

ADDITIONAL DIVERSION AND ADDITIONAL
ACREAGE

1. Considered: _____, 19____ Water Right No. 1276-1
2. Name of Applicant MELVIN E DELZER
3. Post Office Address 2040 W Main, Rapid City 57701
4. Amount of Water Claimed 1.2 additional maximum acre feet _____
5. Source of Water Supply Six wells and one storage dam
6. Water to be used for IRR acres to be irrigated 81 additional
7. County LAWRENCE about 3 1/2 miles N of SPEARFISH
8. PROOF OF PUBLICATION: Received 1st 5-5-83 Not Received _____
- APPLICATION: Approved _____ Subject to _____
- Not Approved _____ Action Deferred _____

PRIORITY Dated Received 3/23/82 Application complete-yes xx no _____ FEE 225.00

1-14-83 Remarks upon approval 1276-1 should be in 1276-1

WQ Received

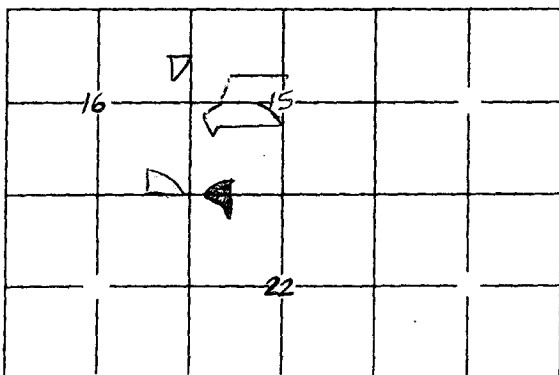
Corrected Application received 3-13-83 Period of Annual Use 5/1 - 10/31

WATER
QUALITY

Received yes 1/14/83 no _____ APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application-yes xx no _____ Remarks _____

Disapproved _____ Returned _____



Diversi on Points Well #1, SW 1/4 NE 1/4, Sec. 21;
Well #2, SW 1/4 SW 1/4, Section 15; Well #3, SE 1/4 NE 1/4,
Sec. 16; Well #4, SW 1/4 NW 1/4, Section 22; Well
#5, NW 1/4 SE 1/4, Section 16; Well #6, NW 1/4 NE 1/4, Sec.
21 and a dam in SW 1/4 NW 1/4, Sec. 15 all in
T7N, R2E

Land to be irrigated 1260'
S 1/2 NW 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4, Section 15;
SE 1/4 NE 1/4: SE 1/4 SE 1/4, Section 16; and
NW 1/4 NW 1/4, Section 22, all in T7N-R2E

Unknown drilled prior to logs required but Mernaugh has inspected lands and wells

WELL LOG Driller _____ Licensed - yes _____ no _____
#1, 960'; #2, 1218'; #3, 950' (Artesian flow has shut off valve) #4, 1250'; #5, 1100'
Depth _____
(Minnelusa) #6, 1260' deep artesian pressure 110 pdi, with shut off valve, no pump
necessary Storage dam 44.6 acre feet.
Remarks _____

MAP Map No. 1276-1 Map located in Water Right X Map file _____
 Type of Map drawn/aerial Prepared by Mernaugh

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

3/23/83

Letty W. Wattleford
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date _____
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____

1:15 pm

No. 1276-1Map No. 1276-1 Water Division No. 1 BELLE FOURCHE DistrictAbove for Office Use 10120203

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion XChange in Acreage _____ Additional Acreage X

1. Name of Applicant Melvin E Delzer Phone No. _____
 Post Office Address 2040 W Main, Rapid City State SD 57701
(Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work Delzer Projects4. Amount of water claimed (cubic feet per second) 1.2 additional5. Source of water supply six wells and one storage dam6. Location of point of diversion see attached sheetCounty Lawrence7. Annual period or periods during which water is to be used May thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 81

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 15-7N-2E	10
SE $\frac{1}{4}$ NW $\frac{1}{4}$ "	24
NW $\frac{1}{4}$ SW $\frac{1}{4}$ "	12
NE $\frac{1}{4}$ SW $\frac{1}{4}$ "	11

Land Description	No. Acres Irr.
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 15-7N-2E	4
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 16-7N-2E	5
SE $\frac{1}{4}$ SE $\frac{1}{4}$ "	8
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 22-7N-2E	7

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use completed years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water _____

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
 pumps & motors

NOTE: Lands listed on this application
 are presently being irrigated

B. Works proposed to transport water to place of use.
 pipelines

C. Works proposed to apply water to beneficial use.
 center pivots, tow lines & side roll sprinklers

Estimated Total Cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

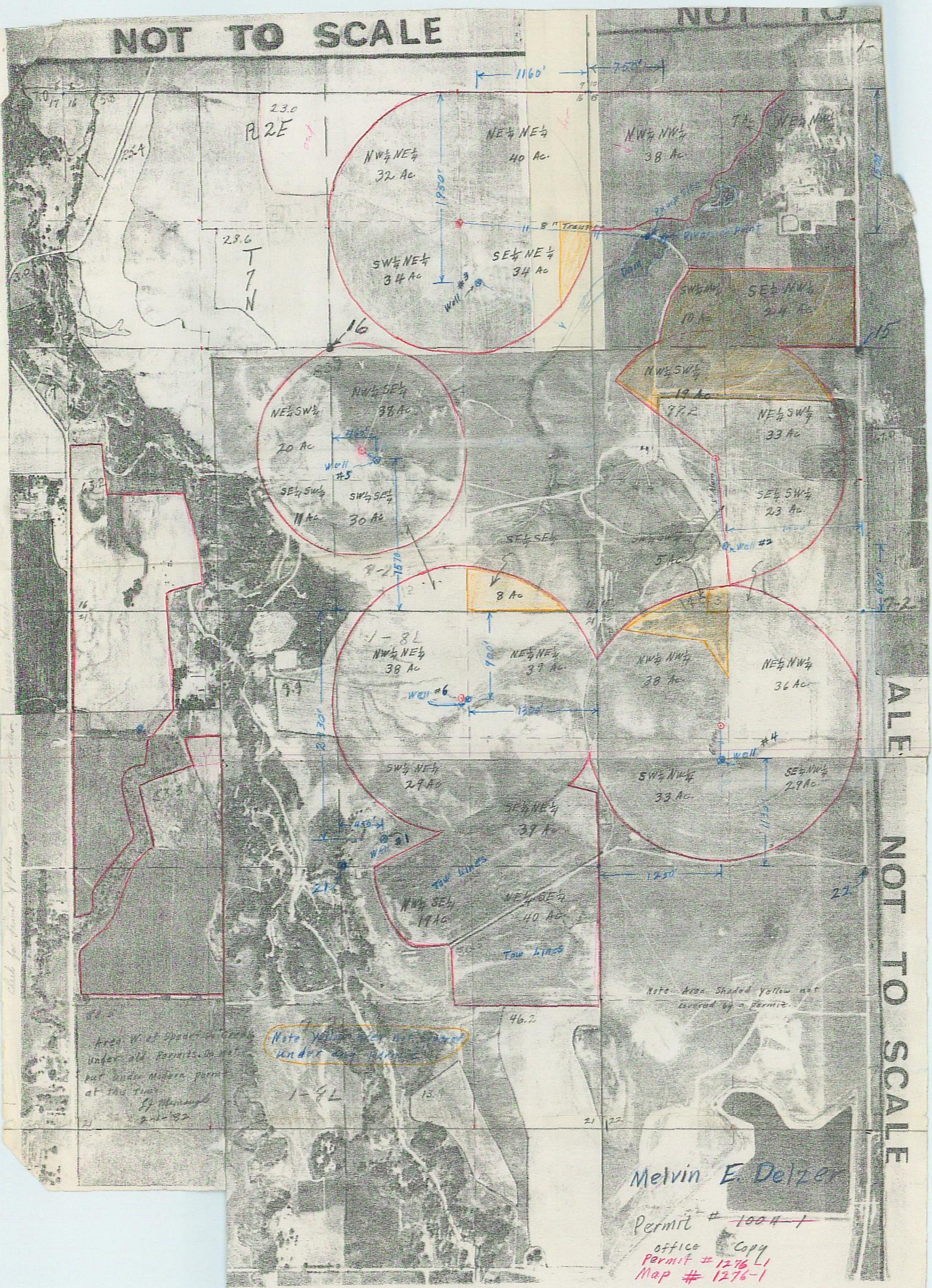
County of Pennington) ss.

I, Melvin E. Delzer the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Melvin E. DelzerSubscribed and sworn to before me this 11 day of March, 1983

Elmer M. Prosser
 Notary Public (or other qualified officer)

NOT TO SCALE



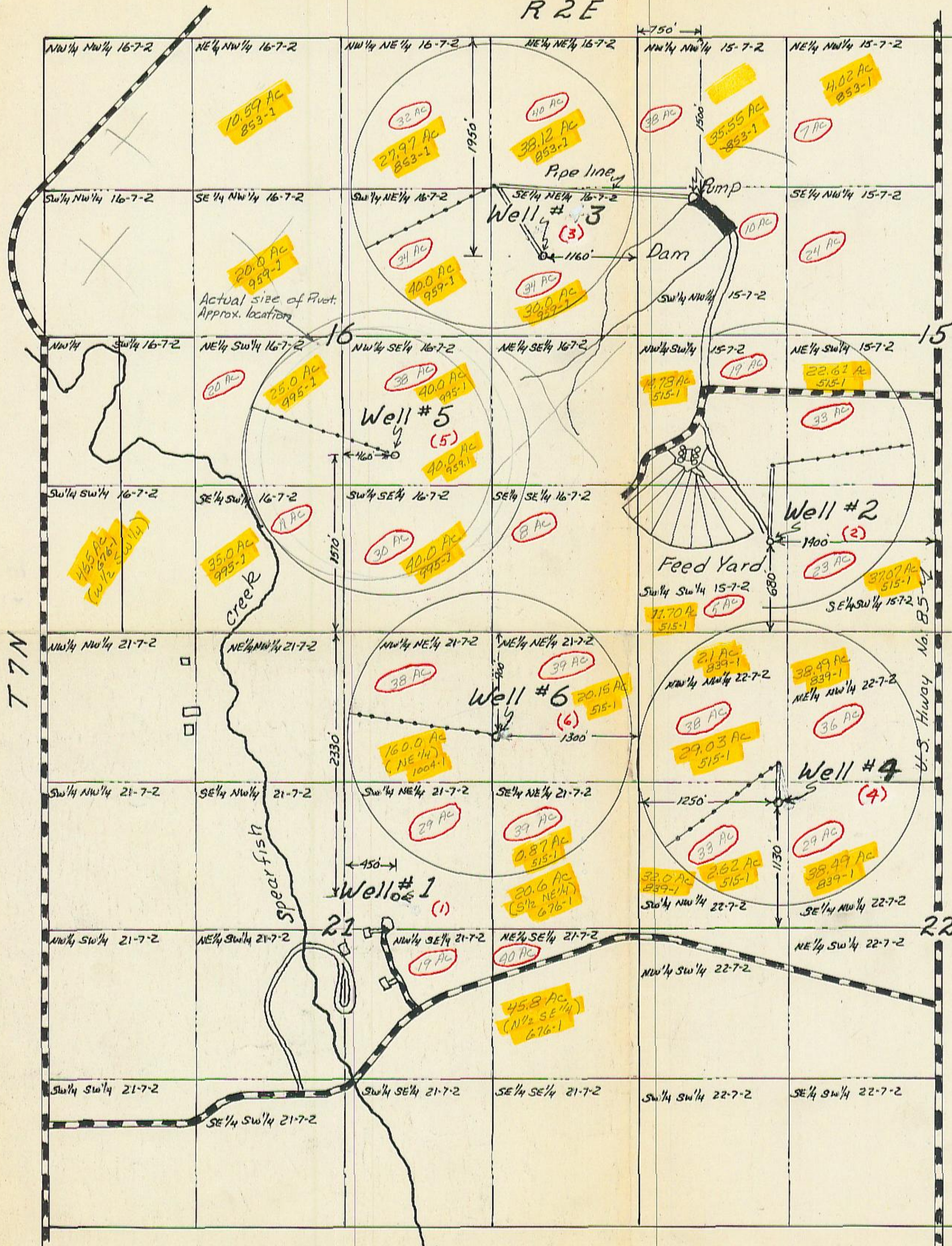
ALE
NOT TO SCALE

Melvin E. Delzer

Permit # 1004-1

Office Copy
Permit # 1276-1
Map # 1276-1

R 2 E



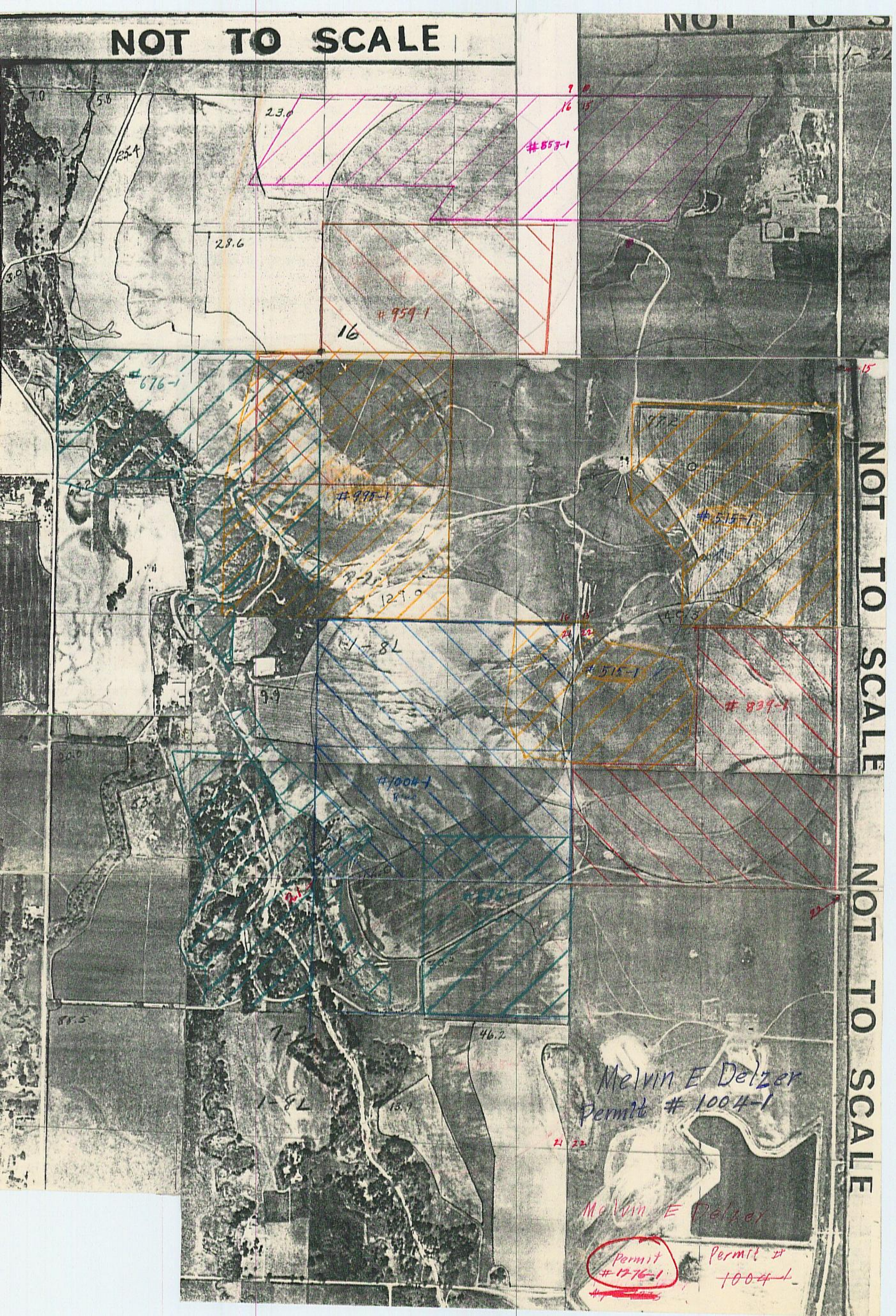
Spearfish
Valley
Ranch
Lawrence County
S. D.

Scale:
8" = 1 mile
1" = 660'



NOT TO SCALE

NOT TO SCALE



NOT TO SCALE

NOT TO SCALE

Melvin E Delzer
Permit # 1004-1

Melvin E Delzer

Permit
#1276-1

Permit #
1004-1

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1276-1

Melvin E. Delzer

(Applicant)

South Dakota

2040 W. Main, Rapid City

(Post Office Address)

With the following qualifications

The wells approved under this Permit shall be valved and the flow reduced to minimum when not being used (directly or for storage purposes). The wells shall also be equipped with a pressure guage and a record kept of any pressure fluctuations. Such records shall be available to the Board, upon request. If the wells are abandoned or the Permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board.

The irrigation wells approved under this Permit are located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.

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

Date of first receipt of application March 23, 1983

Date of return to applicant for correction, amendments or changes required _____, 19

Date of receipt of corrected application _____, 19

Approved June 9, 1983, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1276-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1276-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is January 14, 1983
2. The equivalent of at least one-fifth of the work above specified is ~~to be completed on or before~~ December 9, 1985
3. The whole of said work is ~~to be completed on or before~~ June 9, 1988
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is ~~completed~~ June 9, 1992
5. The water appropriated shall be used for the purpose of irrigation

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 1.2 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation ~~on or before~~ June 9, 1992; said water to be used during the following described annual period: May 1 - October 31

Witness my hand this 17th day of June, 1983

THE WATER MANAGEMENT BOARD

By: John Hatched
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19

Water License Issued _____, 19

①

P.N. 515-1 Well-? 1 Applied 9/30/60
Permit No. Acres
Sec. 15 - 7-2 (m) NW¹/₄ SW¹/₄ 14.78
(m) NE¹/₄ SW¹/₄ 22.61
(m) SW¹/₄ SW¹/₄ 11.70
(m) SE¹/₄ SW¹/₄ 37.07
Total Sec. 15 86.16

Covered under Permit No. 1004-1
Sec. 21 - 7-2 (m) NE¹/₄ NE¹/₄ 20.15
(Duplication) (m) SE¹/₄ NE¹/₄ 0.87
Total Sec. 21 21.02

Sec. 22 - 7-2 (m) NW¹/₄ NW¹/₄ 29.03
(m) SW¹/₄ NW¹/₄ 2.62
Total Sec. 22 31.65

Total Permit No. 515-1 - 138.83
Minus 21.02

Total - 117.81

②

P.N. 676-1 Well No. 1 Applied 3-4-63
Acres

Sec. 16-7-2 (in) W $\frac{1}{2}$ SW $\frac{1}{4}$ 46.5

Total Sec. 16 46.5

Sec. 21-7-2 (in) N $\frac{1}{2}$ SE $\frac{1}{4}$ 45.8

Duplication $\rightarrow$ (in) S $\frac{1}{2}$ NE $\frac{1}{4}$ 20.6

Covered under Permit No. 1004-1

Total Sec. 21 66.4

Total Permit No. 676-1 112.9
Minus 20.6
Total - 92.3

P.N. 839-1 Well No. 4 Applied 3/13/68
Acres

Sec. 22-7-2 (in) NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.1

(in) SW $\frac{1}{4}$ NW $\frac{1}{4}$ 32.0

(in) NE $\frac{1}{4}$ NW $\frac{1}{4}$ 38.49

(in) SE $\frac{1}{4}$ NW $\frac{1}{4}$ 38.49

Total Sec. 22 111.08

Total Permit No. 839-1 111.08

③

P.N. 853-1 Dam ($\text{SW}\frac{1}{4}\text{NW}\frac{1}{4}$
15-7-2) Applied 11-1-68

	Acres
Sec. 15-7-2 (in) $\text{NE}\frac{1}{4}\text{NW}\frac{1}{4}$	4.02
(in) $\text{NW}\frac{1}{4}\text{NW}\frac{1}{4}$	<u>35.55</u>
Total Sec. 15	39.57

Sec. 16-7-2 (in) $\text{NE}\frac{1}{4}\text{NE}\frac{1}{4}$	38.12
(in) $\text{NW}\frac{1}{4}\text{NE}\frac{1}{4}$	27.97
(in) $\text{NE}\frac{1}{4}\text{NW}\frac{1}{4}$	<u>10.59</u>
Total Sec. 16	76.68

Total Permit No. 853-1 116.25

P.N. 995-1 Well No. 5 Applied 9/17/73

	Acres
Sec. 16-7-2 $\text{NW}\frac{1}{4}\text{SE}\frac{1}{4}$	40.00
$\text{SW}\frac{1}{4}\text{SE}\frac{1}{4}$	40.00
(in) $\text{NE}\frac{1}{4}\text{SW}\frac{1}{4}$	25.00
(in) $\text{SE}\frac{1}{4}\text{SW}\frac{1}{4}$	<u>35.00</u>
Total Sec. 16	140.00

Total Permit No. 995-1 140.00

④

P.N. 1004-1 Well No. ? Applied - ?

		Acres
Sec. 21-7-2	NE 1/4	160.00

Total Sec. 21	160.00
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Total Permit No. 1004-1 - 160.00

P.N. 959-1 Well No. ? Applied - ?

		Acres
Sec. 16-7-2	SW 1/4 NE 1/4	40.00

(in)	SE 1/4 NW 1/4	20.00
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(in)	SE 1/4 NE 1/4	30.00
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Duplication →	NW 1/4 SE 1/4	40.00
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Covered under Permit No. 995-1

Total Sec. 16	130.00
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Total Permit No. 959-1 - 130.00

Minus	40.00
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Total - 90.00

①.

Sec. No.	Permit No.	Description	Acres
T7N R2E			
15	515-1	(in) NW $\frac{1}{4}$ SW $\frac{1}{4}$	14.78
		(in) NE $\frac{1}{4}$ SW $\frac{1}{4}$	22.61
		(in) SW $\frac{1}{4}$ SW $\frac{1}{4}$	11.70
		(in) SE $\frac{1}{4}$ SW $\frac{1}{4}$	37.07
	853-1	(in) NE $\frac{1}{4}$ NW $\frac{1}{4}$	4.02
		(in) NW $\frac{1}{4}$ NW $\frac{1}{4}$	35.55
Total Sec. 15 T7N R2E			125.73

16	676-1	(in) W $\frac{1}{2}$ SW $\frac{1}{4}$	46.50
	853-1	(in) NE $\frac{1}{4}$ NE $\frac{1}{4}$	38.12
		(in) NW $\frac{1}{4}$ NE $\frac{1}{4}$	27.97
		(in) NE $\frac{1}{4}$ NW $\frac{1}{4}$	10.59
	995-1	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
		(in) NE $\frac{1}{4}$ SW $\frac{1}{4}$	25.00
		(in) SE $\frac{1}{4}$ SW $\frac{1}{4}$	35.00
	959-1	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
		(in) SE $\frac{1}{4}$ NW $\frac{1}{4}$	20.00
		(in) SE $\frac{1}{4}$ NE $\frac{1}{4}$	30.00
Total Sec. 16 T7N R2E			353.18

Note:

Also listed under NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 Ac
 Permit 959-1 - This is a duplication -
 its covered under Permit No. 995-1

②

Sec. No.	Permit No.	Description	Acres
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21	1004-1	NE $\frac{1}{4}$	160.00
	676-1	(in) N $\frac{1}{2}$ SE $\frac{1}{4}$	45.80
Total Sec. 21 T7N R2E			205.80

Note:

Also listed under

Permit 515-1 (in) NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20.15

(in) SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.87

Permit No. 676-1 (in) S $\frac{1}{2}$ NE $\frac{1}{4}$ 20.60

This is a duplication - its covered under Permit No. 1004-1.

22	515-1	(in) NW $\frac{1}{4}$ NW $\frac{1}{4}$	29.03
		(in) SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.62
	839-1	(in) NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.10
		(in) SW $\frac{1}{4}$ NW $\frac{1}{4}$	32.00
		(in) NE $\frac{1}{4}$ NW $\frac{1}{4}$	38.49
		(in) SE $\frac{1}{4}$ NW $\frac{1}{4}$	38.49
Total Sec. 22 T7N R2E			142.73

③

Recap:

Sec. No.		Acres
15	T7N R2E	125.73
16	T7N R2E	353.18
21	T7N R2E	205.80
22	T7N R2E	142.73
Total -		827.44

Permit No.	Acres
515-1	117.81
676-1	92.30
839-1	111.08
853-1	116.25
995-1	140.00
1004-1	160.00
959-1	90.00
Total -	827.44

MELVIN E. DELZER

Developed

Also in Sec 16-7-2

Land Description	Acres	Acres	Permit No.	Acres	Permit#
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 16, T7N, R2E	32	27.97	853-1	} in W $\frac{1}{2}$ SW $\frac{1}{4}$	46.5 676-1
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 16, " "	40	38.12	853-1		10.59 853-1
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 16, " "	34	40.00	959-1		20.0 959-1
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 16, " "	34	30.00	959-1		
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 16, " "	20	25.00	995-1		77.09
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 16, " "	11	35.00	995-1		276.09
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 16, " "	38	40.00	995-1		
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 16, " "	30	40.00	995-1		
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 16, " "	8	0.00			
	247	276.09			
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 15, " "	38	35.55	853-1		
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 15, " "	7	4.02	853-1		
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 15, " "	10	0.00			
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 15, " "	24	0.00			
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 15, " "	19	14.78	515-1		
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 15, " "	33	22.61	515-1		
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 15, " "	5	11.70	515-1		
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 15, " "	23	37.07	515-1		
	159	125.73			
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 21, " "	38				
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 21, " "	39				
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 21, " "	29				
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 21, " "	39	NE $\frac{1}{4}$ 160.00	1004-1	247	353.18
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 21, " "	19			159	125.73
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 21, " "	40	N $\frac{1}{2}$ SE $\frac{1}{4}$ 45.80	676.1	204	205.80
	204	205.80		136	142.73
				TOTAL	746 acres 827.44 Ac Permitted
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 22, " "	38	29.03	515-1		
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 22, " "	36	2.10	839-1		
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 22, " "	33	38.49	839-1		
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 22, " "	29	32.00	839-1		
		2.62	515-1		
		38.49	839-1		
	136	142.73			

827.44
- 746.00
81.44

RECEIPT

WATER RIGHTS COMMISSION

No 4 8777

State of South Dakota

PIERRE, March 23, 1982

RECEIVED OF Melvin Delzer, 2040 West Main, Rapid City, SD 57701

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____	150	00
Fee for inspecting Construction, and issuing Cert. of Construction No. _____		
Fee for inspecting Beneficial Use, and issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH *Jms*

RECEIPT

WATER RIGHTS COMMISSION

No 4 9203

State of South Dakota

PIERRE, March 23, 1983

RECEIVED OF Melvin E. Delzer, 2040 E Main, Rapid City, SD 57701

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____	75	00	Add'l Fee
Fee for inspecting Construction, and issuing Cert. of Construction No. _____			
Fee for inspecting Beneficial Use, and issuing Water License No. _____			
Fee for issuing Location Certificate-Dry Draw, No. _____			
Fee for filing _____			
Fee for certified copy of _____			
Fee for Print copy of map _____			
Fee for Certifying _____			
Fee for _____ (any other work as provided by law)			
TOTAL	75	00	

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH ms

RECEIPT

Division of Water Rights

No 4 9593 -

South Dakota Department of Water and Natural Resources

Pierre, March 20, 1981

RECEIVED OF Melvin E. Delzer, 2040 W. Main, Rapid City, SD 57701

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
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>1276-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

JOHN HATCHER

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: MELVIN E. LEIBER OWNERS ADDRESS: 2040 WEST MAIN

RAPID CITY, SD 57101

COUNTY LAND LOCATED IN: LAWRENCE PHONE: 342-9214 (TOM NEAL)

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: #2-SE⁴NW⁴ SEC 22; #3-SE⁴NE⁴ SEC 16; #4-SW⁴NW⁴ SEC 22; #5-NW⁴SE⁴ SEC 16; #6-NW⁴NE⁴ SEC 16, ALL IN T7N, R2E.
2. SURFACE WATER SOURCE: HAS SMALL STORAGE DAM, BUT SOURCE OF WATER IS PRIMARILY FROM THE WELLS.
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
SECTION 15, T7N, R2E SW ⁴ NW ⁴	10	SECTION 16, T7N, R2E SE ⁴ NE ⁴	5
SE ⁴ NW ⁴	24	SE ⁴ SE ⁴	8
NW ⁴ SW ⁴	12	SECTION 22, T7N, R2E NW ⁴ NW ⁴	7
NE ⁴ SW ⁴	11		

4. TYPE OF IRRIGATION: GRAVITY: SW⁴SW⁴ TOWLINE: 4 CENTER PIVOT: X GUN: OTHER: SIDE ROLL (Specify)

5. CROPS TO BE IRRIGATED: _____

6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1960

LEGAL DESCRIPTION: PORTIONS OF SEC 15, 16, 21 & 22, T7N, R2E

IN WHAT NAME: SPEARFISH VALLEY RANCH

MOST OF THE LANDS SURROUNDING THESE TRACTS IN SEC 15, 16 & 22, T7N, R2E ARE COVERED UNDER PERMITS 515-1, 676-1, 839-1, 853-1, 959-1, 945-1 & 1004-1 DEVELOPED BETWEEN 12-27-60 AND

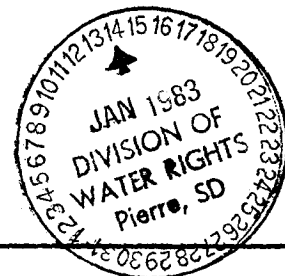
WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 131650 82-1967

8. SALINITY (EC X 10⁶): 2100

9. SODIUM (SAR): 0.03

10. ADJUSTED (SAR): 0.09



I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location:

by _____ (individual who took sample if other than applicant). I

also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

26 DAY OF April, 1982.

John M. O'Connell
(NOTARY PUBLIC)

Melvin E. Leiber
APPLICANT'S SIGNATURE

Jack M. Spill
Director, Division of Conservation

IMPORTANT

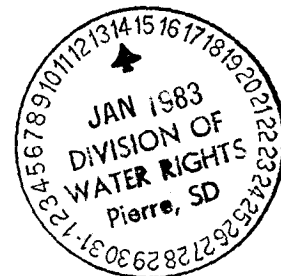
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

APPROVED _____
DISAPPROVED _____
X CONDITIONALLY APPROVED

#3067

CONDITIONAL APPROVAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Melvin DalzerLEGAL DESCRIPTION: Portions of Sec's 15, 16, & 22-7-2 = 77 acresSOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

Mapping Units CaE, CaD, GaD and McD shall be limited to irrigation on slopes 9% or less. The soils of the above mapping units on steep slopes are subject to water erosion.

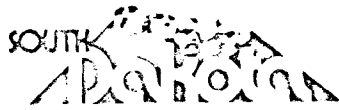
RECOMMENDED MANAGEMENT:

The CaE, CaD, GaD, and McD be maintained in grass and/or alfalfa to prevent erosion of these areas.

The application of additional water to aid in the leaching of salts.

Ted M. F. Field
SIGNATURE

1-13-83
DATE



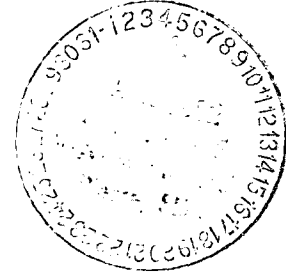
Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 O Pierre, South Dakota 57501
Phone 605/773-3258

April 2, 1982

Melvin E Delzer
2040 West Main
Rapid City, SD 57701



Dear Mr. Delzer:

Enclosed please find your WI-1 form that you recently submitted to our office. Before further processing your application it will be necessary for you to submit water samples from the sources you are using to irrigate the sections indicated in yellow on your map. Also your WI#1 form must be signed and notarized.

Please forward this information to the Water Quality Laboratory at Brookings, and they will then forward it on to us.

If you have any questions please feel free to contact this office.

Sincerely,

Martin Gertonson
Martin Gertonson
Program Director (Acting)

5/12/82

*In checking permits w/sec it was
discovered that Delzer did not have
WQ permit for 1/4 Sec 4 16-9-2. SEC
will need WI-1 for this to be
permitted. Same water analysis
SEC has not decided what
(959-3) they will be doing about this. Should it
be a permit for water analysis.*



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

December 3, 1982

Melvin Delzer
2040 West Main
Rapid City, SD 57701

Dear Mr. Delzer:

In reviewing your soil and water compatibility application for portions of Sections 15, 16, & 22-T7-R2 the Irrigation Staff is recommending a Conditional Approval of your application to the State Conservation Commission at their January 13, 1982 meeting.

The Conditional recommendation is based on the soils and slope of the lands you intend to irrigate; and the restrictions and management recommendations are as follows:

RESTRICTIONS:

Mapping Units CaE, CaD, GeD and McD shall be limited to irrigation on slopes 9% or less. The soils of the above mapping units on steep slopes are subject to water erosion.

MANAGEMENT RECOMMENDATIONS:

The CaE, CaD, GeD, and McD be maintained in grass and/or alfalfa to prevent erosion of these areas.

The application of additional water to aid in the leaching of salts.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Director

Water Rights Division
605 7733552

March 17, 1983

Melvin E Delzer
2040 E Main
Rapid City SD 57701

Dear Mr. Delzer:

In writing up the advertisement to the additional acreage it was discovered the fee of \$150 is not correct. The filing fee for this application is \$225. Please submit an additional \$75 before May 30 so your application can be advertised for the July 21st Water Management Board meeting.

As stated in previous correspondence this office will pay for the advertisement costs.

Sincerely,

BETTY WESTLUND
Water Rights Specialist

BW:ks

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT APPLICATION

No. 1276-1, Melvin E. Delzer

Pursuant to Section 4, House Bill 1002, 1983 Legislature, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1276-1, Melvin E Delzer, 2040 West Main, Rapid City SD.

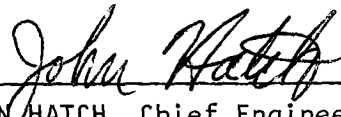
The Chief Engineer is recommending APPROVAL of Application No. 1276-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) that the proposed diversion can be developed without unlawful impairment of existing rights, 3) that the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

The irrigation wells approved under this permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

The wells approved under this permit shall be valved and the flow reduced to minimum when not being used (directly or for storage purposes). The wells shall be equipped with a pressure guage and a record kept of any pressure fluctuations. Such records shall be available to the Board, upon request. If the wells are abandoned or the Permit cancelled, the wells must be plugged in accordance with specifications of the Water Management Board.

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

The attached report is a part of this recommendation.



JOHN HATCH, Chief Engineer
Water Rights Division
4-5-83

Report on Water Permit Application No. 1276-1

March 28, 1983

Application No. 1276-1 is for 81 additional acres and 1.2 cfs additional. The 81 acres is presently being irrigated. The discrepancy was found when several other permits held by Delzer were inspected for licensing. Recommend approval because the water has been used for a number of years with no complaints from other water right holders and this application will bring Mr. Delzer into compliance with South Dakota Law. Upon approval, Application 1272-1 should be withdrawn.

The applicable portions of Water Permits or Rights No. 515-1, 676-1, 839-1, 853-1, 959-1, 995-1 and 1004-1 can be incorporated into one license after approval of Application No. 1276-1.

Kevin C. Larson
Water Resources Engineer



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

No. 1276-1

April 21, 1983

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

Melvin Delzer
2040 W Main
Rapid City SD 57701

Dear Mr. Delzer:

You are hereby notified that your Application No. 1276-1 for a permit to appropriate water for Irrigation use, has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the

QUEEN CITY MAIL printed at Spearfish,

South Dakota. For your information, a copy of this notice and the recommendation of the Chief Engineer is enclosed. Please review and contact this office, if you have any questions.

Be sure to contact the above newspaper to authorize publication of your notice of intent to appropriate water ~~and to arrange for payment.~~ Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur at least thirty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Very truly yours,

KEVIN LARSON
Water Resources Engineer

Encl. Forms 6&7

NOTE: Our office will pay for this publication.

Instructions to Newspaper - Publish first publication of following Notice on or before
April 27, 1983 with 2nd publication 1 week later. ~~The applicant is responsible for payment.~~

NOTICE of HEARING on Application No. 1276-1 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Melvin E Delzer whose mailing address is 2040 W Main
 Rapid City

, South Dakota has made an application pursuant to the provisions of
 SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-14, Section 13 of HB 1001 enacted by 1983 Legis-
 lature; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, Section 32 of HB 1001; 46-5-1 thru 46-5-8, 46-5-10,
 thru 46-5-16, 46-5-24, 46-5-25, 46-5-31, Sections 38, 47, 59 & 67 of HB 1001, Sections 1, 4,
 5, 6, 11, 12, 13, 16, 18, 19 & 21 of HB 1002; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10,
 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40, Section 71 of HB 1001; ~~(transfer lands)~~
~~46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01~~
~~thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:26, (10,000 AFA) 74:02:01:15:02~~
~~thru 74:02:01:15:05;~~ (several of the preceeding SDCL Sections are amended by HB 1001 & 1002
 of 1983 Legislature) for a permit to add acreage and appropriate an additional 1.20
 cubic feet per second additional water on Permit Nos. 515-1, 676-1, 839-1, 853-1, 959-1, 995-1
 and 1004-1 giving a total diversion of 12.49 cfs and total of 827.44 acres irrigated from
 groundwater (six existing wells) and an existing 44.6 acre foot storage dam. The points
 of diversion to be located: Well #1: 960', SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 21; Well #2: 1218', SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 15; Well
 #3: 950', SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16; Well #4: 1260', SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22; Well #5: 1100', NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16;
 Well #6: 1260', NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 21 and a dam in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15 all in T7N, R2E. Said water
 to be used for the purpose of providing irrigation of an additional 81 acres located in
 S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15; SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, all in
 T7N, R2E.

Pursuant to Section 4 of HB 1002 the Chief Engineer of the Water Rights Division recommends
approval of Application No. 1276-1 because 1) unappropriated water is available, 2) will
 be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in
 public interest.

This application will be considered by the Water Management Board at Federal Bldg, Room 301,
200 4th St SW, Huron, South Dakota upon the 9th day of June at ~~10:00 am.~~
1:30 pm.

The recommendation of the Chief Engineer is not final or binding upon the Board and the
 Board is authorized to make a determination on this application after it reaches a con-
 clusion based upon facts presented at the public hearing. Any interested person who may
 be affected by a Board decision and who intends to participate in the hearing before the
 Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a
 written petition with the Chief Engineer and the Applicant by May 30, 1983.
 The petition may be informal, but it must include a statement describing the petitioners
 interest in the application, the reason for the petitioner's opposition to or support of
 the application, and the signature and mailing address of the petitioner or his legal counsel
 if legal counsel is obtained. The applicant need not file a petition. The time of the
 hearing will be automatically extended for at least twenty days upon written request of the
 applicant or any person who has filed a petition to oppose or support the application. The
 request for extension must be filed with the Chief Engineer by May 30, 1983.

This hearing is an adversary proceeding. The applicant or any person, after filing a
 petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on
 this application or to assure access to the hearing by the handicapped can contact the
 Water Right Division, DWNr, Joe Foss Bldg., Pierre SD (605 773-3352) for assistance
 prior to the hearing date.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Lawrence)

I, Darlene G. Hubbard hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Queen City Mail

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

Queen City Mail of Spearfish

County of Lawrence and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

27 April 1983 & 4 May 1983

Darlene G. Hubbard
(Signature)

Bookkeeper - Queen City Mail
(Title)

4 May 1983
(Date Signed)

Cost of Printing: \$42.74



NOTICE OF HEARING ON
APPLICATION NO. 1276-1 TO
APPROPRIATE WATER

Notice is hereby given that Melvin E. Delzer whose mailing address is 2040 W. Main, Rapid City, South Dakota has made an application pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-14, Section 13 of HB 1001 enacted by 1983 Legislature; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, Section 32 of HB 1001; 46-5-1 thru 46-5-8, 46-5-10, thru 46-5-16, 46-5-24, 46-5-25, 46-5-31, Sections 38, 47, 59 & 67 of HB 1001, Sections 1, 4, 5, 6, 11, 12, 13, 16, 18, 19 & 21 of HB 1002; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (several of the preceeding SDCL Sections are amended by HB 1001 & 1002 of 1983 Legislature) for a permit to add acreage and appropriate an additional 1.20 cubic feet per second additional water on Permit Nos. 515-1, 676-1, 839-1, 853-1, 959-1, 995-1 and 1004-1 giving a total diversion of 12.49 cfs and total of 827.44 acres irrigated from ground-water (six existing wells) and an existing 44.6 acre foot storage dam. The points of diversion to be located: Well #1: 960', SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 21; Well #2: 1218', SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 15; Well #3: 950', SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16; Well #4: 1260', SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22; Well #5: 1100', NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16; Well #6: 1260', NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21 and a dam in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15 all in T7N, R2E. Said water to be used for the purpose of providing irrigation of an additional 81 acres located in S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15; SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, all in T7N, R2E.

Pursuant to Section 4 of HB 1002 the Chief Engineer of the Water Rights Division recommends approval of Application No. 1276-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in public interest.

This application will be considered by the Water Management Board at Federal Bldg., Room 301, 200 4th St. SW, Huron, South Dakota, upon the 9th day of June at 1:30 p.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine

witnesses according to SDCL 1-26, must file a written petition with the Chief Engineer and the Applicant by May 30, 1983. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by May 30, 1983.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN. Joe Foss Bldg., Pierre, S.D. (605/773-3352) for assistance prior to the hearing date.

(17-2tc, 103 lines)



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

1276-1

July 13, 1983

Helvin Belzer
2040 W. Main
Rapid City SD 57701

Dear Sir:

Enclosed herewith is your Water Permit No. 1276-1 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 1276-1.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1276-1

March 14, 1984

Melvin E Delzer
2040 W Main
Rapid City SD 57701

Dear Mr. Delzer:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1276-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

KAREN SCHLAAK
Administrative Aide

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

1276-1

June 9, 1984

Melvin E Delzer
2040 W Main
Rapid City SD 57701

Dear Mr. Delzer:

Enclosed herewith is, Water License No. 1276-1. This is the final water right document completing your process of obtaining a water right.

The priority dates listed in Water License No. 1276-1 are based upon the lands and not on the wells. The applicable portions of Water Right Nos. 515-1, 676-1, 853-1 and Water Permit Nos. 839-1, 959-1, 995-1 and 1004-1 have been incorporated into this Water License.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

encl.

Equal Opportunity Employer

State of South Dakota

Water License No. 1276-1

(1) Melvin E Delzer
of 2040 W Main, Rapid City SD 57701
made Application No. 1276-1*, March 23, 1983 for a water permit to appropriate
1.2 cubic feet per second of water from six wells & a storage dam (authorized by existing permits),
Lawrence County, South Dakota for irrigation purposes.
Permit No. 1276-1, with a priority date of January 14, 1983
was approved June 9, 1983 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ and for the application to beneficial use of said
water ~~on or before~~.

* The applicable portions of Water Right Nos. 515-1, 676-1, 853-1 and Water Permit Nos. 839-1, 959-1, 995-1 and 1004-1 are being incorporated into this Water License No. 1276-1.

and

and the incorporated Water Rights and Permits have

(2) It is certified that the application ~~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 8.73 cubic feet per second of water for beneficial use. The location of the diversion point(s) are Well #1 - 2330'S and 450'E of the N 1/4 corner Sec 21 (AC); Well #2 - 680'N and 1400'W of the S 1/4 corner Sec 15 (CC); Well #3 - 1950'S and 1160'W of the NE corner Sec 16 (AD); Well #4 - 1130'N and 1250'E of the W 1/4 corner Sec 22 (BC); Well #5 - 1570'N and 460'E of the S 1/4 corner Sec 16 (DB); Well #6 - 900'S and 1300'W of the NE corner Sec 21 (AA); Dam - 1500'S and 750'E of the NW corner Sec 15 (BC); all points in T7N, R2E

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, See attachment No. 1

(4) Pursuant to §46-5-30.1 Melvin E. Delzer
of 2040 W Main, Rapid City SD 57701

the holder(s) and/or owner(s) of Water Permit No. 1276-1 is issued a license to appropriate water, the right to use 8.73 cubic feet per second of water from groundwater (6 wells) and dry draw with a priority date of See attachment No. 1 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1276-1 and subject to South Dakota State Law.

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

June 7, 1934

MELVIN E. DELZER

Land Description	Acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 16, T7N, R2E	32
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 16, " "	40
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 16, " "	34
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 16, " "	34
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 16, " "	20
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 16, " "	11
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 16, " "	38
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 16, " "	30
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 16, " "	<u>8</u>
	247
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 15, " "	38
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 15, " "	7
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 15, " "	10
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 15, " "	24
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 15, " "	19
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 15, " "	33
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 15, " "	5
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 15, " "	<u>23</u>
	159
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 21, " "	38
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 21, " "	39
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 21, " "	29
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 21, " "	39
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 21, " "	19
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 21, " "	<u>40</u>
	204
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 22, " "	38
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 22, " "	36
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 22, " "	33
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 22, " "	<u>29</u>
	136

Permit No. 1276-1Belle Fourche River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Melvin E Delzer
2040 W Main of Rapid City SD 57701 holder of
Permit No. see Attachment "A", bearing the priority of See "A" 19____ authorizing
the diversion of See "A" 12.49 cu. ft. per second of the waters of six wells and dry draw dam
for irrigation purposes, in Lawrence County.

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

A. Works used to divert the water:

See Attachment "B"

NOTE: Applicable portions of Permit Nos.
515-1, 676-1, 839-1, 853-1, 959-1,
995-1 and 1004-1 are incorporated
into this final inspection.

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

C. Works used to apply water to beneficial use:

Center pivots, side roll and hand moved sprinkler systems

The system is in the following condition goodThe point of diversion is located See Attachment "C"

The works are capable of diverting and conveying to the place of use 8.73 (See "B")
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: See Attachment "D"comprising a total of 748.5 acres of land and the license should be issued for 8.73 cfs

Applicable permit qualifications have been complied with X Yes No Report completed
May, 1984

Exceptions to compliance are: _____ Date _____

Delzer
(signature)

Attachment "A"

Final Inspection for License No. 1276-1

Authorized Diversion Rate:

Based on those permits that were licensed and those not licensed at the time of this final inspection.

<u>Permit No.</u>	<u>Well No.</u>		<u>cfs</u>	<u>Priority Date</u>
515-1	2	Licensed for	1.11	9-30-60
676-1	1	Licensed for	1.13	3-04-63
839-1	4	Approved for	1.58	3-13-68
853-1	dam	Licensed for	44.6AF 1.67	11-01-68
959-1	3	Approved for	1.85	4-17-72
995-1	5	Approved for	1.95	9-17-73
1004-1	6	Approved for	2.00	12-03-73
1276-1*		Approved for	1.2	1-14-83
Total			12.49 cfs	

* Applied for and approved after final inspection for water from all 6 wells and the dam as required.

Attachment "B"

Final Inspection of Permit No. 1276-1.

Permit Nos. 515-1, 676-1, 839-1, 853-1, 959-1, 995-1 and 1004-1 are all incorporated into the license of Permit No. 1276-1.

Well #1 Log on file

Depth - 960 ft, Pumps 500 gpm = 1.11 cfs.

Motor: GE-50HP, 3545 RPM, Model 5K324XAM101 Ser # AGJ 113347

Pump: Cornell Model 5WB50-2, Ser #10554, 7 5/8
uses tow lines or side rolls.

Pump to run side roll. Motor GE 30 HP, 3530 RPM
Model 5K234XAM101. Ser # ADJ110449

Pump - Cornell, Model 3YB30-2

Note: This well furnishes water for the houses also.

Well #2 Log on file

Depth - 1218 ft, Pumps 380 gpm = 0.84 cfs

Motor: GE 40HP, 3540 RPM, Model 5K286JN1140A

Pump: Cornell, Model 4YB40-2, Ser # 16624-7 3/8

Center Pivot: Valley, Model 2071, Ser # 13206
5" dia. Aluminum pipe to center pivot

Well #3 Log on file

Depth - 1522 ft, Artesian flow 150 gpm = 0.33 cfs - water
runs into irrigation dam
well has shut - off valve

Well #4 No log on file

Depth - est. 1250 ft. Pumps 750 gpm - 1.67 cfs

Motor: GE Model 5K326YK157, Ser # BK6093003
60 HP 3530 RPM

Pump: Cornell Model 4YB60-2, Ser #16657. 8 5/8

Center Pivot: Valley

6" PVC pipe from well to center pivot

Well #5 No log on file

Pumps 450 gpm = 1.0 cfs

pump in shop at time of inspection

Center Pivot: Valley

Well #6 Log on file

Artesian flow - 110 psi, flows 800 gpm = 1.78 cfs

well has shut-off valve. No pump necessary

Center Pivot: Valley

Irrigation Storage Dam

Height: 22 ft Front slope: 4:1

Length: 450 ft Back slope: 3:1

Top Width: 14 ft Storage: 44.6 AF

Pump at dam - 900 gpm 2.0 cfs

Motor: U.S. Electric 100 hp, 1770 rpm

ID# R9981-00-814 R2097785

Fig 4700

Pump: Crane Deming, Ser# 75591, 1750 rpm,

Center Pivot: Valley Model 2071, Ser# 1293

8" PVC Pipe from pump to center pivot

Attachment "C"

Melvin E Delzer

License No. 1276-1

Location of Point of Diversions

All points of Diversions are in T7N, R2E

Well #1 - 2330 ft S and 450 ft E of the N 1/4 corner Section 21

Well #2 - 680 ft N and 1400 ft W of the S 1/4 corner Section 15

Well #3 - 1950 ft S and 1160 ft W of the NE corner Section 16

Well #4 - 1130 ft N and 1250 ft E of the W 1/4 corner Section 22

Well #5 - 1570 ft N and 460 ft E of the S 1/4 corner Section 16

Well #6 - 900 ft S and 1300 ft W of the NE corner Section 21

Dam - 1500 ft S and 750 ft E of the NW corner Section 15

Attachment "D"

Melvin E Delzer

License No. 1276-1

Land Description	Acres
NW 1/4 NE 1/4 - Sec 16, T7N, R2E	32
NE 1/4 NE 1/4	40
SW 1/4 NE 1/4	34
SE 1/4 NE 1/4	34
NE 1/4 SW 1/4	20
SE 1/4 SW 1/4	11
NW 1/4 SE 1/4	38
SW 1/4 SE 1/4	30
SE 1/4 SE 1/4	8
	247
NW 1/4 NW 1/4 - Sec 15, T7N, R2E	38
NE 1/4 NW 1/4	7
SW 1/4 NW 1/4	10
SE 1/4 NW 1/4	24
NW 1/4 SW 1/4	19
NE 1/4 SW 1/4	33
SW 1/4 SW 1/4	5
SE 1/4 SW 1/4	23
	159
NW 1/4 NE 1/4 - Sec 21, T7N, R2E	38
NE 1/4 NE 1/4	39
SW 1/4 NE 1/4	29
SE 1/4 NE 1/4	39
NW 1/4 SE 1/4	19
NE 1/4 SE 1/4	40
SE 1/4 SE 1/4	2
SW 1/4 SE 1/4	0.5
	206.5
NW 1/4 NW 1/4 - Sec 22, T7N, R2E	38
NE 1/4 NW 1/4	36
SW 1/4 NW 1/4	33
SE 1/4 NW 1/4	29
	136
TOTAL	
	748.5



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 24, 2001

857-1
1231-1
1276-1

Gloria Delzer
PO Box 1045
Spearfish, SD 57783-7045

Dear Ms. Delzer:

Thank you for the prompt return of the "2001" irrigation questionnaires for Water Right Nos. 857-1, 1014-1, 1231-1 and 1276-1.

As we discussed on the telephone, I am sending you partially completed "Notice of Transfer of Ownership" forms for use in filing ownership changes with Water Right Nos. 857-1, 1231-1 and 1276-1. Please review the forms for accuracy and make any necessary corrections. Upon completion, please sign the forms in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (total of \$7.50). The check or money order for the fees can be made payable to the Water Rights Program.

I have forwarded a transfer form to Ross and Barbara Delzer for Water Right No. 1014-1. Thank you following up on the ownership changes. If I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

416953

Pierre, November 1, 2001

RECEIVED OF Gloria Delzer, PO Box 1045, Spearfish, SD 57783-7045
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

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. _____

Fee for Filing Transfer Form 1076-1

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Darland Ebele
Chief Engineer

gm

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 1276-1

Date: 10-30-01

I/We request that Water Right No. 1276-1

formerly owned by: Melvin E. Delzer

be transferred to: (name & address) Gloria Delzer, PO Box 1045, Spearfish, SD 57783-7045

Telephone No. (605) 642-5172

Title to the following described land(s)/property has been transferred as described above:

748.5 acres - NE 1/4, E 1/2 SW 1/4, W 1/2 SE 1/4, SE 1/4 SE 1/4 Sec 16; W 1/2 Sec 15; E 1/2 Sec 21; NW 1/4 Sec 22, all in T7N, R2E

I/We understand that the validity of Water Right No. 1276-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Lawrence)

I/We Gloria Delzer being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Gloria Delzer
(Signature of new owner)

Subscribed and sworn to before me this 30 day of October, 2001.

Elmer M. Pringle
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 27, 2001

857-1
1231-1
1276-1

Gloria Delzer
PO Box 1045
Spearfish, SD 57783-7045

Dear Ms. Delzer:

Thank you for following up on the ownership changes for Water Right Nos. 857-1, 1231-1 and 1276-1. The transfers have been completed. Water Right Nos. 1231-1 and 1276-1 are now listed in your name. Water Right No. 857-1 is listed as being owned by Gloria and Roger O. Delzer.

Enclosed are your Receipt Nos. 416951, 416952 and 416953 in the amounts of \$2.50 each. You may keep these for your records.

Upon doing the transfers for Nos. 857-1, 1231-1 and 1276-1, I found an additional water permit listed in the name of Melvin Delzer. Water Permit No. 1650-1 authorizes use of ground water for a livestock confinement operation. Enclosed is a copy of the permit for your review.

I am assuming that Permit No. 1650-1 should also be transferred to your name. Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. Please review the form and complete as needed. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

Thank you in advance for your help. I apologize for not including the transfer form with the forms for transferring the rest of the water rights.

Sincerely,

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

enclosures



1276-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 2, 2005

1231-1
1276-1

Gloria Delzer
804 Appaloosa Ln
Spearfish SD 57783-9445

Dear Ms. Delzer:

Enclosed is a "Notice" dated October 28, 2005 concerning the 2005 irrigation questionnaire. The notice was originally mailed to PO Box 1045, Spearfish SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures



1276-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 2006

1231-1
1276-1

Gloria Delzer
21232 Hillsdale Ln
Huntington Beach CA 92646-7238

Dear Ms. Delzer:

Enclosed is a "Notice" dated October 20, 2006 concerning the 2006 irrigation questionnaire. The notice was originally mailed to 804 Appaloosa Lane, Spearfish SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures