) (Zip Code)

Home Phone 4.44 Cell 605 860-0498 Email _____

2. Amount of water claimed _____ *CFS or 2000 **GPM _____ ***AF Total Acreage 360
(*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-SE 1/4 NW 1/4 SW 1/4 NE 1/4 Sec 8, NE 1/4 SE 1/4 Sec 5-7 11N-R56W

4. Location of point of diversion 3 wells one old permit on NW 1/4 of the SW 1/4
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

Sec 8 11N 56 New test well will be later County Kingsbury

5. County or counties where water will be used Kingsbury

6. Annual period during which water is to be used May 1 - Sept 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
NW 1/4 of the NW 1/4 of Sec 8 11N 56W	38	NW 1/4 of the NE 1/4 Sec 8 11N 56W	38
SE 1/4 of the NW 1/4 of Sec 8 11N 56W	27	NE 1/4 of the NE 1/4 Sec 8 11N 56W	17
SW 1/4 of the NW 1/4 of Sec 8 11N 56W	38	SE 1/4 of the NE 1/4 Sec 8 11N 56W	38
NE 1/4 of the NW 1/4 of Sec 8 11N 56W	17	SW 1/4 of the NE 1/4 Sec 8 11N 56W	7

8. Give a description of the project. (Attach sheet if more space is needed) Continued on next page (2)

I, Bob Timp Bob Timp, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

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

Mail to:
PMB 2020
DENR - Water Rights
523 E Capitol Ave
Pierre, SD 57501-3182
ph. (605) 773-3352

(office use only)
No. _____ Hydrologic Unit _____
Basin _____
Newspaper _____

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JAN 24 2013
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

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1. Name to Appear on Irrigation Permit Bob Timp

(check one) ☐ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

Mailing Address 20591 432nd Ave DeSmet SD 57231
(Address) (City) (State) (Zip Code)

Home Phone _____ Cell 605 860-0498 Email _____

2. Amount of water claimed _____ *CFS or _____ **GPM _____ ***AF Total Acreage _____
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply _____

4. Location of point of diversion _____
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County _____

5. County or counties where water will be used _____

6. Annual period during which water is to be used _____

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
SE ¹ / ₄ of the SE ¹ / ₄ Sec 5 111N 56W	35		
NW ¹ / ₄ of the SE ¹ / ₄ Sec 5 111N 56W	35		
NE ¹ / ₄ of the SE ¹ / ₄ Sec 5 111N 56W	35		
SW ¹ / ₄ of the SE ¹ / ₄ Sec 5 111N 56W	35		

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

I, Bob Timp Bob Timp, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

SOUTH DAKOTA
WATER PERMIT NO. 7674-3

Date of first receipt of application January 24, 2013.

Date of return to applicant for corrections, amendments or changes January 25, 2013.

Date of receipt of corrected application January 31, 2013.

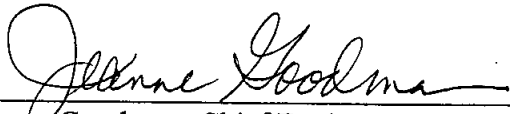
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7674-3 to Bob Timp, 20591 432nd Ave, DeSmet SD 57231 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7674-3 appropriates 4.44 cubic feet of water per second from three wells to be completed into the Vermillion:East Fork Aquifer (72 feet deep) located in the SE 1/4 NW 1/4, SW 1/4 NE 1/4 Section 8 and NE 1/4 SE 1/4 Section 5 for irrigation of 360 acres located in the N 1/2 Section 8 and SE 1/4 Section 5; all in T111N-R56W.
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 – September 30.
3. The date from which applicant may claim right is January 24, 2013.
4. The date of approval of Permit No. 7674-3 is April 29, 2013.
5. One-fifth of the construction is to be completed on or before October 29, 2015.
6. All construction is to be completed on or before April 29, 2018.
7. Water is to be put to beneficial use on or before April 29, 2022.
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 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 new wells authorized by Permit No. 7674-3 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: 
Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 21 2013

date



Supplemental Information

(type or print)

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1. Well Information (check one or both as applicable) ☒ Drilling new well(s) ☒ Using existing well(s)

a) If new wells, how many 2 Have test holes been drilled ☐ Yes ☒ No Drilled by _____
(if yes, please provide copies of logs)

b) If existing wells, how many 1 Provide copy of log(s), if available. Drilled by _____

c) Well Depth 22 ft Depth to Top of Water Bearing Material 60 ft Depth to Water from Surface _____

d) Distance to nearest existing domestic well:

On applicant's property 1/4 mile No other wells On property owned by others 1/4 mile (Irrigation Well)

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 (e.g. 3 to 1 is a typical slope)

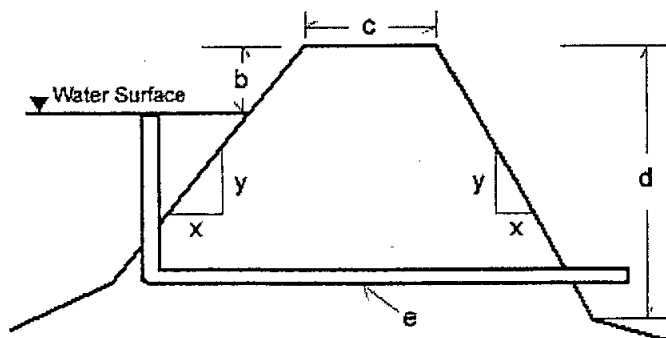
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



PPLS: 5_111N_56W

SE

Projected
3rd well
unknown
140A Depth.

NW

Well

Existing well
will be used if it
120A is good

Projected 2nd
100A well

50 to 70
ft.

PPLS: 8_111N_56W

Data use subject to license.

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www.delorme.com

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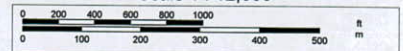


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JAN 24 2013

WATER RIGHTS
PROGRAM

Scale 1 : 12,800



1" = 1,066.7 ft

Data Zoom 14-0

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

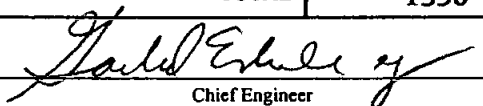
Date 1/24, 20 13

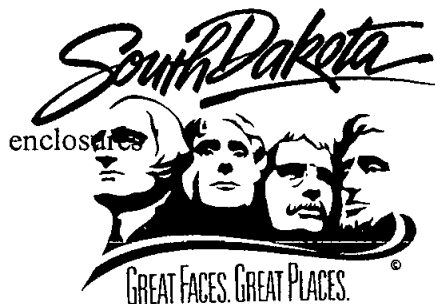
RECEIVED OF Bob Timp 20591 432nd Ave DeSmet SD 57231

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

Fee for Application for Permit No. <u>71674-3</u> to Appropriate Water, to construct and to put water to beneficial use	1150	00
Fee for Application for Permit No. <u> </u> to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u> </u> after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>71674-3</u>	200	00
Fee for Filing Transfer Form <u> </u>		
Fee for <u> </u>		
Fee for Issuing New Well Driller's License No. <u> </u> for C.Y. <u> </u>		
Fee for Renewal of Well Driller's License No <u> </u> for C.Y. <u> </u>		
Fee for Issuing Well Pump Installer's License No. <u> </u> for C.Y. <u> </u>		
Fee for Renewal of Well Pump Installer's License No. <u> </u> for C.Y. <u> </u>		
(Any Other Work Provided by Law)	TOTAL	1350 00

No. 0601

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

January 25, 2013

Bob Timp
20591 432nd Ave
DeSmet SD 57231

Dear Mr. Timp:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Kingsbury County. In order to complete the application, the following is required.

- Enclosed is the Form 2A, Supplemental Information. Please complete Item No. 1 regarding the Well Information. At the very least, we need the proposed depth of the well(s). Your well driller should be able to give you an estimate depth for your proposed well locations.
- On the aerial map, please mark each proposed well location with an "X".
- Is the old well one of the three wells you are proposing to use? Water Right No. 3253-3, which was cancelled about 20 years ago, states the well was 70 feet deep. I could not find drillers log for the well.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7674-3, Bob Timp**

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. 7674-3, Bob Timp, 20591 432nd Avenue, DeSmet SD 57231.

The Chief Engineer is recommending APPROVAL of Application No. 7674-3 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 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 new wells authorized by Permit No. 7674-3 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.

Jeanne Goodman, Chief Engineer
April 8, 2013

REPORT ON WATER PERMIT APPLICATION NO. 7674-3

Bob Timp
March 20, 2013

Water Permit Application No. 7674-3 proposes to appropriate water at a maximum diversion rate of 4.44 cubic feet of water per second from three wells to be completed into the Vermillion East Fork aquifer (72 feet deep) located in the SE 1/4 NW 1/4, SW 1/4 NE 1/4 Section 8 and NE 1/4 SE 1/4 Section 5 for irrigation of 360 acres located in the N 1/2 Section 8 and SE 1/4 Section 5; all in T111N-R56W. The proposed project is located approximately 3.5 miles northwest of DeSmet in Kingsbury County.

AQUIFER: The Vermillion East Fork aquifer (VEF)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Vermillion East Fork aquifer is composed of glacial outwash of medium to very coarse sand and fine gravel in a two to four mile wide band in central Kingsbury County and is primarily under unconfined conditions (Hamilton, 1989). The depth to the top of the aquifer ranges from land surface to as much as 120 feet below grade. The average thickness of the aquifer is estimated to be 25 feet (Hamilton, 1989). In the vicinity of this project, aquifer material is found at a depth of less than 5 feet with a thickness of over 60 feet (Hamilton, 1988).

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and existing rights from the aquifer.

WATER AVAILABILITY:

Water Permit Application No. 7674-3 proposes to appropriate water from the Vermillion East Fork aquifer. The actual water use if this application is approved will most likely be less than 720 ac-ft/yr. The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1 which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.

Recharge versus Discharge:

Recharge:

Recharge to the Vermillion East Fork aquifer is by infiltration of precipitation and leakage from adjacent and underlying till (Hamilton, 1989). Hedges and others (1985) estimated recharge to the aquifer to be 4.0 inches per year. Given the estimated area of the management unit of 30,030 acres in Kingsbury County, average annual recharge to the aquifer in Kingsbury County is estimated to be 10,010 acre-feet per year.

Discharge:

The Vermillion East Fork aquifer discharges to adjacent till and area lakes and through well withdrawals (Hamilton, 1989). There are 29 water rights/permits appropriating water and two future use permits reserving water from the Vermillion East Fork aquifer in Kingsbury County (Water Rights, 2013b). Of these existing water rights/permits, eight are non-irrigation appropriations for 10.19 cfs of water. These eight water rights/permits are appropriated for commercial use, municipal use, or rural water system (Water Rights, 2013b). The two future use permits reserve a combined volume of 1,725 ac-ft/yr. The estimated withdrawal from the aquifer by non-irrigation appropriations is 4,428 ac-ft per year. This estimation assumes water is being withdrawn from the aquifer 60 percent of the time at the permitted diversion rate for these non-irrigation appropriations. Table 1 shows the water use by irrigation appropriations as reported to the DENR-Water Rights Program through annual irrigation questionnaires. The long term average annual use has been 1,515.51 ac-ft/yr (Water Rights, 1980-2012). Therefore, there is a reasonable probability that unappropriated water is available for this proposed appropriation.

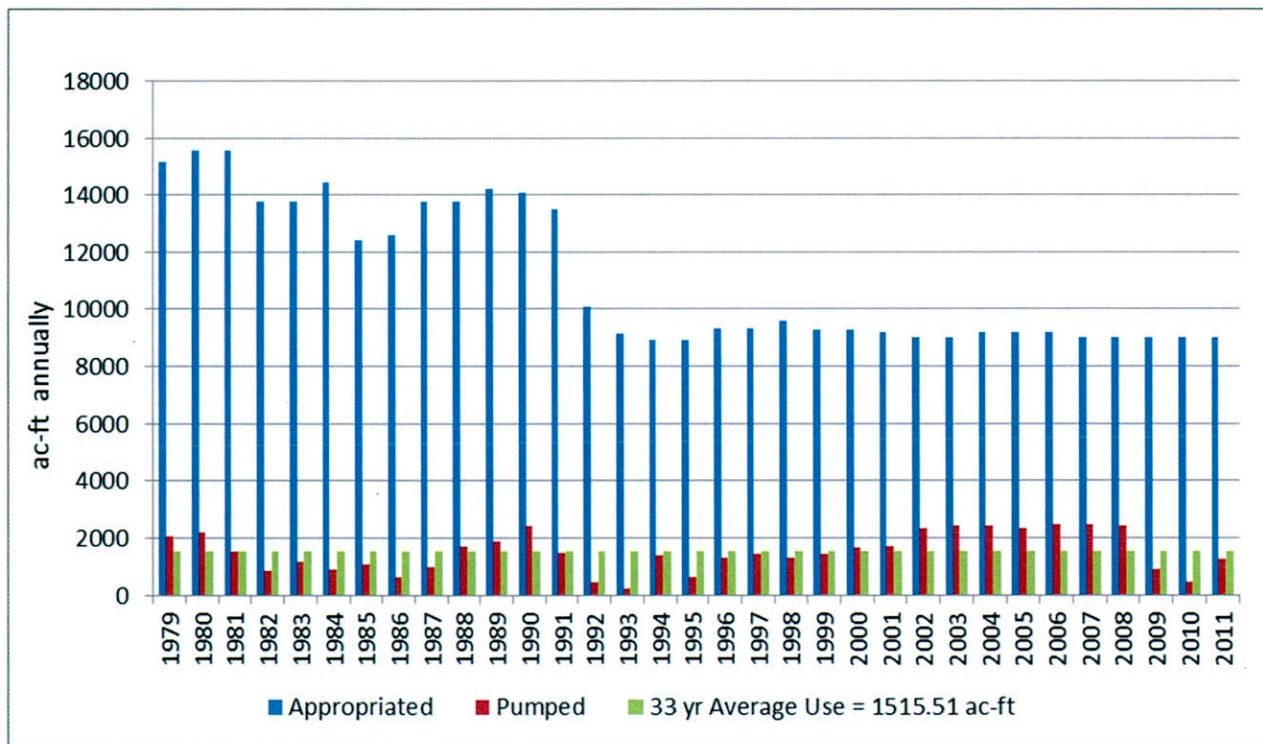


Table 1- Water use from the Vermillion East Fork aquifer (Water Rights, 1980-2012)

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that “the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.”

The DENR-Water Rights Program monitors eight observation wells completed into the Vermillion East Fork aquifer located in Kingsbury County (Water Rights, 2013a). The nearest observation wells are KG-77D and KG-88A both located within a mile of the proposed project. Water levels in the observation wells show response to climatic conditions. The water levels rise (recharge) during wet years and gradually decline during dry years. The hydrographs show the effects of pumping, but it does not appear to be significant over the period of record. The climatic effects on water level greatly mask the temporal impacts of well withdrawal. Therefore, recharge to and natural discharge from the Vermillion East Fork aquifer significantly exceeds pumping. Figures 1 and 2 show the hydrographs for observation wells KG-77D and KG-88A.

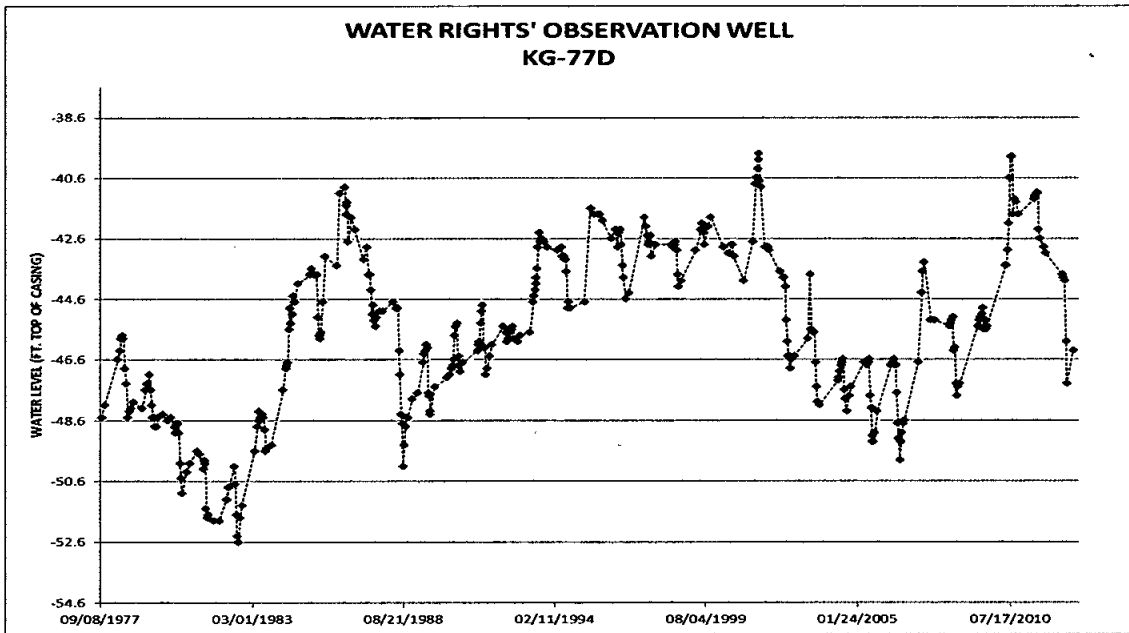


Figure 1- Hydrograph of DENR-Water Rights' observation well KG-77D (Water Rights, 2013a)

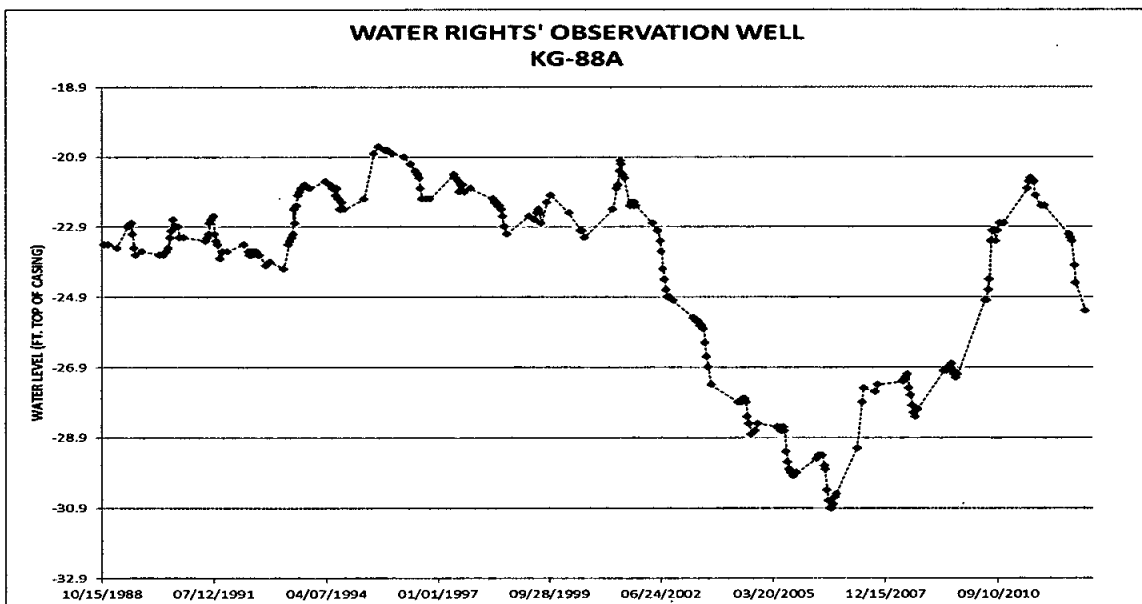


Figure 2- Hydrograph of DENR-Water Rights' observation well KG-88A (Water Rights, 2013a)

EXISTING WATER RIGHTS:

There are 29 water rights authorizing wells, two future use permits reserving water, and several domestic wells on file with the DENR-Water Rights Program completed into the Vermillion East Fork aquifer (Water Rights, 2013b and 2013c). Table 2 shows the water rights and the future use permit completed into the Vermillion East Fork within approximately 2 miles of the proposed well sites.

PERMIT_NO	LAST_NAME	STATUS	USE	CFS	ACRES
1212-3	PAGE BROTHERS	LC	IRR	2.280	270.00
1487-3	ALBECK	LC	IRR	1.850	130.00
3131-3	LEE	LC	IRR	1.670	117.00
3132-3	GEIB FAMILY TRUST	LC	IRR	1.780	136.00
3312-3	STUBBE	LC	IRR	1.880	132.00
3478-3	PRATT	LC	IRR	1.330	110.00
3822-3	JENCKS	LC	IRR	1.340	126.00
3825-3	ALLEN	LC	IRR	1.310	92.00
4245-3	AUGHENBAUGH	LC	IRR	1.770	205.00
4137-3	KINGBROOK RWS INC	LC	RWS	1.060	
5186-3	KINGBROOK RWS INC	LC	RWS	0.700	
5426-3	KINGBROOK RWS INC	LC	RWS	1.400	
6731-3	KINGBROOK RWS INC	LC	RWS	2.600	
6759-3	CITY OF DESMET	LC	MUN	0.004	
5209-3	KINGBROOK RWS INC	FU	RWS		

LC= Water Right, FU = Future Use Permit, IRR= Irrigation, RWS = Rural Water System, MUN = Municipal Use.

Table 2 – Water Rights/Permits within approximately 2 miles of the proposed well sites (Water Rights, 2013b)

The hydrographs show that the impacts of pumping have not been significant over the period of record. The minimal drawdown and interference from pumping high capacity wells is clearly shown by figures 1 and 2.

The diversion proposed by this application should not limit the development of Future Use Permit Nos. 524-3 and 5209-3. One of the proposed well sites for the proposed project is located within the future use area designated by Future Use Permit No. 5209-3. The future use area designated by Future Use Permit No. 524-3 is approximately 3.5 miles away from the proposed project. Therefore due to the distance between wells, there is a reasonable probability that this proposed diversion can be made without adversely impacting existing appropriative or domestic users.

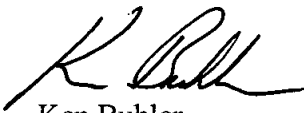
CONCLUSIONS:

1. Water Permit Application No. 7674-3 proposes to appropriate water at a maximum diversion rate of 4.44 cubic feet of water per second from three wells to be completed into the Vermillion East Fork for irrigation of 360 acres.
2. There is a reasonable probability that unappropriated water is available from the Vermillion East Fork aquifer to supply this proposed diversion.
3. There is a reasonable probability that the diversion requested by this application can be made without adversely affecting existing water rights or domestic users.



Mark D. Rath
Natural Resources Engineer
SD DENR-Water Rights Program

Approved by:



Ken Buhler
Natural Resources Engineer
SD DENR-Water Rights Program

REFERENCES:

- Hamilton, L.J. 1988. Major Aquifers in Kingsbury Counties, South Dakota. U.S. Geological Survey Water-Information Pamphlet No. 41. U.S. Geological Survey, Huron, South Dakota.
- Hamilton, L.J. 1989. Water Resources of Brookings and Kingsbury Counties, South Dakota. U.S. Geological Survey Water-Resources Investigations Report 88-4185. U.S. Geological Survey, Huron, South Dakota.
- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon. 1982. Evaluation of Ground-water Resources in Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Hedges, L.S., J. Allen, and D.E. Holly. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water

Recharge, Final Report. U.S. Army Corps of Engineers. Omaha, Nebraska. Contract DACW 45-80-C-0185.

Water Rights. 1979-2012. "1979-2011 Irrigation Summaries by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.

Water Rights. 2013a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

Water Rights. 2013b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

Water Rights. 2013c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA,
County of Kingsbury.

SS.

David Tritle of said
county being first duly sworn on oath, says that he is
the publisher of **THE DE SMET NEWS**, a weekly news-
paper printed and published in De Smet in said County
of Kingsbury and has full and personal knowledge of all
the facts herein 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

Notice of Application No. 7674-3

Bob Timp, a printed copy of
which, taken from the paper in which the 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 1 successive weeks, on
the day of each week on which said newspaper was regu-
larly published, to-wit:

4/17 2013: 20
20: 20
20: 20
20: 20

that the full amount of the fee charged for the publica-
tion of said notice accrues to the benefit of the pub-
lisher of said newspaper; that no agreement or under-
standing for the division thereof has been made with
any other person; and that no part thereof has been
agreed to be paid to any person whomsoever, and that
the fees charged for the publication thereof are

\$ 26.04

[Signature]

Subscribed and sworn to before me this 18th

day of April A.D. 20 13

[Signature]
Notary Public
Kingsbury County, South Dakota

My commission expires 9-27, 2017

RECEIVED

APR 22 2013

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION NO. 7674-3 TO APPROPRIATE WATER

Notice is given that Bob Timp, 20591 432nd Ave., De Smet, SD 57231, has filed an application for a water permit to appropriate 4.44 cubic feet of water per second from three wells to be completed into the Vermillion: East Fork Aquifer (72 feet deep) located in the SE ¼ NW ¼, SW ¼ NE ¼ Section 8 and NE ¼ SE ¼ Section 5 for irrigation of 360 acres located in the N ½ Section 8 and SE ¼ Section 5: all in T111N-R56W.

Pursuant to SDCL 46-2A-2, the chief engineer recommends approval of Application No. 7674-3 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 April 29, 2013.

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.

Published once at the total
approximate cost of \$26.04.
4-17-1wc

RECEIVED

APR 30 2013

WATER RIGHTS
PROGRAM

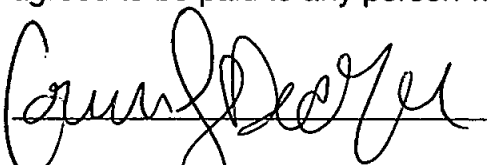
PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

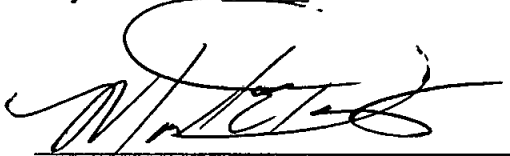
I, CORINN DECKER, being duly sworn on oath, say that THE PLAINSMAN is a daily paper published at Huron, Beadle County, South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks 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:

**SD ENVIRONMENTAL & NATURAL – (TIMP)
WATER RIGHTS APP**

was published for one day, in said newspaper, and not in any supplement of the said newspaper, the publication was of the 16TH day APRIL 2013. That the full THIRTY ONE & 68/000 dollars insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whom so ever.



Subscribed and sworn to before me this 30TH
day of APRIL 2013.



Notary Public, South Dakota

My term expires 12/27/18

Legal # 725

F.P. 04-17-13

**NOTICE OF
APPLICATION
NO. 7674-3 to
Appropriate Water**

Notice is given that Bob Timp, 20591 432nd Ave, DeSmet SD 57231 has filed an application for a water permit to appropriate 4.44 cubic feet of water per second from three wells to be completed into the Vermillion: East Fork Aquifer, (72 feet deep) located in the SE 1/4 NW 1/4, SW 1/4 NE 1/4 Section 8 and NE 1/4 SE 1/4 Section 5 for irrigation of 360 acres located in the N 1/2 Section 8 and SE 1/4, Section 5; all in T111N-R56W.

Pursuant to SDC 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7674-3 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 SDC 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.

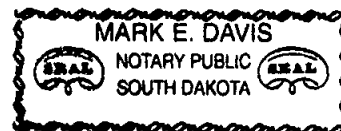
Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss 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 April 29, 2013.

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. 725 (adv.)

Published once at the
total approximate cost of
\$31.68.





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

April 9, 2013

DeSmet News
PO Box 69
DeSmet SD 57231

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7674-3 to Appropriate Water. Please publish the notice once on April 17, 2013. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Bob Timp, 20591 432nd Ave, DeSmet SD 57231 (Ph # 605-860-0498).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

April 9, 2013

Plainsman
PO Box 1278
Huron SD 57350

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7674-3 to Appropriate Water. Please publish the notice once on April 17, 2013. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Bob Timp, 20591 432nd Ave, DeSmet SD 57231 (Ph # 605-860-0498).

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Schlaak, Karen

From: Ruby Crandall <rnewman.plainsman@midconetwork.com>
Sent: Tuesday, April 09, 2013 4:32 PM
To: Schlaak, Karen
Subject: Re: 7666-3 & 7674-3

I have received your email.
Thank you.

Ruby (Newman) Crandall
Creative Services Supervisor

Plainsman/Payday/Print Shop
49 3rd Street SE
Huron, SD 57350

605-353-7412

1-800-859-3045, ext. 412

fax: 605-353-7422

rnewman.plainsman@midconetwork.com

On Apr 9, 2013, at 4:09 PM, Schlaak, Karen wrote:

Attached are two notices.

Please publish the Notice of Application No. 7666-3, Naughton Credit Trust, c/o Darren Swenson, 39476 234th St, Woonsocket SD 57385 (605 350-5866) on April 16, 2013.

Notice of Application No. 7674-3, Bob Timp, 205 432nd Ave, DeSmet SD 57231 (605 860-0498) on April 17, 2013

Please send the affidavits ASAP

Thanks

Karen Schlaak

Water Rights Program

Phone: 605 773-3352

Fax: 605 773-4068

<7666-3public.short.docx><7674-3public.short.docx>



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.

April 9, 2013

Bob Timp
20591 432nd Ave
DeSmet SD 57231

Dear Mr. Timp:

Water Permit Application No. 7674-3 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 DeSmet News printed at DeSmet SD (Ph # 605-854-3331) and the Plainsman printed at Huron SD (Ph # 605-352-6401). You will need to contact the newspaper(s) 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. 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 the Notice on April 17, 2013. 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. 7674-3 to Appropriate Water

Notice is given that Bob Timp, 20591 432nd Ave, DeSmet SD 57231 has filed an application for a water permit to appropriate 4.44 cubic feet of water per second from three wells to be completed into the Vermillion:East Fork Aquifer (72 feet deep) located in the SE 1/4 NW 1/4, SW 1/4 NE 1/4 Section 8 and NE 1/4 SE 1/4 Section 5 for irrigation of 360 acres located in the N 1/2 Section 8 and SE 1/4 Section 5; all in T111N-R56W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7674-3 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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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.

Published once at the total approximate cost of_____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

JUN 21 2013

Bob Timp
20591 432nd Ave
DeSmet SD 57231

Dear Mr. Timp:

Enclosed is Water Permit No. 7674-3 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,

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

enclosures



7674-3
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 16, 2015

NOTICE

TO: BOB TIMP, 20591 432ND AVE, DESMET, SD 57231

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7674-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 7674-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 7674-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

January 21, 2015

7674-3

Bob Timp
20591 432nd Ave
DeSmet SD 57231

Dear Mr. Timp:

I am writing to acknowledge receipt of your 2014 irrigation questionnaire.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit No. 7674-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



7674-3
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 23, 2020

NOTICE

TO: BOB TIMP, 20591 432ND AVE, DESMET, SD 57231
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7674-3. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 7674-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 7674-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: SFQQHM**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

7674-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 27, 2020

7674-3

Bob Timp
20591 432nd Ave
DeSmet SD 57231

Dear Mr. Timp:

I am writing to acknowledge receipt of your 2019 irrigation questionnaire.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 7674-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7674-3

I have this day, November 1, 2021, made a thorough examination of the water use system constructed by Bob Timp, 20591 432nd Ave, DeSmet, SD 57231 of Permit No. 7674-3, bearing the priority of January 24, 2013 authorizing the diversion of 4.44 cu. ft. per second of the waters of the Vermillion: East Fork Aquifer for irrigation purposes, in Kingsbury County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Unknown
- 2) No. of Wells 1
- 3) Depth(s) 72 feet
- 4) Well log is available N If no, explain in comments

Comments: **This is an old well that probably constructed in the mid 1970's according to Mr. Timp.**

Does not know who drilled it.

Casing and Screen: information unknown

Pump:

- 1) Make NA
- 2) Model Turbine
- 3) Size NA
- 4) Capacity 600 GPM

Motor:

- 1) Make US Motors
- 2) Model No. NA
- 3) Horsepower rating 25 hp

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

- 1) Type Buried PVC
- 2) Size 8 inches
- 3) Length 150 feet

Comments: **Well is 150 feet west of the pivot point**

C. Works used to apply water to beneficial use:**Center pivot:**

- 1) Make Valley
- 2) Overall length 1300 feet
- 3) Number of towers 7
- 4) End gun Y
- 5) Capacity 600 GPM

Chemigation Equipment: none**D. Compliance with Permit Requirements:**

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

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: **From the NW corner of Sec 8 T111N R56W, 1320 ft S & 1130 ft E, Lat 44.43770 Long -97.58803 (NW ¼ NW ¼ Sec 8)**
2. The works are capable of diverting and conveying to the place of use 1.33 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:
All land in Section 8 T111N R56W NW ¼ NW ¼ – 30 acres
SE ¼ NW ¼ – 18 acres
SW ¼ NW ¼ – 33 acres
comprising a total of 81 acres of land and the license should be issued for 1.16 cfs.
3. All structures, wells and lands on map Y

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

The irrigated acreage was determined with the aid of FSA imagery and ArcMAP software. This inspector forgot to make note of the above ground dimension and material of the old well. At the of the time of the application, they had plans to possibly construct irrigation systems on two additional quarters. Low corn prices at the time had them lose interest in such a big project.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: November 4, 2021



0 0.075 0.15 0.3 0.45 0.6 Miles



Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program



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

NOV 10 2021

7674-3

Bob Timp
20591 432nd Ave
DeSmet SD 57231

Dear Mr. Timp:

Enclosed is Water License No. 7674-3. 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

enclosures

NOTE: The investigation of your water use system found the system capable of diverting 1.33 cubic feet of water per second (cfs) which is equivalent to approximately 600 gallons per minute. The statutory limit for the 81 acres developed is 1.16 cfs (equivalent to 520 gpm). Diversion of water under this water license is limited to 1.16 cfs.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7674-3

(1) Bob Timp, 20591 432nd Ave, DeSmet SD 57231 made Application No. 7674-3, January 24, 2013 for a water permit to divert 4.44 cubic feet of water per second from ground water, three wells (Vermillion East Fork Aquifer), Kingsbury County, South Dakota for irrigation purposes. Permit No. 7674-3, with a priority date of January 24, 2013 was approved April 29, 2013 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 29, 2018 and for the application to beneficial use of said water on or before April 29, 2022.

(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 1.16 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,320'S & 1,130'E of the NW corner of Section 8, T111N, R56W (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
Latitude 44.43770, Longitude -97.58803

(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 8, T111N, R56W	NW $\frac{1}{4}$ NW $\frac{1}{4}$	30 acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	18 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
	Total	81 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Bob Timp, 20591 432nd Ave, DeSmet SD 57231 the holder and/or owner of Water Right No. 7674-3 is issued a license to appropriate water, the right to use 1.16 cubic feet of water per second from ground water, one well (Vermillion East Fork Aquifer) with a priority date of January 24, 2013 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. 7674-3 and subject to the following qualifications:

- 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.
- The new wells authorized by Permit No. 7674-3 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. *No new wells were drilled.*

continued

Water License No. 7674-3
Page 2

- 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

NOV 10 2021
date

